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ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD

Course: Perspective of Women's Rights in Islam (9168/880) • Level: BS/MSc

Semester: Autumn 2026

Assignment No. 1 (Units 1–5)

Total Marks: 100 • Pass Marks: 50

SOLVED ASSIGNMENT GUIDE

(For Study & Reference)

Note: This guide is prepared for study and reference purposes. Students are advised to read the relevant units of the course book, understand the concepts, and write the assignment in their own words. Copying this guide word for word is not recommended.

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Question 1: Human Rights and Women's Rights — How the Two Concepts Differ (20 Marks)

Explain how the concept of Human Rights is different from Women's Rights?

Introduction

Human rights and women's rights are closely related ideas, and in everyday discussion the two terms are often used as if they meant exactly the same thing. In fact they do not. Human rights is the wider, universal concept: it covers the rights of every human being simply because he or she is human. Women's rights is a specific, focused concept: it draws attention to the rights of one half of humanity — women — whose enjoyment of those universal rights has historically been denied, restricted or ignored in practice. Understanding the difference between the two concepts is the starting point of this course, because the whole argument for women's rights rests on a simple observation: declaring that 'all human beings' have rights did not, by itself, guarantee that women actually received them.

The modern language of human rights developed after the Second World War, above all in the Universal Declaration of Human Rights, adopted by the United Nations in 1948, which announced that all human beings are born free and equal in dignity and rights. The language of

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women's rights developed both earlier and later: earlier, in the women's movements of the nineteenth and early twentieth centuries that demanded education, property rights and the vote; and later, in documents such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979, which translated the universal promise into specific obligations concerning women. This answer first defines each concept, then compares them point by point, and finally explains why women's rights are best understood not as something separate from human rights, but as the necessary completion of them.

The Concept of Human Rights

Human rights are the basic rights and freedoms to which every person is entitled by virtue of being human, regardless of sex, race, religion, language, nationality, wealth or any other status. They include civil and political rights, such as the right to life, liberty, a fair trial, freedom of expression and freedom of religion; economic, social and cultural rights, such as the right to education, health, work and an adequate standard of living; and collective or solidarity rights, such as the right to development and to a clean environment. Four features define the concept. First, human rights are universal: they belong to everyone, everywhere. Second, they are inalienable: they cannot be taken away, although some may be limited by law in exceptional circumstances. Third, they are indivisible and interdependent: one right cannot be fully enjoyed without the others, so education supports political participation, and health supports the right to work. Fourth, they are primarily claims against the state, which bears the duty to respect, protect and fulfil them.

Historically, human rights were usually expressed in general and apparently neutral language. The great declarations spoke of 'man', 'mankind', 'everyone' and 'no one'. Feminist scholars

later pointed out that this neutrality was often only formal. The 'universal human being' imagined by law and political theory was, in practice, very often a male property-owner: he could vote, own land, sign contracts, move freely and appear in public, while the women of the same society could do none of these things, or could do them only through a father, husband or son. In other words, the concept of human rights was universal in wording but incomplete in application, and it is precisely that gap which produced the separate concept of women's rights.

The Concept of Women's Rights

Women's rights are the rights claimed for women and girls, with the specific aim of removing the discrimination, exclusion and violence that have prevented women from enjoying human rights on an equal basis with men. The concept includes the same substance as human rights — life, education, health, work, political participation and freedom from violence — but it examines every one of those rights through the question: does a woman actually enjoy this right in the real conditions of her life? For example, a constitution may grant 'everyone' the right to education, yet in a particular district girls may leave school early because of distance, cost, early marriage or household duties. A general human rights approach records that a right to education exists; a women's rights approach asks why it is not reaching girls and what specific measures — safe transport, female teachers, stipends, enforcement of the minimum age of marriage — are required to make it real.

Women's rights therefore also cover matters that rarely appear in general human rights discussion, because they arise from women's specific social position and biological role: reproductive and maternal health, protection from harmful customary practices, equal rights in marriage and divorce, the right to inherit and own property in practice and not only on paper,

protection from domestic violence and harassment, and fair representation in decision-making bodies. The famous slogan adopted at the Vienna World Conference on Human Rights in 1993 summarises the relationship: 'women's rights are human rights'. The slogan does not claim that women need an entirely different set of rights; it claims that human rights are incomplete until women's experience is placed at their centre.

Table 1: Human rights and women's rights compared

Aspect	Human Rights	Women's Rights
Scope	All human beings, without distinction	Women and girls specifically, as a historically disadvantaged group
Main purpose	Protect the dignity and freedom of every person	Remove discrimination so that women actually enjoy human rights equally
Typical focus	The individual against the state; public life	Public and private life, including family, custom and workplace
Key documents	Universal Declaration of Human Rights (1948); the two Covenants of 1966	CEDAW (1979); Beijing Platform for Action (1995); national women's protection laws
Typical violations discussed	Torture, arbitrary arrest, censorship, denial of education or health	Domestic violence, denial of inheritance, early marriage, harassment, unequal pay, exclusion from decisions
Remedies emphasised	General legal protection for everyone	General protection plus special measures: quotas, shelters, targeted schemes, awareness

The Main Differences Explained

- Difference of scope and subject. Human rights belong to the whole of humanity; women's rights single out women as their subject. This is not favouritism. It follows the principle that treating unequals identically can preserve inequality: where one group starts from a disadvantaged position, specific attention and sometimes temporary special measures are needed to reach genuine equality.

- Difference of origin and history. The human rights concept grew out of natural law, liberal political theory and the post-1945 international order. The women's rights concept grew out of women's own movements — the campaigns for girls' schooling, for married women's property rights, for suffrage in the early twentieth century, and for protection from violence in the later twentieth century. Its history is therefore a history of struggle against specific exclusions, not only a history of general declarations.
- Difference in the public–private divide. Classical human rights law concentrated on the public sphere: what the state does to the citizen. Much of the harm women suffer occurs in the so-called private sphere — inside the home, within marriage, or under custom and religion as locally interpreted — where the state historically refused to intervene. Women's rights deliberately breaks the public–private divide by insisting that domestic violence, marital coercion and denial of food, health care or education within the family are rights violations, not private family matters.
- Difference of emphasis: formal equality versus substantive equality. Human rights law traditionally emphasises formal equality — the same law for everyone. Women's rights emphasises substantive or real equality — equal outcomes in lived experience. A law that allows 'any person' to contest an election is formally equal; a women's rights analysis notes that without money, mobility, party tickets and safety from character attacks, very few women can actually contest, and it therefore supports measures such as reserved seats and party quotas.
- Difference in the violations and remedies highlighted. Because women's disadvantage follows particular patterns, women's rights instruments name violations that general

instruments left unnamed, and they prescribe particular remedies: criminalising domestic violence, registering marriages, guaranteeing maternity protection without loss of employment, ensuring girls' inheritance shares are actually delivered, and collecting data separately for women and men so that hidden gaps become visible.

Why a Separate Concept Became Necessary

It is reasonable to ask: if human rights already belong to everyone, why was a separate concept needed at all? The historical record supplies the answer. For long periods, women were denied the vote in states that called themselves democracies; married women could not hold property separately from their husbands under several legal systems; girls were the first to be withdrawn from school in times of poverty; and violence inside the home was treated as a husband's privilege or a family secret rather than a crime. In each case the universal language existed, yet the protection did not reach women, because laws were written, interpreted and enforced by institutions from which women were largely absent. The separate concept of women's rights was therefore not created to divide humanity, but to expose the distance between the universal promise and women's reality, and to create specific duties, institutions and movements to close that distance.

Critics sometimes argue that a separate women's rights discourse fragments human rights, encourages a competition of victimhood, or imports one culture's model of family life into another. These concerns deserve a fair hearing, and they are discussed throughout this course, particularly in relation to religion and custom. The balanced position adopted by most scholars is that women's rights should remain firmly inside the human rights framework — the 1993 Vienna Declaration states exactly this — while retaining its distinctive focus, because a focus is

not a separation. Just as child rights are human rights with a necessary special focus on children, women's rights are human rights with a necessary special focus on women.

Conclusion

To conclude, human rights and women's rights differ in scope, history, focus and method, but they share one foundation: the equal dignity of the human person. Human rights is the universal concept, addressed to every person and primarily to the state; women's rights is the corrective and completing concept, addressed to the specific barriers — legal, customary, economic and private — that have kept women from enjoying the universal promise. The first supplies the principle, the second supplies the diagnosis and the remedy. A society can therefore judge the truth of its human rights claims by a simple test proposed by the women's rights movement itself: look at how its women actually live, learn, own, decide and move, and the real state of human rights will be visible there.

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Question 2: Feminist Questions and Christian Beliefs — A Critical Evaluation (20 Marks)

Critically evaluate the impact of feminists' questions on the Christian beliefs.

Introduction

Of all the encounters between modern thought and religion, few have been as searching as the encounter between feminism and Christianity. From the nineteenth century onwards, women who had been formed inside Christian churches began to ask direct questions of Christian belief: Why is God almost always spoken of as 'He'? Why did the Church for centuries teach that woman was created second, from man's rib, and was responsible for the entry of sin into the world? Why are women excluded from priesthood and senior leadership in most traditions if, as

the New Testament says, in Christ there is 'neither male nor female'? Why were passages commanding wives' submission preached so often, while passages about mutual love and honour were preached so rarely? These questions — about God, scripture, creation, sin, salvation and the Church — are what this answer calls 'feminists' questions', and its task is to evaluate critically, that is fairly and with evidence on both sides, what impact they have had on Christian beliefs.

The impact has been neither simple destruction nor simple acceptance. In some areas feminist questioning has produced real reform inside the churches; in others it has produced sharp resistance and a reassertion of traditional teaching; and in still others it has produced new forms of theology and spirituality, some within Christianity and some beyond it. A critical evaluation must therefore distinguish between different beliefs, different churches and different kinds of feminism, and avoid the two easiest errors: claiming that feminism has refuted Christianity, or claiming that it has changed nothing.

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The Main Feminist Questions Addressed to Christianity

The first set of questions concerns the image and language of God. Feminist theologians such as Mary Daly argued that exclusively masculine language for God — Father, King, Lord, 'He' — is not a harmless convention: 'if God is male, then the male is God', as Daly's famous sentence puts it, so male authority in church and family appears divinely approved. They pointed to biblical images that are feminine or maternal — God comforting 'as a mother comforts her child', the wisdom figure of Sophia, Jesus comparing himself to a hen gathering her chicks — and asked why these were marginalised. The second set of questions concerns scripture and its interpretation. Elizabeth Cady Stanton's 'The Woman's Bible' (1895) already argued that

passages degrading women reflected the patriarchal culture of their interpreters as much as the text itself, and later scholars distinguished between what the Bible records about a patriarchal society and what it teaches as permanent truth.

The third set concerns creation and sin. The Genesis accounts were read for centuries in a way that made Eve the gateway of sin and justified women's subordination as part of the created order or of the punishment for the Fall. Feminist readers replied that Genesis 1 declares male and female equally created in the image of God, that the Hebrew word for the 'helper' given to Adam is elsewhere used of God himself and implies no inferiority, and that blaming Eve while excusing Adam is a selective reading. The fourth set concerns Christ and salvation: could a male saviour save women, as Rosemary Radford Ruether asked, and is the maleness of Jesus a permanent theological fact or a fact of his historical humanity? The fifth set is practical and doctrinal at once: the exclusion of women from ordained ministry, from preaching and from governance, defended in some traditions by appeal to creation order and in others by appeal to tradition. Behind all five sets stands one methodological question: whose experience has counted as the human experience from which doctrine was built?

Positive Impact: Reform, Recovery and Renewal

The clearest positive impact is the recovery of women in Christian history and scripture. Feminist scholarship restored to view the women of the Bible and the early Church — Deborah the judge, Huldah the prophet, Mary Magdalene, described in early tradition as 'apostle to the apostles', Junia, named among the apostles in Romans 16, Phoebe the deacon, Priscilla the teacher, and the countless unnamed women who funded, hosted and sustained the early communities. What had been treated as decoration became evidence: Christianity's own

sources contain a richer account of women's religious agency than later practice allowed. This recovery changed preaching, religious education and ordinary believers' self-understanding in many churches.

A second positive impact is institutional reform. During the twentieth century, most mainline Protestant churches opened ordained ministry to women, the Church of England admitted women as priests in 1994 and as bishops from 2014, and many churches revised marriage services, hymnals and liturgies to use more inclusive language and to remove promises of one-sided obedience. Even traditions that retained a male priesthood, such as the Roman Catholic and Orthodox churches, issued significant re-readings: Catholic teaching after the Second Vatican Council affirmed the equal dignity of women with new emphasis, and papal letters such as 'Mulieris Dignitatem' (1988) presented women's dignity in strongly positive terms while retaining traditional conclusions on ordination. A third impact is ethical: under sustained feminist questioning, churches were compelled to confront domestic violence, sexual abuse and the misuse of 'submission' texts to excuse cruelty. Safeguarding rules, pastoral guidance and public statements that violence against wives is sinful and criminal are now common in traditions where silence once prevailed — a change for which feminist pressure, inside and outside the churches, deserves much of the credit.

A fourth impact is theological enrichment. Feminist theology widened the stock of images for God, recovered the wisdom tradition, developed theologies of embodiment, care and mutuality, and connected doctrine to the daily experience of ordinary women, much as liberation theology had connected it to the experience of the poor. For many Christian women,

the result was not loss of faith but a deeper and more honest faith, in which equality was experienced as a biblical promise rather than a foreign import.

Critical Side: Resistance, Division and Departure

A critical evaluation must also record the negative and divisive effects. First, feminist questioning contributed to serious internal division. Debates over women's ordination and inclusive language split congregations and, in some cases, denominations; traditionalist groups formed in reaction, and 'complementarian' theology — teaching equal worth with permanently different roles — was systematised partly as an answer to feminist egalitarianism. Second, some churches experienced the questions as an external political programme rather than an internal search for truth, and reacted defensively, so that discussion of even moderate reforms became polarised. Third, at its radical edge, feminist critique moved beyond reform altogether: Mary Daly eventually rejected Christianity as irredeemably patriarchal, and post-Christian and Goddess movements attracted some women who concluded that the tradition could not be repaired. From the churches' point of view, this was a real loss of members and of credibility, especially among educated younger women.

Critics within Christianity also raise substantive objections that an honest evaluation must state. They argue that some feminist readings treat scripture as a merely human and patriarchal document, dissolving its authority; that replacing the revealed names of God risks remaking God in a human image, the very error feminists attribute to patriarchy; that the historical Jesus and the apostolic practice cannot be set aside without changing the nature of the faith; and that liberal Western feminism sometimes ignored the faith of women in Africa, Asia and Latin America, many of whom sought dignity and safety without wanting their churches' doctrines

overturned. Scholars from the majority world — 'womanist' theologians among Black women and 'mujerista' theologians among Latinas — made a related criticism of feminism itself: its questions were framed by relatively privileged women and neglected race, poverty and colonialism. The impact of feminist questions was therefore double-edged even among women.

Overall Assessment

Weighing the evidence, three conclusions can be defended. First, the impact on belief has been deepest where the questions were exegetical and historical — about texts, images and forgotten women — because there the evidence could be examined by all sides, and much of the recovery is now accepted well beyond feminist circles. Second, the impact on practice has been substantial but uneven: ordination, liturgy and safeguarding changed greatly in many Western churches, little in others, and hardly at all in some traditions, so no single sentence describes 'Christianity' as a whole. Third, the deepest lasting effect may be methodological: after the feminist questions, it is no longer possible for serious theology to proceed as if 'man' automatically includes woman, or as if doctrine had no social consequences. Even theologians who reject feminist conclusions now answer feminist questions, define their terms against them, and give reasons where their predecessors simply assumed. A question that every later thinker must answer has, by that fact alone, changed the belief-system it addressed.

Conclusion

To conclude, feminists' questions have acted on Christian beliefs as both a challenge and a gift. They exposed how patriarchal cultures had narrowed the tradition's own sources, recovered women's presence in scripture and history, drove reforms in ministry, language and protection from abuse, and forced a permanent change in how theology is done. At the same time they

provoked division, defensive traditionalism and, at the radical edge, departure from Christianity itself, and they were themselves criticised for cultural narrowness. The critical verdict is therefore mixed but significant: Christianity after these questions is not the same as Christianity before them — in many places more self-critical, more inclusive and more alert to abuse; in others more polarised — and the conversation the questions began remains unfinished.

Question 3: Feminists on the Negative Side of Religions and Religious Imagination (20 Marks)

In what ways do feminists explain the negative side of the religions and religious imagination? Discuss.

Introduction

By 'religious imagination' is meant the whole world of images, stories, symbols and pictures through which a religion imagines the sacred and humanity's place before it: how God is pictured, how the first man and woman are described, who the heroes and villains of the sacred stories are, what heaven and punishment look like, and who may stand at the altar, preach, interpret and lead. Feminist writers argue that this imagination is never neutral. Because the great religions took shape in patriarchal societies and their texts, art and institutions were produced overwhelmingly by men, their imaginations absorbed the assumptions of those societies — and then, more powerfully, returned those assumptions to society stamped with divine authority. This answer explains, in the feminists' own terms, the main ways in which they describe the negative side of religions and of religious imagination, while noting at the end the qualifications that balanced scholarship adds.

It is important at the outset to state what most feminist writers are and are not claiming. They are not usually claiming that ordinary believers are wicked, or that religion gives people nothing of value; many feminist theologians are themselves believers. Their claim is structural: that in their historical forms, religions have frequently imagined the sacred in male terms, cast woman as secondary, dangerous or impure, and thereby taught both men and women, from childhood, to accept women's subordination as natural and holy. The negative side, in their account, works less by direct command than by imagination – by the stories repeated, the pictures seen and the words heard every week until they feel like common sense.

A Male God and a Male Sacred World

The first and most famous line of criticism concerns the gender of the sacred itself. In the dominant imagery of Judaism, Christianity and Islam as popularly presented, God is addressed in masculine language, pictured (where pictures are allowed) as an elderly father or king, and served by male prophets, priests, apostles and saints, while female figures appear in a small number of approved roles: the obedient virgin, the devoted mother, the repentant sinner, or the temptress. Mary Daly's dictum, 'if God is male, then the male is God', expresses the feminist argument in one line: a religious imagination in which ultimate authority, wisdom and creative power are always 'He' inevitably teaches that authority, wisdom and creative power are naturally male on earth as well. The argument is not mainly about grammar; it is about what repeated symbols do to the minds of worshippers, including girls who never see anyone like themselves in the image of the divine or in its earthly representatives.

Related to this is the criticism of dualism. Feminist writers, following Simone de Beauvoir's analysis of woman as 'the Other', argue that religious imagination often organises the world

into ranked pairs — spirit over body, heaven over earth, reason over emotion, culture over nature, man over woman — and consistently places woman on the lower side: with the body, with nature, with emotion and with earth. Once woman is symbolically linked to the body and to nature, controlling her appears as part of the sacred task of controlling nature and the flesh, and her own spiritual capacity is doubted even by herself.

Sacred Stories That Blame and Subordinate Women

The second line of criticism concerns the foundational stories. Feminists across traditions point to the retelling of creation and fall narratives in which woman is created second and derivatively, is deceived first, tempts man, and is punished with subordination and pain — a story-pattern they argue has been used for millennia to present female inferiority not as a social arrangement but as the verdict of creation itself. They give parallel examples from other traditions as popularly taught: laws and commentaries that describe women as ritually impure for parts of every month and at childbirth; teaching that a woman's rebirth or salvation depends on serving a husband as a god; proverbs and sermons that present women's speech as fitna, disorder or danger; and heroic tales in which ideal women are silent, self-sacrificing and invisible, while assertive women appear as witches, temptresses or cautionary examples. The feminist point is about selection and emphasis as much as about content: traditions also contain strong, wise and honoured women, but the imagination transmitted to ordinary believers, they argue, systematically foregrounds the subordinating stories and backgrounds the liberating ones.

A further criticism is that religious imagination sacralises violence against women. When suffering is presented as spiritually beautiful and submission as the supreme female virtue, a

beaten wife may be counselled to endure patiently, a community may treat an 'honour' crime as understandable, and a girl may understand her own ambitions as selfishness. Feminist writers on pastoral care documented cases in which clergy, acting from this imagination, advised women to return to violent homes and pray harder. In this account, the negative side of religion is not only what it forbids women to do, but what it teaches them to accept.

Institutions, Interpretation and Exclusion

Third, feminists explain the negative side institutionally. In most traditions, women were excluded for centuries from literacy in the sacred languages, from seminaries and madrasas, from ordination and from the councils that define doctrine; consequently, the interpretation of texts, the writing of commentaries and law, and the production of religious art and literature were monopolised by men. This is what feminist scholars call androcentrism: male experience treated as the human norm, its products predictably reflect male interests and anxieties — detailed regulation of women's dress, movement, sexuality and speech, alongside comparatively little regulation of male conduct towards women. The imagination is then self-confirming: men imagine a sacred order in which men interpret, women internalise that imagination, and the resulting consent of women is quoted as proof that the order is natural.

Fourth, feminists argue that religious imagination polices women through the linked ideas of purity, modesty and honour. Where a family's or community's honour is imagined to reside in the bodies and conduct of its women, controls multiply: seclusion, dress codes enforced by shame, restrictions on travel, study and work, early marriage to 'settle' a girl before she can bring disgrace, and severe punishment of female — far more than male — sexual transgression. Feminists note the asymmetry as the tell-tale sign: an imagination genuinely concerned with

morality would address both sexes; one concerned with controlling women addresses mainly them, and dresses that control in the language of protection.

Psychological and Social Effects, and the Balanced Qualification

Fifth, feminists describe the internal, psychological negative side: internalised inferiority. A girl formed by an imagination in which God is always 'He', the founders are always men, the archetypal woman is either a silent saint or the cause of the Fall, and her own body is a source of impurity and temptation, may grow up doubting her intellect, her leadership and even her worth before God. Feminist psychologists and pastoral writers treat this as a spiritual injury, not merely a social disadvantage, because it reaches the level at which a person understands her own soul. Socially, the same imagination is said to delay reform: laws on inheritance, testimony, divorce, custody and violence are defended as sacred and unchangeable even when they originated as human interpretation in particular historical conditions, so that questioning a law is made to feel like questioning God.

A balanced discussion must add the qualifications that careful feminist scholars themselves make. Religious imagination is not one thing: the same traditions contain counter-images — a God who hears the cry of a slave woman, prophets who defend widows and orphans, women mystics and teachers of towering authority, and verses and stories that believers today use to argue for dignity and equality. Nor is imagination all-powerful: economics, law, education and politics also shape women's lives, and religion has repeatedly supplied the language of resistance to oppression as well as its justification. The strongest feminist claim is therefore not that religion is nothing but oppression, but that its dominant historical imagination has had a

powerful negative side — male-centred, blaming, controlling and internalised — which must be named before the tradition's own resources for equality can be honestly recovered.

Conclusion

To conclude, feminists explain the negative side of religions and religious imagination through a connected set of claims: that the sacred is imagined as male and male authority thereby sanctified; that foundational stories, as selectively re-told, blame woman for sin and fix her as secondary; that dualisms rank her with body and nature against spirit and reason; that male monopolies of interpretation turn one sex's experience into universal doctrine; that purity-and-honour codes control her in the name of protection; and that the whole system is internalised by women themselves and used to block legal reform. Discussed fairly, this is a critique of historical forms and dominant images more than of faith itself, and its constructive counterpart — re-reading sources, recovering women's figures and re-imagining the sacred in inclusive terms — is the subject of feminist theology, examined elsewhere in this course.

Question 4: Customary Laws as Barriers to Women's Rights (20 Marks)

Discuss how customary laws are creating barriers to achieve women's Rights?

Introduction

Alongside the written law of the state and the formal teachings of religion, most societies are also governed by a third system: custom. Customary law consists of the unwritten rules, practices and decisions of families, tribes, villages and communities that have been followed for so long that people treat them as binding law, often more binding than the constitution itself. In Pakistan, as in much of South Asia, Africa and the Pacific, a woman's real life — whether she studies, whom she marries, whether she inherits land, whether she may leave a violent home

— is decided less by the statute book than by custom enforced by elders, biradari and jirga or panchayat. This answer discusses how customary laws create barriers to women's rights: what these customs are, how they operate in the key areas of marriage, inheritance, mobility and justice, why they are so resistant to change, and what their effect is on the formal rights that women hold on paper.

A preliminary distinction matters. Not all custom is harmful: custom also sustains hospitality, mutual aid, respect for elders and community welfare, and many customs protect widows and orphans in practice. The barrier arises from those specific customary rules that distribute power, property and freedom unequally between men and women and that punish women who claim their formal rights. It is those rules, and the institutions that enforce them, that this answer examines.

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What Customary Law Is and How It Enforces Itself

Customary law has three features that make it a particularly strong barrier. First, it is unwritten and flexible in the hands of those who declare it, so its content is announced case by case by male elders who are themselves interested parties. Second, it is enforced socially rather than by the police: through shame, boycott, expulsion from the biradari, denial of marriage prospects for a woman's sisters, and in extreme cases violence. A family may fear its own community more than it fears any court. Third, custom wraps itself in the language of honour (izzat) and tradition, so that a demand for a legal right is reframed as an attack on the family's honour and on the community's identity. A daughter who claims her inheritance is not described as exercising a right recognised by both state law and Islam; she is described as greedy, shameless and influenced by outsiders. Under such pressure, most women 'voluntarily' surrender rights

that are formally theirs, which is why official statistics based on court cases greatly understate the barrier.

Barriers in Marriage, Inheritance and Economic Life

- Marriage customs. Practices recorded by Pakistan's human rights bodies include swara and vani, in which a girl is given in marriage to an opposing family to settle a feud; watta satta exchange marriages, in which a woman's security depends entirely on her brother's marriage surviving; marriage to the Quran, used in some landed families to keep a woman unmarried so that her share of land is never transferred out of the family; forced and under-age marriage arranged without the woman's consent; and the demand for heavy dowry or, in other regions, bride price that turns the woman into a transaction between men. Each practice treats the woman as a means of settling men's accounts or preserving men's property, and each contradicts her formal rights to consent, to a registered marriage and to legal protection.
- Inheritance and property. Both Islamic law and Pakistani statute give daughters, widows and mothers defined shares in inheritance. Custom defeats these shares in practice: daughters are pressed to sign relinquishment deeds in favour of brothers, often at the time of a parent's death when refusal seems heartless; women who inherit are not given possession or the produce of the land; mutation records omit female heirs; and a widow's share is treated as held 'for the family', meaning for her sons or brothers-in-law. The result, visible across rural Pakistan, is women's near-total economic dependence, which in turn makes every other right — to leave violence, to educate children, to refuse a marriage — practically unusable.

- Education, mobility and work. Customary expectations that a 'good' woman remains within the home, does not travel alone, does not mix with unrelated men and does not need schooling beyond basic literacy operate as unwritten law in many communities. They restrict school enrolment and continuation for girls, limit women's access to markets, banks, health facilities and courts (all of which require mobility and interaction), and confine women's work to unpaid family labour whose product they do not control. No statute imposes these restrictions; custom imposes them completely.
- Access to justice. Where a dispute or crime concerns a woman — violence, abduction, a contested marriage, a denied share — custom diverts it away from courts into jirgas and panchayats composed of men, which may 'settle' a rape or murder by exchanging women, impose fines payable to male relatives rather than to the victim, or order punishments that are themselves crimes, as in the notorious cases of karo-kari ('honour' killing). Pakistan's superior courts have repeatedly declared jirga decisions of this kind illegal, and the Criminal Law (Amendment) (Offences in the Name or Pretext of Honour) Act, 2016 removed the possibility of pardoning honour crimes through compromise; yet in areas where the state's writ is weak and custom strong, the parallel system continues, and women learn that seeking formal justice brings social death even when it brings legal victory.

Why Customary Barriers Persist

Several forces keep customary barriers in place. Custom serves material interests: land stays undivided and in male hands, labour stays cheap and controlled, and elders retain authority, so those who benefit have reason to defend the system as sacred tradition. Custom also fills a vacuum: where courts are slow, expensive and distant, and police unhelpful, the jirga is fast,

local and free, so even its victims use it. Low female literacy and lack of identity documents, bank accounts and independent income leave women without the practical tools that using formal law requires. Finally, custom and formal law are not always separate worlds: officials, police and even lower courts often share the community's assumptions and advise 'compromise', returning women to the very forum they escaped. Reformers therefore increasingly argue that the barrier is not custom in the abstract but a working alliance of custom, economic interest and weak state enforcement.

Against a purely negative picture, two points should be recorded. First, custom changes: practices once universal, such as prohibiting widow remarriage, have retreated in many areas under the pressure of education, urbanisation, media and religious teaching correctly understood — indeed in Pakistan many harmful customs, including denial of inheritance and marriage to the Qur'an, contradict Islamic law itself, and scholars and activists have used that fact effectively against them. Second, the formal law has begun to answer custom directly: the Prevention of Anti-Women Practices Act, 2011 criminalised swara, vani, marriage to the Qur'an and depriving women of inheritance, and provincial women's protection laws have followed. The continuing gap is one of implementation, which is precisely the measure of custom's remaining strength.

Conclusion

To conclude, customary laws create barriers to women's rights not mainly by contradicting the constitution in words, but by governing the real decisions of women's lives through social enforcement, the language of honour, male-controlled forums and control of property. They block consent in marriage, defeat inheritance shares that both religion and statute grant,

restrict education, mobility and work, and divert justice into settlements that treat women as compensation. A woman may therefore possess full rights in the statute book and almost none in her village on the same day. Overcoming the barrier requires more than new laws, though laws naming and punishing the practices are necessary; it requires enforcement that reaches the village, women's economic independence and documents in their own names, engagement with elders and religious scholars who can show that the harmful customs are custom, not faith, and sustained education through which a new generation's common sense about honour and rights is formed.

Question 5: Women's Rights in Christianity (20 Marks)

Discuss the women's rights in Christianity?

Introduction

Christianity's teaching on women contains, from its beginnings, two strands that have run through its whole history. One strand proclaims a striking equality: woman and man alike are created in the image of God, alike addressed by the gospel, alike baptised, and in Christ, in the words of St Paul, 'there is neither male nor female'. The other strand reflects the patriarchal societies in which the Church lived: household codes enjoining wives' submission, restrictions on women's teaching and speech in church, and centuries of law and custom in Christian societies that denied women property, education and public voice. To discuss women's rights in Christianity honestly is to trace both strands — the resources of dignity in the sources, the historical record of restriction, and the modern settlement in which most churches now affirm women's civil, educational and increasingly ecclesiastical rights, while differing among themselves on ordination and on the meaning of equality within marriage.

This answer proceeds in four steps. It first sets out what the Christian sources say about women's dignity and roles; second, it summarises the historical position of women under Christian societies and canon law; third, it describes the present-day position across the main traditions — education, work, marriage and divorce, property, leadership and ordination, and protection from violence; and finally it evaluates the overall picture.

Dignity and Roles in the Christian Sources

The Book of Genesis, shared with Judaism, gives the foundation text: 'God created man in his own image; male and female he created them', and gives the blessing and the mandate over creation to both alike. Genesis 2's account of woman formed from Adam's side was read by many classical commentators as signifying companionship rather than inferiority — from his side, near the heart, neither from the head to rule nor from the feet to be trampled, as a much-quoted medieval gloss puts it — although other readings, stressing that she was made 'for' Adam and named by him, supported subordination. The Gospels present Jesus in repeated, socially remarkable contact with women: speaking theology with the Samaritan woman at the well and with Martha, defending the woman taken in adultery against her accusers, accepting women disciples and supporters such as Mary Magdalene, Joanna and Susanna, and appearing first after the resurrection to women, who became the first witnesses sent to announce it. In a culture where women's testimony counted for little, the resurrection narratives' dependence on women witnesses has struck many scholars as a significant affirmation.

The letters of the New Testament contain both the baptismal declaration of Galatians 3:28 and passages that ordered the young churches along the patriarchal lines of their world: wives instructed to submit to husbands (with husbands simultaneously commanded to love their

wives 'as Christ loved the church', to honour them and never to be harsh with them), women instructed to be silent in some congregational settings and not to teach or hold authority over men in the text most debated today, 1 Timothy 2. Christian traditions differ on whether these instructions were permanent theology, pastoral arrangements for particular congregations, or accommodations to cultures that have changed. What is not in dispute is that the tradition's own canon also preserves women acting otherwise — Priscilla teaching, Phoebe serving as deacon and patron, Junia prominent among the apostles, the daughters of Philip prophesying — and that tension within the sources is the seed of all later debate.

The Historical Record in Christian Societies

In the centuries that followed, women's position in Christian societies combined real protections with real restrictions. The Church dignified marriage as a sacrament, insisted in principle on the free consent of both parties — a doctrine that, where enforced, protected girls against purely forced unions — defended widows, opposed the exposure of infant girls, and created in convents the one institution where women could live unmarried, be educated, govern communities and write theology: abbesses such as Hilda of Whitby and Hildegard of Bingen exercised authority recognised across Europe. Against this stand the restrictions: Roman and later European law, continued under Christian rulers, placed a married woman's property and legal personality largely under her husband (the English common-law doctrine of coverture survived into the nineteenth century); universities and the professions were closed; witchcraft prosecutions of the early modern period fell overwhelmingly on women; and ecclesiastical office, teaching authority and the interpretation of scripture remained male monopolies. The suffrage, married women's property and university reforms of the nineteenth and twentieth

centuries were won in Christian-majority societies often against the opposition of church authorities, though also frequently led by Christian women arguing from the faith itself — an important reminder that 'Christianity' in these debates names both the obstacle and, in other hands, the argument against it.

The Present-Day Position Across Traditions

- Civil, educational and economic rights. Today all mainstream Christian bodies affirm women's equal right to education, work, fair pay, property, inheritance, voting and public office, and churches run a large share of the world's girls' schools and women's hospitals. In Christian-majority states these rights are secured by general law, and no major church teaches that women may be denied them.
- Marriage, divorce and family. Christian teaching emphasises marriage as a covenant of mutual love and fidelity; the older one-sided language of wifely obedience has been removed from the marriage services of most Western churches, and mutual submission is the commonly preached ideal. Traditions differ on divorce: the Roman Catholic Church maintains the indissolubility of sacramental marriage (with annulment as its remedy), while Orthodox churches permit divorce and remarriage by pastoral economy, and most Protestant churches permit divorce, at least on grounds such as adultery and desertion, with remarriage. Within marriage, all major traditions now formally condemn domestic violence and teach that no text licenses it.
- Church leadership and ordination. Here the traditions genuinely divide. Most Lutheran, Reformed, Methodist, Baptist (in many countries), Anglican and Pentecostal churches ordain women as pastors and many as bishops; women lead denominations and theological

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colleges. The Roman Catholic Church reserves priestly ordination to men, teaching in 'Ordinatio Sacerdotalis' (1994) that it has no authority to change this, while employing women extensively in education, administration, religious orders and, increasingly, senior Vatican offices, and having opened the instituted ministries of lector and acolyte to women. Eastern Orthodox churches likewise retain a male priesthood while honouring women saints, monastics and, in some places, restoring discussion of the ancient order of deaconesses. Southern Baptist and other complementarian bodies teach male headship in home and church as a matter of doctrine. A discussion of 'women's rights in Christianity' must therefore specify which Christianity, because the ecclesiastical answer differs by tradition even where the civil answer does not.

- Protection from violence and abuse. Prompted by feminist criticism, public scandals and safeguarding inquiries, churches have adopted formal policies on domestic abuse, sexual harassment and the abuse of minors and vulnerable adults, with reporting duties and removal from ministry as sanctions. Implementation remains uneven and is a standing subject of criticism, but the doctrinal position — that abuse is sin and crime, never a husband's or minister's right — is now stated by effectively all traditions.

Evaluation

Evaluating the whole picture, three judgements are fair. First, Christianity's sources contain unusually strong resources for women's dignity — creation in God's image, the baptismal equality text, the women witnesses of the resurrection — and these resources, more than any external pressure alone, powered the internal movements that reformed Christian societies. Second, its historical institutions long taught and practised subordination, and the distance

between the sources' promise and the institutions' practice is the central fact any honest account must hold in both hands. Third, the modern position is best described as convergence on civil equality with continuing, openly argued difference on ecclesiastical office and on the theology of marriage. Students comparing traditions, as this course invites, will notice that the pattern — equal dignity affirmed, historical practice unequal, reform argued from within the tradition's own texts — is one that recurs, in different forms, in the study of Islam's perspective on women's rights as well.

Conclusion

To conclude, women's rights in Christianity rest theologically on the creation of woman equally in the image of God and on the declaration that in Christ the old divisions are overcome; they were historically restricted by patriarchal law, coverture, exclusion from education and office, and one-sided readings of the household texts; and they are today affirmed, in the civil and educational sphere, by virtually all churches, extended to full ordained ministry in many Protestant and Anglican traditions, and still debated in Catholic, Orthodox and complementarian settings, where equal dignity is taught alongside distinct roles. The discussion is therefore neither a simple story of oppression nor of liberation, but of a tradition arguing with itself, from its own scriptures, about what its founding affirmation of women's dignity requires in each new age.

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