

How the Khilafah Will Protect the Honour of Women

• Islam demands a status of great honour for women. Numerous Islamic evidences oblige men and society to view and treat women with respect and protect their dignity always. ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرْهًا وَلَا تَفْضُلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا آتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ ۗ﴾ **“O you who believe! You are forbidden to inherit women against their will; and you should not treat them with harshness, that you may take away part of the Mahr (dowry) you have given them, unless they commit open illegal sexual intercourse; and live with them on a footing of kindness and equity. If you dislike them, it maybe that you dislike a thing and Allah brings through it a great deal of good.”** [TMQ An-Nisa: 19]

The Prophet (saw) said: «إِنَّمَا النِّسَاءُ شَقَائِقُ الرِّجَالِ، مَا أَكْرَمَهُنَّ إِلَّا كَرِيمٌ وَمَا أَهَانَهُنَّ إِلَّا لَنِيمٌ» **“Women are the twin halves of men. None but a noble man treats women in an honorable manner, and none but an ignorant treats women disgracefully.”** [Abu Dawood]

The Prophet (saw) said: «اسْتَوْصُوا بِالنِّسَاءِ خَيْرًا» **“Treat women well.”** [Bukhari and Muslim]

• Therefore, the Khilafah will place the protection of women’s dignity and security as a key pillar of state policy.

“She (the woman) is an honour (‘ird) that must be protected.” (Article 112, Hizb ut Tahrir’s Draft Constitution of Al-Khilafah)

• The State will promote Taqwa (God-consciousness) within society that nurtures a mentality of accountability and responsibility in the manner by which men view and treat women. ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَانْتَقُوا اللَّهَ لَعَدَّ وَأَتَّقُوا اللَّهَ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ﴾ **“O you who believe! Fear Allah and keep your duty to Him. And let every person look to what he has sent forth for the morrow, and fear Allah. Verily, Allah is All-Aware of what you do.”** [TMQ Al-Hashr: 18]

• The Khilafah will use its political, educational and media systems as well as all other avenues at its disposal to promote the view of respect towards women.

• Islam forbids any form of violence against the woman – whether in the home or in the streets. The Prophet (saw) said: «لَا تَضْرِبُوا إِمَاءَ اللَّهِ» **“Do not beat the female servants of Allah.”** [Ibn Majah]

• The sexualisation of society as well as all forms of objectification, exploitation and devaluing of women will be prohibited under the Khilafah. The State also prohibits the woman from engaging in any work or service that exploits her beauty or body and degrades her status. «وَنَهَانَا عَنْ كَسْبِ الْأَمَةِ إِلَّا مَا عَمِلَتْ بِيَدَيْهَا وَقَالَ هَكَذَا بِأَصَابِعِهِ نَحْوَ الْخَبْزِ وَالنُّعْزِلِ وَالنَّفْسِ» Rafi bin Rifaa (ra) narrated, **“The Prophet (saw) forbade us from the earnings of the slave-girl except that which she earned with her two hands and said ‘in this manner’ with his fingers, such as bread-making, sewing, and inscribing.”** [Abu Dawud]

“Men and women must not practice any work that poses a danger to the morals or causes corruption in society.” (Article 119, Hizb ut Tahrir’s Draft Constitution of Al-Khilafah)

• The comprehensive Islamic social system places the protection of the dignity of women at the very core of its laws and plays a central role in establishing respect for women

as a key principle of the society. These Islamic social laws regulate the interaction between men and women, directing sexual relationships to marriage alone.

“Segregation of the sexes is fundamental, they should not meet together except for a need that the shar’ allows or for a purpose that the shar’ allows men and women to meet for, such as trading or pilgrimage (Hajj).” (Article 113, Hizb ut Tahrir’s Draft Constitution of Al-Khilafah)

“Women are forbidden to be in private (khulwah) with any men they can marry, they are also forbidden to display their charms or to reveal their body in front of foreign men.” (Article 118, Hizb ut Tahrir’s Draft Constitution of Al-Khilafah)

- The Islamic social system provides a framework by which to practically protect the dignity of women: Firstly, by re-enforcing the principle that women are not objects to be displayed for male gratification, but also to preserve a pure relationship between the genders that ensures their interaction is not cheapened or hindered through sexual distractions. This establishes a productive, healthy cooperation between men and women in all fields of life. And secondly, by creating a chaste and pure environment where sexual desires are fulfilled in a manner that brings goodness to society rather than harm. All this helps to maintain an atmosphere of immense respect towards women, minimising violence and other crimes against them. The result will be the creation of a society under the Khilafah where women will be able to study, work, and travel in a safe environment.

- Through its educational and judicial system the Khilafah would strive to eradicate cultural attitudes that devalue women or rob them of their Islamic rights, as well as eliminate oppressive traditional practices such as forced marriages and honour killings. It will also prohibit the influx of any ideas, images, books, magazines, or music into its society that cheapen the status of women.

- The Khilafah will implement Islam’s harsh punishments for any form of abuse against women including for violence and rape. These penal laws include lashing for slander or the death-penalty for other crimes against their dignity. The state is obliged to have an efficient judicial system to deal with crimes swiftly such that women will be able to seek justice promptly and with ease for any violations of their honour or rights.

﴿وَالَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْتَبَاهُنَّ فِجَارًا حَمِيمًا﴾ **“Those who accuse chaste women of adultery and fail to bring four witnesses (to approve it) flog them eighty stripes”** [TMQ An-Nur 24:4]

عَنْ عَلْقَمَةَ بِنِ وَايِلٍ، عَنْ أَبِيهِ، أَنَّ امْرَأَةً، خَرَجَتْ عَلَى عَهْدِ النَّبِيِّ ﷺ تُرِيدُ الصَّلَاةَ فَتَلَقَاهَا رَجُلٌ فَتَجَلَّلَهَا فَقَضَى حَاجَتَهُ مِنْهَا فَصَاحَتْ وَانْطَلَقَ فَمَرَّ عَلَيْهَا رَجُلٌ فَقَالَتْ إِنَّ ذَلِكَ فَعَلَ بِي كَذَا وَكَذَا وَمَرَّتْ عِصَابَةً مِنَ الْمُهَاجِرِينَ فَقَالَتْ إِنَّ ذَلِكَ الرَّجُلَ فَعَلَ بِي كَذَا وَكَذَا . فَانْطَلَقُوا فَأَخَذُوا الرَّجُلَ الَّذِي ظَنَنْتُ أَنَّهُ وَقَعَ عَلَيْهَا فَأَتَوْهَا بِهِ فَقَالَتْ نَعَمْ هُوَ هَذَا . فَأَتَوْا بِهِ النَّبِيَّ ﷺ فَلَمَّا أَمَرَ بِهِ قَامَ صَاحِبُهَا الَّذِي وَقَعَ عَلَيْهَا فَقَالَ يَا رَسُولَ اللَّهِ أَنَا صَاحِبُهَا . فَقَالَ «أَذْهَبِي فَقَدْ غَفَرَ اللَّهُ لَكَ» . «وَقَالَ لِلرَّجُلِ قَوْلًا حَسَنًا» . قَالَ أَبُو دَاوُدَ (يَعْنِي الرَّجُلَ الْمَأْخُودَ)، وَقَالَ لِلرَّجُلِ الَّذِي وَقَعَ عَلَيْهَا «ارْجُمُوهُ» (رواه ابو داود)

When a woman went out in the time of the Prophet (ﷺ) for prayer, a man attacked her and overpowered (raped) her. She shouted and he went off, and when a man came by, she said: That (man) did such and such to me. And when a company of the Emigrants came by, she said: That man did such and such to me. They went and seized the man whom they thought had had intercourse with her and brought him to her. She said: Yes, this is he. Then they brought him to the Messenger of Allah (ﷺ). When he (the Prophet) was about to pass sentence, the man who (actually) had assaulted her stood up and said: Messenger of Allah, I am the man who did it to her. He (the Prophet) said to her: **“Go away, for Allah has forgiven you”**. **“But he told the man some good words”** (Abu Dawud said: meaning the

man who was seized), and of the man who had had intercourse with her, he said: “**Stone him to death**”. [Abu Dawud]

- Islam’s prescribed duty upon men to be the guardians of their wives and children obliges them to safeguard their wellbeing and protect them from harm. Rather than a domineering and commanding position, this great responsibility of guardianship (qiwaamah) is one of taking care of spouses or female relatives. This also minimises violence against women. ﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ﴾ **“Men are the protectors and guardians over women.”** [TMQ An-Nisa: 34]

- Islam clarified the rights of the wife over the husband and linked the status of men in this life and the next with their good treatment of their wives and daughters. All these laws and principles reduce cruelty and mistreatment towards women. ﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾ **“And live with them honourably.”** [TMQ An-Nisa: 19]

The Prophet (saw) said, «أَكْمَلُ الْمُؤْمِنِينَ إِيمَانًا أَحْسَنُهُمْ خُلُقًا وَخِيَارُكُمْ خِيَارُكُمْ لِنِسَائِهِمْ» **“The most perfect believers are the best in conduct and the best of you are those who are best to their wives.”** [Tirmidhi]

Court records from the Uthmani Khilafah show that husbands who were violent towards their wives were punished by the state, including being imprisoned at times. Judges often made the husband accept the condition that if he was violent towards his wife again, then they would be divorced without the wife having to give up her marital financial rights.

“Marital life is one of tranquility and companionship. The responsibility of the husband over his wife (qiwaamah) is one of taking care, and not ruling...” (Article 120, Hizb ut Tahrir’s Draft Constitution of Al-Khilafah)

- The Khilafah will take extensive steps to safeguard the dignity of its women, including even mobilizing its armies against foreign forces who defile or even threaten to defile their honour, for this is the great status of protection Islamic rule affords the women of its state.

In the 9th century CE under the Abbassid Khilafah, during the rule of Khalifah al-Mu’tassim Billah, a Muslim woman was captured and abused by a Roman soldier in Syria. In response the Khalifah dispatched a formidable army to the city of Amurriyah in Turkey, the strongest fort of the Romans to rescue the woman. This was despite the capital of the Khilafah being in Baghdad at the time. It reflects the seriousness by which the Khilafah regarded safeguarding the dignity of its women.

Written for the Central Media Office of Hizb ut Tahrir by

Dr. Nazreen Nawaz

Director of the Women’s Section in The Central Media Office of Hizb ut Tahrir