
| RESEARCH ARTICLE

Women's Rights to Vote in Islam and Dealing with it in Afghan Society

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| ABSTRACT

Women have the same right to vote and express opinions as men. Islamic law has given this right to women. Women can use this right in various aspects of life, including in choosing the spouse, choosing the ruler of the country, choosing a job, and so on. Undeniably, moving forward with life, dealing with problems, overcoming difficulties, fulfilling social, political, and economic responsibilities also depend on having freedom in the use of vote and the expression of opinion, and women need to have the right to vote and exercise their freedom in order to achieve the above-mentioned goals as well as their highest goals of life, and to freely express their views and opinions when needed. This article discusses this topic from various aspects. The article first provides some examples of the early Islamic era in proving women's right to vote and their freedom to exercise this right and then discusses women's need for this right, and finally, the traditional approach of the Afghan people with granting women the right to vote is discussed.

| KEYWORDS

Women's Rights, Vote and Opinion, Islamic Law, Afghan Culture.

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1. Introduction

Women make up half of human society and play an important role in the growth and development of society, as human society and social and family order have an undeniable need for women.

In the same way, women in their lives and in meeting their human needs need to enjoy the same rights as men. Therefore, women, as human beings, have different rights from the perspective of Islam, including the right to vote and express an opinion and the free use of their vote and opinion in various social, political, and cultural areas.

1.1 Problem Statement

The fundamental problem in Afghan society is the lack of respect for women's right to vote and express an opinion; even some people believe that Islam has not given women the right to vote and express an opinion, as the deprivation of women of this right has led to many social, economic, political and cultural problems in this society.

1.2 Significance of the Research

The significance and necessity of this research lie in the fact that the Afghan society does not give women the right to vote, and women are deprived of freedom of expression and opinion, leading to various problems and difficulties facing women in this society. Women do not have the freedom to contribute to the formation of their family, to play a role in their political destiny, and to decide freely about their human needs. Therefore, it is necessary to discuss this issue from the perspective of Islam in order to make it clear that Islam has given women the right to vote and freedom in its use and to explain that the dealings and attitudes of some people in depriving women of the right to vote and express an opinion is considered an unpleasant and wrong act from the point of view of Islamic teachings.

Women, on behalf of other women, can convey their message to the higher authorities and make representations on their behalf, make their voices heard, and defend their rights. This representation of women is, in fact, having the right to vote and represent the right of other women to vote and express their opinion. If a woman does not have the right to vote and express her opinion, how can she be the representative of the voice and opinion of other women? An official also addresses a few women on behalf of all women and obliges them to convey this message to other women. It is narrated in a hadith:

[عن أسماء بنت يزيد أن رسول الله صلى الله عليه وسلم خرج إلى النساء وأنا معهن فقال يا معشر النساء إنكن أكثر حطب جهنم فنادت رسول الله صلى الله عليه وسلم وكننت عليه جريئة لم يا رسول الله قال لأنكن تكثرن اللعن وتكفرن العشير⁷]

Asma bint Yazid narrated that the Messenger of Allah (ﷺ) went out to the women while I was with them and said: "O women! the majority of the dwellers of Hell-Fire were you (women)." I asked, "O Allah's Apostle! What is the reason for it?" He replied, "You curse frequently and are ungrateful to your husbands."

This hadith clearly proves that women can appoint a representative to express their opinion and convey their message and voice to the authorities and protect their rights.

- **A Woman Interjecting and Correcting Umar ibn al-Khattab**

Hazrat Umar ibn al-Khattab (RA) once criticized excessive dowries of women during a sermon to the people and said: "Do not exaggerate in the dowries of women. If doing so was honorable in this world or Taqwa before Allah, then Allah's Prophet would have been the first of you to do it. I do not know of the Messenger of Allah marrying any of his women nor giving any of his daughters in marriage for more than twelve Uqiyah.⁸" A woman objected to this and said: "Have you not heard Allah's statement: [وَإِنْ أَرَدْتُمْ اسْتِبْدَالَ زَوْجٍ مَكَانَ زَوْجٍ وَأَنْتُمْ إِخْدَاهُنَّ قِنطَارًا فَلَا تَأْخُذُوا مِنْهُ شَيْئًا أَنْتُمْ أَخَذْتُمْهُ بُهْتَانًا وَإِنَّمَا مِيبَتًا.]⁹ Allah said, "If you desire to replace a wife with another and you have given the former (even) a stack of gold or a great amount (as a dowry), do not take any of it back. Would you (still) take it unjustly and very sinfully?"

When the woman objected to him by quoting a verse from the Qur'an, Umar ibn al-Khattab said: "Indeed, a woman has disputed Umar, and she has defeated him." In another narration, Umar said, "The woman is right, and the man is wrong."¹⁰

This story is a definite sign that a Muslim woman has the freedom to vote and can express her opinion in the presence of the ruler or reject his statement and express his mistake in public.

Also, When the statement or views of the ruler is criticized, it is obligatory for him to hear the opinion of the other side and, if it is correct, to declare its correctness and take back his word, and if it is incorrect, to declare that it is incorrect.

- **Harassment of Human Beings for the Sake of Voting is Not Permissible**

Women have the right to freedom of opinion and expression and use it when necessary. They can express their views in the presence of parents, rulers and judges, and ordinary people, as they can use their vote to assert their rights and to protect and defend their position. This freedom of opinion is given and supported by Islam; no individual or institution has the right to silence and stifle a woman's voice and harass her for voting. As mentioned, women have used their votes in all areas and have clearly stated their position; In the presence of the Prophet of Islam, in the presence of the Muslim caliph and ruler, in the presence of their father, etc., no one has harassed or silenced them for that. Therefore, if the voice of truth is raised by everyone, including women, and they express their opinion and take a position on a political or social issue, their voice and opinion must be respected, and their correct and sound words and views must be accepted.

Women have this freedom of opinion as long as they observe the limits and rules of freedom of voting, and if they go beyond the sharia rules and Islamic and human principles and the use of their free vote causes sedition (Fitna) and crisis, then in order to ensure the expediency and prevent the emergence of Fasad or social corruption, such as freedom of opinion to harass others or create sedition or violation of religious rights or mock the religion and devalue its rules or call for war etc... Because by doing so, the rights of others will be violated and chaos will appear, and the peace and comfort of the society will be disturbed.

- **Women's Need for Having the Right to Vote**

⁷ Fathul-Bari: Vol 2. Page 468

⁸ Ounce: A unit of weight equal to 437.5 grains or 1/16 pound (28.35 grams) avoirdupois.

⁹ Surah An-Nisa: Verse 20

¹⁰ Tafsir al-Qurtubi: Vol 5. Page 99

What is important in human society are social interactions, business dealings, choosing political leadership, choosing a desired job, forming family life, and making independent decisions in various areas of life. The realization of all these values depends on having the right to vote and freedom in the use of votes and opinions. As long as a person does not enjoy the privilege of freedom of opinion and expression, s/he cannot do anything in these areas according to her/his own will.

4. Giving Consultation

One of the most important things for Muslims, whether men or women, is giving accurate consultations to each other, as Allah Almighty has said: [وَأْمُرْهُمْ شُورَىٰ بَيْنَهُمْ].¹¹ "Conduct their affairs by mutual consultation."

Allah (swt) also commanded His Messenger (ﷺ) to consult with his followers: [وَشَاوِرْهُمْ فِي الْأَمْرِ].¹² "And consult with them in conducting matters."

Allah's Apostle (ﷺ) consulted with his wife Umm Salama during the event of the Treaty of Hudaibiyyah, listened to her and acted on that, and this consultation and opinion of Umm Salama solved the relevant problem.

Therefore, consultation is a religious obligation and doing that requires the freedom of Muslims to exercise their vote and express their opinion.

5. Acquisition and Delivery of Knowledge

Acquiring knowledge of religious matters is one of the Islamic duties, and the right understanding of religion and ijihad in the issues that fall within the scope of ijihad requires the mujtahid to express his ijihadi opinion on these issues. If a religious scholar does not have the freedom to vote and express his opinion, he will not be able to practice ijihad and inference in Islamic matters, and a process such as ijihad depends on having the right to vote.

Like men, women are also obliged to deliver their knowledge to others and state the facts and realities and stand by men in the field of enlightenment and the development of virtues. The realization of such things also requires having opinions and freedom of expression. Similarly, testifying in cases where there is a need to testify requires having the right to vote and express an opinion.

6. Women's Role in Leadership Selection

Today, a sensible and efficient way to determine a country's leadership is the elections.

The selection of the head of state and the ruler of a country through this method depends on the use of votes. Individuals of nations, both men and women, go to the polls, and all use their votes to determine their country's leadership. In this process, men and women have equal rights. If women's vote is not valued and they do not have the right to vote in determining the leadership of their country, how can the head of government be elected and represent his/her people properly and feel responsible for them?

Similarly, other areas of life depend on having the right to vote and freedom in its use, and women in all these areas, like men, need to have a vote and to freely use that.

7. The Status of Voting Rights for Women in Afghan Society

The people of Afghanistan are Muslims and, according to Islam, are obliged to follow Islamic teachings in all areas of life, particularly in dealing with women and believing in and respecting their rights. However, the treatment of women in Afghan society varies according to regional differences. Women are not treated the same in all areas, as in many rural and suburban areas, women are not given the opportunity to participate in elections and use their vote in electing the president as well as members of parliament and provincial councils.

This is while Islam gives women the right to use their vote in this process, just as women in the early days of Islam pledged allegiance directly to the Messenger of Allah.

Also, most families do not seek the opinion of girls when their suitor comes to them, and their opinions are not valued at all. The decision of the family, particularly the father and big brother, is the final word in this case, whether the daughter is satisfied or not. Overall, women are not given the opportunity to vote and express their opinion on family matters necessarily, and they are not consulted at all.

¹¹ Surah Ash-Shura, Verse-38

¹² Surah Al Imran, Verse-159

On the other hand, if a woman is constantly oppressed and deprived of her human rights in her husband's house, according to local custom and culture, she does not give herself the right to raise her voice against oppression and demand her rights and free herself from oppression. While Islam has given her this right, as mentioned earlier.

However, this treatment or deprivation of women and girls of the right to vote and opinion is not the same in rural areas, there are many families who treat married girls and women like urban families, and the votes and opinions of married girls and women are valued. In urban areas, dealing with women is more appropriate and logical than in rural areas and relatively compatible with Islam. In most urban families, married girls and women are given the opportunity to participate in elections and use their votes. Girls are also given the opportunity, directly or indirectly, to choose and express their opinion during courtship. Therefore, unlike in rural areas, in most urban families, women's and girls' opinions and positions are respected and taken into consideration in social and family issues.

While the people of Afghanistan are Muslims and their social and family attitudes and approaches must necessarily be subject to Islamic teachings, the customs and traditions of the past have remained in this land and have been passed down from one generation to another, as it has become so valuable to many people to the degree that they do not value the teachings of Islamic law against it, and even consider the behavior and treatment resulting from their traditions as Islamic, and consider opposition to it as even opposition and disobedience to Islam.

8. Conclusion

After studying the early days of Islam regarding this issue and the guidance of the Prophet Muhammad (PBUH) and studying the customs and traditions of the Afghan society regarding women's right to vote and express an opinion and its use by them in various fields, we can conclude the following results:

- ✓ Islam has given women the right to vote and express an opinion, and they can exercise it freely when needed.
- ✓ In the early days of Islam, women practically used their votes and opinions.
- ✓ The Prophet Muhammad (PBUH) consulted women, and women expressed their opinions in the presence of the Messenger of Allah (PBUH), as their views and opinions were respected.
- ✓ The companions of the Messenger of Allah, following the actions of the Prophet (PBUH), gave women the right to vote and express an opinion, respected their views and did not stifle their voices.
- ✓ Women, like men, need to have a voice and be free to use it to meet their needs, address problems, and fulfill their responsibilities.
- ✓ The treatment of this right is different in Afghan society; in many rural areas, women do not have the right to vote and express an opinion, as women cannot freely use their votes and views. But in most Afghan cities, women are allowed to vote and have the right to vote.

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