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ON THE TESTIMONY OF WOMEN:



Asalaamu-Aleikum

I would like to know why two women are the equivalent on one man in an Islamic court. I thought we were different, but equal. Please reply with an in-depth explanation as to why this is.

Please bear in mind the following facts regarding this issue:

1. There are issues where only women's testimony is enough like those related to birth of a child, the period of suckling and weaning. In such cases, which are normally handled by the women, testimony of a single lady is accepted. For example, when a woman said, looking at a newly-wed couple: "I suckled you both", the Prophet (SAS) nullified their marriage and asked them to separate from each other.

2. Cases of serious nature, like that of fornication, adultery and rape attract a very hard punishment in Islam. Flogging a hundred times for unmarried couples and stoning to the married ones. To prove such an allegation, even two male witnesses are not enough, but four of them are required. Suppose those who witnessed were women alone. If the number of witnesses is doubled, less would be the chance for the implementation of this punishment. Many people do not object a lot to these ways of punishment but they do not realize how difficult it has been made in Islam, to prove such allegations.

3. The text (Surah Al-Baqara 2:282) which requires two female witnesses in place of one male witness, gives a clear reason for it i.e. "if one of them forgets, the other reminds her." Is this derogatory to the status of the women or is it a revealed secret about the nature of the women? Though much has been said about the difference between a man's brain and that of a woman but I would rather like to quote the latest research made about this issue. According to a survey, as published in Los Angeles Times (U.S.A) , made involving fifty men and women for quite a considerable time, the out come was as follows:

Man's mind is uni-focal while the women's mind is multi-focal. In other words, a man would be fully occupied with the task he is involved with; he may not be distracted by anything else while being engaged in his activity. On the other hand, a woman may be busy in kitchen work and she will be easily alert to a phone buzzer or her infants cry from the cradle. In a way she is found to be more sensitive and active in her dealings. Thus she has got a very praise worthy character but that is not so good for a case of testimony which requires more attention and concentration. What is wrong then, if a second woman is needed, only to remind her is she fails to deliver her testimony completely. So it is a case of verification of the testimony, not that of degradation to the status of the women at all.

4. In many other matters, the nature of women are considered. For example, the right of divorce is vested in the hand of the man while she is allowed to ask for divorce either directly or through a Qadi (Judge). Why? Because the women are kind-hearted human beings who are governed by their emotions, a character strongly needed for bringing up the children. On the other hand, man is governed by his mind more than his emotions. He would think twice but more than that before uttering the word "Talaq" (divorce). Even if he misuses this word (as noticed again and again) a long procedure following a divorce i.e. the Iddat period of a woman, allows him to retract the step he has taken. He can revoke that Talaq within this cooling period of approximately three months time.

To deny the difference between the two genders is a denial of truth. Allah who created us, gave us rulings according to our nature. And all is well as long as we go by the nature.



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