

www.answering-christianity.com presents:

Response to the lies and distortions of christian missionaries about the position of women in islam



Part 3, Written by Kevin el-Karim

"The most perfect of believers are those most perfect of character; and the best of you are the best of you to your spouses." Tirmidhi, Ibn Hibban

"None but a noble man treats women in an honourable manner. And none but an ignoble treats women disgracefully" At-Tirmithy

He wrote:

The ummah unanimously agreed in practical terms at the time of the Rightly-Guided Caliphs and the imams of the first three generations, which the Prophet (peace and blessings of Allaah be upon him) testified were the best of generations, that women should not be appointed as governors or judges. There were women who were brilliant in religious knowledge, to whom scholars would refer concerning knowledge of Qur'aan, hadeeth and religious rulings, but no woman aspired to positions of public leadership during that time or any other position of that nature. The shar'i responsibilities of such positions cannot be carried out by women, because that involves travelling to the provinces, and mixing with the members of the ummah, and meeting with them, and leading the army sometimes in jihad, and negotiating with the enemy, and accepting oaths of allegiance from members of the ummah, and meeting with them, men and women, at times of war and peace, and so on. This is not appropriate for a woman, and it goes against the rulings of sharee'ah that are established to protect her and keep her safe from having to go out and mix in such a manner.

Response:**Sanusi Lamido Sanusi comments:**

There has never been unanimity on this matter among scholars, past and present. For example Abu Hanifa permits a woman to hold public office, even to be a judge in matters in which her testimony is admissible- that is all cases other than those involving fixed penalties/hudud and retaliation /qisas. Ibn Hazm in his Muhalla, allows a woman to hold every office apart from that of the Head of State based on this hadith. Hafiz Ibn Hajr indicates in Fathul Bari that Imam Ibn Jarir Al-Tabari not only supports the unrestricted appointment of woman to judgeship, he permitted also her appointment as Head of State. A similar view is reported from Imam Malik Ibn Anas and adopted by some Maliki jurists.¹

The prominent Muslim scholar Zeinab Mustafa states:

So both Allah most high and his messenger never discriminate between men and women. Allah has given both the ability to perform acts of worship and the capability to undertake responsibilities and we will find in our history that women used to be in charge of the market place during the time of Caliph `Umar Ibn Al-Khattab. Women used to be doctors, scholars, and sometimes judges. Women can be in charge of any position, except the head of the state. So, she could be a minister but she cannot be the head of the state.

Ibn Hazm comments:

In addition, Umar, the second head of state after the death of Prophet Mohammad, appointed a woman named Al Shafa bint Abdullah ibn abd Shams as the manager over the market of Medina.²

So here we clearly see that Umar the khalif appointed a woman as manager over the market, in other words he gave her a leadership position. So why then can't she be a judge etc. ? The quranic verses and islamic history on the contrary clearly show us that women can be judges or manager of a company etc. Famous scholars in the past like the great Abu Hanifa, Imam Tabari and Ibn Hazm agreed that women could become judges.

Secondly in Islam, contacts between men and women are permissible as long as both parties adhere to the teachings of Islam and ethical morals. There is nothing wrong that men and women co-operate together on that which is lawful and permissible such as acquiring beneficial knowledge or good work.

Sheikh Yusuf Al-Qaradawi comments:

In principle, contacts between men and women are not totally rejected; rather, recommendable so long as a noble objective is intended and the subject itself is lawful such as acquiring beneficial knowledge, good work, charitable project, obligatory Jihad or many other deeds that require the efforts and the co-operation the both sexes. The following are the conditions that must be met when there is a contact between both sexes:

1:

Both parties should adhere to lowering the gaze. No lustful look should exist. Almighty Allah says: [Tell the believing men to lower their gaze and be modest. That is purer for them. Lo! Allah is aware of what they do. And tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent, and to draw their veils over their bosoms, and not to reveal their adornment save to their own husbands or fathers or husbands' fathers, or their sons or their husbands' sons, or their brothers or their brothers' sons or sisters' sons, or their women, or their slaves, or male attendants who lack vigour, or children who know naught of women's nakedness. And let them not stamp their feet so as to reveal what they hide of their adornment. And turn unto Allah together, O believers, in order that ye may succeed.] (An-Nur: 30-31)

2:

A Muslim woman should observe the Muslim code of dressing. The Muslim dress for women, as well-known, covers the whole body save for the face and the hands. It is neither tight nor light in a way that describes the features of the body.

3:

General morality should be adhered to. In other words, a woman should be serious in speech and decent in way of walking, nipping any trial of Satan to spread immorality in the bud. Also, no perfumes are to be worn while being away from home, for the Prophet (peace and blessings be upon him) said: "Any woman who wears perfumes and then passes by a group of men and they smell it, she is an adulteress."

Note:

this does not mean that it is forbidden to use personal care products when one goes outside, the hadith only talks about perfume. Shayk Faraz Rabbani in his fatwa about perfume and kohl tells us: “Deodorant and creams that have a light scent, such that it isn't obviously discernable to others unless they get really close, are permitted”³

4:

No man and woman are allowed to be together in a place where no other males exist, for the Prophet (peace and blessings be upon him) said: “(Doing so) their third mate will be Satan i.e. leading them to sin.” This applies also to the relatives of the husband as the Prophet (peace and blessings be upon him) said: “Beware of sitting with women alone!” They (the Companions) said: “What about the relative of the husband, O Messenger of Allah?” He said: “A relative of the husband is death i.e. the cause of death.” This is because a relative of a husband may stay for a long time and thus the danger of sin becomes greater.

5:

Finally, we would like to note that all these contacts are not to be given loose rein. They are to be carried out according to need and reasonable interaction. Contacting men, no Muslim woman is allowed to forget about her nature or her role as a woman and instructor of all Muslim generations.

He wrote:

Rationally speaking, women should not be given positions of public office, because what is required of the one who is chosen for such a position is that he should be a man of great resolve, determination, smartness, will power and good management skills. These characteristics are lacking in women because they have been created with weakness in their intellect and thinking, and with strong emotions, so electing them to such positions is not in the interests of the Muslims and does not help them to achieve greatness. (Majallat al-Mujtama', issue no. 890. And Allaah knows best. Islam Q&A)

Response:

This statement about women is untrue, and proven wrong by other renowned scholars. The extremists quoted by the christian missionary Sham Shamoun rely their opinion on a wrong literal interpretation of one hadith, which has been proven wrong by other renowned scholars. The hadith in question is:

Sahih al-Bukhari, Volume 1, Book 6, Number 301

Narrated Abu Said Al-Khudri: Once Allah's Apostle went out to the Musalla to offer the prayer on 'Id-al-Adha or Al-Fitr prayer. Then he passed by the women and said, 'O women ! Give alms, as I have seen that the majority of the dwellers of Hell-fire were you (women).' They asked, 'Why is it so, O Allah's Apostle ? ' He replied, 'You curse frequently and are ungrateful to your husbands. I have not seen anyone more deficient in intelligence and religion than you. A cautious sensible man could be led astray by some of you.' The women asked, 'O Allah's Apostle! What is deficient in our intelligence and religion ?' He said, 'Is not the evidence of two women equal to the witness of one man ?' They replied in the affirmative. He said, 'This is the deficiency in her intelligence. Isn't it true that a woman can neither pray nor fast during her menses?' The women replied in the affirmative. He said, 'This is the deficiency in her religion.'

Many are those who question the meaning it conveys. This is largely due to the fact that the Hadith is quoted only in part and the relevant statement is cited out of context. People always attribute to the Prophet the suggestion that women are inferior to men on grounds of a deficient mind a lack of faith. This is far from true. On the next pages scholars refute this claim, and the reader can find out what the true meaning of this hadith is:

Shayk Gibril Fouad Haddad comments:

The problem here is not authenticity but meaning.. Even the plainest statement can become completely incoherent on the tongue of a retarded person or a pathological liar. The hadith here uses two figures of speech. The first is hyperbole meaning exaggeration in the words 'even a prudent, sensible man might be led astray by some of you' meaning all the more so an ordinary man. The second figure is synecdoche consisting in using the whole for the part: intelligence to mean the specific legal testimony of a woman, and religion to mean the prayer and fast at the time of menses.

Numerous verses and other narrations stress that the reward of women equals that of men even if their acts differ. So this particular narration is not meant literally but as an acknowledgment of the power women wield over men while ostensibly less active in the public and spiritual spheres.

However, the real import of the hadith spoken at the farewell pilgrimage, and its actual context was that the prophet challenged the women that were present to realize that unless they helped raise money with their gold and jewelry, they would miss the reward of men waging jihad as well as show ingratitude.

In the full version of the hadith the Prophet also orders the women to ask forgiveness and desist from frequently cursing their husbands. All this was spoken at a time of:

1. the impending departure of the latter on jihad
2. the impending departure of the Prophet from this world and
3. the fact that: cursing the believer is like killing him.

But the prophet was also being playful in his use of strong terms to impress this teaching on the listeners. Ruqayyah Waris Maqsood writes:

After the farewell pilgrimage at the eid prayer, the prophet walked past the men leaning on Bilal's arm, and came to the rows of women behind them. Bilal spread out a cloth and the prophet urged the women to be generous with their gifts of charity, for when he had been allowed a glimpse into the flames of hell, he had noted that most of the people being tormented there were women.

The women were outraged, and one of them instantly stood up boldly and demanded to know why that was so. 'Because' he replied: ' you women grumble so much and show ingratitude to your husbands ! Even if the poor fellows spent all their lives doing good things for you, you have only to be upset at the least thing and you will say ' I have never received any good from you.' At that the women began vigorously to pull off their rings and ear-rings, and throw them into Bilal's cloth.

Bukhari 1.28, recorded by Ibn Abbas- who was present on that occasion as a child. ⁵

The scholars of ourdialogue.com comment:

Question:

My daughter keeps asking me about the Hadith that women are deficient in mental ability and in religion. Could you please explain it? Why does the Prophet, peace be upon him, say that most women will be in hell ?

Your daughter is not alone. Many are those who question the meaning it conveys. This is largely due to the fact that the Hadith is quoted only in part and the relevant statement is cited out of context. People always attribute to the Prophet, peace be upon him, the suggestion that women are inferior to men on grounds of a deficient mind and a lack of faith. This is far from true. Let us look at the Hadith in full:

Related by Al-Bukhari and Muslim

On the occasion of Eid, either that of sacrifice or that of ending the fast, the Prophet, peace be upon him, went to the prayer place, and then went to speak to women and he said: "Ladies! I have not seen people deficient in mind and religion yet can get away with a rational man's mind like any one of you." They asked: "How are we deficient in mind and religion, Messenger of God?" He said: "Is it not true that a woman's testimony counts as half that of a man?" When they answered in the affirmative, he said: "This is her mental deficiency. Is it not true that when a woman is in her period she neither prays nor fasts?" They again answered in the affirmative. He said: "This is her religious deficiency.

To start with, the Prophet, peace be upon him, was speaking to a congregation of women on a joyous occasion. Exemplary in his care for others, particularly his companions, and kind and compassionate as he was, it is inconceivable that he would insult them by such a statement, if he meant it as a statement of fact, like some of us do. The Prophet, peace be upon him, simply used this phrase "deficient in mind and religion" to alert them to what he wanted to say to them. The Prophet, peace be upon him, frequently uses such a method, inserting some words that may not be relevant to the point he wants to stress, so that they serve to attract the attention of his audience. Furthermore, his statement expresses amazement at a well-known situation, when a man is infatuated by a woman to the extent that his behavior changes in character. He may be wise and intelligent, yet he could easily behave in a way that is inconsistent with his intelligence and wisdom when he is so infatuated. This is a case where a woman who is generally weaker (faster overcome by emotions, less physical strenght) than a man can control him.

The Hadith mentions that the Prophet's women audience asked him to clarify what he said. His clarification pinpoints certain aspects that suggest no inferiority whatsoever. The mental deficiency is related to the fact that in certain cases, two women witnesses are required in place of one-man witness. This has to do with the role of each of the two sexes in Islamic society. It is no reflection on a woman's mental ability. As for religious deficiency, the Prophet, peace be upon him, states the fact that a woman is exempt from prayer and fasting when she is in menstruation. While God gives a woman the reward for prayer and fasting as if she has done them, since she stops only because of her condition and in response to God's orders, still the fact that she does not fulfill these duties means that her worship is less in terms of what she offers. It does not mean that she is a lesser believer.

As for a relevant statement of fact in this regard, the Prophet, peace be upon him, says, “Women are full sisters of men.” In the Arabic text, the Prophet, peace be upon him, uses here a word, which implies total similarity and equivalence. Hence, the Prophet’s statement suggests no inferiority attached to women. The Qur’an and the Sunnah assign the same duties to both men and women, and promise them the same reward. If this does not mean the same status, I would like to know what does.

May I add here that the translation of this Hadith as quoted by you is wrong, because it splits the relevant sentence and gives the Prophet’s words in such a way that they appear to make a statement of fact. This is wrong, as I have explained.

As for the other part, a full translation of it goes as follows: “ I have seen hell and I have never seen any thing more horrific than what I saw then. I also saw that the majority of its dwellers are women. They asked: “On what grounds, Messenger of God ? He said: “By their denial., They said: “Their denial of God ?, He answered: “No. Their denial of their spouses and their denial of kindness. You may be kind to one of them all the time, but when she finds fault with you she says: I have never received any kindness from you. ”

To start with, the Hadith does not say that most women are in hell. It says that the majority of hell dwellers are women, which simply signifies that more women fail in this worldly test than men. Then the Prophet, peace be upon him, points out their failure, which is not based on denying God. Rather, it is denying kindness, particularly in marital situations. The Prophet, peace be upon him, has pointed this out in more than one Hadith, warning women against grumbling and frequent complaints. He is also warning them here against denying kindness by their husbands, highlighting a failing that is often expressed in denying past kindness.

The Hadith shows that women can easily avoid such a destiny by being fair and appreciative of kindness. They should always be grateful to God for what He has given them and also be appreciative of any kindness done to them by others, particularly those with whom they live, be they their husbands, parents or other relatives. ⁶

Extra comments:

The Hadith in question does not depict a woman as inferior; not at all ! Islam honours women very high and many verses of the Qur'an and practices of the early Muslims bear witness to the fact that woman is, at least, as vital to life as man is. She is not inferior to man in islam, neither in religion or intelligence. Islam never belittles woman or underestimates her role in the society. Allah has made this clear in the Glorious Qur'an, by stating shining examples of some women for the believers – male and female- to emulate. In this context, the Glorious Qur'an says:

At-Tahrim: 11-12

And Allah citeth an example for those who believe: the wife of Pharaoh when she said: My Lord! Build for me a home with thee in the Garden, “and deliver me from Pharaoh and his work, and deliver me from evil doing folk; and Mary, daughter of Imran, whose body was chaste, therefor We “breathed therein something of Our Spirit. And she put faith in the words of her Lord and His Scriptures, and was of the obedient.

Allah Almighty and prophet Muhammad, peace be upon him, praised women. Let us look at the following quotes from our islamic sources:

Qu’ran 33:35

For Muslim men and women,- for believing men and women, for devout men and women, for true men and women, for men and women who are “patient and constant, for men and women who humble themselves, for men and women who give in Charity, for men and women who fast (and “deny themselves), for men and women who guard their chastity, and for men and women who engage much in God's praise,- for them has God prepared forgiveness and great reward.

Qu’ran 9:71

The Believers, men and women, are protectors one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, “practise regular charity, and obey God and His Apostle. On them will God pour His mercy: for God is Exalted in power, Wise.

In islam women clearly have the right to forbid men what is wrong and to enjoin them the good. This proofs that women aren't inferior or defficient compared to men in religion or intelligence, since Allah swt gives women the same right to correct men when they are wrong and to forbid them what is evil. If women were inferior or less in religion then men, then why does Allah swt give them the right to correct men when they are wrong, and to forbid them what is evil. This moreover clearly proofs that the hadith in question was never ment literary, and is clearly a figure way of speech like shayk gibril fouad showed and the scholars of ourdialogue.com.

More proof to show that the hadith cannot have a literal meaning and was not ment as a statement of fact, is the fact that a literal interpretation of it would conflict with various injunctions which are there in the Qur'an itself and also in some other traditions. If women were really viewed as defective in reason and religion in islam, then it would be necessary to restrict their power to dispose of their properties and at least make it subject to the approval and permission of their husbands or guardians. But Islam has acknowledged the absolute competence of women in this respect and has allowed her full rights of disposition over her properties. A literal interpretation would also conflict with some of the historical facts in the Prophet's time and that of the rightly guided Caliphs. During the time of the rightful guided Caliphs, the Caliphs sought counsel from women and gave importance to their opinions.

The Literature abounds with stories of women who dialogued with men about proper islamic practices, or the preferred interpretation of an Islamic text. Women also were major reporters of hadith. As a result many prominent men came to them for religious education and guidance.

Source:

Ahmad Shalabi, Al-Tarbiyah wa al-Ta'lim, in 5 Mawsu'at Al-Hadarah Al-Islamiyah pp 342-44 (Exp. 8th ed., Cairo, Maktabat al-Nahdhah al-Nabawiyah, 1987).

All these facts proof that the hadith in question was never ment as a statement of fact, or literal. The Prophet with his words was onl challenging women to perform extra good deeds. How can the human intelligence interpretate this tradition literal (like the website from which the christian missionary quotes does) , when the first person to believe in the Prophet,peace be upon him, was a woman, Khadijah. How can women be defective in religion when the first martyr (syahidah) to die in the cause of Islam was also a woman, Ummu Amir, the wife of Yasir.

Also in the past the argument, that women are inherently deficient in reason and religion, is described as weak by Ibn al-Shatt (d.1323 CE) , because if one accepts this argument, this deficiency must also be present when a woman acts as a narrator of hadith ⁷ However, women are recognised as narrators of hadith, and also as mufti. So how can one describe women as lacking in wisdom? or describe them as weak in intelligence ? While the Prophet and the majority of scholars in the past and present days all agree that women can also be a mufti !

Women as Mufti and Qadhi

Interpretation of revelation was free of gender restrictions. A woman's legal opinion (fatwa) was just as valid and morally binding as the legal opinion of a man. Thus a woman could legitimately be a mufti, a legal expert whose task it was to communicate legal rules to non-specialists including, at times, judges and other holders of political power. There was complete agreement among Sunni jurists that women could be mufti. It was as a result of the law's acceptance of women as mufti, moreover, that al-Tabari was led to argue that a woman could be a judge in all areas of the law.

Source:

Fadel, Mohammad (1997) , " Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought." , pages 189, 190 & 200

Conclusion:

This particular hadith is not meant literally but as an acknowledgment of the power women wield over men while ostensibly less active in the public and spiritual spheres. Secondly the prophet, peace be upon him, clearly did not talk about potential of brain or capacity of talent or skill in the hadith. The arabic word in the hadith which is translated as 'intelligence' is 'aql', which in the context of the hadith refers to 'mind' and not 'intelligence'. The same word 'aql' is therefor in: Sahih Bukhari, Witnesses, Volume 3, Book 48, Number 826, translated as 'mind'. To testify as a witness before court, doesn't measure reason or intelligence, but control of emotions ! The prophet referred in the hadth in question to the testominy of a women, which has nothing to do with woman's intelligence or reason, but with woman's nature: "she gets faster scared then men and is less stable in controlling her emotions". Moreover a woman is overloaded by being a mother or a babysitter or pregnant. All these carriers are around the clock, because of what she is, she is always likely to forget more than a man who is devoted to one career only. Moreover women are not familiar with buisness transactions, and therefor more liable to forget certain details of the testimony (which is one of the main reason why the Quran stipulates that an extra woman should be present as a witness during buisness transactions). These things have all nothing to do with intelligence or brain capacity. This moreover proofs again that the hadith in question was never ment literal.

Comment by the scholars of ourdialogue.com

The prophet, peace be upon him, says "Women are full sisters of men." In the Arabic text, the Prophet, uses here a word, which implies total similarity and equivalence. Hence, the Prophet's statement suggests no inferiority attached to women. The Qur'an and the Sunnah assign the same duties to both men and women, and promise them the same reward. If this does not mean the same status, I would like to know what does. ⁸

He wrote:

They respond to a similar question asked by a different individual: This is because positions of leadership and government require a person to join men's gatherings, which is not allowed for women according to sharee'ah because of the aayah (interpretation of the meaning): "And stay in your houses, and do not display yourselves like that of the times of ignorance." [al-Ahzaab 33:33]. These positions also require perfect wisdom, reason and alertness, and the testimony of a man has been made equal to that of two women, the reason for which Allaah has explained in the aayah (interpretation of the meaning): "... so that if one of them (two women) errs, the other can remind her." [al-Baqarah 2:282].

Response:

First i want to adress an important point about the ayah these scholars misquote from soerah al-ahzaab:

Soerah 33:33:

And stay in your houses. Bedizen not yourselves with the bedizenment of the Time of Ignorance. Be regular in prayer, and pay the poor-due, and obey Allah and His messenger. Allah only wants to remove the sins from you, O Ahle al-Bait, and to purify you with a thorough purification.

Ahle Bait :

title reserved for the family of the holy prophet, peace be upon him, so this verse clearly addresses the prophet's wives, and not women in general.

The eminent muslim scholar Sheikh Yusuf Al-Qaradawi in his fatwa replies to those scholars who misquote the quranic ayah of al-Ahzaab to deprive women from certain political rights:

A Response to Those Who Deny Women Political Rights, by Sheikh Yusuf Al-Qaradawi:

The fatwa that maintains that woman's candidacy is impermissible is also based on the verse in which Almighty Allah says (And stay in your houses) (Al-Ahzaab 33:33). In reply to this, we say that it is indisputably known that the verse addresses the wives of the Prophet (peace and blessings be upon him) as indicated in the context. It is worth mentioning that there were special rulings related to the Prophet's wives (may Allah be pleased with them). To illustrate, if one of them committed manifest lewdness, she would receive double punishment; if she did a righteous deed, she would receive double reward; they were not permitted to remarry after the death of the Prophet (peace and blessings be upon him). The Qur'an states in the same context (O ye wives of the Prophet! Ye are not like any other women) (Al-Ahzaab 33:32). This is why Muslim scholar unanimously agree that it is permissible for a Muslim woman to go out to school or university, to the market, and to work as a teacher, a doctor, a nurse or other lawful professions, provided that the regulations of Shari'ah are observed.

Furthermore, the noble verse that states (And stay in your houses) did not prevent the Mother of the Believers and the most knowledgeable of Muslim women, `A'ishah (may Allah be pleased with her) to go out from her home, even from Madinah, and travel to Basra, leading a large army of the Prophet's Companions, among whom were two of the ten promised Paradise and the six caliphate candidates, Talhah and Az-Zubair. She went out demanding what she thought right, namely retaliation for the killing of `Uthman ibn `Affan (may Allah be pleased with him). Though it is said that she later regretted going out, it was not because of a question of its being permissible for a woman; it was because her political point of view was wrong, and there is a big difference.

Thus, some Muslim scholars use the abovementioned verse as a general legal proof that it is impermissible for a woman to go out of her home unless necessary. They even deny a woman's going out to school and university. No wonder then that they deprive women of the right to vote in elections. Accordingly, such scholars make half the Muslim nation, the women, insignificant as voters or witnesses to such a crucial event as elections. In other words, they make the righteous Muslim women insignificant in this regard, whereas other women go out to vote for secular and anti-Islamic candidates. Such scholars disregard the fact that the meaning of the rest of the verse in hand indicates that it is permissible for a woman to go out if she observes modesty, decency, and chastity and does not adorn herself as was the custom in the pre-Islamic Jahiliyah. That is to say, such adornment is impermissible only when a woman is going out, but it is permissible for her at home.⁹

Ruqaiyyah Waris Maqsood comments on Soerah 2:282:

It has been suggested that the Prophet, peace be upon him, regarded women as inferior to men for two reasons - the inheritance laws in which a daughter received half the share of a son; and the fact that two female witnesses were regarded as the equal of one male witness.

In fact, the Qur'an actually taught that the witness of a woman was just as valid as that of a man, and made no distinction regarding the sex of a witness in every single reference except one, the concession of granting two female witnesses in legal cases where women had little knowledge or expertise. The intention of this concession was to prevent women being tricked or cheated by unscrupulous men who could take advantage of their inexperience in business matters.

Qu'ran 2:228

O believers! When you deal with each other in lending for a fixed period of time, put it in writing. Let a scribe write everything down with justice between the parties. The scribe, who has been given the gift of literacy by Allah, should not refuse to write; he is under obligation to write. Let the debtor dictate, fearing the Almighty, his Lord, and not diminishing anything from the settlement. If the borrower is mentally unsound or weak or is unable to dictate himself, let the guardian of his interests dictate for him with justice. Let two witnesses from among you bear witness to all such documents, if two men cannot be found, then one man and two women of your choice should bear witness, so that if one of the women forgets anything, the other may remind her. Witnesses must not refuse (to bear witness) when they are called upon to do so.

In every other kind of case, there was no reason why the witness of a woman should not be just as reliable as evidence as that of a man, and no distinction of either sex was made or necessary. For example:

Qu'ran 24:4

Those who accuse a chaste woman of fornication and do not produce four witnesses to support their allegation, shall be flogged with eighty lashes and their testimony shall not be accepted ever after, for they are the ones who are wicked transgressors

The text implies any four witnesses, who could be of either sex. In societies where it is insisted that the witnesses should all be male, this is really a cultural gloss on the rule, since any text in the Arabic masculine plural grammatically includes both men and women, unless specifically stated otherwise. Assumptions that women's evidence would be unreliable because of the inferiority of women in intellectual capacity, memory, or character stem from a patriarchal perspective in a male-dominated community which tried to limit the appearance of their women in public. The Qur'an does not bear this attitude and established the equality of men and women before Allah. The restrictions against public appearance are a nonsense in this century, when the medical evidence of the rape could be presented by a woman doctor to a female litigator in front of a female jurist! It is certainly a travesty of justice to deny a victim of rape the right to testify to this violent attack merely because she is a woman.¹⁰

Muhammad Asad in "The Message of the Qur'an" writes:

The stipulation that two women may be substituted for one male witness does not imply "any reflection on woman's moral or intellectual capabilities: it is obviously due to the "fact that, as a rule, women are less familiar with business procedures than men and, therefore, more liable to commit mistakes in this respect."¹¹

The scholars of ourdialogue.com comment on the soerah:

This is in business transactions only. It does imply that, as a rule, women are less familiar with business procedures than men and, therefore, more liable to commit mistakes in this respect. Besides, there are certain cases when only women witnesses are acceptable, and one woman witness is sufficient to prove her case.¹²

Conclusion:

The two soerahs used by the extremists don't support their claims. Soerah 33:33 addresses the wives of the Prophet, and not women in general. Furthermore, the noble verse did not prevent the Mother of the Believers and the most knowledgeable of Muslim women, `A'ishah to go out from her home. Secondly soerah 2:282 has nothing to do with intelligence or wisdom, but with justice. Like Muhammad Asad said: "The stipulation that two women may be substituted for one male witness does not imply "any reflection on woman's moral or intellectual capabilities: it is obviously due to the "fact that, as a rule, women are less familiar with business procedures than men and, therefore, more liable to commit mistakes in this respect". The intention of this concession was to prevent women being tricked or cheated by unscrupulous men who could take advantage of their inexperience in business matters. Therefore the extremists quoted by the christian missionary have no support in the islamic sources for their claims. On the contrary the claims are proven false by other scholars and the qu'ran and authentic sunnah.

Related by Nasa'i, Ahmad and others

The Messenger of Allah, sallallahu `alayhi wa sallam, said: "I warn you of extremism in the deen for indeed those that came before you were destroyed due to their extremism in the deen. "

Read also:

http://www.answering-christianity.com/karim/women_not_deficient_in_intelligence_and_religion.htm

Sources:

1:

Women and Political leadership in muslim thought: a critique, by Sanusi Lamido Sanusi

2:

Ibn Hazm, Al-Muhalla bil Athar, vol. 8 Dar Al-Kitab Al-Ilmiya 1988, p.527

3:

http://qa.sunnipath.com/issue_view.asp?HD=1&ID=6367&CATE=6

4:

http://www.islamonline.net/servlet/Satellite?cid=1119503544520&pagename=IslamOnline-English-Ask_Scholar%2FFatwaE%2FFatwaE

5:

http://www.livingislam.org/n/wmnc_e.html

6:

<http://www.ourdialogue.com/Ws1.htm>

7:

Fadel, Mohammad (1997) , “ Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought ” , page 192

8:

<http://www.ourdialogue.com/Ws1.htm>

9:

http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503549686

10:

<http://members.aol.com/ruqaiyyah/articles/antifem.htm>

11:

<http://www.geocities.com/masad02/002c>

12:

<http://www.ourdialogue.com/e3.htm>