



The Universal Declaration Of

Muslim Women's Rights *Toward an Islamic Legal Framework*

(Presented online)

We, Muslim women of the world, on this date of July 2021, Dhul-Hijjah 1442 Hijri, are determined to secure and advance Muslim women's rights as revealed in the Qur'an and exemplified by the Sunnah of Prophet Muhammad ﷺ. We envision a world in which Muslim women are instrumental in creating a peaceful and prosperous world anchored in gender equality and human dignity.

Building on Historic Precedent

We honor the long history of Muslim women leaders who came before us, those who through their dedication to Allah and valiant leadership stand out as luminaries of the Islamic faith: **Hagar**, the matriarch of monotheism, courageously remained in Mecca and founded the town with her son Ismail; **Khadijah** was the first to embrace Islam and supported the Prophet's mission; **Um Salama** protected the folios of the Quran against corruption, Aisha collected 2,000 Hadiths that are still used today; **Amrah** was the first woman jurist whose opinions overrode those of her contemporaries; **Sumayyah** was the first Muslim martyr who fought alongside the Prophet ﷺ; **Sayyidah Nafisa** of Egypt best known scholar of hadith, taught Imam Al-Shafi and performed his **Salat al-Janazah**, funeral prayer, in accordance with his will, **Rabi'a al-Adawiyya** of Iraq, in devotion to Allah, coined the expression of divine love; **Nana Asma'u** of Nigeria, a prolific poet and author championed universal education for women; and **Fatima al-Fihri** of Morocco founded the first and oldest (*madrasah*) university in existence today. **We draw our inspiration from the same Book, the Quran, and its first living embodiment Prophet Muhammad ﷺ that these Muslim women followed. Their universally acknowledged contributions to Islam fortify our conviction that Muslim women all over the world have major roles to play in strengthening their communities and interpreting their faith in ways that are resilient, contributive and adaptive.** We are further inspired by the diversity of 21st century women, fifteen (15) of whom have led Muslim majority nations, three (3) are Noble Laureates, Anousah Ansari, an astronaut has been on an exploratory mission to space, Fatma Aliye Topuz a Turkish novelist, in book *Nisvan-ı İslam* ("Women of Islam") explained Muslim women to western readers and scores of other women whose courageous achievements have seen the status of women lifted around the world.

Still, there is much progress to be made. There is a glaring disconnect between the righteous teachings of Islam and the unjust conditions experienced by a vast majority of the 750 million Muslim women, comprising 1/10th of humanity. Despite Quranic teachings and the Prophet's (ﷺ) precedent, many women remain egregiously disenfranchised, aggrieved, oppressed, and deprived of their sacred rights. The autonomy of many women is denied in many parts of the world, her intelligence, confidence and respect are

diminished by misguided social norms, her individuality is suppressed through inequitable burden sharing and poor understandings of interdependence, limiting her self-actualization and potential contributions that are deeply entrenched in the truthful teachings of Islam. These injustices are not only harmful to her but also harm her family, community, society, and the entirety of the Ummah (Community).

Women are entitled to all the rights and privileges articulated in the Quran and manifested in the life of Prophet Muhammad ﷺ. The spirit of the provisions of this declaration trace back to these indisputable sources. The Quran insists that men and women are guardians of one another, that they both call to what is good, command the beneficial and prohibit the reprehensible. Both are commanded to be moderate, balanced, consultative, merciful, kind, and participatory in all affairs of the community.

We draw upon our rich and diverse intellectual heritage of Muslim scholarship to promote *maslaha* (welfare or public interest) understood as the purposes of divine guidance. The objectives of divine law or *maqasid al-Shariah* can be harnessed to elucidate the specific rights of women under each of the six essentials agreed upon by renowned Islamic scholars of the past and present, including, the preservation of *religion, life, intellect, family, wealth* and *dignity*. Through the realization of the six essentials and the promotion of public interest (*maslaha*) we aim to promote the good and reject the bad, nurture the righteous, uphold justice, ensure freedom, promote welfare and benefits for all.

The following provisions serve as a common guide to support men and woman in their noble efforts to restore the position of women in Islam worldwide.

Protection and Promotion of Religion (Al-Deen)

- 1. Exercise vicegerency**, to be recognized as an autonomous member of the community, having been bestowed with equal spiritual status, individual responsibility for religious and moral duties and a unique capacity to act in accordance with Allah's guidance to care for His creation. *Q-3:110; Q-10:14*
- 2. Exercise religious leadership**, to acquire knowledge and teach Islam to lead her community in faith, enabling the expression of religious knowledge and devotion to Allah in serving her community. *Q-32:24; Q-2:124; H-Muslim Bk 5.365; H-Abu Dawud Bk 1.316; H-alBanna v.5 p.223*
- 3. Uphold Justice through Interpretation of Islamic texts**, to utilize her intellectual legitimacy and religious authority to righteously interpret and propagate religious scholarship to attain social and judicial justice. *Q-16:91; H- al Suyuti*
- 4. Grant access to religious spaces**, to have equal access to and engagement in, including management, of religious spaces, enabling her full participation in religious life, that which spiritually nourishes her individually and strengthens her community and Ummah. *Q-3:59-61; H- Muslim Book 48.48.*

Protection and Promotion of Life (Al-Nafs)

- 5. Physical and material security**, to have full protection of her physical life which includes the provision of basic needs, nutritious food, clothing, shelter and protection against all forms of bodily harm. *Q-5:32; Q-2:190; H- Muslim 2593; H- Muslim Bk 45.70; H-Nanawi 35*
- 6. Social mobility**, to exercise her abilities and talents through her active participation in social, political, and religious activities, thereby improving her personal position and contributing to the advancement of her community. *Q-9:20; Q-3:195*
- 7. Protection from domestic and all forms of violence**, to maintain her health, mind, and dignity in a peaceful partnership and not be subject to any form of intimate partner or family violence that results in physical injury. To prevent emotional verbal abuse, financial control and all forms of violence that threaten her life and the thriving of the family. To recognize that violence against women transcends the public and private spheres by causing harm to women, their families, communities and future generations. *Q- 6:164; Q-30:21; Q- 4:34; Q-2:231; H- Ibn Majah Bk 9.133*

that results in physical injury. To prevent emotional verbal abuse, financial control and all forms of violence that threaten her life and the thriving of the family. To recognize that violence against women transcends the public and private spheres by causing harm to women, their families, communities and future generations.

8. Protection from female genital mutilation, to safeguard the beautiful and wholesome composition in which Allah created her that supports physical, psychological, emotional, and personal health, by respecting her rights to fulfillment in intimate marital relations. *Q-30:30; Q-2:170*

9. Safeguard against rape and sexual assault, to never be traded, raped or forced into non-consensual sex; not to be shamed for sexual crimes committed against her; not to be silenced or made to marry the rapist, but to be entitled to receive physical, financial, emotional and legal support for any harm suffered. To not be subject to marital rape, to respect the sacredness of her body and to recognize her right to live in peace and security to refuse intimate relations with her husband. *Q-24:33; H- al-Tirmidhī 1454; H- Ibn Majah Bk 20.66*

10. Safeguard against child trafficking, to be protected from the criminal act of child trafficking, which in all forms violates her bodily autonomy and dignity, and further degrades the moral fabric of society. *Q-24:33; Q-4:10; H-Muslim Bk 45.70*

11. Access to health and hygiene, to receive medical care by qualified doctors and to face no stigma in receiving unique pre-natal care as a child-bearer to reduce mortality rates and to access good hygiene to promote physical cleanliness and spiritual purity. *Q-17:82; Q-74:2-5; Q-5:6; H- Abu Dawud Bk 29.20*

12. Expressions of Modesty, to express modesty through inward qualities and culturally suitable outward expressions, to do so with no social or legislative coercion. *Q-7:26; Q- 33:35; Q- 33:32*

Protection and Promotion of Intellect (Al-‘Aql)

13. Access religious and secular education, to receive quality education, basic or advanced, to acquire universal knowledge, to participate in the provision of education by having equal access to educational institutions, libraries, madrasas, and scholarship, thereby achieving her intellectual and spiritual potential. *Q-58:11; Q-95:1-5; Q-20:114; H-Ibn Majah 224*

14. Exercise civic and political leadership, to exercise her leadership abilities in political and civic positions promoting justice and peace in the service of her faith, community and nation, resolving conflicts within her community and for humanity at large. *Q-27:32-44*

15. Pursue a career, to provide choice and opportunities for her to pursue her talents and skills through gainful employment, enabling her economic agency and her contribution to the betterment of society. *Q-4:32; Q-3:195*

16. Exercise freedom of speech, to provide full security for her to voice her ideas, beliefs, and opinions, realizing her potential as a moral, ethical, spiritual, and intellectual being and her equal participation in the construction of a resilient, adaptive and prosperous society. *Q-33:70; Q-4:148; Quran, 2:256; Q-58:1; H- Muslim VI.177*

17. Provide testimony and witness, to recognize her testimony and qualification as a witness in commercial and legal matters, thereby utilizing her sound reason, moral faculty, and religious integrity in the provision of justice and management of community affairs. *Q-5:106; Q-65:2*

Protection and Promotion of Family (Al-Nasl)

18. Marriage rights, to choose her marriage partner without coercion and share in a harmonious marriage where she and her partner share mutual love and respect as they build a healthy and joyous family unit. *Q-30:21; Q-2:223; H-Muslim Bk 41.231; H-Bukhari Bk 67.36*

19. Prevent forced marriage, to be able to reject a marriage partner that she dislikes or deems unsuitable, to be protected from the pressures of family and other community members to accept a marital partner she rejects and exercise her right to be in a sanctified and virtuous marriage through her consent. *Q-4:19; Q-2:187; H- Bulugh al-Maram Bk 8.18*

20. Prevent child marriage, to be married only when she is mature, having attained at this stage the physical, mental, spiritual development necessary to enter a consensual, legal, and healthy marriage as presented in the Quran. *Q- 4:6; Q-4:19; Q-30:21*

21. Choice regarding entrance into or accepting polygyny, to not be forced into a polygynous marriage by family or spouse without her explicit consent, and that which does not disrupt the fairness and comfort she and her children are entitled to in accordance with the Quran, which exhorts the creation of supportive and merciful marriages and strong family units. *Q-4:129; Q-4:3*

22. Divorce rights, to possess the right to end an unfulfilling marriage on her own accord, and to be afforded dignity and respect throughout the reconciliation or termination of a marriage, all of which ensure the enduring sanctity of marriage and respect of Quranic limits not to violate women in times of divorce in any way. *Q- 4:128; Q-2:229; Q- 2:229*

23. Family planning and abortion, to exercise her autonomy in planning the family in cooperation and consultation with her spouse, in terms of the use of contraception and the termination of a pregnancy with her mental and physical well-being taking priority. *Q-23:12-14, H- Muslim Bk 16.164; H- al-Bukhari 7454, Bk 97.80*

24. Adoption and care of orphans, to expand the family unit in cooperation and consultation with her spouse by adopting an orphan child and providing a level of support, education, and protection to which nurtures their individual, physical, psychological, and spiritual growth. *Q-93:9; Q-4:36; Q-5:32; Q-33:4-5; Q-2:220; H-Bukhari Bk 73.34*

25. Motherhood vs Womanhood, to fulfill the revered role of the mother, raising well-adjusted children while facing no impediment to her individual societal contributions, what enables her to serve Allah and society in the complimentary roles of woman and mother. *Q-31:14; Q- 65:6; Q- 17:70; H- al-Bukhari Bk 78.2; H- al-Bukhari Bk 69.14*

Protection and Promotion of Wealth (Al-Mal)

26. Financial independence and equal pay, to secure an adequate living standard by receiving equal pay, to maintain her financial independence free from coercion from any employer or marriage partner, that which affords her the right to accumulate and utilize her wealth. To receive family supports and public subsidies, to rightfully enjoy and disburse as she sees fit wealth, gifts, monthly stipends and any other resources mandated by Allah for her care and welfare within different social contexts. *Q-3:195; Q- 7:85; H- al-Bukhari Bk 37.10*

27. Inheritance rights, to inherit wealth in the form of money, property, land, and personal effects, that which ensures the respect of her biological identity and financial independence and to manage her inheritance as she pleases without pressures and coercion; to have legal recourse and personal security when her rights are violated. *Q- 4:7; Q- 4:32; Q- 4:11*

28. Property ownership, to face no incursion on her legal right to independent property ownership or restrictions on how she uses her land and wealth for the improvement of her well-being, that of her progeny and for the benefit of society; and to face no obstacles in obtaining the legal documents required to undertake financial transactions and business dealings including birth certificates, identity documents, drivers' licenses, passports, bank accounts and all other legal requirements. *Q-2:188; Q-4:5; H- Muslim Bk 18.69*

Protection and Promotion of Dignity (Al-'Ird)

29. Protection from slander, to be secure against false accusation, defamation of reputation, breach of privacy, and slander, and to have recourse to challenge any such offence that degrade the community and its religious values and inhibit her ability to lead a life of dignity. *Q-24.4; Q-49:12; Q-24:11; H-Nanawi 35; H- Ibn Majah 2341*

30. Safeguard against honor killings, to live her life unthreatened by unlawful violence that causes bodily harm, to live and prosper in the peace afforded by humane and fair treatment; and to punish those who practice this heinous crime to implement effective deterrents. *Q- 4:93; Q-5:32 H-an-Nasa'I Bk 30.61*

Our Commitment

As women, we embrace our collective and individual responsibility to enable Muslim women to realize their full potential as individuals and in relationship to faith, family, community, nation, and globe. As our goal to see the rights of women respected is one sanctioned by the Islamic faith, driven by compassion and justice, we are committed to the comprehensive implementation of these rights, especially for women facing multiple barriers to their advancement due to their gender, race, age, language, ethnicity, disability, or because they are indigenous people.

We are determined to ensure the full implementation of these rights as an inalienable and indispensable part of the Islamic faith, to guaranteeing that such rights are honored as human rights and fundamental freedoms. This righteous mandate requires urgent action, and therefore we dedicate ourselves unreservedly and immediately to this cause. Propelled by hope and solidarity, we are determined to promote the good and repel the bad

Our Call to Action

We seek to leverage the power of faith to combat deep-seated social ills and to use Islam's egalitarian teachings to secure women's rights and thereby actualize its wisdom and implement its virtues in our lives. By overlooking religion, we fail to mobilize sizeable Muslim constituencies who draw upon faith in their daily lives. We call on the international community to recognize the rights of Muslim women protected in the Quran and reinforced in the Sunnah of Prophet Muhammad. We request the Organization of Islamic Cooperation and its 57 member states, the United Nations, and international advocates of human rights to recognize and append the Universal Declaration of Muslim women's rights to existing international women's rights charters, including: the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child, the Declaration on the Elimination of Violence against Women, the Declaration on the Right to Development, Istanbul convention, the Beijing Declaration and Platform for Action, and all other international human rights instruments.

To ensure peace for the advancement of women, we understand the vital role that women play in creating long-term, sustainable peace. we call on communities and individuals to acknowledge the Quranic emphasis on building cooperative and merciful communities in which women are autonomous, strong, and free as well as fully participatory members of safe and healthy communities.

We acknowledge that equality for one is equality for all, and so we invite the people of all religions, gender, and nationality including religious leaders, educators, journalists, entrepreneurs, scientists, activists, artists, and NGOs to join us in advocating for these rights within our own religious and social communities, utilizing any resource at our disposal to catalyze change within their networks and to lead by example by actively to prioritize women's equality and human dignity in all environments we enter.

Further, we call on all government officials and legislators of Muslim majority nations to promote legal frameworks and policies that ensure women's rights in Islam by instituting gender-neutral legislation in their body of law that lead to the equality and dignity of women. We know that through our combined efforts to uplift Muslim women we will build a more peaceful, just, prosperous, and equitable society for all.

To reaffirm our commitment to the following: the equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Qur'an; We confirm our commitment by affixing our signatures to this declaration.



WISE's in-country affiliates are authorized to translate, present and disseminate the Universal Declaration of Muslim Women's rights to their constituents in their country.

All Rights reserved: Women's Islamic Initiative in Spirituality and Equality Copyright: 30 Rights of Muslim Women, Daisy Khan