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**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:**

They don't stop there: There are other differences between the sexes, including the following: - A man can marry four women, but a woman can only have one husband.

**Response:**

Islam neither invented nor encouraged polygamy. Unlimited polygamy was a pre-existing practice prior to the revelations of the Qur'an. Let's take a look at the qu'ranic ayah about polygamy:

**Surah 4:3**

If ye fear that ye shall not be able to deal justly with the orphans, Marry women of your choice, Two or three or four; but if ye fear that ye shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess, that will be more suitable, to prevent you from doing injustice.

The letter and the spirit of the verse on polygamy was revealed following the tragedy of the battle of Uhud and was concerned with the overriding welfare and protection of women and children following the death of dozens of Muslim men in the still formative Muslim community of Medina. Therefore polygamy was made permissible in this context, but not the norm in Islam or encouraged / recommended in normal circumstances. Moreover the Qur'an only permits polygamy, if the man is completely sure and able to treat his wives all equal and with justice. This is an extreme hard task, and most men these days are not able to fulfill all these conditions.

**Sheik Yusuf Al-Qaradawi writes:**

The condition which Islam lays down for permitting a man to have more than one wife is confidence on his part that he will be able to deal equitably with his two or more wives in the matter of food, drink, housing, clothing and expenses, as well as in the division of his time between them. Anyone who lacks the assurance that he will be able to fulfill all these obligations with justice and equality is prohibited by Allah Almighty from marrying more than one woman, for Allah says: "But if you fear that you will not be able to do justice (among them), then (marry) only one..." (An-Nisa': 3) <sup>1</sup>

**Reported by Ibn Hibban and al-Hakim**

The Prophet said: "Anyone who has two wives and does not treat them equally will come on the Day of Resurrection dragging one part of his body which will be hanging down."

The hadith reported by Ibn Hibban and al-Hakim warns against polygamy should the man not be able to practice equality amongst his wives. Now let's take a look at the comments made by Dr. Zakir Naik on this subject.

**Dr. Zakir Naik writes:**

Qur'an permits limited polygyny As I mentioned earlier, Qur'an is the only religious book on the face of the earth that says "marry only one". Before the Qur'an was revealed, there was no upper limit for polygyny and many men had scores of wives, some even hundreds. Islam put an upper limit of four wives. Islam gives a man permission to marry two, three or four women, only on the condition that he deals with them justly. In the same chapter i.e. Surah Nisa verse 129 says: "It is very difficult to be just and fair between women". Therefore polygyny is not a rule but an exception. Many people are under the misconception that it is compulsory for a Muslim man to marry more than one wife. Broadly, Islam has five categories of Do's and Dont's.

- 1: "Farz" i.e compulsory
- 2: "Mustahab" i.e recommended or encouraged
- 3: "Mubah" i.e permissible
- 4: "Makruh" i.e "not recommended" or discouraged
- 5: "Haram" i.e prohibited or forbidden

Polygamy falls in the middle category of things that are permissible. It cannot be said that a Muslim who has two, three or four wives is a better Muslim as compared to a Muslim who has only one wife. <sup>2</sup>

**Conclusion:**

Polygamy in islam is permissible ( but not encouraged in normal circumstances / situations ) , and could be a solution for certain circumstances / situations. For example, if a wife puts herself in the shoes of a widow who does not have anyone to care for or look after her, and thinks sincerely of a solution to her problem, she will find that she would be happy to be a second wife rather than to stay as a widow and continue to suffer the problems in raising children and having the same life as her peers do. So there is always wisdom behind the permission of polygamy. Moreover we have seen that polygamy was permitted by the Qur'an to do away injustice to orphans and widows ( actually the Arabic word yatama includes widows also ) , rather than men's desires. Moreover the condition which Islam lays down for permitting a man to have more than one wife is that he has confidence on his part that he will be able to deal equitably with his wives in the matter of providing food, housing, clothing, and expenses, and that he will also be able to divide his time between them. Any man who doubts that he will be able to fulfill all these obligations with justice and equality would be prohibited by Allah Almighty from marrying more than one woman.

Many forget or fail to fully understand polygamy as practised by the Prophet (peace be upon him). Prophet Muhammad had a monogamous relationship with Siti Khadijah bint Khuwailid, who was 15 year his senior, for 28 years until her death. Of these 28 years, 17 were before he became a Rasul and 11 years after that. During those 28 years, he never married anyone else. His next marriage took place two years after Siti Khadijah's death, following the marriage of three of his four daughters. Siti Khadijah's death was a deep loss for the Prophet for he had not only lost his wife, but his companion and partner in the struggle.

When the Prophet began practising polygamy – a common custom for Arabian society at the time -- it was at the age of 54. He married a total of 11 times, and most of his marriages were to elderly women, widows, women with children and divorcees, entered into for political and tribal reasons. The only virgin he ever married was Aishah, on the insistence of her father, Abu Bakar, the first caliph of Islam. The Prophet married nine women after Aishah within a space of 5 years and never divorced any of the women he was married to. The only wife who was to bear him children who lived to adulthood was Siti Khadijah. So, when we look at the way and reasons he married the 11 women they indicate that the Prophet did not marry to have a “keturunan” (progeny), nor did he marry young women to fulfill his desire. In fact, he practised polygamy within the realm of spreading Islam to the communities at the time.

What is even more striking is the fact that even though the Prophet himself practised polygamy, he prohibited his son-in-law, Saidina Ali Ibn Abi Talib who was married to his daughter Fatimah az-Zahra', from doing the same. Many forget the authentic hadith (as reported in Sunan Ibn Majah) which reported that the Prophet, when asked if he would permit Saidina Ali to marry another woman, said that he would not, “...unless and until Ali Ibn Abi Talib divorces my daughter, for surely she is part of me and what troubles and agitates her, troubles and agitates me too; and what harm befalls her befalls me too.” The hadith is also found in Sahih Bukhari:

**Sahih Bukhari, Volume 7, Book 62, Number 157:**

Narrated Al-Miswar bin Makhrama: I heard Allah's Apostle who was on the pulpit, saying, "Banu Hisham bin Al-Mughira have requested me to allow them to marry their daughter to Ali bin Abu Talib, but I don't give permission, and will not give permission unless 'Ali bin Abi Talib divorces my daughter in order to marry their daughter, because Fatima is a part of my body, and I hate what she hates to see, and what hurts her, hurts me."

It is regretful that many do not cite this hadith nor appreciate the wisdom of the actions of the Prophet in this regard. The fact that the Prophet prohibited his son-in-law from marrying a second wife, shows us that Islam encourages monogamy, and moreover supports the view that a wife's permission is required for a husband to marry a second wife! The prophet knew that his daughter Fatima would hate to see her husband marrying a second wife. Therefore a husband in Islam can only marry a second wife, if his first wife agrees with this. Clearly, had Prophet Muhammad felt that his daughter should consent and allow Saidina Ali to marry another, he would not have said the above. He would have insisted that she gave her consent. Instead he was emphatic in his support for her feelings and felt the hurt that she felt.

A great granddaughter of the Prophet, ( Sakina, daughter of Hussein and granddaughter of Fatimah and Ali ) put various conditions in her marriage contract, including the condition that her husband would have no right to take another wife during their marriage (reported in Kitab Al-Muraddafat ).

**Hadith - Bukhari, Volume 3, Book 50, Number 882.**

Narrated Uqba bin Amir: Allah's Apostle said: "From among all the conditions which you have to fulfill, the conditions which make it legal for you to have sexual relations (i.e. the marriage contract) have the greatest right to be fulfilled."

**Ibn Qudaamah said in his book “Al-Mughni” :**

If he married her on the condition that he should not make her move from her house or her city, then this condition is valid, because it was reported that the Prophet said: ‘The most deserving of conditions to be fulfilled are those by means of which sexual intercourse becomes permissible for you.’ If he married her on the condition that he will not marry another wife, then she has the right to leave him if he does take another wife.” In conclusion, then, the conditions of the marriage contract are divided into three types, one of which must be adhered to, which is of benefit to the wife, such as her being able to stipulate that he cannot make her move from her house or city, or travel with him, or take another wife or a concubine. He has to adhere to these conditions, and if he does not, then she has the right to annul the marriage.

**Source:**

Al-Mughni by Ibn Qudaamah, part 7, Kitaab al-Nikaah

**Shaykh Ibn Taymiyah answers the next question in “Al-Fataawa al-Kubra” :**

Question: a man married a woman and she stipulated that he should not take another wife or make her move from her house, and that she could stay with her mother, so he married her on this basis. Does he have to adhere to this, and if he goes against these conditions, does his wife have the right to annul the marriage or not?

Answer: yes, these conditions and similar ones are valid according to the madhhab of Imaam Ahmad and other scholars among the Sahaabah and Taabi’een, such as ‘Umar ibn al-Khattaab, ‘Amr ibn al-‘Aas, Shurayh al-Qaadi, al-Oozaa’i and Ishaq. According to the madhhab of Maalik, the condition states that if he marries another wife, (the first wife) has the choice of what to do, and this is a valid condition. The woman has the right to leave him in this case. This is similar to the idea in the Madhhab of Imaam Ahmad. The basis for this is the hadeeth narrated by (al-Bukhaari and Muslim) in al-Saheehayn from the Prophet (peace and blessings of Allaah be upon him): ‘The most deserving of conditions to be fulfilled are those by means of which sexual intercourse becomes permissible for you.’ ‘Umar ibn al-Khattaab said: ‘Rights are in accordance with conditions.’ The Prophet dictated that the conditions which make sexual intercourse permissible are more deserving of fulfilment than others. This is the ruling on conditions of this nature.”

**Source:**

al-Fataawa al-Kubra, part 3, Kitaab al-Nikaah.

On the next page we shall see that the sahaba agreed with this view. Moreover many famous renowned scholars agreed with these stipulations. The muslim scholar Imâm Ibn Qudâmah al-Maqdisî who agreed with this view said: “ These (stipulations) are very beneficial for the woman. The benefit of the stipulator is beneficial as well for the one being stipulated to (since the man knows what is acceptable and what is not).”<sup>3</sup>

**Imam Ahmad:**

Imam Ahmad Ibn Hanbal agreed with the view that it is necessary to fulfill these conditions, and if the husband is negligent in any way, the wife will have the right to demand nullification of the marriage

**Source:**

Ibn Qudama, al-Mugni, 7/71

**Maliki Madh'hab:**

The Madh'hab of Malik validates a stipulation upon a man in which it is stipulated that he is not to marry another woman while in marriage with the first (wife) or else she will be given the order (power) in her hand (to annul the marriage). She would be given the power to separate from him at her choice. This position of Malik is similar in meaning to the position of al-Imam Ahmed.

**Source:**

Fatawa of Ibn Taymiyyah 32nd Volume, Page 164-165

**Imâm Ibn Qudâmah al-Maqdisî writes:**

The summary of (this issue) is that stipulations relating to Nikah (pre-nuptial agreements) are of three main categories (Translators note: Only the first issue is translated):

First: (A condition) that which must be fulfilled. It is a condition wherein its benefit and worth are returned. Examples are stipulations wherein he (vows) not to remove her from her residence or land, or that he will not travel with her (to foreign lands), or that he will not take another wife while with her. All of these are conditions that he would be bound to fulfilling (if he agreed to them before cohabitation). If he does not honour the stipulations she is granted the ability (and right) to annul the marriage (at her will). This is reported as being the opinion of: Umar bin al-Khattab, Sa'd bin Abi Waqas, Mu'awiyah, 'Amr bin al-'Aas (radia Allahu 'Anhom). It was also stated by: Shurayh, 'Umar bin 'Abdul-Aziz, Jabir bin Zayd, Tawus, Al-Awza'i and Ishaq.....

As well we have named many Sahaba who validated these stipulations, and none from their generation / peers refuted them. Therefore we establish this as being Ijma' (consensual agreement by them all).

**Source:**

From al-Mughni of Ibn Qudamah Vol. 9, Page 483

So we see that sahaba like Umar Ibn Khattab, and renowned scholars like Imam Malik, Imam Ahmad, Ibn Taymiyya and Ibn Qudaamah confirm that a woman has the right to make stipulations at the writing of the marriage contract as she wishes and if these stipulations do not contradict Islamic law then the husband must fulfill them. She has the right to stipulate that he should not take another wife during their marriage, if he does she has the right to divorce him. Here we clearly see how much islam respects and honors the rights of woman. Nowhere does the bible give women any of these rights ! let's take a look on how the bible treats women:

**Deuteronomy 25:5:**

If brethren dwell together, and one of them die, and have no child, the wife of the dead shall not marry without unto a stranger: her husband's "brother shall go in unto her, and take her to him to wife, and perform the duty of an husband's brother unto her

Notice how in the bible a widow without children is forced to have sex with her husband's brother. This because the bible says "her husband's brother shall go in unto her". So she can't refuse when her husbands brother wants her. Poor women if she doesn't like her husbands brother. She even has to marry him, which is a complete nightmare for women.

**Jamieson, Fausset, Brown, Commentary Critical and Explanatory on the Whole Bible , Chapter 25**

5-10. the wife of the dead shall not marry without unto a stranger: her husband's brother . . . shall take her to him to wife. This usage existed before the age of Moses (Genesis 38:8). But the Mosaic law rendered the custom obligatory (Matthew 22:25) on younger brothers, or the nearest kinsman, to marry the widow (Ruth 4:4), by associating the natural desire of perpetuating a brother's name with the preservation of property in the Hebrew families and tribes. If the younger brother declined to comply with the law, the widow brought her claim before the authorities of the place at a public assembly (the gate of the city); and he having declared his refusal, she was ordered to loose the thong of his shoe - a sign of degradation - following up that act by spitting on the ground - the strongest expression of ignominy and contempt among Eastern people. The shoe was kept by the magistrate as an evidence of the transaction, and the parties separated.

**Source:**

<http://bible.crosswalk.com/Commentaries/JamiesonFaussetBrown/jfb.cgi?book=de&chapter=025>

Notice how this commentary admits that the bible rendered this nightmare for women as obligatory. This moreover proofs again how much the bible degrades women and puts them down.

### **He wrote:**

A man has the right to issue a divorce and it is valid if he does so, but a woman does not have the right to issue a divorce.

### **Response:**

From the Islamic point of view, marriage is a contract between two parties who are considered equal. Yet men are given a point of privilege with regard to termination of this contract. This is stated clearly in Verse 228-229 of Surah 2 in the middle of a long passage on the legislation that concerns divorce.

#### **Al-Baqarah 2: 228-229**

Divorced women must wait for three monthly courses. And it is not lawful for them to hide what Allah has created in their wombs, if they sincerely believe in Allah and the Last Day. Their husbands are best entitled to take them back as their wives during this waiting period, if they desire reconciliation. Divorce may be pronounced twice; then either keep the wife with honor or let her leave gracefully. And it is not lawful for you to take back anything out of what you have given them. There is, however, an exception to this; if you fear that they might not be able to keep within the limits imposed by Allah, there is no harm if both agree mutually that the wife should obtain divorce by giving something as compensation to the husband. These are the bounds set by Allah; therefore do not violate them, for those who violate the bounds of Allah are the transgressors.

How is this possible ? The answer lies in the nature of the roles assumed by men and women in Islamic society and their respective responsibilities. In a Muslim family, the man must look after his wife. She need not provide even a very small share of the family expense, although she may be better off than her husband. He has still to maintain her, [even] if she earns an income double his own. If the marriage breaks up, he must provide for her during the waiting period, and pay her any outstanding portion of her dower. If they have young children, he must pay for their upbringing, even though they may remain with their mother. So meeting all the expenses of the family living remains his own in addition to the payments due to the divorced wife. If he is to marry another woman, he must pay her a dower. If he wishes to be reunited with his divorced wife after her waiting period is over; he must pay her a fresh dower.

This shows that the man stands to incur a heavy financial loss if the marriage breaks up. Hence a man must think very carefully before he decides to terminate his marriage. If the woman is given the same right to terminate the marriage at any moment, she would impose on the man financial commitment which he may not be able to undertake and which are not allowed for in the marriage contract. How is it possible that action is taken by one party and the consequences are borne by the other ?

When the woman is divorced, she need not worry about her living. She goes back to her family, which is responsible for her living. If her father is alive, he is responsible for her in the same way as before her marriage. If he is not alive, then her brothers or uncles assume that responsibility. If she has no relatives, the state should provide her maintenance.



Yet Islam is aware that a marriage may go wrong and there may be genuine reasons for the women to wish to terminate it. Hence, it provides a fair way for her to obtain the termination of her marriage without difficulty. She may apply for this termination known as Khula. She does not provide any justification for her request other than that she does not want to stay married to her husband. Certain rules apply in this case which require her to refund the dower she received from her husband at the time of marriage. So, it is not true that a man is the only partner to be able to terminate the marriage easily. Termination is easier in this case, but she also may obtain that result without difficulty. We shall now discuss women's right for divorce in Islam.

Like I said before, the Qur'an has given the right of obtaining divorce to a wife if she agrees to pay some ransom or compensation. This is called Khula. If the husband and wife are not able to keep the limits of Allah and they agree to dissolve the marriage on the condition that the wife gives some compensation, it would be quite legal.

**Qu'ran 2:229:**

Divorce must be pronounced twice and then (a woman) must be retained in honour or released in kindness. And it is not lawful for you that ye "take from women aught of that which ye have given them; except (in the case) when both fear that they may not be able to keep within the limits "(imposed by) Allah. And if ye fear that they may not be able to keep the limits of Allah, in that case it is no sin for either of them if the woman "ransom herself. These are the limits (imposed by) Allah. Transgress them not. For whoso transgresseth Allah's limits: such are wrong-doer

The jurists are generally of the opinion that such compensation should not exceed the dower given by the husband to the wife. So it is a kind of facility provided to the woman to secure talaq from her husband by returning a part of or full amount of the bridal gift or mahr. There is a well reported tradition in Bukhari that the messenger of Allah permitted the wife of Sabet-b-Qais to get divorce from her husband by surrendering a garden which had been given to her in mahr. So the Islamic law stipulates that whenever a marriage is dissolved at the instance of the wife and there is no fault of the husband regarding his performance of marital obligations, the wife is the contract breaking party and must, therefore, return the part or full of dower which she has received from the husband.

Secondly: Muslim men cannot exploit poor, unprotected and venerable wives by abusing them and knowing that the wives can not seek divorce for financial difficulties, because according to the Noble Quran, a husband is to pay his divorced wife maintenance,

**Qu'ran 2:241**

For divorced women Maintenance (should be provided) On a reasonable (scale). This is a duty On the righteous

Further women in Islam have the right to remarry after their divorce, a right not given to women in the Bible! Moreover we have seen in my previous responses that a woman has the right to make stipulations at the writing of the marriage contract as she wishes and if these stipulations do not contradict Islamic law then the husband must fulfill them. These rights are not given to women in Christianity!

### **Conditions attached with the right of divorce for the wife:**

Many times certain conditions are stipulated in a way that if the husband fails to fulfil them, the wife will have the right to divorce herself. This (giving the wife the right to divorce herself), is known as *Tafweed* in the Fiqh terminology

There are three situations here:

#### **a:**

If the *Tafweed* took place after the spouses had entered into wedlock, then this, without a doubt, can be done. However, the husband here will be free to accept such conditions, as he is already in the marriage.

When the husband gives this right of divorce to the wife, she will only have this right in the session (majlis) that she is in. If she did not exercise her right, then this right will go in vain.

However, if the husband granted this right for a specific period (e.g. 5 years) or permanently, then she will have this right accordingly.

#### **b:**

The second situation is when *Tafweed* takes place at the time of contracting the marriage, meaning the wife stipulates the conditions, and demands the right to divorce her self in the case of non-fulfilment.

This is also permissible and valid, provided one condition is met, which is that the offer of marriage is initiated by the woman coupled with the demand for *Tafweed*, and the man accepts this. If the opposite takes place, it will be void. (See: Ibn Abidin, Radd al-Muhtar, 2/285 & Bahr al-Ra'iq, 3/318).

In the above case, if the woman initiated the marriage agreement and asked for the right to divorce herself, if certain conditions were not fulfilled, then she will be entitled to this right, and whenever she divorces her self (if the conditions are not fulfilled by the husband) it will be valid.

#### **c:**

The third situation of *Tafweed* is when it takes place before the actual contract of marriage has taken place. In other words, the woman stipulates certain conditions to be fulfilled if they are to get married, and if they are not fulfilled, she has the right to divorce herself.

This is also permissible, but subject to one condition that the husband attributes the *Tafweed* to the marriage. Meaning he says: "If I marry you, and fail to fulfil such and such condition, then you have the right to issue one irrevocable divorce upon yourself" (Radd al-Muhtar, 2/681, Bab al-Ta'leeq).

In this case, if they do enter into wedlock, and the husband fails to fulfil the conditions, the wife will have the right to divorce her self.

It should be remarked here that although the power to give a divorce belongs primarily to the husband, he may delegate this power to his wife, with or without the conditions. Once this power is delegated, it can not be revoked, unless the wife hands it back to him

### **Womens rights for divorce in the bible:**

The bible on the other hand does not give women any of these rights. Divorce is not even possible in the bible when a women is sad and unhappy in her marriage or gets abused by her husband !

#### **Mathew 19:9:**

And I say unto you, Whosoever shall put away his wife, except [it be] for fornication, and shall marry another, committeth adultery: and whoso "marrieth her which is put away doth commit adultery

#### **Mark 19:12:**

Also, if she divorces her husband and marries another, she commits adultery

So a women can only divorce her husband if he commits fornication , which brings a big problem for women who are unhappy and can't live anymore together with their husband. She can't divorce him except when he is guilty of fornication. If she for any other reason then fornication divorces her husband then she is just as guilty of sin as someone who commits adultery (one of the biggest sins) . Secondly she can never remarry again, she will be lonely for the rest of her life. Finally if her husband dies, then theres only one terrible option for the woman, in case she and her husband had no children:

#### **Deuteronomy 25:5:**

If brethren dwell together, and one of them die, and have no child, the wife of the dead shall not marry without unto a stranger: her husband's "brother shall go in unto her, and take her to him to wife, and perform the duty of an husband's brother unto her

**He wrote:**

A man may marry a woman from among the People of the Book (Jews and Christians), but a Muslim woman may not marry anyone but a Muslim.

**Response:**

Women are more shy and overtaken by emotions than men, and therefore it is very likely that the Muslim wife may fall prey and become impressed with her husband's faith. Allah swt therefore didn't allow Muslim women to marry non-Muslim men, to protect them from any harm and danger of losing their Islamic faith. Moreover Muslim scholars Salem Al-Hasi and Mr. Lamaan Ball explain the reason and wisdom behind this rule, which has nothing to do with discrimination between the sexes.

**Muslim scholar Salem Al-Hasi comments:**

However, in contrast with other faiths, Islam did not restrict marriage to be only within the Islamic faith. Islam did not require conversion into the faith as a condition for the interfaith marriage, like Christianity. Nor did it totally reject the idea of interfaith marriages, as in Judaism. Here, I am referring to the scriptural law of Christianity and Judaism, not to the civil laws of Western countries.

Simultaneously, Islam is a religion that is suitable for the innate nature and character of the human being. In order to maintain security, order and purity in the society, Islam seeks to maintain qualities within the foundation of the family. In this sense only, Islam considers the husband to be the head of the family and responsible for the well being of family members.

It is a matter of fact that a Muslim man is obliged to recognize and respect the faith of the Christian and the Jewish woman and cannot compel her to become Muslim. On the other hand, the same cannot be said of the non-Muslim man. The faith of any non-Muslim man does not even recognize Islam or Prophet Muhammad (pbuh) as being legitimate. He would not necessarily respect Islam's tenets and practices that a Muslim woman obviously believes in and is obliged to uphold.

Thus the rights of Christian and Jewish women in a Muslim household are protected in the Islamic law. They are able to practice their religion freely without any restriction and they can live with the knowledge that their Prophets and Books will be honored. A Muslim man is even commanded to believe that it is an article of faith to treat his Jewish or Christian wife in this way.

Additionally, the habits of the non-Muslim husband and his morals will likely be in conflict with and compromise those of the Muslim woman. Contrary to this, the morals and the value system of the Muslim husband, if not identical to the principle values of Christianity and Judaism, will not contradict or threaten them.

Hence, under the light of all previous facts, allowing Muslim men to marry non-Muslims and the prohibition for Muslim women to do so is not a discriminatory rule. It is not a threat to the equality of men and women, or an indication of the dominance of man. It is directly related to respecting others' faiths and the freedom of religions.<sup>4</sup>

**Mr. Lamaan Ball adds:**

In order to be clear, we need to understand how the rights to practice your religion are affected by marriage. If both parties were equal partners with neither being able to impose his or her will upon the other, then Muslim women marrying Christian or Jewish men would be no different to the Muslim men marrying Christian or Jewish women. However there is a difference. Christian and Jewish men are clearly set in charge of their wives and have a right to be obeyed by them.

Christian marriage vows include obeying the husband. The bible explicitly curses Eve by saying she will be made to obey men (This story is however completely missing in the Qur'an). It has even been until recently (early last century) the law in England, that upon marriage all of the woman's property becomes the property of her husband. So any control she had over her life is surrendered to her husband.

Islam recognises the position of difficulty this could land Muslim women in and so does not allow them to be subjected to the orders of Christian or Jewish husbands.<sup>5</sup>

Scholars also in general agree that it is disliked for muslim men to marry jewish or christian women.

**Muslim men's marriage with a non-muslim woman:**

it is generally disliked to do so, even in Muslim lands. In non-Muslim lands, it is generally considered prohibitively disliked (makruh tahriman) to do so, as there is a stronger possibility of the children not growing up as practicing Muslims...

**Source:**

Fath al-Qadir, Radd al-Muhtar, Bahr al-Ra'iq

**He wrote:**

A man may travel without his wife or any of his mahrams, but a woman may not travel unless she is accompanied by a mahram.

**Response:**

This rule was made to protect women from danger and harm. The scholars of the European Council for Fatwa and research comment: “This is primarily unlawful according to the hadith of the Prophet:

**Reported by al-Bukhari and Muslim**

A woman who believes in Allah and the Hereafter shall not travel for (a period of) a day and a night unless accompanied by a *mahram* of hers

Depending on this general text, some scholars are of the opinion that a woman should not travel by herself. Other scholars stipulate that her travel is permissible in the company of a trustworthy group of men or men and women. The prohibition conveyed by the hadith is justified by fearing that the woman may be exposed to mischief or temptation if she travels alone, bearing in mind that the dangers of travel were numerous in the past. Caliph `Umar ibn al-Khattab allowed the Prophet’s wives (Mothers of the Believers) to travel for Hajj with a group of believers and sent with them `Uthman ibn `Affan and `Abdul-Rahman ibn `Auf.

In the hadith of the Prophet to `Adiy ibn Hatim we read: “If you live long, you will see the woman travel from Hirah (a city in Iraq) to circumambulate the Ka`bah fearing none but Allah.” (Reported by al-Bukhari)

This confirms that the cause (of the prohibition) is fear (of insecurity). If security is guaranteed and fear is no more present, a woman may travel, particularly nowadays when travel has become easy, whether by air, train or coach. In all these means of transportation, company is available and security is realized for the Muslim woman.

This is in respect of the woman’s travel from one town to another or from one country to another and her arrival on the same day of her travel, whereupon she finds company providing security. If the journey requires staying overnight in a hotel on the way, or the journey is intended to perform a certain task that requires residence for a certain period, the woman, in this case, is supposed primarily to travel with a *mahram* of hers, or reside for the required period with a Muslim family in that country to avoid the likelihood of temptation or mischief the woman may face.

Finally, the Council urges parents to bring up their daughters and the husbands to educate their wives according to the guidance of Allah, for a Muslim woman will certainly follow the guidance of Allah steadfastly if she has received her due amount of education and instruction and has learned the rulings and rules of Shari`ah and has comprehended her religion.”<sup>6</sup>

**He wrote:**

Prayer in the mosque is obligatory for men, but not for women; a woman's prayer in her house is more beloved to Allaah. A woman may wear silk and gold, but a man must not wear them.

**Response:**

Shayk Gibril Fouad Haddad comments: "Every prayer of a man in his house is also better than in the mosque except for the obligatory prayer."<sup>7</sup>

**Sahih Muslim Book, 004, Number 0891**

Ibn Umar reported: "The Messenger of Allah said: Do not deprive women of their share of the mosques, when they seek permission from you."

**He wrote:**

Everything that we have mentioned is based on the difference between men and women, because the male is not like the female. Allaah says: "And the male is not like the female" - Aal 'Imraan 3:36 ...

**Response:**

The encyclopaedia of seerah perfectly explains the meaning of these words:

**Encyclopaedia of Seerah says:**

Islam recognises biological and physiological differences between the two sexes and the consequent differences in the nature and areas of their "activities and functions in practical life. It determines their functions, their place and their duties in the social system on the basis of these differences.....

Islam recognises woman as an equal and full partner to man in their matrimonial relationship. Man is the father and the bread-winner and woman "is the mother and the manager of the household and the role of both is equally essential for the successful working of the family life, fundamental "and primary root of human civilisation.

About the equality of man and woman in criminal and civil laws and also about the privileges of women in certain obligations the Encyclopaedia of Seerah says:

**Encyclopaedia of Seerah says:**

A woman enjoys perfect equality with man in so far as civil and penal laws are concerned. In the eyes of the law, both sexes are equal and are "treated alike, the same legal penalties being imposed on both men and women for breaking any moral, civil or criminal laws. Both enjoy equal rights and privileges as members of the Islamic.. society. In civil law, women lead exactly the same life, with the same rights and obligations as "men. However, women enjoy certain privileges and exemptions because of their physiological and biological functions. They are exempt from some "religious duties such as daily prayer and annual fasting in the month of Ramadan during menstrual periods and during confinement and are permanently exempt from obligatory congregational Friday prayer.

Whatever the rights women have obtained through demonstrations, strikes and other weapons of persuasion are still far short of the standard set by "the Holy Prophet fourteen hundred years ago. The woman is still inferior in Western eyes as she was in the past ages of ignorance.

In the West, a real genuine woman has yet to have respect as the queen of a home, the wife of a husband, the mother of children. The so-called "respect that she enjoys today is, in fact, for being a he-woman or a she-man who is physiologically a woman, but mentally a man and who pursues "masculine activities in life. Obviously, this respect is for manhood, not for womanhood.

It may, however; be pointed out that although woman, as a human being occupies equal status with man and is treated as equal, and enjoys equal rights, privileges etc., the fact remains that there is a differences between the sexes: No amount of debating or discussion, physical exercise or hard, industrial work can change her sex. As a woman, her special function in life is different from that of a man and she is naturally equipped with a different physical, physiological, biological, and even psychological structure. Islam has taken these natural differences between the sexes into account in differentiating roles and allotting functions to each sex. Their general equality as human beings is quite natural and reasonable because men and women are two complementary parts of humanity proceeding from common parents. But to assign them equal or similar functions in life is preposterous because it is physically impossible to interchange their functions, e.g., men sharing in conception, birth, suckling, etc. Islam has therefore given due allowance to these factors and treated men and women on the basis of equality where there is a natural scope for it, and differentiated between them where such differentiation is in accordance with nature. Therefor men and women are different, but in worth as human beings, respect and spiritual status equal. The prophet confirmed this in the next hadith:

**Narrated by al-Tirmidhi, 113; Ahmad, 25663**

Aischa narrated that the Prophet said: "women are the twin halves of men." Classed as saheeh by al-Albaani in Saheeh al-Tirmidhi



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