# The Critical Study of Gender Discrimination and Social Order in Society in the Light of Seerah Literature

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#### **Abstract**

The study critically investigates the issue of gender discrimination and social disorder in the society. It aims to explore the religious guidance to end social discrimination and bring justice in the society in the light of Seerah literature. Islam is a complete code of life which provides guidance in every sphere of life from household chores to governance. Islam has determined the manners and regulations, principles, and standards to lead a balanced life. However, the issue of gender discrimination creates many practical problems in the society. The paper discusses the social, political, intellectual, cultural, scientific, or behavioral differences between men and women. The fundamental teachings of Seerah provide the theoretical foundations to comprehend the issue of gender discrimination and social disorder. Seerah of the holy Prophet PBUH is the best source to learn the social values and bring harmony and justice in the society. The article concludes that the fundamental teachings drawn from the life of Holy Prophet PBUH can provide solutions to end the social injustice and gender discrimination in the society. The study is significant because of its implication on the large portion of the human population. It can also guide the people to stop domestic violence, injustice in educational opportunities, gender discrimination, and sexual harassment in the workplace.

**Key Words**: Islam, Seerah, Gender discrimination, social disorder

### Introduction

First of all in this article we analyze the key words which have been used in this article that what they have the meanings, effects and perceptions in them. There are three basic words: gender discrimination, social order and the Seerah, have been the parts of this analytical work.

**Gender Discrimination**: Gender discrimination refers to the practice of treating people differently simply because they are male or female, versus on the basis of their particular expertise as well as functionality.<sup>1</sup>

**Social Order**: The term "social order" refers to the connections among individuals and entities that collaborate in order to keep standards of the society. Social order is often based on societal contracts constrained by collectively satisfactory beliefs, moral standards, and norms.<sup>2</sup>

**Seerah Literature**: The word Seerah is now only used as a term to describe all the circumstances of the blessed life of the Holy Prophet, while the use of the word Seerah for the circumstances of any other selected personality has become almost obsolete. Now, if the words like Rasul, Nabi, Prophet or Mustafa are not used together with the words like biographical studies or biographical books, then every reader understands that it means the biography of the Holy Prophet. The same term meaning is also meant by adding side.<sup>3</sup>

### **Literature Review**

There has been written a lot about the gender equality in Islam or mere about the gender discrimination in the society but neither a reasonable work about the concept of gender discrimination and social order in the view of the Seerah has not found in the literature.

# **Research Methodology**

The narrative and the logical method have been adopted to create this topic fruitful and beneficial for the society.

# **Descriptive Analysis**

The Constitution of Pakistan guarantees the equality of all citizens and rejects discrimination on the basis of gender. It should ensure the full participation of women in all spheres of life, as well as, protect the institutions of marriage, family, mother and child i.e. their existence, status, freedom and respect. Therefore, according to the requirements and spirit of the constitution, the state has made several laws to prevent the scourge of violence against women and has taken several measures at the administrative and social level, but due to half-hearted and weak implementation of the laws and measures, the desired results have not been achieved. And benefits could not be obtained. Apart from some physical differences, there is no difference between men and women in courage, strength, knowledge and wisdom. A woman can do everything that a man does because of her God-given abilities, but the problem is that such curses of patriarchy and backwardness have prevented women from showing their abilities. It has been proved by Maru Rayam that it is those societies which have been left behind in the race of development, which have made women inferior.4

Another worrisome issue is that women are given equal status to men, but on the contrary, incidents of violence against women such as honor killings, acid throwing, forced adultery, sexual harassment, abuse and beatings are increasing. Severe punishments alone are not sufficient to remedy these evils, but unless the root causes of the said evils are remedied and uprooted, all efforts will be futile. The main cause of these problems in our society is the patriarchy system. Now the situation has changed to a great extent, otherwise before the advent of Islam, there was such gender discrimination discrimination that when someone was informed that a daughter was born to him, his face would

https://www.sciencedirect.com/topics/socialsciences/gender-discrimination

<sup>&</sup>lt;sup>2</sup>https://study.com/learn/lesson/social-order-overview-examples.html

<sup>&</sup>lt;sup>3</sup>https://ahlesunnats.com

<sup>&</sup>lt;sup>4</sup> Ashutosh Misra,( MMA 15-Point Manifesto) reprinted in "Rise of Religious Parties in Pakistan: Causes and Prospects," Strategic Analysis 27, no. 2 (April/June 2013)

hang. He used to hide his face out of shame. He did not understand whether he should bury her alive or embrace this "humiliation" for the rest of his life. The conditions of our society are a little better due to the ignorance of Islamic teachings, but still violence against women in some sections. The incidents are increasing.<sup>5</sup>

In order to eliminate these social evils, the stereotypes and mindset about women should be eliminated. For this, it is necessary that women should be financially self-sufficient; they should not be dependent on men to meet their needs. . But for this, first of all, women have to be equipped with proper education. Ample facilities of higher education must be provided. Then they have to provide jobs in government and other sectors of national life in proportion to the population, so that they are not financially dependent on men and are free from the need of men to meet the needs of life. Despite family laws, some women find no other way than to live a life of slavery. In my opinion, women should be given opportunities to participate fully in the legislatures, parliament and provincial assemblies as well as in the judiciary.6

Women are not less than men in terms of intelligence, hard work and creativity. But due to outdated customs and traditions, this half of the body of the nation has been paralyzed. The secret of the development of developed societies is that they have abolished gender discrimination between men and women. On the contrary, women in Muslim societies have not been given the rights that Islam has given them. The belief is that there is heaven under the feet of the mother, but in practice, the father has trampled the heaven of his children under his feet.. Unnecessary delay in providing justice to women in the courts also emboldens the criminal mentality. Decisions must be made. As far as possible, such cases should be heard on a daily basis

without adjournment, but it is only possible that the presiding officer should commit the executors and the members of the legal community i.e. lawyers to cooperate with the court. Judges should take all suitable and appropriate measures to decide such cases as soon as possible or in the least possible time. To provide speedy justice to the aggrieved party (generally women), write solid and reasoned judgments in such a way that in case of appeal, the higher courts are forced to uphold the judgments. If the judges are not serious while writing the decision, then they are not sincere in their position, which is a big flaw or defect, but in plain words, they are not qualified to fulfill their position.

# The Gender Discrimination and Seerah Teachings

The history of women's rights in Islam is rich in traditions. From the first day, Islam not only recognized the religious, social, social, legal, constitutional, political and administrative status of women, but also guaranteed all her rights. However, it is a tragedy that today, whenever Western scholars compile the history of women's rights; they completely ignore the historical services and unparalleled role of Islam in this chapter. The arrival of Islam was a message of freedom for women from the bonds of slavery, humiliation and oppression. Islam destroyed all the ugly customs that were against the human dignity of women and gave women the rights that made them deserve the honor and respect that men deserve in the society. By guaranteeing respect, honor, dignity and basic rights to women like men, Islam laid the foundation of a civilization where every individual is an active part of the society. In the Islamic society, women play an active role in the social, social, political and administrative fields due to the blessings of the rights granted by Islam, leading the society towards the higher goals of development. The above

<sup>&</sup>lt;sup>5</sup> Rehana Siddique Gender Issues in Pakistan, The MIMAP Gender Network Research Agenda, Presentation for the GDN Panel Discussion on Gender and Economic Reforms, New Delhi, India, Pakistan Development Economics, Islamabad, Pakistan

<sup>&</sup>lt;sup>6</sup> Wood, W., & Eagly, A. H., Gender identity. In M. R. Leary & R. H. Hoyle (Eds.), Handbook of individual differences in social behavior (pp. 109–125) New York: Guilford.

<sup>&</sup>lt;sup>7</sup> Majid Khadduri, Marriage in Islamic Law: The Modernist Viewpoints, American Journal of Comparative Law, Vol. 26, No. 2, pp.213–218

mention of the role of women in national and international life provides a practical example.<sup>8</sup>

The position and status of women in the society defined by Islam is free from the absurd traditions of the modern and ancient times, neither is a woman allowed to be oppressed by making her an idol of sin, nor does she have the same freedom as in Europe.9

Here the rights that Islam gave to women are mentioned; rather, he also issued an order to pay it through incentives.

# Right to keep women alive

For any human being, mother is the source of life, she is the reason for his arrival and survival in this world, so thanking her, treating her well and serving her is one of the most important rights of a woman. . The right of the mother is more than that of the father in terms of good behavior and good manners, because the mother has to face more difficulties in the birth and training of the child. And keeping all these sufferings in front, Islam declared the mother as deserving of better treatment, which is a great favor of Islam to women.

During the period of ignorance, some Arab tribes used to bury girls alive. The Holy Qur'an strongly threatened him and gave him the right to live and said that whoever turns away from his right, God will have to answer him on the Day of Judgment. Allah said:

"Remember the time when the girl who was buried alive will be asked for what crime she was killed".

# The right to chastity

In order to ensure the respect and honor of women in the society, it is necessary to protect her right to integrity. Islam gave women the right to chastity and obliged men to protect her chastity:

"(O Messenger of Allah!) Tell the believers to lower their gaze and protect their private parts. It is a source of purity for them. And Allah is Aware of what they do".

The literal meaning of pussy "فرج" includes all such organs, which may contribute to the temptation of sin, such as eyes, ears, mouth, feet, and therefore the spirit of this commandment is that no one should be harmed by the evil eye. Do not listen to obscene words or say them yourself, and do not walk on foot to any place where there is fear of falling into sin. After that the women are commanded:

"And (O Messenger of Allah!) tell the believing women to lower their gaze (when they come before men) and to protect their private parts and not to display their adornment except that part of the body which is It remains open".

<sup>&</sup>lt;sup>8</sup> Soria Btul Alavi, Status of Women in Islam, Islamic Book Foundation, New Delhi, 1993, p: 15

<sup>&</sup>lt;sup>9</sup> Status of Women in Islam, p: 29-30

<sup>&</sup>lt;sup>10</sup> Al-Quran, Al-Takweer, :8-9

<sup>&</sup>lt;sup>11</sup> Al-Our'an, Al-Nur, 24:30

لَيْسَ عَلَيْكُمْ وَلَا عَلَيْهِمْ جُنَاحُ بَعْدَهُنَّ طَوَّافُونَ عَلَيْكُم بَعْضُكُمْ عَلَى بَعْضٍ كَذَلِكَ يُبَيِّنُ اللهُ لَكُمُ الْآيَاتِ وَاللهُ عَلِيمٌ حَكِيمٌ"۔ 13

"O believers! Your subordinates (slaves and servants) and your own children who are not yet young (to come to you) should seek your permission on three occasions: (one) before *Fajr* prayer, and (second) in the afternoon. At the time when you take off your clothes (for rest) and after (the third) *Isha* prayer (when you go to your sleeping quarters), (these) three (times) are your curtains, not apart from these (times). There is no sin on you, nor on them (because during the rest of the time) they come and go to you in abundance, so Allah makes clear for you the verses, and Allah is All-Knowing, All-Wise".

Islam also emphasized this right of women in the implementation of law. The behavior of the *Rashidun* Caliphs consisted of measures which not only prevented the factors that undermined the right of women to be chaste, but also ensured the protection of women's chastity and chastity.

A person came to the service of Hazrat Abu Bakr Siddique (RA) and said that one of my guests had defamed my sister and forced her to do so. Hazrat Abu Bakr Siddiq asked this person and he confessed to the crime. On this, you issued a ban on adultery and exiled him to *Fadak* for one year. But this woman was neither flogged nor deported because she was forced to do this act. Later, Hazrat Abu Bakr Siddique (RA) married this woman to the same man.<sup>14</sup>

Another similar incident is mentioned as follows:

"استفاف رجل ناسا من هذیل فأرسلوا جاریة لهم تحطب فأعجبت الضعیف فتبعها فأرادها على نفسهانا متنعت

"A man invited some people of Huzail and sent his servant to cut wood. One of the guests took a liking to her and followed her and demanded her virginity, but she refused. For a while there was a conflict between them. Then she managed to free herself and picked up a stone and hit the man on the stomach, which ruptured his liver and he died. Then she reached her family and narrated the incident to them. His family took him to Hazrat Umar and narrated the whole incident to him. Hazrat Umar (R.A.) sent some people to investigate the matter and they saw signs on the spot, which showed a conflict between the two. Then Hazrat Umar (RA) said, "He who has been killed by Allah can never be given life".

# Right to dignity and privacy

In the Holy Qur'an it is said:

"يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتِكُمْ تَدْخُلُوا بُيُوتِكُمْ حَتَّى تَسْتَأْنِسُوا وَتُسَلِّمُوا عَلَى أَهْلِهَا ذَلِكُمْ خَيْرُ لَّكُمْ لَعَلَّكُمْ تَذَكَّرُونَ - فَإِن لَمْ تَجِدُوا "فِيهَا أَحَدًا فَلَا تَدْخُلُوهَا حَتَّى يُؤْذَنَ أَحَدًا فَلَا تَدْخُلُوهَا حَتَّى يُؤْذَنَ لَكُمْ وَللهُ بِمَا لَكُمْ وَللهُ بِمَا فَا رُجِعُوا فَا رُحِعُوا فَوَا هُوَ أَرْكَى لَكُمْ وَللهُ بِمَا تَعْمَلُونَ عَلِيمٌ " ـ 16

"O ye who believe! Do not enter houses other than your own until you get permission (to do so) and greet the family members. It is better for you that

فعاركها ساعة فانفلتت منه انفلاتة فرمته بحجر ففضت كبده فمات ثم جاء ت إلي أهلها أهلها وأخبرتهم فذهب أهلها إلي عمرا فأخبروه فأرسل عمر فيوجد أثارهما فقال عمر قتيل لله لا يوري أبدا".

<sup>13</sup> Al-Qur'an, Al-Nur, 24:58

<sup>&</sup>lt;sup>14</sup> Ali Mutaqi Hindi, Kunz Umal, 5: 411

<sup>&</sup>lt;sup>15</sup> Ibn Abi Shaybah, Al-Musnaf, 5: 431, Hadith no: 27793

<sup>&</sup>lt;sup>16</sup> Al-Qur'an, Al-Nur, 24: 27, 28

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you take advice from these words, and if there is no one in the house, do not enter them until you are permitted (to enter) and if you are asked to return, and then return. This is more pure for you. And whatever you do, Allah is well aware of it".

It was the custom of the Holy Prophet (PBUH) himself that when he went to someone's house, he would say *Salam Alaikum* from outside, so that the owner of the house would know and allow him to come inside. If there was no response the first time, then the second time he would say *Salam Alaikum*. If there was still no response, they would do the same for the third time and if they did not get a response even after that, they would go back.

The Prophet (PBUH) started to go back thinking that there was probably no one in the house, *Hazrat* Saad came running and took the Prophet (PBUH) with him and said:

"The Holy Prophet (PBUH) I answered but gently, I wanted you to pray for us as often as possible".

# Right to education and training

The teachings of Islam were started with *Iqra* (اقرا) and education was declared as the basis of the honor of humanity and the identity of God:

"(O Prophet!) Recite (beginning) with the name of your Lord Who created (everything) He created man (like a leech in the womb) from suspended existence Recite and your Lord is Great." Gracious

is He Who taught the knowledge (of reading and writing) through the pen, Who taught man (also) that which he did not know".

The Messenger of Allah (PBUH) has declared the education and training of women as important and necessary as that of men. In Islamic society, it is in no way appropriate that a person neglects the education and training of a girl by giving her a lower status than a boy. The Prophet (PBUH) said:

"If a man has a slave girl then he should educate her and it should be a good education." And teach him manners and these are good manners. Then if he frees her and marries her, there is a double reward for that person.

# **Sociological Worth**

Other societies tried to erase women from life like a thorn, on the contrary, Islamic society has given her more priority and respect than men in certain situations.

"I love woman and fragrance among the things of the world and the coolness of my eye is placed in prayer".

This proves that disgust and hatred of women is unquestionable for asceticism and piety, a man can be loved by God when he enjoys all the blessings. God's blessing that He has blessed His

<sup>&</sup>lt;sup>17</sup> Abu Dawud Muhammad bin Suleman, Al-Sunan, Kitab Al-Adab, Chapter Kamra Yaslam, 4: 347, Hadith no: 5185

<sup>&</sup>lt;sup>18</sup> Al-Qur'an, Al-Alaq, 96: 1-5

<sup>&</sup>lt;sup>19</sup> Muhammad bin Ismail, Sahih Bukhari, Kitab al-Jihad, Chapter Fazl min Aslam, 3: 1096, Number: 2849

<sup>&</sup>lt;sup>20</sup> Abi Abd al-Rahman Ahmad bin Shuaib bin Ali al-Shahair Sunan Nasa'i, (Al-Nasa'i), Maktaba Ma'arif for Publishing and Distribution, 1303 H. p. 609

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servants, His order, and His beauty. Be eager and treat women with dignity. This is why marriage is compulsory for both men and women.

"النكاحُ من سنتى فمن رغب عن 
$$^{21}$$

"Marriage is my Sunnah, whoever turns away from my Sunnah has nothing to do with me". 22

# **Economic rights**

Not taking care of women is the man's fault in any situation. A father's responsibility if he has a daughter. Brother pays for younger sister, husband for wife, son for mother.

"A prosperous man should give sustenance according to his ability and a poor man according to his ability".

# The right to property:

In this way, whatever property a woman gets from dowry and inheritance, she is the owner of it in its entirety; because he does not have any financial responsibility; rather she receives from all; so all this is safe with him. If a man wishes, he has a double share in the inheritance; but it has to be spent on the woman in every situation, so in this way the financial condition of the woman (in the Islamic society) becomes so stable that sometimes she is in a better condition than the man.

# Civil rights

Choice of husband: In relation to the choice of husband, Islam has given freedom to women to a great extent. In connection with marriage, the will of the girls and their permission

has been declared essential in every situation. The Prophet said:

"لَايُنْكَحُ الْآيْمُ حَتّٰى تُسْتَأْمَرُ وَلاَ تُنْكَحُ الْبِكُرُ حتى تُسْتَأْذَن" 
$$_{-}^{24}$$

"A married woman should not be married unless she is consulted and a virgin should not be married without her permission".<sup>25</sup>

If someone has been married in childhood, the girl's will is not included in it when she becomes an adult, then she has the right to reject this marriage, in such a case no one can force her.

Yes, if a woman wants to marry a person who is immoral or against her family, then in such a case the saints will definitely intervene.

# Right to good society

It was ordered in the Qur'an: And treat women with kindness (<sup>26</sup>). Therefore, the husband has been instructed to treat his wife with kindness and generosity. The best among you are those who are good to their wives and treat their families with pleasure and kindness.<sup>27</sup>

### Rights of wives

After the advent of Islam, people looked at women with disrespect; one form of this disrespect was that people were so engrossed in worship that they did not know about their wives. The incident of Amr bin Al-Aas and Abu Darda is mentioned in great detail in the hadith that their wives complained to them because of excessive worship. It is also right, so take care of your wives along with worship.

Regarding the rights of wives, the Prophet (PBUH) said on the occasion of the farewell Hajj:

<sup>&</sup>lt;sup>21</sup> Sahih Bukhari, Kitab al-Nikah, Rashidiya Kutub Khana, Delhi, pp. 757-758

<sup>&</sup>lt;sup>22</sup> Sahih Bukhari, Kitab al-Nikah, Rashidiya Kutub Khana, Delhi, pp. 757-758

<sup>&</sup>lt;sup>23</sup> Al-Quran, Al-Baqarah, 2: 236

<sup>&</sup>lt;sup>24</sup> Mishkat, Kitab al-Nikah, Naimiyyah Kutub Khanah, Deoband, p. 270

<sup>&</sup>lt;sup>25</sup> Mishkat, Bab Ushrat ul Al-Nisa, Kutub Khanah Naimiyyah, Deoband, p.: 281

<sup>&</sup>lt;sup>26</sup> Al-Ouran, Al-Nisa' 4:19

<sup>&</sup>lt;sup>27</sup> Mishkat, Kitab al-Nikah, Naimiyyah Kutub Khanah, Deoband, p. 270

"People! Accept my will concerning women. They are naked under you. You have taken them in your company under the covenant of Allah and you have taken their bodies under the law of Allah. You have the right over them that the houses do not allow anyone whose presence is displeasing to you, if they do, you can beat them lightly and it is your duty to feed them and feed them. <sup>28</sup>

He said in another place:

The best of you is the one who is the best to his wives and you are the best to your family.

The social position of women in the eyes of Islam

The social position of women in Islam is so high that it can be inferred from the fact that in the matter of socializing, Allah specifically addresses men and orders that in the matter of socializing with them, "be considered "known"; So that they behave well in every aspect of society and in everything. It is said that:

And live with these women in good company, if you dislike them, then it is possible that you dislike something and Allah will put a lot of good in it.

The meaning of society is to live together, in this sense; Allah has ordered men to live together with women in the Holy Qur'an. The other is that it has been tied to "Ma'roof", so Imam Abu Bakr Jisas Razi (died 70 AH) while commenting on Ma'roof, writes that it can count women's maintenance, dowry, and justice.

And to lead a distinguished life means to be very polite and graceful in conversation, to be sweet and loving in speech, not to be bossy, and to listen to one thing with attention, and not to be disrespectful and disrespectful, and not to show any sense of humor.<sup>31</sup>

In the Qur'an, it is not only said for socializing that God has made it obligatory for men to treat women in a well-known way; Rather, all sorts of problems have been said with it. As it is clearly declared in the verse of the Absolute Woman that:

Don't stop them from the thought of harm; So that you transgress.

# Right to freedom of opinion

In Islam, women have the same right to freedom as men, whether it is a religious or worldly matter. He has every right to exercise his opinion freely like a man within religious limits.

On one occasion, Hazrat Umar said: "You people are warned not to tie the dowry of women too much. If to tie too much dowry was magnificence from the point of view of the world and it was a matter of piety to God, then the Prophet (PBUH) would have been more deserving of it."

On this speech, Hazrat Umar was interrupted by a woman in the full assembly and said, "How are you saying this?" Whereas Allah says:

And if you believe one of them in abundance, do not take anything from it.

<sup>&</sup>lt;sup>28</sup> Mishkat, narrated by Sahih Muslim, Khutbah Hajj Al-Wadaa, Kutub Khana Naimiyyah, Deoband, p. 225

<sup>&</sup>lt;sup>29</sup> Mishkat, Bab 10, An-Nisa, Kutub Khana Naimiyyah, Deoband, p. 281

<sup>&</sup>lt;sup>30</sup> Al-Quran, Al-Nisa, 4: 19

<sup>&</sup>lt;sup>31</sup> Maulvi Abdul Samad, Women's Kamaqam in Islam, Rahmani, Deni Book Depot, Urdubazar Delhi, P: 17

<sup>&</sup>lt;sup>32</sup> Al-Quran, Al-Baqarah, 2: 231

<sup>&</sup>lt;sup>33</sup> *Al-Quran, Al-Nisa, 4: 20* 

When God has made it permissible that the husband can give even one quintar as dowry, then who are you to forbid it? Upon hearing this, Hazrat Umar said, ``All of you have knowledge of Omar; you are all more knowledgeable than you because Hazrat Umar's conversation was about priority and virtue. Self was not justified.

This proves that women have full right to their freedom of opinion; Even Islam gave slave women the right to have their own free opinion. And it had become so common that the slave girls of Arabs used to act on it without any hesitation, even with the opinion of the Holy Prophet (PBUH), which was not considered as a Prophethood, they fearlessly presented their opinion on it. They used to do it and they did not feel any danger or disobedience.<sup>34</sup>

The source of this freedom of opinion was the Holy Prophet himself. The training of the Prophet (peace be upon him) instilled the spirit of freedom of conscience in the married couples, which had an effect on all women.

### **Conclusion:**

It has been clear by the above analytical study that Islam has addressed every issue and dimension of women but our so-called social and cultural norms have become obstacle in empowering the women. In other words, over-behavior, perversity and drawing wrong conclusions and then abuse, injustice, mental illness, family problems, problems related to relationships and reconciliation of both sexes remain unsolved in human society today. If the modern human society wants to see the prosper environment in the arena of humanity, women should be empowered in walk of life.

<sup>&</sup>lt;sup>34</sup> Maulvi Abdul Samad, Women's Kamaqam in Islam, Rahmani, Deni Book Depot, Urdubazar Delhi, pp: 22-23

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