



Women's Rights According to Sisters in Islam (SIS)'S Understanding; An Analysis from an Islamic Perspective

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Abstract: Sister In Islam (SIS) is a Non-Governmental Organisation (NGO) that claimed among its objectives is to uphold Muslim women's rights as they believe that there are certain Islamic Family laws which are implemented in the Shariah Court in Malaysia are discriminatory against women. Since SIS claims that the group was formed to understand the status of women in Islam in their aim to attain women's rights as stipulated in Islam, the study will analyse SIS's understanding on women's right from an Islamic perspective. The study found that there are several misunderstandings by SIS related to women's right as they do not apply the proper method in understanding the Qur'an. SIS has also to refer to Hadis in their discussions and their use of logic should be parallel with Islamic teachings. The findings of study will reveal the true understanding of Muslim women's rights from an Islamic perspective to the society.

Keywords: *Sisters In Islam; women's rights; Muslim thoughts; Islamic perspective*

INTRODUCTION

Sisters In Islam (SIS)¹ is a non-profit Malaysian organization that claims to be a group that advocates justice for women (Rashida Khanam, 2002: 7). The organization was formed by several women who at the time were already involved actively in other organizations. These founding members wanted to prove that the suppression of women in Muslim societies does not originate from Islamic teachings, but rather from some interpretations of Islamic sources by men (Anna Spiegel, 2010: 71).

Among the objectives of SIS as claimed by the group are to transform mentalities that look women as inferior to men and to advocate the women's rights framework in Islam ("Mission Statement and Objectives", SIS website: 2014). Since SIS claims that the group was formed to study and understand the status of women in Islam in their aim to attain women's rights as stipulated in Islam, the study will analyse SIS's understanding on women's right from an Islamic perspective.

The significance of this study is to analyse whether SIS's understanding on women's rights can be accepted or rejected from an Islamic perspective. This study will benefit the Muslim society because the findings of this study will reveal to the society the true understanding of Muslim women's rights from an Islamic perspective.

WOMEN'S RIGHTS ACCORDING TO SIS'S UNDERSTANDING

SIS questions "*if God is Just as Islam is just, why dolaws and policies made in the name of Islam create injustice?*" The founding members of Sisters In Islam (SIS) set out to find the solutions to the problems that they claim Muslim women face due to inequality practiced supposedly in the name of Islam (Zainah & Shanon, n.d.: 2). One of the objectives of Sisters In Islam is to eliminate what its members claim is discrimination against Muslim women in the name of Islam. SIS believes that the Qur'an has been

interpreted wrongly by some men who use the text to justify discrimination against women. Thus, SIS claimed that the group set out to fight for gender equality from an Islamic perspective, with its members basing their arguments and ideas on their own interpretation of the Qur'an (Zainah & Shanon, n.d.: 2).

Sisters In Islam (SIS) state that their existence is to champion the women's rights.² Zainah Anwar³ claims that SIS is an organization that fights for liberation, truth and justice in Islam. As Muslims, she and her group members believe that they reserve the right to reclaim their religion, to redefine it, to participate and contribute to an understanding of Islam and how it is enacted and carried out by taking into account what women go through in their lives today (Zainah, 2006: 107). Through this organization, the members of the group believe that they can reclaim the women's rights (Asgharali, 2005: 6).

SIS is against some strict interpretations of texts related to Muslim family law (Craig, 2010: 925). Zainah Anwar believes that some male jurists and scholars have conquered the process of interpretation and codification of the laws. She says that this factor then can lead to the idea that males and females are different and unequal (Zainah, 2001: 230). The members of the group disagree with some interpretations of Islamic law and praxis, claiming that the usage of these interpretations was suggested by some Islamist opponent groups and the state's religious bureaucracy (Farish, 2008: 222). They claim that some of these strict interpretations only take into account the opinions of certain people who, according to them, are closed-minded and cannot accept newer, modern interpretations that are up-to-date and more in tune with the realities of women's lives today.

Since SIS's objective as claimed by the group is to promote a framework of women's rights in Islam that takes into account the experiences of women (Mission Statement and Objectives", SIS website, 2015). SIS have stated that their aim is to interpret the Qur'an from an alternative point of view—the woman's (Ghada, 2011: 224). Zainah Anwar says that the struggle for Muslim women's rights must be in line with the living conditions of women in Muslim societies where lives are redefined by Islam (Riham, 2008: 158). She insists that present situations faced by women living in Muslim societies should be considered in their fight for equality and justice for Muslim women.

SIS has challenged the opinion that its members do not have enough credibility to express their views in topics related Islam. They claim that their organization does have members who are qualified to talk about Islam, to redefine it, to take part in it and to provide an alternative view of how Islam is codified and implemented. SIS claims that they seek to understand the primary sources of Islam in order to ensure that they have the right understanding of the religion. At the same time, they also claim that they equip themselves with information related to the issues that they discuss. They believe that they can contribute beneficial ideas to aid society in their fight for women's rights within a religious framework (Riham, 2008: 158).

The members of this organisation intend to reinterpret women's rights (Rebecca, 2003: 136). Through the research they have conducted, the group stated that they found that the perception of women's inferiority to men has influenced the interpretations of the Qur'an. SIS puts the blame on those who are unable to comprehend the purpose behind the verses when they make discriminatory interpretations (Sisters In Islam, 2015: 1).

Thus, SIS claims that they intend to comprehend the exact meaning of the Qur'an. SIS mentions that all Muslims are equal participants in every aspect of Islamic life regardless of their gender. Based on verses of the Qur'an (33:35–36, 9:71–72, 4:124, 3:195, 40:40, 16:97), they believe that both genders have equal roles and responsibilities in their spiritual life and Islamic struggles (Sisters In Islam, 2015: 1-2).

Allah s.w.t. says:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ

Al-Nisā' 4:34

Translation: Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means.

According to SIS, the verse 4:34 states that: "*Men are qawwamuna over women (on the basis) of what Allah has [faddala] preferred some of them over others and (on the basis) of what they spend of their property (for the support of women)...*". However, SIS mentions that the verse 4:34 has been repeatedly highlighted to wrongly oppress women under the claim that it is the teaching of Islam. According to SIS, the meaning of this verse has been misinterpreted as "*Men have authority over women*" and "*All men are superior to all women*". They further point out that the oppression of Muslim women is due to the misinterpretation that women and men are not equal in Islam (Sisters In Islam, 2015: 3-5).

According to SIS, verse 3:195 "*goes on to talk about women's role alongside men in the Islamic struggle, including hijrah and jihad and the equal rewards that await both.*" SIS also mentions that verse 9:71 "*talks about women and men being each other's 'awliyya (protecting friends and guardians). And it also talks about the obligations of both women and men in Islam, such as enjoining what is just and*

forbidding what is evil and observing regular prayers, zakat and obedience to Allah swt and the Prophet saw.” (Sisters In Islam, 2015: 6-7).

SIS concludes that men and women are created for the same purpose, namely to serve as caliphate. Therefore, they believe that *“since the equal status of women and men in spiritual matters is not only recognised but insisted upon in the Qur’an, what more the equal rights and obligations of women and men in temporal matters.”* (Sisters In Islam, 2015: 3).

AN ANALYSIS OF WOMEN’S RIGHTS BY SIS FROM AN ISLAMIC PERSPECTIVE

SIS claims its *“research has shown that oppressive interpretations of the Qur’an are influenced mostly by cultural practices and values which regard women as inferior and subordinate to men”* (Sisters In Islam, 2015: 1), yet they fail to identify the Muslim scholars whom they assert to have made these oppressive interpretations. The group cannot claim that they have conducted the research without giving any evidence. This renders their accusations baseless and invalid. It is true that Islamic teachings do not oppress women. Thus, to accuse Muslim scholars of making oppressive interpretations and misinterpreting the revelation of Allah s.w.t. is unacceptable as these scholars are knowledgeable and experts in their field. It is highly unlikely for them to unanimously agree on matters that are contrary to the true teachings of Islam. The issue of priority and superiority between genders come from SIS’ misunderstanding and they should be aware that Muslim scholars do not say men and women are unequal as human beings. Gender does not differentiate one’s status to Allah s.w.t.

In this matter, SIS has to further comprehend the discussion at hand and avoid making pre-conclusive judgements. Muslim scholars do not mean that the status of men is superior to women or that women are of lesser value than men when they use the words ‘superior’, ‘excel,’ ‘favour’, ‘better,’ or other similar words, rather, what they mean to say is women deserve to be cared for and protected by men. That is the reason why after mentioning the qualities of men, the roles of men as protectors of women is subsequently highlighted. SIS cannot make conclusions merely by extracting certain sentences or incomplete parts of a topic. They must study and analyse the topic as a whole in order to understand it.

Naturally, the husband is fit to be a guardian and master of the household (Maulana Wahiduddin, 1995: 67-68). According to Dr. Azizah (2014), the word *“fadḍala”* means favour. In this context, it means that Allah s.w.t. bestows greater responsibility upon men. As an example, they are responsible in providing sustenance to their family.

It cannot be denied that men and women are not equal in certain aspects. Both genders have their own unique qualities and one gender cannot be envious of the other over those qualities (Maulana Wahiduddin, 1995: 69).

Allah s.w.t. says in the Quran:

وَلَا تَتَمَنَّوْا مَا فَضَّلَ اللَّهُ بِهِ بَعْضَكُمْ عَلَى بَعْضٍ ۗ لِلرِّجَالِ نَصِيبٌ مِّمَّا كَسَبُوا وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا كَسَبْنَ ۗ وَاسْأَلُوا اللَّهَ مِنْ فَضْلِهِ ۗ إِنَّ اللَّهَ كَانَ
بِكُلِّ شَيْءٍ عَلِيمًا
Al-Nisā’ 4: 32

Translation: And in no wise covet those things in which Allah Hath bestowed His gifts More freely on some of you than on others: To men is allotted what they earn, and to women what they earn: But ask Allah of His bounty. For Allah hath full knowledge of all things.

Even though men are physically stronger than women, it does not mean that their status is higher than that of women. It is futile to fight for equal rights and responsibilities between men and women. Each gender has distinctive characteristics. Rights and duties are bestowed upon men and women based on these natural characteristics (SIS, 2015: 3). None of the Muslim scholars declare that men have a superior status over women due to their physical strength.

The following statement made by SIS which says *“since the equal status of women and men in spiritual matters is not only recognised but insisted upon in the Qur’an, what more the equal rights and obligations of women and men in temporal matters”* (Sisters In Islam, 2015: 3) should be corrected. Since men and women are not equal biologically or psychologically, the rights of each gender are also different in certain aspects of life (B. Aisha, 1992: 2). However, the different roles and rights of men and women in specific areas of worldly affairs do not imply that they are unequal in terms of their status as a human being. Another thing that should be clear here is how SIS defines gender equality and justice. Do they define “equality and justice” based on the Qur’an and *Sunnah*? Or do they define it merely based on the human mind, according to the understanding of the West? If they define it merely based on their minds or according

to the understanding of the West, they will not be able to grasp the actual meaning of the words “justice and equality”. In fact, they will drift further from the truth in their struggle towards gender equality and justice.

In the Arabic language, there are several terms used for justice. The most common Arabic term that is used for justice is ‘*adaalah*’ (Faruqi, 1982: 397) or ‘*adl*’.⁴

Technically, ‘*adl*’ may connote the following meanings: (i) To place things in their rightful places; (ii) to give people their rights and what they deserve; (iii) to be impartial in one’s judgments and decisions; (iv) to say the truth; (v) to be balanced in one’s views and judgements; (vi) to avoid biases and prejudice; (vii) and to avoid oppressing others (Munawar, 2010: 34).

Justice is not merely achieved when both genders are able to demand and acquire equal quantities of items or equal rights in all aspects. We cannot say that men and women should be given the same rights in all aspects and situations.

That is the reason why there are Muslim feminists who demand the right to become the Imam and *khatib* for Friday prayer, and to be appointed as the highest leader (*khalifah*) because they believe that if men are able to hold these roles, women also should be given the same rights (Khalif, 2009: 30).

However, from the Islamic perspective, in order for justice to be served, specific rights must be given to those who are worthy of it. Justice does not mean that every individual is given equal quantity of rights; rather justice is to place things in their rightful place by considering its suitability, ability, and *fiṭrah* to ensure that the appointed one has the ability to carry out the duty (Yūsuf al-Qaraḍawī, 1996: 162).

Based on this reason, Islam bestows certain rights to men, for example the duties and rights of *naḥqah*, *jihād* and leading women. Although Islam accords these tasks and rights to men, it is not a form of discrimination towards women. Many scholars in the West claim that this is discrimination between the two genders, however these claims are merely based on their own perspectives concerning material wealth, position and status (Khalif & Adibah, 2009: 30).

The duty of childbearing is given exclusively to women due to their biological, physiological, mental and emotional qualities which are unique to this gender. It does not mean the status of women is beneath that of men. This duty is bestowed upon women because the qualities that are inherent among women such as devotion and patience are essential in raising children. If we look at it from this angle, we find that this task is given to women as an honour to them and not as discrimination. There is *ḥikmah* behind the difference of duties between men and women. Certain duties are given to women because of characteristics that belong to them and it is also the same with men. Cooperation between these two genders can help to establish balance and harmony within a family unit (Khalif & Adibah, 2009: 30).

To appoint the man as a leader of the family and the woman as the one who manages the household does not put the woman in a lower position. The philosophy of leadership is not related to the position of men or women in society. Leadership is a responsibility that comes at a price and the duties that come with it will be questioned in the hereafter. According to Sayyid Qutb, leadership is very important in a family, organization or institution. It can help a family to develop and succeed in this life and the hereafter. There is no power and responsibility without leadership (Sayyid Qutb, 1997: 649-652).

According to Islam, the husband is responsible in ensuring that his family performs all the injunctions that Allah s.w.t. has decreed and that they avoid what is prohibited. Whereas the wife is responsible to obey her husband as long as it is not against what Allah s.w.t. has willed (Abdur Rahman, 2002: 130 & ‘Abd al-Karīm, 2000: 126). The leadership of men should be based on love and cooperation. It is a responsibility that bears a great burden on one who holds it. The concept of leadership in Islam is different to the Western perspective. This is because the West separates power and morality in its concept of leadership (Khalif & Adibah, 2009: 32).

It does not mean that men and women are not equal to one other in any aspect. On one hand, men and women are both humans, thus there is the possibility of equality between these two genders in some aspects. On the other hand, they are dissimilar in terms of their natural differences, thus equality between these two genders is impossible in certain aspects. Even though they are different in certain aspects, they are complementary to one another (Abdul-Rahman Al-Sheha, n.d.: 28).

There are many examples that are brought up by our Muslim scholars based on the Qur’an and *Sunnah* regarding equality between men and women. The following are among those examples that show Islam treats both genders equally (Abdul-Rahman Al-Sheha, n.d.: 28):

- i. Both genders are equal from the point of humanity. It is very clear that men and women are created from one single source. It shows that both genders are equal in terms of humanity and they complement one another.

Allah s.w.t. says:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً^٥

Al-Nisā' 4: 1

Translation: O mankind! reverence your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women;

- ii. Both sexes also have to perform equal religious duties and rituals. For example, both men and women are required to perform prayer, give *zakāh*, fast and carry out the hajj pilgrimage.

Allah s.w.t. says:

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ
Al-Tawbah 9:71

Translation: 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 Allah and His Messenger.

- iii. There is no difference of rewards for obedience or punishment for disobedience between men and women in this world and the Hereafter.

Allah s.w.t. says:

مَنْ عَمِلْ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيَاةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ
Al-Nahl 16: 97

Translation: Whoever works righteousness, man or woman, and has Faith, verily, to him will We give a new Life, a life that is good and pure and We will bestow on such their reward according to the best of their actions.

- iv. Both males and females have similar moral duties and are eligible to similar general rights in guarding chastity, integrity, personal honour and respect.
- v. There is no prevention of both sexes to be involved in financial dealings and property ownership. This means that women are also allowed to own, buy, sell and undertake any financial transaction.
- vi. Islam teaches that a man who seeks to inculcate good character should treat women fairly. He cannot oppress or persecute women.

The Prophet s.a.w said:

أَكْمَلُ الْمُؤْمِنِينَ إِيمَانًا أَحْسَنُهُمْ خُلُقًا، وَخَيْرُكُمْ خَيْرُكُمْ لِنِسَائِهِمْ.

Translation: The most complete of the believers in faith, is the one with the best character among them. And the best of you are those who are best to your women.

(Narrated by al-Tirmidhi, Abwāb Kitāb al-Riḍā', Bāb Ma Jā' fi Haqq al-Mar'ah 'alā Zawjihā, number of Hadith 1162, Hadith Ḥasan ṣaḥīḥ.)

- i. Both genders have equal rights in obtaining education and cultivation of skills.
- ii. Both sexes have equal duty and responsibility to ensure the wellbeing of their society to the best of their capability. Both should together carry out their tasks to enjoin good and forbid evil.
- iii. Both genders are required to pay *zakāh* (Obligatory Charity) according to the determined ratio. Besides that, men and women also have set and determined rights to receive their fair share of wealth.

Allah s.w.t. says:

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ ۗ نَصِيبًا مَّفْرُوضًا
Al-Nisā 4: 7

Translation: From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large,-a determinate share.

These are among the examples that show Islam treats women as equals to men. These teachings were brought by our Muslims scholars. So how can this group accuse that some interpretations of men discriminate women?

Hence, SIS must refer to the Qur'an and *Sunnah* in understanding the concept of "equality and justice". Besides that, they must also refer to other sources of Islam, including the writings of early great Muslim scholars. They must not merely understand the terms based on their own opinion and logic because the human mind is restricted. Furthermore, they must discuss equality and justice by referring to Islamic sources before accusing others as bias.

From the Islamic point of view, in order to exercise justice, rights should be given to the rightful person. It is injustice to give equal roles and rights to women and men in all temporal matters or worldly life. The physical and biological differences between men and women lead to the differences of certain rights bestowed upon each gender. Justice does not mean that each gender should get the same rights in all aspects. In order to achieve justice, Islam gives rights to the rightful people according to their physical and biological capability.

According to Dr. Azizah (2014), the roles between men and women are divided based on nature and not culture. As stated by the Prophet s.a.w.:

كُلُّ مَوْلُودٍ يُرْوَدُ عَلَى الْفِطْرَةِ، فَأَبَوَاهُ يُهَوِّدَانِهِ وَيُنَصِّرَانِهِ، كَمَا تَنَاتُجُ الْإِبِلُ مِنَ نَهْيَمَةِ جَمْعَاءَ، هَلْ تُحْسُ مِنْ جَدْعَاءَ؟

Translation: Every child is born on Islam, but his parents make him a Jew and a Christian, just as a beast is born whole. Do you find some among them (born) maimed?

(Narrated by Abū Dawūd, Kitāb al-Sunnah, Bāb fī Dharāriyy al-Mushrikīn, number of hadīth 4714, ṣaḥīḥ (al-Albānī))

There are verses in the Qur'an and sayings of the Prophet s.a.w. with regards to the rights of women. SIS has to refer to these main sources in order to further understand women's rights in Islam. The group cannot merely make their own judgments to determine those rights.

According to Dr. Sofiyah (2014), there are particular issues clearly explained in the al-Qur'an that are beyond the capability of the human mind to even conceive. The matter relating to *mahram* is an example. The Qur'an clearly mentions this matter. At the same time, there are also matters that the human mind can conceive.

However, this does not mean that the comprehension of these issues can be practiced liberally without any limitations. The human mind must be guided by the Qur'an and Hadith. The most important thing in the process of explaining these matters is to ensure that they do not contradict with the Quran and Hadith. SIS cannot merely use their own opinions to determine the rights of men and women. They have to refer these matters to the Qur'an and *Sunnah*.

Dr. Azizah (2014) states that it is the responsibility of the husband to provide sustenance as revealed in *Sūrah al-Nisā'* 4:34. In addition to this, Allah s.w.t. says:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنَ كَامِلَيْنِ

Al-Baqārah: 2: 233

Translation: Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period].

Thus, the women is given the responsibility to breastfeed her baby, while the men provides sustenance for the family. The sustenance or maintenance to feed the mother is to the extent where the husband is completely responsible. To attain marital happiness, one must put in their sincere efforts to maintain a harmonious and successful marriage. It is not necessarily a duty or responsibility, rather an act for Allah s.w.t. (Azizah, 2014).

The husband is the leader of the family (B. Aisha, 1992: 16). (Refer to *Sūrah Al-Nisā'* 4:34 and *Sūrah Al-Baqarāh* 2:228) The group has to understand that there is nobody among the Muslim scholars who say that women are inferior to men because of this. This leadership of men over women does not indicate any kind of inequality or dictatorship, but it is identified as a responsibility.

If the husband is a leader, a wife should recognize his leadership because "a ship with two captains will never reach its destination." Therefore, the wife has the responsibility of running the household and raising the children (B. Aisha, 1992: 17-19). It is very clear here that this is the role of the wife.

A wife running the household and a husband working outside the home are equally significant roles. Therefore, running the household cannot be considered inferior to working outside of the home because Islam honours both efforts. Hence there is no question of having superiority or inferiority among men and women in this matter (Maulana Wahiduddin, 1995: 59-60).

There are people who believe that different actions should receive different rewards. However, they should understand that there are also different actions that obtain equal rewards in Islam.

Husbands and wives are a part of one another and this is a basic principle that determines their rights and duties (Maulana Wahiduddin, 1995: 124).

Allah s.w.t. says:

هُنَّ لِيَاسٌ لَّكُمْ وَأَنْتُمْ لِيَاسٌ لَّهُنَّ ۗ

Al-Baqārah 2:187

Translation: They are clothing for you and you are clothing for them.

Muslim scholars did not limit the task of women to only be mothers. In other words, they also mentioned that Muslim women can involve themselves in other fields. It is true that Muslim women and men have equal responsibilities in certain aspects of life, for instance, the responsibility of enjoining right and forbidding evil. (Refer *Sūrah Al-Tawbah* 9:71).

However, it is not true to say that Muslim women and men have the same responsibilities in all aspects of life because there are some roles which are fit for only one gender.

Therefore, giving the same rights and obligations to women and men in all aspects of life will be unfair as certain roles are not suitable for a particular gender. Even though there are roles of men that women do not have, these differences are not a form of discrimination. Men have unique characteristics that are necessary for being a leader and sustaining the family, while the women have unique characteristics that are necessary for maintaining the home and rearing the children (Maulana Wahiduddin, 1995: 125-129). As leaders, men are not considered to have a higher status over women in terms of human value, while as wives and mothers; women are not considered inferior to men. In fact, their respective roles and rights are suited according to their unique characteristics and both are of equal status.

The issue that is being raised by SIS regarding “men hav[ing] authority over women” is a misunderstanding. None of the Muslim scholars have said that men have absolute authority over women. “The man or husband as the leader in a family” does not mean that the man can do anything he wants to his wife. It must be understood here that giving men the right as a leader in a family does not mean that he has absolute authority, and it also does not mean that the wife does not have any right as a member of that family. SIS cannot deny the importance of authority in any institution because without authority, who would take the role as a leader? Who would take orders from the leader? From a small unit such as a family institution to a large unit such as a country, each institution, regardless of its size must have an authority or a leader. However, a leader is also bound by rules and regulations. He would not have absolute authority.

The issue of “men hav[ing] authority over women” should be viewed from the positive angle it has on women. The role as a leader in a family gives the husband authority over his family members including his wife to ensure their wellbeing, but with the condition that the authority that is exercised is guided by the al-Qur’an and Sunnah, and he must not misuse it over them.

The women’s task of bringing up children is essential and is within their nature to be the carer of the family. Thus, society must not look down upon the role of the caregiver or the domestic wife (“Some Misconceptions about Women in Islam”, *Islamhouse.com* website, 2015).

Men and women have been created by Allah s.w.t. to complete one another (B.Aisha, 1992: 21). The woman’s responsibilities of childbearing, breastfeeding and looking after her children are the responsibilities which require mental, physical and psychological strength and endurance. Whereas the man is the sustainer and protector in helping the wife accomplish her duties as a mother. Both duties of men and women are equally important. Men and women are assigned duties according to their natural characteristics.

Both men and women are obligated to seek knowledge, and if the husband is unable to provide a source of knowledge to his wife, the husband has no right to stop her from seeking it. If a woman wishes to go to congregational prayers at a mosque, the husband also has no right to stop her. In addition to this, women are allowed to participate in other fields such as giving first aid and nursing services to an army. These are among the examples of women’s rights.

Muslim scholars have never said that childbearing is the only task that woman are permitted to do. In fact, there are many other tasks that women can partake in society as long as it does not contradict with the teachings of Islam. The mother’s role in childbearing and raising children and the father’s role as the sustainer and protector of the family are very important. To build a healthy family institution, the wife/mother and husband/father should play their respective roles properly as both tasks are crucial and

significant. Both tasks complement one another. The problem arises when those who have been influenced by Western ideologies claim that these different roles are a form of gender discrimination. These people assume the role of childbearing and raising children as inferior.

However, from the Islamic perspective, these tasks are among the most important and difficult tasks. Therefore, bestowing women with the task of childbearing and raising children is an honour and their tasks are not limited to these alone. Their roles are also important in other aspects of life which go well with their nature and do not contradict to Islamic teachings.

Based on the above discussion, the explanation given by Muslim scholars with regards to the roles and right of women in Islam is indeed beautiful. It further defies the accusation made by SIS that the interpretations made by male Muslim scholars are biased against women.

In addition to this, the Muslim scholars also stress on the rights of women as human beings, feminine beings, mothers, daughters, wives and as members of the society. As a human being, Islam considers woman and man as equal in terms of their value and position. Islam also protects the woman's femininity, for example only women can wear gold and pure silk. Women are protected and given sustenance by her guardian whether it is her father, husband, son or brother. As a mother, everybody is obligated to treat her kindly. A daughter or a son is a gift from Allah without any discrimination. The woman also has the right as a wife: she is given dowry, sustenance, and to be treated honourably. Besides that, the woman also has a right as a member of the society, for example both men and women are responsible in enjoining right and forbidding evil. These are among the teachings with regards to the rights of women as taught by the male Muslim scholars based on the Qur'an and *Sunnah*. The male Muslim scholars highlight that the rights of women are not only as mothers, but even more. How can SIS accuse some of these male Muslim scholars for discriminating women in their interpretations? They cannot judge them based on isolated cases, or in other words, they cannot make generalisations.

CONCLUSION

The study found that SIS has several misunderstandings about the status of women and their rights. From the Islamic perspective, in order for justice to be served, specific rights must be given to those who are worthy of it. Justice does not necessarily mean that every individual is given equal quantity of rights; rather justice is to place things in their rightful place by considering its suitability, ability, and *fitrah*. This is to ensure that the appointed has the ability to carry out the duty. The different roles and rights of men and women in specific areas of worldly affairs do not imply that they are unequal in terms of their status as human beings. There are rights that are given to men and women equally. However, there are also rights in certain aspects that are specific to one gender. It is not valid to say that justice can only be achieved if both genders are given equal rights in all aspects of life. Thus, it is very important to understand the meaning of justice as defined in the Qur'an and *Sunnah*. The misunderstanding of the word "justice" will result in inappropriate solution. If SIS intends to ensure that their understandings and solutions in line with Islamic teaching, they have to apply the proper method of *tafsir* in understanding the Qur'an in order to obtain the accurate meanings. They must also refer to Hadith in their discussion. Whenever they want to give any opinion, they have to ensure that their human minds are guided by the Quran and Hadith. The human logic is important but it must be parallel with Islamic teachings.

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Interviews

- Azizah Mohammad (Assoc. Prof. Dr.), Department of Islamic Family Laws, AIKOL, International Islamic University Malaysia, in an interview with the researcher, April 16, 2014.
- Ratna Osman (Executive Director, SIS Forum (Malaysia) Berhad, Petaling Jaya), in an interview with the writer, January 28, 2015.
- Safiyah Shams al-Din (Assistant Professor, Dr.), Department of Qur'an and Sunnah Studies, Kuliyyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, in an interview with the writer, September 4, 2014.

¹ The group's formation started in 1987 as a part of the Association of the Women Lawyers (AWL) when several women lawyers and their friends gathered to concentrate on problems relating to the implementation of certain new Islamic Family Laws that were enforced in that year. Composing of lawyers, academics, journalists, analysts and activists, they became a point of reference for women in difficulty seeking legal redress from religious authorities. This situation led to the formation of the core of what was to become Sisters In Islam (SIS) in 1989 (Zainah, and Shanon, n.d.: 2-4), and in 1993, they were registered as a Non-Governmental Organisation (NGO) under the name of SIS Forum (Malaysia) Berhad (Ratna Osman, 2015).

² According to SIS, the objectives of its establishment are (Zainah & Shanon, n.d.: 2):

- i. To encourage and promote a framework of the women's rights in Islam, which take into account what women go through in their lives. To do this, the experiences and realities of women's lives will be taken into account when promoting that framework;
- ii. To abolish inequality, injustice, unfairness and discrimination against women by changing the view of men being superior to women;
- iii. To enhance public consciousness and reform laws and policies within the framework of justice and equality in Islam.

³ One of the founding members of SIS

⁴ The term '*adālah*' or '*adl*' is an abstract noun derived from the verb '*adala*', which means: first, to straighten or to sit straight, to amend or modify; second, to run away, depart or deflect from one (wrong) path to the other (right) one; third, to be equal or equivalent, to be equal or match, or to equalize; and fourth, to balance or counter-balance, to weigh, or to be in a state of equilibrium. (Ibn Manzur, n.d.: 457-458). Besides the word '*adālah*', there are other words used for justice which includes: "*Qist, qasd, mizan, qistas, istiqamah, wasat, nasib and hissah*." The words "*jawr, zulm (wrongdoing), tughyan (tyranny), mayl (inclination) and inhiraf (deviation)*" are the antonyms of '*adl*' (Majid Khadduri, 1984: 6).