



*An Islamic Perspective on
Legislation for Women*

Part One

Dr. Magda Amer

Al-Falah Foundation

2006



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Published by:

Al-Falah Foundation *for Translation, Publication & Distribution*

24 At-Tayaran st., Nasr City, Cairo, Egypt.

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E-mail: info@falahonline.com

Web site: www.falahonline.com

An Islamic Perspective on Legislation for Women is catalogued in The National Library and Archives of Egypt, Cairo.

Deposit No.: 9911/2005

I.S.B.N.: 977-363-041-2

Dedication

I dedicate this humble effort to my grandfather Shaykh **`Abd ar-Rahman `Ilish**, a prominent scholar of al-Azhar and his father Shaykh **Muhammad `Ilish**, Shaykh of the Maliki School of Fiqh at al-Azhar and his father the venerable Shaykh **Mahmoud `Ilish**.

*May Allah have mercy on them
and on us.*

Magda Amer

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Preface

The issue of women's rights has been a cause of much debate for centuries. Women have been fighting for their rights against a tidal wave of oppression and suppression. More recently, the rise of 'Islamic Feminism' versus Western Feminism has triggered off the rage of many westerners. Fourteen Centuries ago, Islam has, in fact, granted women all the rights that the West has, only recently, acknowledged.

A further dilemma is the widespread lack of awareness within some Muslim communities. Many Muslims, men and women, are quite unaware of the considerable rights Islam has awarded women. Those people are still bound by the confines of traditions, rather than Islamic values. Concerning the principles of Islam, traditional practices continue to represent the model behavior, imposing a heavy burden on women.

In order to confront such a problem, Muslim men and women need to expound the teachings of Islam regarding women and to acknowledge the principle of equality between men and women, which is highly stressed in the Glorious Qur'an,

[O mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honorable of you with Allah is that (believer) who has piety]

(Al-Hujurat: 13)

The only criterion of judging people is not their gender, race, nor even their color; piety is the sole basis. Thus, Islam places man and woman on equal footing, as neither is superior to the other. With this in mind, we will realize that men and women complement and mutually benefit each other.

This series, "*An Islamic Perspective on the Legislation for Women*", is a call for both Muslims and non-Muslims to discover the priceless jewels of Islamic legislation towards women. The series discusses a number of issues and clears up misconceptions that are of great benefit to the Muslim women life regarding rights and duties, engagement, marriage, polygamy, divorce, veil, etc. It's true that some of these subjects have been tackled before by many authors, but what makes this series special is that the author, as a woman, will be better understanding and experienced regarding women's concerns and sensitive issues. In addition, the series occasionally came across some comparative studies elaborating the status of women in Judaism, Christianity and Islam. It is noteworthy that the series uses the term 'Allah' and not 'God' since 'Allah' means the Holy name of the universal God of all religions and not the God of Arab Muslims alone as some people may think. Energy wise, when you repeat the name 'Allah', you actually charge your spiritual energy especially when you pronounce it while stressing on every letter of it: A L L A H. Here is the first production of our series under the title of "*An Islamic Perspective on the Legislation for Women*". May Allah

make it of great benefit for all; Muslims and non-Muslims.

Al-Falah Foundation feels indebted to Dr. Magda Amer for her contribution to the issue and for giving it the chance to publish this valuable work to its dear readers. We hope that this series may open the way for a fair appraisal of Islam's attitude towards women. A special thanks is due to *Rasha Ragab* for her efforts assisting the author in collecting and organizing the data needed for this series. Thanks should also be extended to *Hala Ali* and *Hazem Hamdy* for their translation contributions. Great appreciation is due to *Talaat Farouq* and *Naseema Mall* for revising and editing the present work.

We Ask Allah that this book will be a source of guidance to all people; we implore Allah to make this humble effort beneficial to Islam, Muslims and people in general. Verily, He is the only One Who is able to grant such favors.

Finally, all praise and thanks are due to Allah, the Almighty, without Whose Help and Guidance nothing can be accomplished.

General Director

Sheikh Muhammad `Abdu