

Status of Muslim Women in Haryana: A Study of Generational Change

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Abstract: The status of a woman in a society is very much dependent upon her social and economic conditions and also upon the status which is given by her religion. All religions have given women inferior status and relegated them to a secondary position. Muslim women's problems are graver since the local traditions and historical processes have shaped the injunctions handed down by the law and that they have been adapted to local conditions. They are generally deprived of benefits of modern education and lose out in the employment opportunities, which are available to women of other communities. Muslim women suffer from a double disadvantage – social as well as religious. Customary practices pertaining to women like purdah, post puberty early marriage, prohibition on venturing outside the home unless accompanied by a male, denial of interaction with male outsiders and encouragement of religious education make them dependent and develop a sense of insecurity. This work focuses on whether transition has been made by Indian Muslim women to adopt to the social changes and to face the challenges of modern India or they are still bound by the traditionalism keeping the unprogressive customs intact. In this study generational change in the status of Muslim women has been studied in both rural and urban areas of four districts of Haryana viz. Faridabad, Gurgaon, Yamunanagar and Panipat with respect to their education, health, economic status, decision making, attitude towards Muslim law of marriage and divorce and religious status of Muslim women. The findings reveal that the change in the status of Muslim women is more visible in the younger generation of big cities and the other areas are still holding more or less the same view towards women and gender identity.

IndexTerms - Muslim Women, Education, Health, Purdah, Work, Religion.

I. INTRODUCTION

The plight of Indian Muslims has periodically surfaced various debates about the causes of Muslims' backwardness and their alienation from the Indian mainstream. After the report of Sachar Committee made public in 2006 the issue of Muslim deprivation was focused by different organizations. The report demonstrated that Muslims as a whole lagged far behind other religious groups in terms of a variety of development indicators including education, employment and representation in government. The report also demonstrated that when it comes to education and employment, the average Muslim is at the bottom of the heap and trailing behind Scheduled Castes and OBCs and Muslim women are the most oppressed members among these groups, hence became the focus of attention of researchers.

If one considers two significant verses of the Quran (33, 35) relating to the social, economic and religious status of women, it can be seen that the Quran had not been unfair to women and that the Islamic Sharia formulated by the Imams under the influence of the patriarchal values, assigned women an inferior position to that intended by Allah in his revealed book. Islam has provided the Muslims with a dynamic and revolutionary principle of creative interpretation, so that they can in the true spirit of Islamic values, rethink many issues in view of the changed context. But the theologian due to their rigid attitude are not ready to rethink women's issues even today (Engineer, 1995).

In a male dominated society women have to face numerous problems which are specific to their religion and also specific to their sex that determine their status. Some of the Islamic customs and practices related to women are as follows:

Purdah

Women among the Muslims are subjected to sharp restrictions in various spheres of their life. One of the significant features of Islamic culture is the segregation of women. Being largely tradition bound the Muslim community in the northern region of India still attempts to retain its Islamic character. Hence amongst them the rules of Purdah are strictly adhered to. The prophet laid down very explicit and specific rules regarding the conduct of women, but at the same time he granted to the women the liberty to face the world without a veil, when needed. However, the prophet's teachings were misinterpreted by various religious authorities, who distorted the facts and made Purdah for women compulsory under all circumstances. Any transgression of Purdah meant an anti religious act. However, the Purdah customs have varied from time to time and from country to country (Roy, 1979).

Education

"The pursuit of knowledge is a duty of every Muslim, man and woman" with this instruction of the prophet, it became a religious duty of Muslims to educate themselves, their families and their societies. Gender or race, culture or tradition could not become the cause for prohibiting a person from educating ones self. What can be matter of opinion is what sort of education should be imparted. Education has always been important to Muslim community, not as a distributor of life chances but for propagation of Islamic values

(Nayar, 2011). The traditional education pattern in Muslim society is largely religious in orientation, and includes reading to the Quran and learning Urdu. Almost all girls and boys go to the Madarsa for religious instructions. For secular education, girls are being sent to schools before puberty but in many Muslim areas, they are withdrawn from higher education due to purdah. Though Islam encourages women's education, women of the lower classes in India are still illiterate; the upper class women attain school education or are graduates or acquire a professional degree occasionally. However, there are fewer educated Muslim women in India compared to educated Muslim men (Menon, 1981).

Marriage

Woman is given the right to choose and she can not be married against her free will. She has the right to stipulate her conditions and Mahr amount. Juristically, marriage in Islam is a contract and not a sacrament. There are three important aspects of marriage in Islam: Legal Aspect- There can be no marriage without consent. As in a contract, provision is made for its breach, to wit the various kinds of dissolution by act of parties or by operation of law and the term of a marriage contract are within legal limits capable of being altered to suit individual cases. Social Aspect- Islamic law gives to the woman a definitely high social status after marriage and restrictions are placed upon the unlimited polygamy and a controlled polygamy is allowed. Religious Aspect- Marriage as an institution leads to the upliftment of women and is a means for perpetuating the human race. Practiced wisdom and nobility of character was the best reason for marrying a woman (Engineer, 1992). The practice of polygamy was widely prevalent among the Muslims in the past, but the trend of such marriages among Muslims is declining which shows that educated Muslims have realized the problems attached with being polygamous.

Mahr or Dowry

There is no concept of dowry in Islam as the word applies in the Indian context. Many Muslim countries have penal law prescribing punishment for the offence of demanding, taking or giving dowry. Dowry or Mahr is a sum that is given by the husband to the wife on marriage, either by agreement between the parties or by the operation of law. The amount fixed for the Mahr is expected to be in consonance with the socio-economic status of the husband. The woman has exclusive right on the Mahr and she can demand some part or half the Mahr at any time during the married life.

Mahr is of two kinds- prompt and deferred (Danyal, 2002). Prompt dowry can be demanded any time after the marriage as it is payable on demand. Deferred dowry is payable on the dissolution of marriage by death or divorce along with the other creditors of her deceased husband. But the practical reality is that prompt dowry is seldom paid promptly at the time of marriage or even when demanded. A woman because of fear of annoying her husband, of his pronouncing talaq in retaliation, of being thrown out by him, usually does not demand. Even otherwise in case of prompt dowry, when the bride enters her marital home, either she is made to forgo the Mahr by the women of the house or by her husband. On the death of the husband, again the widow is made to forgo the deferred dowry at the husband's dead body. In both these positions, the woman as a new bride, or as a widow, is in a very vulnerable position and exploited by the relatives around her, especially the women.

Divorce

The most common misused and abused form of divorce is triple talaq. Triple talaq which means pronouncing talaq three times is a procedure that can only be initiated by the husband without the consent of the wife. Although, it has been termed as talaq-e-biddat (disapproved form) but legal, if pronounced in Hanafi Law. This kind of divorce can be legally pronounced in a state of anger, provocation, intoxication, compulsion, and jest or even in the absence of the wife. Even otherwise, for a divorce under Sunnis, no witnesses are required. So it has become a one sided tool of oppression in the hands of the husband. Talaq causes a lot of hardship and suffering to Muslim women. In case the husband realizes his blunder and wants to remarry his ex wife, he cannot marry her unless the divorced wife marries another person. The second marriage has to be consummated and then the second husband should voluntarily divorce her following which she has to perform Iddat, only then the first husband can marry her. This process is called 'Halala'. So for the blunder of the husband, law has provided exemplary punishment for the woman for no fault of hers.

There are various kinds of divorces available under the Muslim law except talaq (divorce by man's action) like Khul or Khula (divorce at the wife's behest), Mubarat (divorce by mutual consent) and Tafriq or Tatliq (judicial divorce). Though women have the right of khula, there is no such legal sanction in India. For Muslim women in India there is no way of dissolving a marriage other than by getting legal permission from the Court.

Sexuality and Birth Control

The Muslim community promotes opportunities of marriage to all males and females, single, widowed and divorced. Ritual abstinence is apparently less common among Muslims than for instance among Hindus, though abstinence is required during the daylight hours of Ramadan, the month of fasting. The birth rate is higher among Muslims as they attach high prestige to large families and spacing among children is less. One of the objectives of Islamic law has been the preservation of the human race and its survival through successive generations. The hadith indicates that al-azl the act of preventing conception or the temporary birth control is permitted when there is a valid reason for it, but sterilization has been prohibited in Islam. It is a sort of destruction of the power of procreation or a racial suicide.

Maintenance Right

Islam under no circumstances considers women to have the ability to earn. On marriage the wife, relatives, children, grandchildren, aged parents, servants are entitled to get maintenance, but the wife comes first. If a wife deserts her husband she loses her right to maintenance. If a man takes more than one wife, each wife is entitled to have a separate apartment, if otherwise the wife may refuse to live with her husband and still claim maintenance. The wife's right to maintenance ceases on the death of her husband since no relative

of the husband is entitled to provide maintenance. Once the marriage is dissolved, the wife is entitled to maintenance only till her Iddah period and latter she has to be dependent on her children or relatives (Engineer, 1992).

This above rule of maintenance in Islamic law has led to the famous controversy in the Shah Bano case. The Supreme Court in its judgment upheld the high Court judgment which makes it obligatory on husbands to make provisions for their divorced wives if they have no other means of sustenance until they remarry or die, would also apply to Muslim husbands. The Muslim men, however, refuse to pay maintenance in any form and see to it that they are excluded from all categories.

It is the duty of the father to maintain his children both son and daughter until the boy starts earning and daughter married away. The father is responsible for maintenance even for a widow or divorced daughter.

Succession Law

Although Islam was the first religion which gave a right of inheritance to daughter, wife and mother, her share was half of her male counterpart. The reason behind this is that she is paid Mahr by the husband when she gets married and she gets a share in her husband's property. In the Quran there is a verse on inheritance which gives to the widow more extensive rights viz a widow without children gets ¼ share and a widow with children gets 1/8 share in the estate of her deceased husband's property. The widow is therefore not entitled to maintenance during the Iddah of death.

Islam and Gender Equality

The Quranic vision of the relationship between men and women within society is neither hierarchical nor adversarial but one of equality and mutuality. It presents the roles of men and women as complementary roles and not contradictory or conflicting roles. Islam does not consider woman a mere shadow or an extension of a man, she has her full individual freedom and responsibility. Islam recognizes woman as equal partner in procreation of human kind. Marriage therefore is not just a physical or emotional necessity, but in fact relationship of mutual rights and obligations based on divine guidance. Under the Quran, men are instructed to behave properly with their wives. They are directed not to have any discrimination against daughters. The prophet said that "Muslim should not feel sorry at the birth of daughters". He was highly appreciative of those who looked after their daughters well and fulfilled duties as parents.

However, there are certain verses in the Quran, which apparently reflect patriarchal situation. This was mainly because the Quran was revealed in a particular historic circumstance. These verses were so understood, interpreted and constructed that not equality in any sense but the inequality of men and women became the tradition and general rule of Muslim life. For example women do not have equal rights to make independent decision in relation to choice of marriage, obtaining a divorce and custody of children. It is very difficult to find out as to what is the status of women in Muslim society, because one billion Muslim share the same holy text but not the same tradition and culture. In spite of this situation, India has witnessed many Muslim women receiving high education, working on good position, participating in politics, dedicating themselves to social work and creating modern urdu literature. But these women came from the few enlightened families, the rest of the Muslim women remained tradition bound unknown to the world outside. Thus in the present study an attempt has been made to explore the status of Muslim women in Haryana, their perception of their own status and process of change if any, in their status through reflections by different age groups.

II. OBJECTIVES

The following objectives have been made to understand the status of Muslim women in Haryana.

1. To know the type of gender discrimination faced by women in respect of expectations and freedom granted to them.
2. To understand women's reproductive health and reproductive rights.
3. To study the educational opportunities for women, and attitude of family towards girls' education.
4. To analyse the attitude of Muslim women towards Muslim law of marriage and divorce.
5. To study the economic status and political participation of Muslim women.
6. To understand the position of Muslim women in Islam..

III. METHODOLOGY

Both qualitative and quantitative methods have been applied to study the status of Muslim women in Haryana.

Sampling Technique

Stratified Random Sampling Technique was used for the purpose of data collection. The study has been conducted in four districts of Haryana viz Gurgaon, Faridabad, Yamunanagar and Panipat. These four districts have been selected on the basis of Muslim population residing in Haryana as per Census 2001. The data has been collected from a total of 600 women and girls from the above selected four districts. These women and girls have been categorized into three age groups i.e. 16-28 years (representing youth), 29-41 years (Class facing transformation) and above the age of 50 years (mature and elderly class). Thus a total of 150 respondents from each district have been selected randomly taking 75 from urban and 75 from rural area keeping in mind the age groups of the respondents.

Data Collection and Analysis of Data

Keeping in view the objectives of the study a questionnaire was designed and a door to door survey was conducted. Observations have also been made during the survey. Simple percentages have been calculated for the purpose of analysis of data through SPSS software. The results have been analyzed district-wise and area wise for all the three age categories showing the difference in the status of Muslim women..

IV. FINDINGS

A woman's status is always seen in comparison to that of her counterpart – the man, whether she is enjoying the same freedom, the same dignity, same economic resources as enjoyed by a man. The study shows that the woman has many constraints regarding her freedom of movement, her dress and mannerism, speech and economic pursuit. Her participation in the political life is negligible. She enjoys honour and dignity only in the domestic sphere, the public places are considered as taboo for her. She is totally economically dependent upon the male counterpart and does not engage herself in the important decision making process of the family. However a change can be perceived in the younger generation with respect to education, family role, marriage, fertility and reproductive health but still they have a low participation rate in the decision making, political participation and economic activities. Their economic activities are centered around only the teaching profession or in some cases daily wage labour where survival crisis is concerned. Polygamy has decreased and reached to a marginal number and fertility rate is also reduced. The trend of single or nuclear families has taken over the system of joint families especially in the urban areas and also a high percentage of families have started thinking about limiting the family size.

The interplay of education, economic status and also the area where they live (like the NCR) can be seen as producing changes in the status of women yet the strong religious forces can be seen as limiting and restraining such changes. It can be said that the degree of freedom enjoyed by the younger age group like going to school, going to market is achieved partly due to the education and partly due to the region where they live. In the region close to the capital like Faridabad and Gurgaon more freedom has been achieved by the girls regarding personal opinion, dress pattern, friends, practice of purdah and education. The other two districts show more or less the same rigid attitude towards girl's freedom as earlier. One thing which seems affecting education of girls is the preference of young men to get an educated girl in big cities. Moreover liberal fathers and husbands of urban area allow their wives or daughters to go out without burkha while in rural area the girls are not even getting proper education and more under male authority. In practice, Muslims have been found to be denying the right of education to their women folk. On being asked about the reasons for not sending their girls for formal education, the respondents cited that they can permit the girls to study upto the girls schools available in their own village only.

As far as observance of Purdah is concerned the results revealed that in Faridabad (64% rural, 68% urban) and Gurgaon (92% rural, 84% urban) districts a large number of respondents in the youngest age group (16-28 years) of rural as well as urban areas did not wear Burkha although majority of them in other two age groups had started wearing it after the age of 15 years. In Yamunanagar district majority of respondents did not wear Burkha and this percentage is quite high in urban area (53.34%). Panipat district has also received a declining trend, which can be observed more in rural area as compared to the urban area. The respondents said that although wearing Burkha is necessary for a girl as soon as she attains puberty but now the young girls do not wear it. Many of the young women said that now girls wear Burkha only on the day of their wedding and many of the migrant urban women of Yamunanagar district informed that they wear it whenever they go to their native village. The young and the literate women seemed to be less inclined towards wearing it as compared to the older and illiterate ones. Due to the practice of observing purdah from male members girls are not allowed to do a job. It was observed that the length of Burkha has also shortened in urban areas and the college going girls cover their face with a small Chadar or Scarf only.

On being asked about the reasons for not permitting girls to move freely they said that in a Muslim family girls can move around without any inhibition till the age of 9-10. She may go to the neighborhood, play with boys of her age and may be sent out for errands to the neighbourhood market. But as she attains 9 years of age this freedom is brought to a stop. The young girls accept this without any resistance since they see the older women of the household behaving in this manner. The girls are discouraged from playing with the male cousins or visit them alone because among Muslims a girl can be married with her first cousin. It was reported that the most frequent causes of divorce were the wife's disobedience and leaving the husband's house without his permission, for instance to visit her relatives, going out to work or any where against the husband's will. Thus to comply with the husband and out of fear of getting divorce on the ground of disobedience Muslim women do not enjoy the freedom of movement and economic activity. The older women said that they never went to the market in their younger age and their daily needs were fulfilled either by the males or by the grandmother. But in the present time these elder women have initiated a change by allowing their daughters and daughters in law to go out but with some male or older female escort.

The results indicated that the younger and urban women are more concerned about their health especially the health care during pregnancy, fertility and immunization of children. Now young Muslims especially from the urban area are using family planning methods to limit their family size. It was also observed that shyness of women, lack of right information about the contraceptives and the unwillingness of husband to use it are responsible for low percentage of women using these methods. It was reported that the husbands and the mother-in-law play an important role in exercising fertility rights by women. It was also reported that the mothers-in-law remain totally against the abortion if their daughter-in-law wants it in order to limit her family size. If the results regarding immunization of children are compared, it is clear that in 16-28 years age group all the respondents from rural as well as urban areas of the four districts got their children immunized. In other two age groups a quite large number of respondents said that they had not got their children immunized.

In the traditional family set up rigid social codes regard women as having a subordinate role to men and women remain fairly satisfied with their life within the bounds of home. But in the educated urban families a changed point of view can be observed with regard to women's role and the practice of polygamy and triple talaq. The younger women seemed more vocal and consider these practices as injustice to women as compared to the rural sample, even they acknowledged the need of change in the Personal Law.

On the practice of Halala almost all the respondents from Faridabad, Gurgaon and Panipat districts said that this is a wrong practice however in Yamunanagar district more than forty percent respondents accepted that this practice is right. The percentage of respondents who felt that this practice is right was the highest in the 50+ age group of rural area (72%) They did not perceive it as anti women rather said that it is to punish a man who has given talaq to his wife. It is shameful for a man that his wife lives with another man and then comes back to him. To avoid this shame a man should think twice before pronouncing talaq. From the young women's point of view this kind of practice is simply sexual exploitation of women.

The results revealed that the man was the only chief provider, and regardless of the age or region where the respondents live only a few of them were found employed where the male member's income was not sufficient to run the household. Only 6 women were found working in the organised sector out of the total sample, however this number can be a reflection of change in the traditional attitude of Muslims. These women belonged to the families where both the parents were educated having a changed liberal outlook towards women and her usefulness at home and outside. The educational profile of the Muslim woman is perhaps a clear indicator of her economic status. The low educational status decreases the level of participation in different activities thereby the most important reason of their invisibility in every field. Seeing women working alongside of men is still considered a taboo and women look satisfied in their role of a housewife. Also due to the practice of observing purdah from male members girls are not allowed to do a job.

As far as voting pattern of the respondents is concerned Gurgaon has the highest percentage of women who vote in rural (78.67%) as well as in urban (86.67%) sample and it is the lowest in Panipat district (69.33% in rural and 64% in urban). When they were asked about the reasons for not casting vote, most of them said that they could not go alone to vote and their male family members did not take them along. Only three women were found out of the total sample who became the Sarpanches of their villages.

Religion has imposed various limitations on women like prohibiting entry to mosque, sanctioning only the role as housewife and then responsibilities of taking care of family and children. Prohibition of their freedom of mobility is a big deterrent for their development; however the young generation has started to acquire education besides Islamic education. In Islam however, the husband has the legal right to restrict his wife's freedom of movement like he may prevent her from leaving home without his permission, but in the big cities like Faridabad and Gurgaon which are also known as the NCR region, a change was observed in the attitude of fathers and husbands, who have allowed their daughters or wives to move freely, to run errands, to take education of their own choice and also permitted the girls to take up any occupation.

V. CONCLUSION

Different factors like lack of education, under representation of Muslims in the Panchayati Raj, poor access to schemes of the government due to lack of education and awareness, poor access to health facilities, rigidity in the traditional and religious beliefs, lack of participation of women in the economic activities, lack of involvement in the decision making process within the family and lack of control over reproductive rights, all these have an impact on the social and economic status of a woman. The study has showed that Muslim women face many restrictions due to their religious beliefs, however change can be perceived in their attitudes and assumptions regarding women in the context of the present day roles and responsibilities and the challenges of today's world. But this change is more visible in the younger generation of big cities and the other areas are still holding more or less the same view towards women and gender identity. Their underprivileged socio-economic status portrays a need to develop such a framework of programmes that can help them overcome the social drawbacks they are facing since decades.

Suggestions

1. The issue of Muslim marriages is a much debated one and several petitions were also filed by different activists to codify Muslim Personal Law, but nothing could be achieved in favour of women. There is a need of an Amended Muslim Marriage Act so that the tradition of triple talaq can be challenged and Muslim women are no longer at the mercy of qazis for nullifying the marriage. There is also no provision of providing maintenance by the husband to the Muslim divorced woman except during the period of Iddat. The present government has taken the initiative in this regard and it has presented Muslim Women (Protection of Rights on Marriage) Bill, also known as Triple Talaq Bill, which has been passed from the Lok Sabha and waiting to be cleared from Rajya Sabha.
2. There is a need to prepare a standardized Nikahnama consisting of fair and balanced terms for both the parties.
3. Women may be made understand the need of maternal health, infant health, reproductive health and family planning to ensure their overall health.
4. Since a small percentage of women are using the family planning methods and they lack proper knowledge about the contraceptives, there is a need of proper guidance to be given to the Muslim women about its usage. So it can be suggested that the health care providers may enhance their communication with the Muslim women.
5. There is also a need for a new conception of Muslim community beyond the assumed stereotypes. The policy makers should understand the needs of Muslim women in the present context while forming the programmes.
6. Women and girls may be provided opportunities to acquire training in any skill through various programmes so that this underprivileged section may be able to utilize new opportunities of development. They may also be provided financial help and other support services to initiate new occupation.
7. The women must be conscious and aware of their rights and about the law. They can form pressure groups to pressurize the Muslim Personal Law Board to bring about changes in the marriage law by making it more gender just.

8. Admissions of the backward community in regular universities and colleges may be facilitated and a mechanism may be worked out to link Madarsa with higher secondary school board so that girls are able to acquire at least secondary education.

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