

**Received: 07 July 2024, Accepted: 20 July 2024 D**

**OI: <https://doi.org/10.33282/rr.vx9i4.3>**

## **An Analysis of the Western approach towards Quranic Concept of Qawwamiah (Man Gaurdianship)**

### **1. Ms. Afifa Rasheed**

PhD Scholar, Department of Islamic Studies Abdul Wali Khan University Mardan

Email: [afifarashid93@gmail.com](mailto:afifarashid93@gmail.com)

### **2. Dr. Sohail Anwar**

Lecture in Islamic Studies, Abdul Wali Khan University Mardan

E-mail: [sohail\\_anwar@awkum.edu.pk](mailto:sohail_anwar@awkum.edu.pk)

### **3. Prof. Dr. Mushtaq Ahmad**

Dean Faculty of Social Sciences, Qurtuba University of Science & Information Technology, Peshawar Email: [drahmad336@gmail.com](mailto:drahmad336@gmail.com)

## **Abstract**

The secular and modern Europe that emerged, established an intellectual and social framework centered on humanity and humanism. Women's rights were given significant importance within the framework of human rights. Various movements, such as Feminism and Women Empowerment, were initiated to protect women's rights. The United Nations periodically passed resolutions related to women's rights. However, it is evident that the modern interpretation of women's rights was based on secular principles, with no consideration for religious perspectives. Consequently, many aspects of laws formulated for women's rights conflict with religious, particularly Islamic teachings. Where advocates of feminist rights found conflicts with Islamic teachings, they either interpreted Islamic Teachings and laws in a new way that suits their purpose or criticized those Islamic laws as outdated and impractical.

In this article an important Islamic regarding women's rights, that is Qawwamiyat, will be discussed. Qawwamiyat is an Islamic Concept of which means man guardianship over woman. This concept is largely criticized by western secular scholars. This article deals some doubts regarding this concept.

**Keywords:** *Qawwam, Rijal, Equility, feminism*

## Introduction

In the context of the European Renaissance, which began in the mid-15th century, rulers and the Church imposed unreasonable and inhumane restrictions on their subjects and the general public. A fundamental aspect of the Renaissance was a rejection of absolute religious authority. In simpler terms, the Renaissance marked a shift from divine revelation-based knowledge to an emphasis on rationalism and humanism. Consequently, humanity, rather than God, became the center of the universe. This era was characterized by a preference for Greek knowledge over religious doctrines and an inclination to view matters from a human perspective rather than a divine one. Based on this secular concept of life, the west started to establish a new civilization free from all kind of religious limitations<sup>1</sup>

One of the basic and critical issues of this new secular civilization is women's rights which mean freedom of women in all aspect of life. The modern western civilization believes that women have gone through a long darkness of inequality to men through history. The UN since it's established has focused on women and has passed different resolutions regarding women's rights. But the important thing is that these rights are majorly framed under western concept of civilization.

The Western concept of gender equality emphasizes complete parity between men and women across various aspects of life—political, economic, social, cultural, military, media, and other fields. This concept holds that women are equal to men in all characteristics that distinguish humans, and does not tolerate differences between men and women except for the inherent gender differences. Proponents of Western equality argue that differences in social and economic aspects between men and women are the results of customs, traditions, and societal constructs.<sup>2</sup>

One of the important issues regarding feminist rights is the concept of male guardianship (*Qawwamiyat*). The *Quran* designates men as protectors and overseers of women. The *Quran* states:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ<sup>3</sup>

"Men are the protectors and maintainers of women because Allah has given some of them (men) more (strength) than others (women), and because they spend (to support them) from their means" (Quran 4:34).

In Arabic, "*Qawwam*" refers to someone responsible for managing a system or task, often considered an authority. Classical Muslim commentators on this term explain <sup>4</sup> that

قيام الرجل على النساء هو قيام الحفظ والدفاع... بسبب حاجة المرأة إلى الرجل في الذب عنها وحراستها لبقاء ذاتها.<sup>5</sup>

i.e. The guardianship of men over women is a form of protection and defense... due to the woman's need for a man to protect and guard her for her own preservation." Thus, the husband's role as a guardian and overseer of his wife involves providing protection and support, as the wife relies on her husband for her safety.

A more detailed explanation reveals that the fundamental unit of society is the husband and wife. Families are formed from this unit, and several families together constitute society. To maintain societal order, a leader is necessary to manage the diverse opinions and disputes among people. Such a leader in society is termed a ruler. Similarly, within the household—considered the basic unit of society—the husband assumes the role of administrator and ruler, responsible for managing all household expenses. There is a <sup>6</sup> widely accepted norm that people regard administrators and responsible individuals with higher status, as otherwise, managing and resolving societal issues would be challenging. Therefore, the *Quran* grants the husband a certain elevated status due to his responsibilities in the home. This elevated status is provided in recognition of the man's role in governance and responsibility.

Furthermore, Islamic law does not grant rulers unlimited powers. Instead, it imposes limitations on their authority and requires them to be accountable for their actions. For instance, Allah (S.W.T) instructed the Prophet Muhammad ﷺ to consult his companions on important matters.<sup>7</sup> Similarly, the Prophet ﷺ said, "Each of you is a guardian and is responsible for those in his care." *Quran* In addition to these general guidelines, the <sup>8</sup> specifically instructs that domestic affairs should be managed with "mutual consent and consultation".<sup>9</sup>

From this understanding of household leadership, it is clear that male guardianship is intended to manage household affairs effectively. Concerning the rights of husbands and wives, the *Quran* teaches that "women have rights similar to those against them in a just manner"<sup>10</sup> indicating that a woman's rights over her husband are comparable to the husband's rights over her.

In contemporary discourse on women's rights, a prevalent view advocates that women should have the autonomy to express their preferences in various cultural and civil matters. This perspective also asserts that spouses should be treated as equals in marital matters, rather than designating the husband with superiority and authority as the wife's guardian. Proponents of this view, along with various organizations, consider the *Quranic* delineation of roles as unjust and raise several objections and doubts, which are addressed as follows:

### **Objection No. 1**

Critics argue that Islam restricts women's freedom, capability, and self-confidence by designating men as guardians and overseers of women.

### **Analysis of the Doubt**

The response to this doubt can be understood by examining the concept of "*Qawwamiyah*" (male guardianship) as outlined in Islamic teachings. This concept is rooted in organizational authority, similar to the necessity of a leader in a larger society to maintain order. In a household—a fundamental social unit comprising a husband, wife, and their children—a leadership role is similarly required to ensure organization and harmony.

The pertinent question is: who should assume this leadership role within the household? Should it be the woman, the man, or should both share it equally? The third option is inherently problematic, as multiple leaders within a system can lead to significant disruption. Assigning the leadership role to the woman is also not ideal because, while women may naturally exhibit greater compassion and care, they can be more susceptible to external influences, which may impair their decision-making abilities. Islam assigns this leadership role to men based on perceived natural differences in capabilities.

Furthermore, the Quran imposes two constraints on male authority:

1. The authority granted to men is bestowed by Allah and is not a result of their own efforts. Hence, this authority is not a source of pride for men.
2. This authority is conferred because men are responsible for providing financial support to their wives. Thus, the leadership role of the husband is intended to fulfill responsibilities, not to deny the wife her rights.<sup>11</sup>

## **Objection No. 2**

It is argued that the concept of male guardianship (*Qawwamiyah*) represents an era of female subjugation and humiliation, during which women were treated as inferior and insignificant. Such treatment, critics assert, undermines a woman's self-esteem and impedes the full realization of her potential.

## **Analysis**

While Islam assigns leadership to men, it explicitly mandates that this guardianship is not absolute or arbitrary. Men are required to treat women with kindness<sup>12</sup> and consult them in household matters. Numerous *Quranic* verses and Hadiths support this requirement.<sup>13</sup> For instance, the Prophet Muhammad ﷺ stated, "The best among you is the one who is best to his wife<sup>14</sup>, and the worst among you is the one who is harsh towards his wife."

Additionally, the qualities and capabilities necessary for guardianship are more prominently found in men compared to women, reflecting a natural division between the sexes. However, Islamic law envisions male guardianship as neither despotic nor tyrannical but as a role based on mutual affection and consultation. Furthermore, women retain full control over their property. In cases of disputes between husband and wife that escalate to judicial intervention, judges are required to ensure equality, fairness, and justice.

### Objection No. 3

Another objection based on the Quran suggests that the text permits the beating of women, referencing the verse: "وَاضْرِبُوهُنَّ"<sup>15</sup> (And strike them) (Quran 4:34), which is interpreted to imply that women may be beaten.

### Analysis

The principle of wisdom implies that a man's role as guardian and caretaker encompasses specific rights and duties towards his wife. Among the husband's rights is that his wife should not disobey him, unless he commands her to act against the will of God or to infringe upon the rights God has set for her.

In any social institution, the person in charge possesses the means to manage and control the system to prevent disorder. Obedience is crucial for maintaining organization and unity within the institution; without it, the institution cannot function effectively. Philosophers and scholars emphasize the need for accountability and disciplinary measures to maintain order. Some individuals respond to gentle treatment, others to mild reprimands, and some require stricter measures.

The *Quran* proposes a gradual approach for men as heads of households. If a wife displays disobedience, the husband should first address her with kindness and affection. If this approach fails, he may separate from her in bed. If the situation does not improve, he may resort to lightly striking her as a last resort.<sup>16</sup> The Prophet Muhammad ﷺ instructed to treat wives with kindness, stating they are like captives in one's care, and that any form of physical reprimand should be minimal and only applied in severe cases. He also affirmed that women have rights over men.<sup>17</sup> Ibn Abbas ؓ interpreted "striking" as using something like a *miswak* or a similar object.<sup>18</sup>

Rejecting the *Quranic* gradual approach to societal reform, which begins with the family and marriage, as unjust or unequal denies the fundamental principle of reform through accountability and punishment, which is broadly accepted by rational individuals.

## Conclusion

Just as every organization has a leader or guardian with subordinates who are often subject to strict measures to maintain order and uphold the institution's dignity, similarly, the household is a small institution where the husband serves as the head. To manage the household effectively, Islamic law grants the husband certain authorities. Just as there is no objection to a woman being subordinate in other institutions, there should be no objection to her being subordinate within the home. It is peculiar that society praises a woman for being subordinate to a superior in a workplace but criticizes her subordination to her husband at home, considering it against women's rights and equality.

- 
- 1- Molana Mohammad eesa mnsori, maghrib aur aalm.islam ki fikri o tehzi bi kashmakash. ( London , world economic forum, 2000 ) s 21-35
  - 2- Encycloepadia Britannica, S.V. Feminism/Women's Rights
  - 3- Quran 4 : 34
  - 4- Mohammad ban mukaram ban Manzoor , Lisan alarab, madah : Qawwam
  - 5- Tahir ibn Aashoor, tAl-Tahreer wal tanweer
  - 6- Mufti Mohammad Shafi , Muarif al quran. ( Karachi , maktaba Muarif al quran ) / Dr. Amaara , tehreer al marah bainal Gharb wal Islam. ( qahira, maktaba alamam al Bukhari, 2009 ), pp. 22 .
  - 7- Qura, 3 : 159
  - 8- abbu Abdul Allah Mohammad ban Ismael al- Bukhari, sahih al Bukhari. ( daar taoq al najah, 1442 ) baab fil Jumah wal Qura wal Mudon, hadees number 2554
  - 9- Quran 2: 133
  - 10- Quran 2 : 228
  - 11- Safa avni Hussain aashor, الغزو الفكرى و قضايا المرأة المسلمة ( Gaza , 2005 ) s 232-233
  - 12- Quran 4:9
  - 13- تشاور بينهما ( surah al-baqrah, 2 : 133 )
  - 14- sunan al- Tirmizi, ktab al raza, baab ma jaa fi Haqq el marah ala zowjeha, hadith No. 1162
  - 15- . surah alnisaa, 4 : 19
  - 16- Quran 4 : 34 )
  - 17- sunan al- Tirmizi, ktab al raza, baab ma jaa fi Haqq el marah ala zowjeha, hadith No. 1163
  - 18- Abdul allah Mohammad ban Ahamd qurtabi, Al-jame le Ahkam el Quran ( bairout : daar ahya al-Turas alarbi, 1985 ) V 5, p. 161.