

The Qur'an's Ethical Framework and the Rights of Muslim Women

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The Qur'an's vision of human destiny is embodied in the exalted proclamation: "Towards God is thy limit." In order to enable men and women to achieve this destiny and discharge the responsibility of being God's vicegerent upon the earth, the Qur'an affirms fundamental rights which all human beings ought to have because they are so deeply rooted in our humanness that their denial or violation is tantamount to a negation or degradation of that which makes us human. From the perspective of the Qur'an, these rights came into existence when we did. They were created, as we were, by God, in order that our human potential could be actualized. Not only do they provide human beings with the opportunity to develop all their inner resources, they also uphold before them a vision of what God would like them to strive for. Rights given by God are eternal and immutable and cannot be abolished by any temporal ruler or human agency.

Since the Qur'an is concerned about all human beings and all aspects of life, it contains references to a large number of human rights. Among these rights, the following are particularly noteworthy:

1. Right to Life. The Qur'an upholds the sanctity and absolute value of human life (6:151), and points out that in essence the life of each individual is comparable to that of an entire community and, therefore, should be treated with utmost care (5:32).

2. Right to Respect. According to the Qur'an, humanity was appointed God's vicegerent on earth because of all creation it alone had the ability to think, to have knowledge of good and evil, to do the right and avoid the wrong. Thus, on account of the promise which is contained in being human, the humanness of all human beings is to be respected.

3. Right to Justice. The Qur'an puts great emphasis on the right to seek justice and the duty to do justice (5:8; 4:136). In the context of justice, the Qur'an uses two concepts: "*adl*" and "*ehsan*." "*Adl*" is justice in a legalistic sense and is represented by a scale which is evenly balanced. It is the spirit of "*adl*" that special merit be considered in matters of punishments. "*Ehsan*" goes beyond "*adl*" and refers to a restoring of balance by making up a loss or deficiency.

4. Right to Freedom. A large part of the Qur'an's concern is to free human beings from the chain that binds them: traditionalism, authoritarianism (religious, political, economic), tribalism, racism, classism or caste system, sexism and slavery. The greatest guarantee of personal freedom for a Muslim lies in the Qur'anic decree that no one other than God can limit human freedom (42:21), and that judgment regarding what is right or wrong rests with God alone (12:40). In political matters, the Qur'an makes the

principle of mutual consultation ("*shura*") mandatory (42:38) and gives to responsible dissent the status of a fundamental right.

5. Right to Privacy. The Qur'an recognizes the need for privacy as a human right and lays down the rules for protecting an individual's life in the home from undue intrusion within or without (24:27-28; 33:53; 49: 12).

6. Right to protection from slander, backbiting, and ridicule. The Qur'an recognizes the right of human beings to be protected from defamation, sarcasm, offensive nicknames, and backbiting (49:11-12). It also states that no person is to be maligned on grounds of assumed guilt (24:15-19).

7. Right to acquire knowledge. The Qur'an puts the highest emphasis on the importance of acquiring knowledge which is regarded as a prerequisite for the creation of a just world in which authentic peace can prevail.

8. Right to sustenance. A cardinal concept in the Qur'an – which underlies the socio-economic-political system of Islam – is that the ownership of everything belongs, not to any person, but to God. Since God is the universal creator, every creature has the right to partake of what belongs to God (6:165; 67:15). This means that every human being has the right to a means of living and that those who hold economic or political power do not have the right to deprive others of the basic necessities of life by misappropriating or misusing resources which have been created by God for the benefit of humanity in general.

9. Right to work. According to Qur'anic teaching every man and woman has the right to work, whether the work consists of gainful employment or voluntary service. The fruits of labor belong to the one who has worked for them, regardless of whether it is a man or a woman (4:32).

10. Right to leave one's homeland under oppressive conditions. According to Qur'anic teaching, a Muslim's ultimate loyalty is to God and not to any place. Prophet Mohammed migrated from his birthplace Mecca to Medina in order to fulfill his prophetic mission. This event ("*Hijrah*") has great historical and spiritual significance for Muslims who are called upon to move away from their place of origin if it becomes an abode of evil where they cannot fulfill their obligations to God or to establish justice (4:97-100).

11. Right to "Good Life". The Qur'an upholds the right of a human being not only to life but to "the good life." This good life, made up of many elements, becomes possible only when a human being is living in a just environment. According to Qur'anic teaching, justice is a prerequisite for peace, and peace is a prerequisite for human development. In a just society, all the earlier mentioned human rights, such as the right to a secure place of residence, the right to the protection of one's personal possessions, the right to the protection of one's covenants, and the right to move freely also exist (2:229; 3:17,77; 5:42-48; 67:15).

Muslim women partake of all the rights which have been mentioned above. In addition, they are the subject of much particular concern in the Qur'an. However, a review of Muslim history and culture brings to light many areas in which – Qur'anic teachings notwithstanding – women continued to be subjected to diverse forms of oppression and injustice, often in the name of Islam. While the Qur'an, because of its protective attitude toward all downtrodden and oppressed classes of people, appears to be weighted in many ways in favor of women, many of its women-related teachings have been used in patriarchal Muslim societies against, rather than for, women. Muslim societies, in general, appear to be far more concerned with trying to control women's bodies and their sexuality than with their human rights. Many Muslims when they speak of human rights, either do not speak of women's rights at all, or are mainly concerned with how a woman's chastity may be protected. They are apparently not very worried about protecting men's chastity!

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