

## Declaration as to Protection of Women ♦

Praise be to Allah, Lord of the Worlds and prayer and peace be upon the Last of the Prophets and those who follow Him till the date of Final Judgment, thereafter:-

The issue of protection and rights of women is under debate in the whole world at the moment. The approach of Western World towards women's rights is that husband and wife is partner to each other. Neither of them has the status of guardian and arbiter of family. Hence, the ideology of the Westerns in reference to the right to divorce is that both man and woman should have equal power and no party can obtain divorce without consulting the court. The share of both should be equal in heritage. The guardian rights should be availed by both. Neither girl nor boy should be permitted to marry before the age of 18 years. The lineage of bastard would be connected to his biological father. Boys or girls after attaining the age of 18 years are complete owners of their body and there should be no prohibition on sexual enjoyment. There shall be joint ownership on the properties and they would be equally partitioned between the two. If man performs sexual intercourse with his wife against her will, it would be an offence and considered illicit intercourse. Women would be permitted to use means for abortion and to take abortion.

These are the resolutions to be tabled in 57th Sessions of Women's Committee of United Nations to be held from 4 to 15, March, 2013 entitled as "Elimination and prevention of all forms of violence against women and girls". Moreover, the attempts are being made by the West that all the member countries of the United Nations must sign on it and the countries that sign on it, if any law against it remains enacted in those countries, the United Nations shall have right to interfere in it and sue them before the International Court of Justice.

Though all these laws target entire heavenly and non heavenly religions, however, the situation is that all the religious communities other than Muslims have admitted in practice that their relation with religion would be merely in terms of rituals and the religion would not have any say in other walks of life. It is only Muslim Ummah that still regards the religion as authority in their whole lives; hence, they would directly collide with Muslims. It is obligation of Muslim World and Muslim Ummah to face this challenge with determination and wisdom and they must not be influenced with such immoral campaign.

One grievous issue in the entire world is increasing tendency of torture and violence against women. The events of sexual harassments and violence against women happening in our own country India are not only extremely unfortunate and cause of concern, but they are disgrace for the entire nation also. There are loud cries from all sides to legislate stricter laws to prevent them and the Government is taking them into account.

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♦ 22<sup>nd</sup> Fiqhi Seminar (Amroha – UP) 9-11 March 2013

The Islamic point of view is that the nature itself has created differences in capacities and strengths between men and women, so the justice in place of equality is required for consolidation of family system and keeping the society healthy. The responsibilities must be assigned to men according to their capacities and capabilities and the same must be the case with women. Then, rights and obligations must be specified for them in proportion to responsibilities and capabilities. For this very reason, Islam has assigned all financial burdens, maintenance of family and its protection to men and women have been exempted from them, but the man has been specified as the guardian of family and his status is as "Authority and Guardian". All commandments concerning family life are based on this very principle.

Similarly, protection of women has important place in the eye of Islam and it has been assigned to men, however, it takes into account also that all those factors and causes inciting human being for offence must be eradicated and lessened at least. Such environment should be created in which the very motivation for offence must not surface, at the same time, stringent punishments must be enacted for offences so that the victim gets justice and injustice must not be inflicted to the offender either. If severe punishments are defined for crimes without preventing factors of offence, they cannot prevent crimes and it is also against the norm of justice.

## **RESOLUTIONS**

In this very context, the following resolutions in this behalf were adopted in 22nd Fiqhi Seminar of Islamic Fiqh Academy of India held from 26 to 28 Rabi-us-Sani, 1434 H. corresponding 9th to 11th March, 2013 AD in Jamia Islamia Jama Masjid at Amroha:-

1. The overwhelming majority of human population – including Western and Westernized countries – adheres one religion or another and absolute equality between men and women in social and married life as well as permission to boys and girls for sexual enjoyment naturally or unnaturally without any legal relation is against the established teachings of all religions. Hence, when these countries boast of government system based on respect for democracy and public opinion, it is their obligation to keep themselves away from such laws against religion and devoid of any morality and must not endeavor to impose them on others.
2. It is also a fact that this ideology of equality with all its nuances is in conflict with law of nature and whenever human being violates law of nature, he faces the wrath of God. Its one example is dangerous disease like AIDS. Hence it is obligation of the entire world to give up the idea of colliding with law of nature and bow down to the superiority of revealed laws, because it is a law of life sent by the Creator of Nature itself.
3. It is appealed from the Muslim World to understand this conspiracy of the West, which aims at demolishing Islamic Approach to family not protection of women; therefore, they must oppose this campaign against God, humanity and morality and not sign on any such draft.
4. It is appealed from the Government of India that such laws are unacceptable to all religious units living in the country and they are in conflict with religious freedom granted by the Constitution of the Nation to all its citizens, hence, India must not sign on these resolutions.
5. It is appealed from the Government of India that it must not consider only tough punishment sufficient for adultery, however, it must prevent all those factors and

causes that incite on this sin, such as wine factories should be closed down, absolute prohibition should be imposed on intoxication, which forms the part of guiding principles of the Constitution, coeducation should not be encouraged, interaction between strange men and women should be stopped as much as possible, boys and girls should be obliged to put on loose and cover up clothing, pornographic motion pictures and obscene media programs should be discontinued, night duty for women should be prohibited, stipulation of 21 years for boys and 18 years for girls for the marriage should be terminated and with such preventive measures, harsh punishment should be enacted on adultery with mutual consent or with force.

6. It is also a fact that no evil can be prevented only by law unless heart and mind is changed, therefore, it has become necessary having regard to increasing incidents of rape, murder, robbery and corruption and involvement of educated persons in these incidents on part that the Government must include moral teachings as a compulsory part in curriculum of educational institutions, media should broadcast training programs based on morality and commercial aids should be obligated to moral values.

Muslim is preacher community and it is their obligation to propagate the message of Islam not only by their tongue but by their deeds also. They must care for discharge of rights pertaining to women, they must avoid from committing atrocities against women, they must not use divorce wrongfully, they must not make marriage as business instead of worship and they must build a society which be the best emblem of their good conduct instructed in Islam and whereby the respect and honor of women is fully guarded of.