

# The Societal Security Of Women Between Feminism Ideology And Islamic Sharia

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## Abstract

A woman's sense of social security whether within her family or society ensures her a healthy, safe, and prosperous life, as well as assisting her in fulfilling her responsibilities of raising, nurturing, and building sound generations. Islamic Sharia established strict guidelines for public upbringing, and laws were enacted to defend public rights in transactions, marriages, punishments, the judiciary, and testimony. In this era, however, a new notion has evolved that advocates for women's security and safety. It enacted different articles and regulations and put pressure on governments all over the world to accept it as the relevant constitution, regardless of their religious beliefs. In this paper, I present a comparison between Islamic Sharia and feminism in terms of achieving societal security for women. This is presented in three sections, an introduction, and a conclusion as follows:

## Introduction

Praise be to Allah, who we praise and seek His help and forgiveness. We seek refuge in Allah from the evils of ourselves. Whoever Allah guides are the one who is guided, and whoever misleads, there is no guide for him. I bear witness that there is no god but Allah, and I bear witness that Muhammad is His Messenger.

The great religion of Islam is distinguished as a divine law from Allah Almighty, preserved from distortion, deficiency, and whims, and as a universal law that came to protect humanity from loss. A law that is distinguished by the realism that deals with facts and gives appropriate rulings, ensuring their benefit forever. And that it is a well-balanced, middle-ground, and just law, based on ensuring that everyone's rights are respected following his or her needs and preparedness. Islam came with a comprehensive integrated system of verdicts in all areas, ideological, political, economic and social. Islam has also given every minor issue an appropriate legal ruling to preserve religion, soul, offspring, mind and money as they are the purposes of the

Sharia. Therefore, Islam demonstrated the purpose of creation and how to achieve obedience through the responsibilities and rights the men and the women have to perform in general and toward their families in particular, thereby demonstrating the man's role in this world as a parent, a husband, a son, and a brother. On the other hand, it expresses its attitude toward women by outlining their rights and responsibilities as a mother, a wife, a daughter, and a sister. So that the necessary integration can take place, leading to a strong and stable community and nation. Perhaps the woman, as one of the cornerstones of Islam's social structure, has benefited from a wide variety of comprehensive and precise provisions at all phases of her life, from being a family member to a woman in charge of a family. This is due to women's status as the family's core in Islam. A good woman builds a good society, and if she is corrupted, society will be corrupted as well. The woman is the one who influences the upbringing of the family members and society as a whole, and she has a significant impact on shaping her children's positive and negative behaviour. It is well known that the role of parents in the family is innate and natural, rather

than a functional role, as will be explained next in this study. I am not exaggerating when I claim that women are a major factor in society's development and prosperity. With her generosity, life flourishes. As a result, Sharia issued a slew of rules that govern even the tiniest parts of her life, all to ensure her happiness and growth, as well as the happiness and advancement of those around her. Therefore, the purposes of Sharia included the preservation of offspring and the upbringing of generations, as they are one of the pillars of life and one of the reasons for the prosperity of the world and the strength of nations<sup>1</sup>.

Protecting women has to do with preserving the religion, which is one of the other necessary purposes of Sharia, such as preserving the mind, honour, money and soul. The mother's raising the generation according to God's law is an indication of the call to security, affection and mercy in the relationship between family members. In addition to preserving her children's minds, souls, honour and safety, which is tantamount to preserving all of humanity. It is well recognized that a child's sense of security in the family ensures a proper upbringing that will bear fruit in their reality and life, and the Sharia has made it a belief, regulations, and morals for this purpose. This was the purpose of the Sharia in terms of public upbringing legislation and its specifics, as well as regulations governing transactions, marriages, punishments, the judiciary, and testimonies, among other things. It is also widely known that international tendencies present various perspectives on achieving societal security in relation to women, and so attempt to make peace a dominating language among members of society of all colours and orientations, as well as to achieve security and safety for women in particular. Perhaps the feminist movement that emerged more than two centuries ago presented its philosophy for the societal security of women, which is based on protecting them from violence and domination and giving them all their rights.

Feminist philosophy has progressed through several stages until it has reached the point where it has dominated huge sectors of Arab and Islamic

societies, as well as other societies, and its voice has been heard in constitutions, laws, the media, and education. As a result, it was necessary for us to describe this thinking, including its origins, roots, and characteristics, as well as to compare it to our Islamic legal system to determine what can be accepted and what must be rejected and defended. This research paper is an example of what academics refer to as "the duty of the stage," thanking you for considering it as a conference topic and praying to Allah Almighty for success.

### **Research problem:**

Global trends present different perceptions about achieving societal security related to women and thus seek to make security and peace a prevalent language among members of society of all shades and orientations in general and to achieve security and safety for women in particular. The feminist movement arose more than two centuries ago. It presented its philosophy for the societal security of women, which is based on protecting them from violence and domination and giving them all their rights. Feminist ideology has evolved to the point where it now dominates large segments of Arab and Islamic communities, as well as other societies, and its voice is heard in constitutions, legislation, the media, and education. As a result, we needed to characterize this way of thinking, including its origins, roots, and characteristics, as well as compare it to our Islamic legal system, to figure out what could be accepted and what needed to be rejected and defended. Thank you for considering it as a conference topic, and I pray to Allah Almighty for success.

### **Research Objectives:**

This research aims to:

- 1 -Describing the features of feminist thought in achieving security and safety for women.
- 2 -Demonstrating the features of Islamic Sharia in achieving societal security for women.

3 -Clarifying the most important differences between feminist thought and Islamic law.

4- Concluding balanced and scientific recommendations on the ideas and terminology of feminist thought and Islamic law to achieve optimal societal security for women.

#### **Reasons for choosing this topic:**

1 -The importance of women in building a safe society.

2 -Feeling that the woman, who is the cornerstone of society and the key to its stability and safety, is in grave danger.

3 -Excessive debates about feminist thought and what it has and what it is based on.

4- I have been concerned with these issues and ideas for many years, and I have a book written on CEDAW and the term gender for nearly eight years, thanks to God.

#### **Research Approach:**

This research adopted multi-methods. First, it used the comparative method between Islamic Sharia and contemporary visions related to women's security and safety, then the inductive approach and the analytical approach that is based on directing and criticizing ideas.

#### **Research Plan**

This study consisted of an introduction, three chapters and a conclusion.

Chapter 1: The features of feminist thought in achieving societal security for women.

Chapter 2: The features of Islamic thought in achieving societal security for women.

Chapter 3: The differences between feminist and Islamic thought on the societal security of women, and it has demands:

Section1: The problem of the source.

Section 2: The philosophy of punishment and practical tools.

Section 3: Terms and concepts.

Conclusion and Recommendations.

### **Chapter 1. The features of feminist thought in achieving societal security for women**

This chapter describes the characteristics of the feminist movement's intellectual construction, which purports to seek women's protection and safety.

#### **I. The birth of feminism**

The feminist movement was linked to the development of the concept of male and female equality. It was advocated for almost as early as the French Revolution in 1789 AD, and ten years before that, during the American Revolution. These two revolutions were founded on the values of equality and liberty<sup>2</sup>. The movement emerged in response to the exploitation of working women's need for money, as the problem emerged after rural women migrated to cities and joined work. Where the employers took advantage of the women's need to work and earn money, so they gave them jobs in exchange for more hours than men and at a lower wage. The call for equality between working men and women in working hours and wages appeared. The demand for equality then spread to all aspects of political, economic, and social life, and it became a widely held global belief, particularly after the United Nations Organization was established in 1945 AD. One of its guiding ideas was the rejection of gender bias. The Universal Declaration of Human Rights, the CEDAW Convention, and other international laws and agreements sought equality between men and women.

This concept has a Western origin and is alien to Islamic and Arab countries. Rifa'a al-Tahtawi, Qasim Amin, Huda Shaarawy, Safiya Zaghloul, and others<sup>3</sup> in the Arab and Islamic world adopted these principles and called for them in the

contemporary age. In addition to several Arab and Islamic women's organizations, as well as the governments of a number of these nations. They attempted to abolish gender inequalities in laws and constitutions, as well as in various aspects of life. Although some Arab and Islamic countries have signed the CEDAW agreement, which is centred on eliminating all disparities between men and women, we have some reservations about it. In short, we can attribute the reason for the emergence and spread of the idea of equality to two reasons. The first reason is the view of women in Jewish and Christian religious sources and Western heritage; For them, the woman is the root of sin; Because she is the one who deceived Adam with sin when she ate from the tree, as in the Book of Genesis 12:3: "The woman you put here with me—she gave me some fruit from the tree, and I ate it."<sup>4</sup>

Regarding the position of women and their rights, it came in Paul's first letter to Timothy 2:11-14: "A woman should learn in quietness and full submission. I do not permit a woman to teach or to assume authority over a man; she must be quiet. For Adam was formed first, then Eve. And Adam was not the one deceived; it was the woman who was deceived and became a sinner."<sup>5</sup> And in Peter 3:1-2 "Wives, in the same way, submit yourselves to your own husbands so that, if any of them do not believe the word."<sup>6</sup> It is known that the Prophet, peace be upon him, told us that "when a woman menstruated, they did not eat with her, and they did not live with such in their houses".<sup>7</sup> Another evidence comes in Leviticus 15:19 "And if a woman have an issue, and her issue in her flesh be blood, she shall be put apart seven days: and whosoever toucheth her shall be unclean until the even."<sup>8</sup> And in Leviticus 12:1-5 "If a woman has conceived seed, and born a man child: then she shall be unclean seven days;... But if she bears a maid child, then she shall be unclean two weeks."<sup>9</sup> St. Ternoian says: "The woman is the

entrance of Satan into the soul of man, violating the laws of God, distorting the image of God.<sup>10</sup>" Saint Sustam said: "It is a necessary evil, a desirable scourge, a danger to the family and the home, a deadly beloved, and a calamity coated with poison<sup>11</sup>." Rather, Saint Bona Venture used to say to his disciples: "If you see a woman, do not think that you have seen a human being or even a savage being, but what you see is Satan himself, and the sound you hear from her is the hiss of a serpent<sup>12</sup>." Pope Innocent VIII declared: "Being and woman are stubborn opposites<sup>13</sup>."

As a result of this view of women, the relationship between a man and a woman has become, in their judgment totally impure. They have stated that a single man is more honourable to God than a married man. Non-marriage is one of the indications of righteousness, and the woman is subservient to the male, who has entire authority over her, and in some sects, a woman has no right to divorce or khul' in certain instances<sup>14</sup>. Even among the ancient and modern Western thinkers and philosophers, we find some of them describing women as insane villains. They point to her deficiency, like the famous Greek philosopher Plato, who in a number of his books categorizes women as slaves and evildoers, and as madmen and the sick<sup>15</sup>. From the point of view of later philosophers such as "Descartes", in his dualistic philosophy which is based on mind and matter<sup>16</sup>, he links the mind to the male and the matter to the female. And the philosopher "Auguste Kent", describes women as weak in all areas, especially in their mental abilities. Likewise, the philosopher of the French Revolution, "Jean-Jacques Rousseau," says: "Women existed for sex, and only for procreation." Freud, the pioneer of the school of psychoanalysis, had a well-known position on women, which includes that the woman is imperfect sex, which cannot reach the man, or be close to him. This view of women is distorted

religious texts from the Torah and the Bible, and in ancient Western thought, bequeathed enmity between Western women and religion. In their view, religion is an obstacle to women's advancement and taking their rightful place, and this is what made them demand absolute equality for women with men away from religion. Then the CEDAW agreement was to achieve its goal, so the CEDAW Committee has explicitly stated that it denounces the adoption of some references by some Islamic countries other than the CEDAW Convention, as stated in the comments of the CEDAW Committee: "Many countries depend in the rights of spouses on the application of the principles of common law or the law religious or customary, rather than convention<sup>17</sup>." However, one of the most serious errors committed by proponents of equality was to create animosity toward all religions as a reaction to the status and condition of women in those religions. If you examine Islam's perspective on women, you'll notice that she is given a high position and respect, as we'll discuss later<sup>18</sup>.

The second reason is the reality of Western women. The examiner of the call for absolute equality of women with men will find that one of the most prominent reasons for this is the situation that Western women have reached in terms of detracting from their human dignity and rights, and until a recent era, when women were in their reality, no more than a cheap commodity traded by men, She has no rights<sup>19</sup>. Among the history of Western women is that in 1790, a woman was sold in the market of England for two shillings; The burden of her living costs on the church in which she lived, and until 1882 the woman remained deprived of her full right to property ownership and the freedom to sue in England. In fact, the woman was not considered a resident of England until 1850 AD<sup>20</sup>. Women's education was despised by women before men. When Elizabeth Blackwell was the first female doctor in the world to study at the University of

Geneva in 1849, the women who lived with her would interrupt her and refuse to speak to her in contempt<sup>21</sup>. When some of them wanted to establish an institute to teach people medicine in the American city of Philadelphia, the medical community in the city announced that it would boycott every doctor who accepts education at the institute and everyone who consults those doctors. The English law, until 1805 AD, allowed a man to sell his wife, and the price of the wife was set at sixpence<sup>22</sup>. In 1931, an Englishman sold his wife for £500, and his lawyer argued that English law allowed the husband to sell his wife a hundred years ago, so the court responded that this law was repealed in 1805 AD by a law prohibiting the sale or abandonment of wives, and after deliberation, the court imprisoned him for ten months<sup>23</sup>. In France, French law stipulated that a woman is not qualified to contract without the consent of her guardian if she is unmarried. The text stated that minors are the boy, the insane, and the woman, until 1938 AD when the texts were amended in the interest of women. And anyone who examines the lives of Western women in the years leading up to the agreement, as well as in the years afterwards, will discover that their lives were, and continue to be, filled with sorrow. In Spain, 130,000 women reported physical abuse and severe beatings by men who lived with them, whether they were husbands or friends, in 1990. In Spain, there is almost daily news of a woman being murdered in the most heinous manner by the man she lives with. In 1982, 80 per cent of women who had been married for fifteen years divorced, and 65 incidents of rape were reported for every 10,000 women in the United States<sup>24</sup>. This is in addition to the staggering figures still released by organizations in those countries revealing that women in those countries are subjected to physical and psychological abuse by men, including physical beatings and killings, as well as numerous incidences of domestic violence. As a result of this fact, many women

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<sup>20</sup> Al-Hajji, Woman are counterpart of men, p. 39. Al-Qusayr, The Muslim Woman between Islamic Law and Western Delusions, p. 17.

and other men began to believe that the cause of women's humiliation is gender inequality, and they set out to demand equality until they reached advanced levels in feminist philosophy, as will be shown.

Radical feminist organizations have infiltrated the United Nations in recent decades, overseeing CEDAW and its aftermath. Which began with the abolition of all gender differences and progressed to the demand for women's supremacy over males in many sectors. Then, in recent years, there have been tools and concepts that encourage women to abandon men, and they have ideologies and ways of thinking that will be discussed and alluded to. The rise of the ideology of (feminism) caused its proponents to separate women's rights from their reality, construct their rulings, guidelines, and laws without considering the husband, parents, or children, and declare that they desire to dispense with everyone to live peacefully.

## **Section 2: The features of feminist thought in achieving societal security for women<sup>25</sup>**

The most important features of achieving societal security for women in feminist thought are as follows:

**First:** Feminist movements have emerged in the last three decades almost under the umbrella of international agreements issued by the United Nations in general, and CEDAW in particular. It aimed to globalize the values of societies, and to make the Western concept dominant in the world in general and the Arab and Islamic countries in particular by linking the US and Western economic support policy to the extent to which CEDAW and post-CEDAW visions are achieved in laws, regulations, and legislation.

**Second:** Feminist philosophy aims to modify women's legislation so that the emphasis is on rights rather than needs or rights and responsibilities. For them, this protects them without imposing any obligations on women.

**Third:** They moved from women's freedom to feminism, and from equality to conflict, in their thinking. They also put women, as well as the

family and society, in a maze. Theories about the masculinity or femininity of language, a feminine interpretation of history, and the feminine or masculine part of man's vision of God surfaced in the speeches of people in command of this philosophy.

**Fourth:** They believe that there is a gender war going on, that males are a hostile class, and that men are to blame for all of the women's suffering. They rebel against God, against religion, against history, against language, against heritage, against culture, and customs and traditions, all in the name of women's societal security and emancipation from men's authority and dominance, according to their claims. They claim that a woman owns her body and can act sexually with whomever she wants and according to her desires and that homosexuality is a necessity to escape the man's dominance and control, as well as to defy the scientific basis of masculinity and femininity, which is based on biological and scientific differences. They also saw the family as a source of sexual oppression for women, and marriage as an everlasting prison that robs a woman of her goals and dreams. Their voices sprang up, demanding that sexual liberties be granted in exchange for confining marriage and combating chastity, replacing families with ephemeral and aberrant relationships, and combating the value of sacrifice and compassion among family members and society. I believe feminist ideology has arrived at this stage to elevate femininity, grant it complete rights, and allow her to exist in a world free of violence and aggression.

**Fifth,** they base their articles and laws on the idea of empowering women politically to control their laws and achieve absolute transcendence between males and females. They also sought to empower women economically to realize the idea of eradicating the need for a father, husband, and brother and becoming completely self-sufficient. Socially they enhanced the idea of being the first and last commanding authority in everything that happens around her, as well as stopping others from interfering or advising her.

**Sixth:** They fight for the basic roles of women in societies and seek to change all terms related to their role. The term “gender” as an alternative to sex, the fight against guardianship, and the expansion of the concept of violence against women and domestic violence, to the extent that the dowry was considered in Islam as a manifestation of violence against women and an expression of men’s domination over them, was unacceptable to them.

## **Chapter 2: The features of Islamic thought in achieving societal security for women**

This chapter deals with the most important features of the Islamic creed and morals that aimed to achieve a decent life for women, and their advancement. Islam did not look at the woman far from the surroundings in which she lives, and away from what God has created in her in terms of abilities, tendencies, and preparations. The status of women in Islam and the relationship of this status to achieving societal security for her can be demonstrated through the following:

First, Islam began by defining women's rights and responsibilities through the lens of justice, rather than equality, because equality in some areas may attain the justice on which Sharia's rules are founded. Because justice, which is based on fairness, moderation, and integrity according to Sharia, is stated to achieve Sharia's aims from these laws, it must be maintained when describing the rights and duties of women<sup>26</sup>. All enforced ideas and rules in the fulfilment of trust and fairness, as well as granting the right and renouncing injustice<sup>27</sup>, are referred to as justice. Justice between a man and a woman requires that one of them not be punished for the sins of the other, and requires that we not harm one of them at the expense of the other unless there is greater interest. Islam did not start in its legislation for the special provisions for men and women from the rivalry between them, or the existence of enmity, but rather it started from the fact that each complements the other, towards building a stable society. The Islamic thinker, Muhammad Al-

Ghazali, said: “All that religion has made is that it distributes scientific disciplines in a manner that matches the natures of masculinity and femininity<sup>28</sup>.” He also stated that: “Islam, while recognizing these differences, is in line with the nature of things, and cannot ignore God’s instinct in them<sup>29</sup>.” And, due to the characteristics of this realistic Sharia, it considers people's realities and deals with known facts using science and reason. It took into account men's and women's realities and granted them rights and responsibilities that would benefit them both now and, in the future, in a way that suited both of them, and that suited the differences between them. The book "Brain Sex", by Moir and Jessel, which was authored by more than twenty-five specialists, led by the pioneer of the science of differences, Dr Corinne Hutt, that: " mentioned that men are different from women. They are just equal in their common membership in the human race and claiming that they have the same abilities, skills and behaviour means that we are building a society based on a biological and scientific lie. They are different because their brains are different from each other. The brain, which is the organ that carries out the administrative and emotional tasks in life, is constructed differently in each of them, which ultimately results in a difference in concepts, priorities, and behaviour<sup>30</sup>. It is well known that males and females think and behave differently at different phases of life. The difference between the sexes, according to Dr Richard Dystack in his book "The Brain: The End of the Frontier," is attributable not just to upbringing and education, but also to genetic structure and brain formation differences in boys and girls<sup>31</sup>. These distinctions between them are supported by scientific evidence based on expert studies. As a result, the assertion of equality between them, as well as the attempt to apply its principles in the field, is incompatible with faith, reason, and science.

Second, numerous surahs and verses in Islam are named after women, such as Surat An-Nisa and Surat Maryam. Islam highlighted women's humanity and capacity, giving them rights and assigning them responsibilities, duty, rewards,

and admittance into heaven, equating them with men in this, and making a genuine difference in piety between all people, without distinguishing between males and females. Allah Almighty said: "Surely the most noble of you in the sight of Allah is the most righteous among you."<sup>32</sup> And the Messenger of Allah, peace and blessings be upon him, said: "Women are counterparts of men"<sup>33 34</sup>. "Islam lifted the curse of the eternal sin attributed to the woman in the Old Testament, that it was she who seduced Adam, so he ate from the tree. So, the verses came to indicate that Adam and Eve - peace be upon them - were partners in hearing the whispers of Satan and eating from the tree; Allah Almighty said: "Then Satan tempted them"<sup>35</sup>, "So, they both ate from the tree"<sup>36</sup> and "But Satan deceived them"<sup>37</sup>"

Islam granted women the right to learn, the right to own property in all forms, the right to dispose of their property, the right to work, the right to worship in congregation with Muslims, the right to inherit, and the right to be buried. Burying a woman is prohibited in Islam and is considered one of the major sins. Islam also honours women, and there is a lot of evidence in the texts of Sharia showing how honourable women are, especially when they are menstruating. The Prophet, peace be upon him, used to embrace his women when they were menstruating, after asking them to tie a waist-wrapper over their (body)<sup>38</sup> and if one of them slips, he invites her to sleep next to him.<sup>39</sup> Aisha - may God be pleased with her said "I used to wash the head of the Messenger of Allah (may peace be upon him), while I was in a state of menstruation"<sup>40</sup>. And she also reported: "The Messenger of Allah (may peace be upon him) would recline in my lap when I was menstruating and recite the Qur'an."<sup>41</sup>

'A'isha reported: I would drink when I was menstruating, then I would hand it (the vessel) to the Apostle (may peace be upon him) and he would put his mouth where mine had been, and drink, and I would eat flesh from a bone when I

was menstruating, then hand it over to the Apostle (may peace be upon him) and he would put his mouth where mine had been"<sup>42</sup>. "Islam only forbade intercourse with a woman during her period, permitted anything else, and dropped a number of obligations for her in consideration of the pains and troubles that she suffers. Women are not to pray or fast when they are on their menstrual cycle. They are to abstain from praying and fasting and then make up the missed fasts, but not the missed prayers.

Third: In Islam, there are rights and duties for women. Islam has taken into account all its conditions and what they are inherent, and it has given each stage the appropriate rulings, Such as cancelling fasting and prayer for menstruating women and postpartum women and obligating them to make up for fasting without praying. And Sharia law permitted the breaking of the fast in Ramadan for pregnant and breastfeeding women in case of need. And dropped the duty of jihad. Islam made it obligatory for her guardian to spend on her and gave her the right to divorce, and the right to separate for the sake of harm. To protect the woman, Islam indicated that the basic principle is that the woman should stay in her home, and commanded her to veil, lower her gaze and protects her honour, forbid submissiveness in words, and prohibited being alone with a foreigner, travelling without a mahram, perfume, and enjoined the punishment for adultery, and the limit for slandering chaste women, and forbid her guardian to prevent her marriage, and allowed her wearing gold and silk.

Fourth: Concerning mothers in particular. Islam enjoined her righteousness and prohibited disobedience, prioritized the honouring of the mother over the father, required alimony for the mother, and obligated her to raise her children in good deeds and morals. The wife in Islam has the right to dowry, alimony, clothes, housing, virginity, and cohabitation with kindness, and Islam requires justice between wives. And



regarding her, Allah Almighty said: "Women have rights similar to those of men equitably<sup>43</sup>." And "Treat them fairly.<sup>44</sup>" And "The best of you are those who are the best to their wives<sup>45</sup>." the Prophet, peace be upon him, said: "Act kindly toward women<sup>46</sup>." And he commanded patience with her, and he said "A believer does not rub a believing woman, if he dislikes one behaviour from her, he will be pleased with another." This is a confirmation of the words of God Almighty: "A believer must not hate (his wife) believing woman; if he dislikes one of her characteristics, he will be pleased with another.<sup>47</sup>" Islam obligated her to obey her husband in a kind manner, to raise his children, and to keep his secret, and she should not fast a supererogatory act without his permission, and she would not allow anyone he disliked to enter his house, and she would not go out without his permission. Among her rights over her father is that he has to raise her well, treat her well, and protect her from the torment of Hell because she will be a shield for him from the Fire. Fathers should treat all their children equally and require alimony from them. The Prophet, peace be upon him, said: "If anyone cares for three daughters, disciplines them, marries them, and does good to them, he will go to Paradise.<sup>48</sup>" Islam commands honouring her parents and treating them kindly. Concerning her right as a sister, her brothers must do good to her and they will have Paradise and should spend on her, visit her, and obligate her to be kind to her brother.

Fifth: When Islam gave women rights and obligated them to perform duties, it made this obedience to God and drew them closer to Him. And God promised Paradise for those who obeyed Him in that, and Hellfire for those who disobeyed.

Sixth, Sharia law urges marriage. This encouragement has a strong link to what a woman values most and makes her heart joyful, which is why Islam legislated for her choice and guided her to its characteristics, as well as requiring her

dowry and maintenance and giving her custody and care rights. On the other hand, Islam outlaws harm in word and deed legislates the methods of dealing with her or her husband's disobedience and safeguards her in the event of divorce with measures that apply to her so that her right is not lost. Ahmad, Abu Dawood and others under the authority of Hakim bin Mu'awiyah al-Qushairi on his father's authority narrated that(RA): I asked, "O Allah's Messenger, what is the right of the wife of one of us upon her husband?" He replied, "That you should give her food when you eat, and clothe her when you clothe yourself, and do not strike her on the face and do not revile her<sup>49</sup>."

### **Chapter 3: The differences between feminist and Islamic thought on the societal security of women.**

With God's help, I will demonstrate the most significant differences between what is in our Sharia and feminist thought about women's societal security. I dedicated to this issue, four sections the source problem, punishment philosophy, terms and concepts and practical tools.

#### **Section I: The source Problem**

The Islamic Sharia is based on the explanation of the belief, rulings and morals of the Qur'an and the Sunnah, and the understanding of the scholars of the Ummah. While the source of feminist ideology is limited to human minds confined to time and place, who came together on an idea that defies reason, science, religion, and instinct, namely, that there are no differences between men and women, and that women must rid themselves of men in their lives following the saying live for yourself only.

CEDAW, Article 2 stipulates that States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake: (a) To embody the principle of the

equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;(g) To repeal all national penal provisions which constitute discrimination against women<sup>50</sup>.

Through these seven clauses, we note the following:

1. It focuses on the concept of gender equality, which means eliminating all differences between men and women and achieving absolute equality, without considering the differences between men and women in what is stipulated in the laws, as well as what has been proven by science and reason.
2. It attempts to dominate the signatory countries' national constitutions<sup>51</sup>, which means colliding with the sources of these constitutions, which differentiated in numerous rulings between men and women to achieve justice and preserve women, particularly the constitutions of Islamic countries, where the Islamic religion is a source of their laws and legislation in several fields. As a result, breaking legal texts from the Qur'an and Sunnah, conclusive proof,

and significance in the distinction between male and female in legal rulings; such as in testimony, inheritance, blood money, marital rights and duties, and so on.

3. Enacting the necessary criminal penalties to prohibit all forms of discrimination against women imposes the Convention's authors' vision on states and peoples without taking into account the unique characteristics of these countries, assuming that the authors do not represent different cultures. Furthermore, their statements on the source of women's empowerment and its causes do not imply that imposing a vision of total equality leads to women's oppression and devaluation, as is the case in a variety of fields.
4. The agreement explicitly exposes the existing laws, regulations, customs and practices that constitute discrimination against women - according to their understanding - meaning the abolition of all peoples' privacy based on religion or custom, so that the provisions of the agreement become a source above everything in the countries of the world.
5. In our Sharia, "It is only Allah Who decides,<sup>52</sup>" and, "Who could be a better judge than Allah for people of sure faith?",<sup>53</sup> this indicates that the principle in the existence of the difference between male and female is Allah's law preserved in Al Quran and the Sunnah. As for custom, It is legal evidence to which several legal rulings have been referred, in a manner that does not conflict with a text from Al-Quran or the Sunnah, and it is not correct to cancel it or marginalize it. In our Sharia, numerous legal rulings distinguish between male and female rulings, according to the text of the Qur'an and Sunnah, or according to custom, as Allah Almighty says: "Treat them fairly."<sup>54</sup> Al-Saadi said: "This includes verbal and physical cohabitation. The husband must live with his wife and treats her kindly, such as good company, refraining from harm, benevolence, and good treatment. This

includes maintenance, clothing, and the like. I see that the distinction between them in fair treatment includes dowry, alimony, housing, guardianship, divorce, doing home affairs and raising children, and other marital rights and duties<sup>55</sup>.

6. It fails to respect the laws, regulations and customs of states, according to which all Shariah rulings relating to women become null and void, and it is not permissible to refer to or rely on them. (Islamic) contradicts the United Nations Charter itself, which stipulates respect for cultural and religious diversity in the world<sup>56</sup>.

## **Section 2: Punishment philosophy and practical tools**

Examiners of the philosophy of punishment on which feminist thought is based to achieve security and safety for women and to protect them from all that harms them will discover that they only know punishment, and the language of threat and imposition of opinion, and this is what they work on in their never-ending quest for harsher penalties for everyone who does something they consider violence against women according to their own beliefs, which stipulates that any distinction between them and men in rights and duties is violence. Then, using the media and ruling ministries in Arab and Islamic countries, they attempt to modify what they believe has to be changed and to empower women by force in all areas, while linking this to massive economic aid if the essential changes are done. While we find lofty and refined values in creating societal security for women in Islam that we do not find in any other system. When it comes to threats to women's peace and security, Islam does not start with punishment, but rather with compassion, instilling self-censorship in souls, linking the bonds of one of us with his faith and the hereafter, and with reward and punishment with God, as well as strengthening the system of worship in life, which guarantees to achieve piety and righteous deeds in our world, which guarantees protection. Our Sharia has been keen on creating a public opinion in which the rulings of Sharia

have the supreme say. To refer to the law of God in general and in particular, taking care of the system of enjoining good and forbidding evil, and guidance to give advice. We cannot deny the fruits of such rulings and meanings on achieving societal security for women, the continuity of its causes, and helping those who tempt themselves by assaulting some of their rights to avoid that. Islamic law issued directives for parents, who contemplate them find mercy, crime has no place in their conscience and body. Those who were brought up in safe environments with faith lived their lives as an impeccable white page. Then it closed every pretext for crimes that threaten societal security for all and legislated provisions that preserve religion, soul, mind, money and honour. Then after all that came the penal system in which we find more care for women and their preservation, which is explained to us by the advent of the limit of ejaculation in the feminine form, the revelation of an entire surah in the name of Surah An-Nisa and Surat Maryam, and revelations of verses defending women such as the incident of al-Ifk and the emergence of Surat al-Mujadila, and the story of Pharaoh's wife And the story of Maryam bint Imran.

## **Section 3: Terms and Concepts<sup>57</sup>**

Those who study the feminist movement and its instruments in their fight against values, science, reason, religion, and instinct will notice that terminology has received a lot of attention. As a result, they altered some of them and coined their nomenclature. They also try to alter the implications of concepts connected to our language and law in our minds and understandings as shown below:

1. ` The Gender Perspective: (Gender) is a word that has a lot of different meanings. This word appears once in the CEDAW preamble, 51 times in the Cairo and Population Conference, and 233 times in the Beijing Document, all of which outline men and women's duties. The creators of this idea think that males and females are the same species and that the differences between

- them are attributable to our perceptions, history, culture, conventions, and traditions. Females are females because society assigns them that function, and males are males because society assigns them that role. To put it another way, she is not born a woman but becomes one, and he is not born a man but becomes one. Feminist thought used this term and made it an alternative to the term sex, and they indicated that being male or female in the organic sense has nothing to do with his sexual choice, meaning: a man can be a wife, and he can marry a man, as well as a woman, can be a husband, and she can marry a woman. This is the philosophy of perversion they have made.
2. Stereotypical roles: They mean that the existing stereotyped roles reinforce the inferiority of women, so they should not stay at home, and they should not perform nursery and care work and others, so roles must be shared between the men and women as they are considered a social type.
  3. Violence against women: It is a term that they expanded a lot and made related to the issue of complete inequality between men and women, and they made every distinction, exclusion or restriction according to gender violence against women. They said that any violent act based on gender results in, or is likely to result in, physical, sexual or psychological suffering for the woman. Therefore, they attacked polygamy in Islam, the inheritance system, and the blood money system, and they spoke about legal texts that clarify the duties and rights of women, and none of them was spared.
  4. Domestic violence: When talking about domestic violence, the mind imagines beating, humiliation or abuse, but they made it include the marriage of a girl under the age of eighteen, and they made keeping a girl's virginity until marriage sexual repression and domestic violence, and they talked about female circumcision and the wife's dowry, which was stipulated in the UNICEF report in 2000 In the Domestic Violence Report, they consider the ritual marriage of dowry as one of the factors that contribute to the persistence of domestic violence, and they attack the term guardianship, the divorce system, and the provisions for the wife's permission to her husband.
  5. Reproductive health (sexual health): According to this term, they believe that all aids must be provided to practice all forms of sexual intercourse, abortion must be made a service of reproductive health, and the dissemination of the culture of using condoms during sexual intercourse while hiding around protection from AIDS. And they stipulated that the female is the one who fully controls sexual relations with the partner and who controls the decision to become pregnant and procreate. Rather, according to the gender theory, women are not interested in pregnancy and childbearing but are interested in achieving themselves in the social function even if it comes to legal abortion, even after fetal development.
  6. Maternity is a social function: motherhood in the traditional sense marginalizes women and places them in a lower place than men, and anyone can do it and does not require femininity, and this function can be changed, and it is not required that a woman be a mother even if she gives birth, but a number of them adopted the theory that motherhood is a myth, and that there is no maternal instinct but the culture of the society that founded it.
  7. Women's empowerment (empowerment): a term that casts a strong shadow in their discourse. Through it, they seek to strengthen women to overcome men, and to link women's empowerment with sustainable development, and they say: A man's work in the external field guarantees him control over economic resources and makes it easier for him to control women, and therefore it is necessary to empower her economically by preventing her dependence on anyone. at alimony. There must be political and social empowerment through a quota in the elections, and she must go out, work and travel without obtaining anyone's permission and without any restrictions, and she may marry whomever she wants without anyone's permission.

## Conclusion:

I thank God Almighty for His generosity in facilitating the writing of these words, and I ask Him to accept my efforts, and I offer these recommendations and suggestions:

1. It is imperative for scholars and researchers in all sectors and bodies, as well as those in charge of taking care of the affairs of the nation, to educate the Islamic public about the importance of applying the Sharia in general, and the application of what is related to the family system in particular, towards achieving the purposes of Islam which are legislated for the right of the family and women, foremost of which is the desired safety for Muslims children. This awareness should include multiple sectors, such as the various audio and visual media, seminars, lectures and all means of communication with the public. As well as communicating with the educated class, such as school and university students, to clarify the seriousness of the injustice that the legal rulings are subjected to.
2. It is vital to engage in an ideological and cognitive development process for the generation that aims to produce a generation armed with science and knowledge, capable of presenting the world with an intellectual and practical model suitable for guiding the world from the confusion it is experiencing, as well as from fear and anxiety to the guidance of revelation, in a scientific and valid discourse for the far and near future.
3. Evaluating and following up on family and women's laws to ensure that they comply with the provisions of Allah Almighty's law as transmitted in the Qur'an and Sunnah, especially in light of recent events aimed at changing the sound beliefs of women.
4. Communicating with centres and institutions interested in peace in all Arab and Islamic countries; enriching and exchanging experiences among them, as well as coordinating between them to familiarize the international community with the reality of peace, security, and safety that the family has in our religion.
5. Activating political and economic reform, as well as all aspects of reform, because they are interconnected, to produce the fruits of security and safety as desired by the Sharia

and the Sunnah. In addition to avoiding selective Islam, which results in the dilution of Sharia principles, their dissolution of reality, and failure to achieve the desired goals of societal security for all women.

6. Creating a legally trained, technically, and specialized elite of preachers and media experts to provide Islam-based solutions to the world's security and peace challenges, as well as to the concerns of the generation who are surrounded by confusion, randomness, and terror on all sides.

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