Status of Women in Islam and its impact on Pashtun society (in present times)

Dr. Habib Nawaz Khan^{*}

ABSTRACT

This article discusses women rights in Islam and its impacts on Pashtoon society in the present times. The researcher talks about Islamic laws, history and the future of women rights in Islam in general and in Pashtoon society in particular. Islam is natural religion. As compared to other religions, Islam has emphasized on women rights, protection, dignity and their rights have always been focused. Islam has given a distinctive role to woman as a mother, as a sister, as daughter, and as a wife, and in other relations. According to Islamic injections, women are regarded so highly that it is said that paradise live under the feet of mother. A good wife is a great wealth of the world. Daughter is blessing of Allah. Islam has guaranteed women with education, training and all basic needs along with all types of protection.

In the same manner, if we talk an over vice of Pashtoon society women rights holds great importance in the light of Islamic laws, Islamic code of conduct, customs and worship etc.

Keywords: Discuss, Women, Rights, Islam, Sister, Daughter, wife, Pashtoon, Society.

^{*} Head of Department of Pak Languages

Allah says in Quran: ﴿ يَأَيُّهَا النَّاسُ إِنَّا خَلَقُنْكُمْ مِّنْ ذَكَرِ وَأَنْفى وَجَعَلْنُكُمْ شُعُوْبَّا وَقَبَآ إِلَ لِتَعَارَ فُوْ النَّ اَكْرَ مَكْمُ عِنْنَ اللهِ أَتَقْدَكُمُ إِنَّ اللهَ عَلِيمٌ خَبِيرٌ (⁽¹⁾

O mankind, we have created you from male and female, and made you into tribes and families that you may know each other. Surely the noblest of you with Allah is the (one who is the) most righteous of you. Surely Allah knows, aware.

About half of the population of the world consists of women. It is, therefore, necessary that any religious or social theory which stands for the good of mankind should also be concerned with the well being, rights, and progress of women. Similarly, Islam also promotes the position of women in rational way. But one thing must be noted that Islam gives equal right to women as against men. Quran states "Islam has given rights, and privileges to woman at the time when she has never enjoyed under any other religion or constitutional system.1" The position of women in Islam can be understood when the matter is studied as a whole in comparative manner, rather than partially. The rights, and responsibilities of women are equal to those of man but they are not necessary same with them because equality and sameness are two quite different things. This difference is understandable because man and woman is not identical but they are created equal. This distinction is of paramount importance because equality is desirable but sameness is not. With this distinction in mind, there is no room to imagine that woman is inferior to man and there is no ground to consider that she is less important than man just because that her rights are not identical to man. If Islam recognized woman identical to man, it

would simply duplicate of man which she is not. In short, Islam gives her equal rights but not identical ----- shows that Islam recognizes her independent personality.⁽²⁾

Position of Women in Ancient Civilizations and Religions

Historically speaking the position of woman has undergone many changes. She has been man's helpmate without whom his life would never have been complete. She has consider the object of decoration or a plaything and beast of burden carrying man's load work and sorrows on her back. Some ecclesiastics have debated whether woman has soul and have sometimes concludes that she has not! ⁽³⁾

There is reason to believe that in the great Greek Civilization, woman was treated as a slave. In her childhood, she was the slave of her parents, in her youth and her old age the slave of her husband and as a widow of her sons. In Athens, women were not better off than either the Indian or the Roman women." Athenian women were always minors, subject to some male - to their father, to their brother, or to some of their male kin. Her consent in marriage was not generally thought to be necessary and "she was obliged to submit to the wishes of her parents, and receive from them her husband and her lord, even though he were stranger to her". The Greek philosopher Plato holds that woman should be treated equally but his philosophy has no impact on the society⁽⁴⁾.

In the Roman Civilization too, she had the low status under the law. The father and the husband had full control over their daughters and wives. They would even turn them out of the houses with no redress. The father could marry her daughter to any one he liked and he had full power to annul the marriage of her daughter. In the Encyclopedia Britannica, we find a summary of the legal status of women in the Roman civilization. In Roman law, a woman was even in historic times completely dependent. If married she and her property passed into the power of her husband . . . the wife was the purchased property of her husband, and like a slave acquired only for his benefit. A woman could not exercise any civil or public office could not be a witness, surety, tutor, or curator; she could not adopt or be adopted, or make will or contract. Among the Scandinavian races, women were ⁽⁵⁾

The position of woman in Hindu society is not enviable as well because the custom of Sati was prevailed in the Hindu society till 20th century and even in some places up to date. According to this custom, widow was burnt alive with the corpse of husband during the burning funeral ceremony. Widows were not allowed to remarriage. The marriage of minor is very common in Hindu Civilization. The practice of Sati is equally applied to the child widow in the Hindu society. Describing the status of the Indian woman, Encyclopedia Britannica states: In India, subjection was a cardinal principle. Day and night must women be held by their protectors in a state of dependence says Manu. The rule of inheritance was agnatic, that is descent traced through males to the exclusion of females. In Hindu scriptures and the description of a good wife is as follows: "a woman, whose mind, speech and body are kept in subjection, acquires high renown in this world, and, in the next, the same abode with her husband." ⁽⁶⁾

It is not the tone of Islam that brands of women as the product of evil. Quran does not place man as the dominant lord of woman. You will never found in the history of Islam that any Muslim philosopher, jurist or historian questioned or doubted the human status of woman. Islam does not blame Eve alone for the first sin but Quran makes it very clear that both Adam and Eve were tempted and God pardon was granted to both and He addressed them jointly ⁽⁷⁾.

Allah says:

﴿فَاسْتَجَابَ لَهُمْ رَبَّهُمْ أَنِّيُ لَاَ أُضِيْعُ عَمَلَ عَامِلٍ مِّنْكُمْ مِّنْ ذَكَرٍ أَوْ أُنْثَى َ بَعُضُكُمُ مِّنُ بَعْضٍ ﴾ ⁽⁸⁾

And their Lord hath accepted of them, and answered them: "Never will I suffer to be lost the work of any of you, be he male or female: Ye are members, one of another:

In the modern democratic nations, we find that woman is not in the happy position because the rights of woman in the modern times were not granted voluntarily or out of kindness to female. Modern woman reached her present position by force and not through natural process or Divine teachings. Shortage of manpower during war, pressure of economic needs and requirements of industrial development forced woman to get out of her home- to work, to learn, to struggle for her livelihood and to appear before the public as an equal to man. She was forced by the circumstances and acquired her new status. This new status destroys the respectable position of woman because it destroys the family structure in the society. Unlimited freedom was given in the field of sex which dragged the woman to very low position. The culture of many boyfriends and girl friends replaced the respectable position of husbands and wives. Woman now actively participate in the fashion world and in the film industry. Film industries remove the relationship between sisters and brothers or between the husbands and wives for example, the wife of one brother is casting as a heroin against another brother in the film. In short the question whether all women are pleased with this new status? ⁽⁹⁾

It is an established fact that the position of woman before the advent of Islam was not respectable and enviable in the Arab society. There was no restriction on the number of wives and absolute polygamy was in vogue in the Arab society. To many of them, women were not companions who could fully participate in the life of their husband. They were mere objects of pleasure or slaves to carry out the commands of their husbands. Woman had no right to own personal property and safeguard against the maltreatment by their men folk. Besides regular marriage, sexual connection under the name of marriage established and flourished before Islam. She was not free agent in contracting marriage. Her consent was of no moment and woman was forced to contract in marriage bond. In regular marriages the dower was for the benefit of wife in vogue among the pre-Islamic Arabs but if wife committed unchastely, her husband used to deprive her of dower, so they used to blame her for such act in order to get rid of her dower. Many times widows and divorced women were forced to give up her dower or restore it if it had already been paid. The prohibited degree was very narrow but there can be no doubt that Arabs could not marry his mother, grandmother and his aunt or niece. But the follower of Magi and religions could marry their own daughters and sisters $^{(10)}$

In Arabs, the birth of a daughter was regarded as a calamity because of the degraded status of woman. Even in the time of the Prophet ***** was prevalent and many father used to bury their daughters alive as soon as possible. They were debarred from inheriting but there were exceptional woman like Bibi-Khadija, a well-known widow whom the Prophet ***** married who carried on trade transactions and had high position in the society. ⁽¹¹⁾

With the advent of Islam, this situation was changed both in theory and in practice. There were many verses of the Holy Quran and saying of the Holy Prophet $\frac{1}{20}$ and even in his personal life and conduct, which helped greatly to raise women's status in the society and give her many denied rights. ⁽¹²⁾ The last sermon of the Holy Prophet $\frac{1}{20}$ as in this regard.

لَكُمْ عَلَيْهِنَّ حَقَّ وَلَهُنَّ عَلَيْكُمْ حَقًّ (¹³⁾

Islam recognizes women as equal and full partner to man in their matrimonial relationship. Man is the father and woman is the mother in the household and the role of both equally essential for the progress and happiness of the family. Islam gives more importance to mother than father. The Holy Prophet ﷺ says that, "Paradise is under the feet of mother (An'Nisa,Ibn Maja,Ahmad)".In another occasion the Holy Prophet said that "Mother is entitled to three-fourth love and kindness with one-fourth left for their father". As a mother, she enjoys more recognition and higher honor in the sight of God. ⁽¹⁴⁾

Allah says:

﴿وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ إِحْسَتًا * حَمَلَتْهُ أُمَّهُ كُرْهًا وَوَضَعَتْهُ كُرْهًا * وَحَمْلُهُ وَفِصْلُهُ ثَلَقُوْنَ شَهْرًا *حَتَّى إِذَا بَلَغَ أَشُلَّهُ وَبَلَغَ أَرْبَعِيْنَ سَنَةً قَالَ رَبِ أَوْزِعْنِي أَنْ أَشْكُرَ نِعْمَتَكَ الَّتِي أَنْعَبْتَ عَلَى وَعَلَى وَالِدَى وَأَنْ أَعْمَلَ صَالِحًا تَرْضِهُ وَأَصْلِحْ لِي فِيْ ذُرِيَتِي أَنِي تُبْتُ إِلَيْكَ وَإِنِّي مِنَ الْمُسْلِيِيْنَ ﴾ (15)

We have enjoined on man kindness to his parents: In pain did his mother bear him, and in pain did she give him birth. The carrying of the (child) to his weaning is (a period of) thirty months. At length, when he reaches the age of full strength and attains forty years, he says, "O my Lord! Grant me that I may be grateful for Thy favour which Thou have bestowed upon me, and upon both my parents, and that I may work righteousness such as Thou mayest approve; and be gracious to me in my issue. Truly have I turned to Thee and truly do I bow (to Thee) in Islam."

As a wife, woman enjoys absolute equality as an equal member of the family unit. In certain ways her position as a wife and as a mother is unique and of great honor and distinction. The status of man (husband) is determined by the way he treat his wife. The Holy Prophet says,

> <u></u> ڂؘؽؙۯؗػؙۿڒڂؽؙۯػؙۿڔڵؚٲۿ۫ڸ؋ۅٙٲؘڹؘٳڂؽؙۯػؙۿڔڵٲۿؚڸ

"best among you is the one who is best to his wife and I am the best among you to my family"

She is the queen and the mistress of household. She is the source of joy, pleasure and comfort for her husband. Husband seeks happiness through her. "And among His signs is this: That He created mates for you from yourselves that you may find rest, peace of mind in them, and He ordained between you love and mercy. Lo, herein indeed are signs for people who reflect."⁽¹⁶⁾

﴿وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِى ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُون ﴾⁽¹⁷⁾

And among His Signs is this that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect.

In the matter of marriage, Islam emphasis on the consent of the woman. The Holy Prophet said "No widow should be married without consulting her and no virgin be married without her assent". According to Islamic law, women cannot be forced to marry anyone without their consent. Ibn Abbas reported that a girl came to the Messenger of God, Muhammads, and she reported that her father had forced her to marry without her consent. The Messenger of God gave her the choice . . . (between accepting the marriage or invalidating it).⁽¹⁸⁾

In another version, the girl said: "Actually I accept this marriage but I wanted to let women know that parents have no right (to force a husband)".⁽¹⁹⁾

Islam also recognizes her consent after marriage because she can obtain divorce from her husband either by Khula or Mubarrah. We know that marriage in Islam is contract and it can be terminated by mutual constant of the parties. When the aversion on the both side, it is called Mubarrah but when the aversion is on the side of wife then it is called Khula. Khula is the right of woman against the right of Talaq (divorce) of man. According to some legal experts, the consent of husband is not required for Khula because it is stated in Quran "Women have equal rights to those which man have over them"⁽²⁰⁾

Unto women is due likes that which is due from women reputably.

From this verse some jurists inferred that the right of Khula on woman as against the right of talaq (divorce) on man. The only condition in such kind of divorce is that woman may agree to pay something in return to release herself from the marriage bond. Quran says "if you fear that they will not keep the limits prescribed by God that there is no blame on either of them, if she gives something for her release".

﴿ فَإِنْ خِفْتُمُ أَلَّا يُقِيمًا حُلُوْدَ اللهِ فَلَاجُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهِ ﴾ (23)

There is no blame on either of them if she give something for her freedom.

The western jurists criticize the unilateral power of talaq exercised by the husband to divorce his wife without no cause, but it is their ignorance because they do not know real essence of talaq and Islamic law. It is pertinent to note that Islam put restriction on this power of husband both morally and legally. Talaq is the last method to be used if the difference could not be resolved between the spouses because divorce is the detestable things in all approved things in the sight of Allah Almighty. Islam also put legal restrictions on this power in the form of dower. Dower is the financial gain which the wife entitled from her husband in the contract of marriage when the wife was divorced; she is entitled to full dower. Besides in all approved things of Talaq.

As daughter Islam stops the practice of infanticide and enjoyed fair treatment to their daughter. "And when the female (infant) buried alive- is questioned, for what crime she was killed" (Quran 18:8-9). The Holy Prophet ﷺ said, "Whoever has a daughter and does not burry her alive, does not insult her and does not favor his son over her will be received by God in Paradise". In another occasion, the Holy Prophet ﷺ said that "whoever support two daughters till the age of mature, he and I will be in paradise thou this(He pull two finger close)".The Prophet ﷺ always showed consideration and gentleness to women whether belonging to his family or outside. For instance, he always stood up to show respect for his beloved daughter Fatima, at the time when female infanticide was prevalent among the Arabs.⁽²⁴⁾

Islam has given the right of Option of puberty to the minor to repudiate or ratified the marriage.

Islam recognizes the right of minor particularly of wives to repudiate their marriage on attaining puberty without showing any cause but a minor cannot repudiate the marriage if it is brought by father or grand- father on the presumption that he will not act carelessly or against the welfare of the minor. But a minor (wives) can repudiate such marriage if there is negligence or fraud on the side of father or grandfather. Under shia law, such marriage is totally ineffective unless it is rectified by the minor (wives) on attaining puberty.⁽²⁵⁾

In economics field, Islam recognizes woman's right to inherit, buy, sale, mortgage and lease any or all of her property both land and estate. She can inherit property from her husband, parents and brothers; she is entitled to dowry and to carry on business transactions. " Unto men (of the family) belongs a share of that which Parents and near kindred leave, and unto women a share of that which parents and near kindred leave, whether it be a little or much - a determinate share" ⁽²⁶⁾

﴿لِلِرِجَالِ نَصِيبٌ مِتَّاتَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلِنِسَاءِ نَصِيبٌ مِتَّاتَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِتَّاقَلَ مِنْهُ أَوْ كَثُر نَصِيبًا مَفْرُوضًا ﴾ ⁽²⁷⁾

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.

But she has no legal obligation to spend on her family out of her personal property. This is the reason that Islam makes distinction between male and female in the case of inheritance because share of two female (sisters) equal to one male (brother). The logic behind this principle is that husband is responsible for maintenance of wife and family and wife has no obligation in this regard what so ever rich.

Woman is equal to man in the pursuit of knowledge and education. When Islam enjoins the seeking of knowledge upon, it makes no distinction between male and female. As the holy Quran says "(Unto them, O Muhammad ﷺ Are those who know equal with those who know not? But only men of understanding will pay heed)" ⁽²⁸⁾.

Say: "Are those equal, those who know and those who do not know? It is those who are endued with understanding that receive admonition.

Almost fourteen centuries ago, Muhammad 3 declared that "the pursuit of knowledge is incumbent on every Muslim male and female"(Al-Bayhaqi). This declaration was very clear but it is mere ignorance of Islamic teachings that west promote propaganda against Islam and against its stand on female education.

Islam also gives the rights of evidence to women. But Islam make distinction between male and female on the basis of evidence because a male witness is equal to two female witness while in case of Hadood, female are not completely debarred as witness. ⁽³⁰⁾

Quran says that

﴿ وَاسْتَشْهِدُوَا شَهِيْدَيْنِ مِنْ لِجَالِكُمْ ۚ فَإِنْ لَّمْ يَكُوْنَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَلْنِ مِتَّن تَرْضَوْنَ مِنَ الشُّهَدَآءِ أَنْ تَضِلَّ اِحْلِىهُمَا فَتُنَكِرَ اِحْلِىهُمَا الْأُخْرِى﴾⁽³¹⁾

If two male are not available for evidence than one man and two such women are required whom you like for evidence. If one forgets it, the other reminds it to her.

This distinction is based on the lack of experience because women have little experience of practical life. Therefore, if woman makes an error due to lack of experience, the other would help to correct. Therefore, this is a precautionary measure to guaranty honest transaction and proper dealing between the parties. Therefore, the distinction between male and female witness because of lack of experience does not necessarily means that woman is inferior to man in her status.

In Islamic state both man and women are equal before law and are entitled to equal protection of law. There shall be no discrimination because of sex and positive discrimination is allowed in certain circumstances to make special law for the protection of minor woman's rights in Islamic state. Woman has the same fundamental rights as man enjoys in the Islamic state. She has the right of protection of life, property and honor. She has also the right of freedom of expression and speech. She can criticize the governmental policy. There are many examples in the history of Islam that show that woman's grievances were addressed by Khalifas of Islamic state^{.(32)}

Right to choose career is equally provided to man and woman in Islamic state but Islam enjoins the woman to select such career which is suitable to her body. However, there is controversy among the Islamic jurist that whether a woman became Qazi or not. According to Hanafi law, she may become Qazi because she possess' the qualification of witness but in case of Hadood she cannot became a Qazi. Shafi law completely disqualified woman for the office of Qazi.

The concept of veil is also misunderstood by the west and secular Muslim It is Islamic that the woman should beautify herself before her husband but she cannot do so before the public. Islam warns woman not to displace bosom or her charms and attraction before the strangers. So the concept of veil protects her personality from demoralization or offences like rape. It also protects the eyes of woman from lustful looks. Islam is the most concerned with the integrity of woman, with the safeguarding morals and morale and with the protection of her character and personality. ⁽³³⁾

﴿ وَقُلْ لِلْمُؤْمِنْتِ يَغْضُضْ مِنْ أَبْصَارِهِنَ وَيَخْفَظْنَ فُرُؤْجَهُنَ وَلَا يُبْرِيْنَ زِيْنَتَهُنَ زِيْنَتَهُنَّ إِلَّا مَاظَهَرَ مِنْهَا وَلْيَضِرِبْنَ بِخُمُرِهِنَ عَلى جُيُوْبِهِنَ وَلَا يُبْدِيْنَ زِيْنَتَهُنَ إِلَّا لِبُعُوْلَتِهِنَ أَوْ ابَآبِهِنَ أَوْ ابَآءِ بُعُوْلَتِهِنَ أَوْ أَبْتَآبِهِنَ أَوْ أَبْتَآءِ بُعُوْلَتِهِنَ أَوْ إِخُوانِهِنَ أَوْ ابَتَاء بُعُوْلَتِهِنَ أَوْ ابَآء بُعُوْلَتِهِنَ أَوْ أَبْتَآبِهِنَ أَوْ أَبْتَاء بُعُوْلَتِهِنَ أَوْ إِخُوانِهِنَ أَوْ ابْتَاء بُعُوْلَتِهِنَ أَوْ ابَاء بُعُوْلَتِهِنَ أَوْ ابْتَآبِهِي أَوْ مَا مَلَكَ أَعْتَاء بُعُوْلَتِهِنَ أَوْ إِخُوانِهِنَ أَوْ بَنِي إِخْتَاء بُعُوْلَتِهِنَ أَوْ ابَاء بُعُوْلَتِهِنَ أَوْ الْمُتَابِهِي أَوْ مَا مَلَكَتُ الْمُتَاء بُعُولَتِهِنَ أَوْ التَّبِعِيْنَ عَيْرِ أُولِي الْإِرْبَة مِنَ الرِجَالِ أَوِ الطِفْلِ الَّذِينَ لَمْ يَظْهَرُوا عَلَى عَوْرَتِ النِينَ عَيْرِ أُولِي الْأَرْبَة مِنَ الرِجَالِ أَو الطِفْلِ الَّذِينَ مَنْ زِيْتَتِهِنَ وَتُوا عَلَى وَاللَّه جَينَعَا أَيُوا اللَّه مَا أَنْهُ أَوْ أَوْ أَنَا لَمُؤْمِنُونَ لَعَلَ مُوا الْعَالَ الْمَالَا الْنَا وَلَوْ الْعَالَة مُعَيْ أَوْ الْعَالَةُ الْمُؤْمَنُهُ وَا لَا لَا مَالَعُه مَنْهُ وَلُيْعَرُ أَنَ الْعُومِينَ أَنْ اللَّه جَينَ أَوْ الْعَلْقُولُ الْنَا اللَّه تَعْلَى الْعُنَا أَنْ أَوْ الْعَلْقُولُ الْمَالَة الْمُؤْمَنُ وَالْ أَنْ الْنَا مُ أَنْ أَنْ أَنْ أَنْ أَنْ الْلَه عَالَة الْنُو عُولُو الْنَا اللَّه عَالَيْ الْنَا الْعَالَ الْنَا الْعَالَيْ الْنَا الْعُنْ الْنَا الْنَا مُولُولُولُ الْنَا الْعُولُ الْنَا الْنَا عَالَيْ الْنَا الْنَا الْمُ عَالُ الْنَا الْمُ عَالَة الْمُولُولُ الْنَا الْنَا الْلُهُ مُولُولُ الْنَا الْنَا الْنَا مُولَ الْنَا الْنَا الْنَا الْمُ أَنْ الْمُ الْنَا الْنَا الْنَا الْنَا الْمُ الْمُ مَالَ الْمُ مَا مُ الْنَا الْنَا الْلُولُولُ الْنَا الْمَا الْمُ الْمُ الْلُولُ مُ مَا مُ الْمُ الْلُولُولُولُ الْنَا الْمُ الْ الْلُولُولُ الْمُ الْمُ الْلُهُ الْمُ الْنَا الْنَا الْ الْنَا الْنَا الْ الْنَا الْنَا الْنَا الْ الْنَا الْمُ الْمُ لُولُولُ الْنَا الْمُ الْنَا الْلُهُ الْمُ الْنَا الْ الْلُولُ الْنَا الْ الْنَا الْ الْ الْنَالَ الْ الْلُولُولُ ال

And tell the believing women that they must lower their gazes and guard their private parts, and must not expose their adornment, except that which appears thereof, and must wrap their bosoms with their shawls, and must not expose their adornment, except to their husbands or their fathers or the fathers of their husbands, or to their sons or the sons of their husbands, or to their brothers or the sons of their brothers or the sons of their sisters, or to their women, or to those owned by their right hands, or male attendants having no (sexual) urge, or to the children who are not yet conscious of the shames of women. And let them not stamp their feet in a way that the adornment they conceal is known. And repent to Allah O believers, all of you, so that you may achieve success.

To conclude we can say that nature of rights and duties of man are different to the rights and duties of woman. The concept of different rights and duties is due to physiological, biological and physical structure of the woman. When equal and same rights are necessary and needed, Islam gives equal and same rights to woman, but when the nature of obligation and duties are different then the rights are different. Islam also gives some privileges to woman which man cannot enjoy. These privileges are because of their physiological and biological difference between male and female. For instance, woman is exempted from financial obligations. Women are also exempting from prayer and fasting during menstruation and after the birth of child because of pregnancy and menstruation. Islam discourages and prevents woman to become Imam in the prayer or to become a ruler of the Islamic state. The logic behind this is that whenever, Islamic state suddenly faces emergencies situations, then the pregnant ruler cannot face the situation properly and it is evident in 1990, when the relation between Pakistan and India become strain the then Prime Minister of Pakistan Benazir Bhutto was hospitalized in Britain for the birth of her child. At the end, we can quote this verse. ⁽³⁵⁾

And their Lord has accepted (their prayers) and answer them (saying). Never will I cause to be lost the work of anyone of you, be h male or female, you are members, one of another.

The impacts of Islam on pashtun society in the present period

Islam has deep impacts on pashtun society Even today, Islamic traditions, rituals, prayers, worship ethics and great Islamic laws are prevalent in pashtun society. Marriages, festivals, foods and clothes, etc. are in accordance with Islamic way and Islamic society has a great influence of Pashtu society. Respect of women, high status, pardah etc, all these are based on Islamic laws. Prayers, Fasting, Zakat, Hajj, charity and sacrifice are all given due importance. Similarly, most of the women's rights are based on Islamic jurisdiction, some of which are described as follows:

I. <u>Women's share in inheritance:</u>

In the present time a good number or people give women their due share in their property. Sisters are given half of their brothers. This was not the situation a decade ago. But as pushtun people are getting educated, they are becoming more advanced and this spirit of giving share to their women increases.

II. <u>Provision of money, clothes house and other facilities:</u>

Money, bread, clothes, houses and other facilities are provided to the women in pashtun society from time immemorial women look after the children at homes and men work outside. The women motivate their children to get education and also give them some training. They also perform other domestic chores.

Men do their jobs and run business and provide all the facilities to their women and provide shelter to them.

Education:

Women are also given education. Islamic madras as, schools, and colleges have been established for them.

Treatment:

There is no discrimination in the treatment of men and women.

Participation in rituals:

Women have equal participation in religious rituals and other festivals.

REFERENCES

- 1. Sura Al-Hujrat ayah no.13.
- 2. Says for All by M.I.Shahid & Arshad Saeed 9th Edition page no. 100-101, Advanced Publisher, Lahore 2008, The Dawn March 16, 2007.
- 3. Journal, Al-Ittihad, Vol. 8, No. 2, Sha'ban 1391/Sept 1971.
- 4. As Above
- 5. Encyclopedia Britannica Woman in Ancient Civilization.
- 6. As Above.
- 7. Essays for All by M.I.Shahid, page, 100
- 8. Al-Quran; Surah Al- Imran, Aayth, 195
- 9. Status of women by Anwer Abbas, The Dawn March 16,2007.
- 10. As Above
- 11. Minor marriages dissolution Act 1939.
- 12. As Above
- 13. Al-Termizi, kitab un-Nikakh, Hadith No. 1163, Ibn-e-Maja. Bab Haq al- zauj, Hadith no.1851. Mraa
- 14. Minor Marriages Dissolution Act 1939.
- 15. Surah Al-Kahaf, Ayath no. 15.
- 16. Minor marriages dissolution Act 1939.
- 17. Surah Al-Room, Ayath no.21.
- 18. Ibn Maja, No. 2469
- 19. Ibn Maja, No. 1873
- 20. Minor marriages dissolution Act 1939
- 21. Surah Al- Baqra Aayth no. 228, 229.
- 22. Minor marriages dissolution Act 1939.
- 23. Surah Al-Kaaf, Ayath no. 8-9.
- 24. Minor marriages dissolution Act 1939.
- 25. Minor marriages dissolution Act 1939
- Muslim political thoughts by Aamir Shehzad and Najam Ali Page No. 56, 85.
- 27. Surah Al- Nisa, Ayath no. 7.

- Muslim political thoughts by Aamir Shehzad and Najam Ali Page No. 56, 85.
 Surah Al- Zamer, Ayath no. 9.
 Muslim political thoughts by Aamir Shehzad and Najam Ali Page No. 56, 85.
- 31. Surah Al- Baqara, Ayath no. 282.
- Muslim political thoughts by Aamir Shehzad and Najam Ali Page No. 56, 85.
- Muslim political thoughts by Aamir Shehzad and Najam Ali Page No. 56, 85.
- 34. Surah Al- Noor, Ayath no.31.
- 35. Islamic Jurisprudence by Nazir Ahmad, p:234
- 36. Al- Noor, Ayah No. 30, 31.
