



# Women's Right Violation in the Name of Islam Teaching A Feminist Essentialist Criticism Reflected on "A Thousand Splendid Suns" Novel

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## Abstract

The topic of this study is women's human rights abuses in Afghanistan. Violations of women's human rights were used as the main object of this study because the idea of violating women's rights can be seen from the beginning to the end of the story of the novel "A Thousand Splendid Suns" written by Khaled Hosseini. The purpose of this study is to investigate more deeply the causes of unfair treatment for women in Afghanistan. This research uses *essentialist feminist* theory to examine what are the types of violations of women's rights and the causes of the unfair treatment received by women in Afghanistan. This theory will also be used to uncover what aspects cause society in Afghanistan to treat women differently. The results of this study indicate that there are two types of violations of women's human rights, namely domestic violence, and violations of social rights. The study also indicates that Afghans' misinterpretation of Islamic teachings is one of the causes of women's rights abuses in Afghanistan.

**Keywords:** Islamic teaching, *Feminist Essentialist*, Women's rights abuses

## Introduction

Gender belongs to a social category that refers to an individual's social, cultural, and biological meaning and identity (Astalini et al., 2021). Because men and women have different fundamental qualities, there is a choice effect between the two (Marzal et al., 2022). Gender is as societal expectations about men and women that have been constructed Through news, fiction or advertising. In this case, Mass media plays a role in gender socialization (Dwita, 2018). Cases of sexual violence, sexual harassment both physically,

psychologically, and symbolically, are widely disclosed and published through the media, showing the low understanding of adolescents on gender awareness and justice (Sokowati, 2021). Gender inequality in fulfilling access to basic needs can have a negative impact in all sectors. This gap hinders the highly qualified talents that exist in women (Aktaria & Handoko, 2012). Gender equality will decrease poverty, increase the education levels that can bring the world into more sustainable economy (Firmansyah & Sihaloho, 2021). Religious teachings are often regarded as the root



of all injustice, one of which is the issue of discrimination against women. In fact, the problem is a community tradition that is not in accordance with Islamic teachings, so it is more appropriate if the problem of gender discrimination is caused by religious and cultural interpretation factors (Qomariah & Saputra, 2020).

When a society made a label of how women and men should behave according to their gender, this condition will create a 'stereotypes'. Stereotypes often made up by binary opposition paradigm, which means a point of view that separate the words into two classifications that structurally contradictory (Rohmaniyah, 2014). For example, while women expected to be home to rise their children, men should work to provide their family, because women are weaker, they should work less than men. The assumption that the main task of women is to serve their husbands, their duties and functions are only to carry out work related to house work (Rahmayati et al., 2021). Also, there are different social expectations for women and men. From an early age, women are associated with being non-aggressive, subtle, dependent, passive, and non-decision-making, whereas boys are associated with being aggressive, active, independent, decision-making, and dominant (Subiyantoro et al., 2019). The characteristics of men stereotype is showing an independent character, strong personality, and ambitious. The stereotype for women includes cheerful, spoiled, and obedient (Cunandar, 2019). The perception of men is higher than the average value of women perception because men tend to have critical thinking skills towards material (Kurniawan et al., 2022). This kind of stereotypes can be seen as discrimination

because it creates a subordination to others.

The issues of women's inferiority in this research are the reason why the novel of *A Thousand Splendid Suns* by Khaled Hosseini is selected to be the research object of study because it possesses a clear case of women's inequality treatment in society, whether in the public places or private around their family. *A Thousand Splendid Suns* is a novel that tell a story of two women, Mariam and Laila. They are destined to meet each other by the hand of their abusive husband, Rasheed, without power to fight back. They live together to bear Rasheed iron hand each day until the point when Mariam cannot take it anymore. Sacrificing her own life to give Laila freedom is Mariam choice, because of the law that strongly protect men no matter what they do, Mariam statement will never be counted in the court resulting death penalty for her. The reasons why the book *A Thousand Splendid Suns* is chosen to be the object of study of this research is the way Khaled Hosseini portrays how women is being treated on an Islam society. Khaled Hosseini also success to bring his story to be hearth breaking when he clearly portrays how Laila and Mariam struggle of abuse in their household life, especially Mariam. Apart from those two reasons, this novel also depict interesting issue as how brave Laila and Mariam decide to rebel against the law and traditions by trying to escape their hard life.

This present study uses feminist essentialist criticism as underlying theory. Simone de Beauvoir is the proponent of Feminist Essentialist. De Beauvoir believes if Otherness is the basic category in human mind. She argues that women identity as Other and their isolation are based, partly, on her



physique-especially their capability on reproduction – and partly on division of labor based on their sex determined by their ability to conceive and raise a child (Humm, 1990). According to Simone de Beauvoir book, *The Second Sex* (1949) it can be seen that women life is divided into several stages. The first stage is childhood where the society is the one who put the label male or female to their children. Marriage is the next stage of women life where they have no equal status with their husband. Their unequal status then being emphasized by how the society does not see the wife as the part of the society as an individual. These women are expected to serve society within their house walls when they will interact with each other without knowing what actually happen outside. Not only tormented by the restriction in the society, they also have their own fear. These women fear to lose their husband favor when age catch them. They fear to lose everything when their husband does not see them as beautiful as when they are young. Nonetheless, as time pass, society gives more understanding for women. They finally allowed to feel a little freedom.

Using several previous studies, this research aims to make deeper understanding on how women are being treated unequally by the society. The first previous study is from Dr. Nongmaithem that talks about how strong women are in their life of oppression, they will reach the point that they will take their own fate. Second study is written by Shengai Li and Tingting Liu, with the purpose of study is to raise people awareness on how women in Afghanistan still treated unequally. The next study comes from Marzieh Gordan and Areej Saaf Almutairy, they talk about women resistance under patriarchal society. The next study used as reference is come from

Muhammad Imran Joiya, et. al. and Nurul Istikhomah. Both of the research describes women attitude when they respond to the patriarchal society oppression. The last study is written by D. Alice Ligoria. She explains that religion is the main factor of women unequal treatment in society.

### **Method**

While conducting this research, the researcher used qualitative research as research design because the main concern of this research is explaining the cause of Afghan people unequal treatment to women. The data and the source of data in this research are written document. The data taken in the novel, are related to the issues of religion aspect that influence Afghan society point of view toward women and laws that violated women's right. The instrument on this research is the data collected from the novel. Since the data resource of this research is a novel in other word a document, the researcher used document analysis as the method of collecting data. In this research the researcher used content analysis to analyses the data. Content analysis is a research tool used to determine the presence of certain words or concepts within texts or sets of texts (Busch, et al., 1994 - 2012, p. 2).

### **Results and Discussions**

Based on the underlying theory used, feminist essentialist, the finding and discussion will be divided according to women life stages. On each stage of women life, the current researcher discusses what kind of women right violation and what is the cause of the violation.

The first stage of women life is childhood. In their childhood they are being discriminated by treated differently from boys. It is experienced



by Laila and Aziza. Their parents neglect their obligation to give their children supervision, or protection in health, security and morality (Family and Children's Right, 2008). The reason why the parents failed to give their children supervision is first, Laila's mother forgets to pick up Laila so Laila is bullied by her friends. The second reason is when Aziza's father, Rasheed, he gives very different treatment to his children. When he showers his son with present, he wants to make his daughter to be a beggar. He also sends Aziza to orphanage and keep Zalmi, his son, with the family when they have economy crisis.

The cause that responsible of this discrimination is Quran 4:11 that talks about a son is valued as two daughters in receiving inheritance. Maybe these people are interpreting the verse as son should be valued more than daughter so they must give more than daughter. This interpretation cannot be right because according to Toward Understanding the Quran, the explanation of the Quran 4:11, sons receive more than daughter because they have responsibility to their family. They must feed their family, as women, they can live from their husband income. That is the reason why men or boys should receive the two portions of women or girls' inheritance.

Second stage of women life is marriage life. Women in Afghanistan does not have teenage life stage because they will be married off by their family if the family see them ready to be married off. Early marriage is a marriage that happens too soon at a young age, which is carried out by couples aged 18 years and under, both male and female. This is due to the low economic level, low education and inadequate access to information (Nurhayati & Kurniasari, 2020). This case is included as women

right violation because they are forced to marry in such a young age, or it can be called as children marriage. Girls are very vulnerable to being sexually exploited not only because of the lack of literacy in girls and the economic conditions of the family, but also because of their environment and social status. The lower the social status, especially the family's social status, the higher the potential to be manipulated, made into a sexual object, because socially in a powerless condition (Anggelia & Purwanti, 2020). The reason why these children cannot refuse the marriage is their father or head of the family has the final say in this decision and they can only agree. The impact of early marriage causes the quality of the household to not be in a superior performance both in terms of reproductive health, psychological and economic readiness of the family, thus bringing the impact of being vulnerable to divorce, and neglecting the quality of their children's education. Psychological maturity is lacking, problem solving methods are less thoughtful, doing homework is not optimal. Emotions are not stable in solving household problems that take turns (Julijanto, 2015). Another reason is some of Hadis in Islam teaching such as, Hadis narrated by Abu Daud no. 2083, Tirmidzi no. 1102, Ibnu Majah no. 1879 dan Ahmad 6: 66 "From 'Aisyah, she said, Rasulullah shallallahu 'alaihi wa sallam said, 'A married women without her guardian's permission then her marriage is invalid, invalid, invalid. And if they disputed then the government is a guardian for women who do not have a guardian'" (Menikah Tanpa Izin dengan Orangtua dalam Islam, 2018). This Hadis explains that a woman who marries without their guardian's permission, their marriage is invalid. Consequently,



they do not have any right to refuse the matchmaking from their family.

Another forced marriage is caused by pregnant out of matrimony. Premarital sexual behavior in adolescents is behavior that is driven by sexual desire with the opposite sex which is carried out without going through an official marriage process according to religion or according to law (Yudhaprawira & Uyun, 2018). This is happened to Laila when she finds out that she is pregnant and she accept Rasheed proposal to avoid stoning to death punishment. The base of this law is Hadis Sahih Muslim, 17: 4191 'Ubada b. as-Samit reported: Allah's Messenger (may peace be upon him) as saying: Receive (teaching) from me, receive (teaching) from me. Allah has ordained a way for those (women). When an unmarried male commits adultery with an unmarried female (they should receive) one hundred lashes and banishment for one year. And in case of married male committing adultery with a married female, they shall receive one hundred lashes and be stoned to death (Translation of Sahih Muslim, book 17: The Book Pertaining to Punishments Prescribed by Islam (Kitab Al-Hudud, 2011).

As it can be seen both of the case of forced marriage is a limited freedom of choice. Freedom of choice or the right or ability to choose whatever you want to do or have (Freedom of choice, 2018). The freedom of choice that violated is a freedom to choose the one they want to marry. As for Laila case, the law is restricting the choice to have children outside of wedlock and also threat people life just because they are pregnant out of wedlock.

In the stage of married life, women also experience domestic abuse or a violation against someone's partner in intimate relationship such as marital

relationship with purpose to gain control from others (Melinda Smith & Jeanne Segal, 2018). The domestic abuse consists of verbal, physical and sexual abuse. Verbal abuse is when Rasheed shaming Mariam in front of Laila. He deliberately tells Laila how Mariam is lower than them because she is an illegitimate child and come from a country side. The second abuse is physical abuse, reflected by how Mariam is afraid of Rasheed body language, especially when he touches his belt. Mariam alerted body language shows how often Rasheed abuse her, because her body reflects automatically when Rasheed show aggression to hit Mariam. The last abuse is sexual abuse. This abuse is depicted when Laila forcefully accepts Rasheed request of intercourse because she does not want Rasheed to hit Mariam. Laila wants to rescue Mariam from Rasheed physical abuse because Rasheed accuses Mariam to make Laila refuse his request of intercourse.

This abuse may be caused by Quran 4:34 that talks about husband right to punish their wife if their wife does something wrong. This verse interpretation may be used as the justification of their abusive action. While this verse gives the right for men to punish their wife, but physical punishment is not allowed. According to Toward Understanding the Quran, even the Prophet Muhammad does not agree on physical punishment and recommend to hit with something that will not leave any marks on body and not to hit across the face. According to the novel story line, what Rasheed do is wrong even Prophet Muhammad, does not do it.

The next stage of women life, is their social life. Women receive a lot of right violation. The first right violation is right to participate in society. It means that every human being has right to voice



their interest in society and the way of participation can be form of freedom of association. Freedom of association can be interpreted as every individual can participate in groups in the society, either formal or nonformal (Freedom of Association, n.d.). The violation against this right is when Rasheed forbids his wives to interact with his friends and forbid them to go out alone. Rasheed also asks his wives to wear burqa when the going out. This condition closes every chance of his wives, Mariam and Laila, to have a decent interaction with others. Once Laila meets her old friend, Tariq, Rasheed punish her by hit her. The reasons why Rasheed doing what he did to his wives because he wants to protect his pride as men and husband. He wants to protect his wives from other men's stare as described by Quran 24:30 that verse talks about how men should keep their gaze toward women because the gazing at women freely can be considered as adultery (Towards Understanding the Quran, n.d.).

This also considered to be a restriction of interaction because when women go outside with their husband, and meet another woman at the street they will not recognize each other because their body is covered. They also cannot recognize each other husband because they are being forbade to see other men, even if these women's husband is friends. As described before, women have no way of interaction. A woman who are living in polygamy family may have a better chance of interaction because they can interact with other wives, but women who live in monogamous family, they can be seen as prisoner because they have no way to interact with others but their husband.

Another right that being violated is freedom of movement. Freedom of movement here is 1) everyone has the

right to freedom of movement and residence within the borders of each State, 2) everyone has the right to leave any country, including his own, and to return to his country (Definitions of the right to freedom of movement, 2009). The case in the novel for violation against the right to freedom of movement is when Mariam and Laila try to escape to Peshawar. It is very difficult for them to try to escape because the current law of Afghanistan stated that every woman cannot leave their house alone without any male relatives. When they are caught, they are returned to their house. It seems that the law for travelling women is based on Fataawa al-Lajnah al-Daa'imah (17/339): It is haram for a woman to travel without a mahram in all cases, whether the journey is long or short (al-Munajjid, 2018). As quoted from The Telegraph (2011) Professor Akhtar-Ul-Wasay, former head of Islamic Studies at Delhi's Jamia Milia Islamia University said that the fatwa is no longer fit for modern era. When the Hadis being issued, the condition of the society is very traditional. There are no safe transportation and there are still so many wild animals so women cannot travel alone without their male relatives because they cannot protect themselves. Compared to the condition from the day when the Hadis is being issued to the Afghanistan condition around 1992 when the law is made the Hadis cannot be applied anymore because there are already has proper transportation for women to travel alone. The law of women travelling then not only violated their right to freedom of movement, it is also endangering them. When these women travel because they want to escape their abusive house, they will being send back to be tortured more. The chance of escape become none, because the government does not give them



chance to escape. The law of women travelling become worse when Taliban regime come. The women who are caught travelling alone will be beaten before returned to their home.

Another right violated in women social life is right to public service. According to Cambridge Dictionary public service is a service provided by the government, such as hospitals, schools, or the police. As seen in the data women has limited access for public services. The first public services that being limited for women is police protection. The police refuse to protect these women from the abuse they have been through. The police ignore women safety because the policy stated that police will not interfere with private family affairs.

The second public service denied for women is education. Education for women is being denied because of the perspective of the society see education for women is not important. The next public service is hospital. In the novel, when Taliban take control over in Afghanistan, the hospital for women is being closed and only leaving one hospital for women and they limit resource for the hospital for women. Not only ignoring the health for women, Taliban regime also ignoring the proper facility for women prison. The prison for women can be considered as uninhabitable, furthermore the prison warden does not provide food for the women prisoner. The last public service is court. In Afghanistan women cannot become witness for her own case if there are no men witnesses. The judges see women as less intelligent than men, so women cannot be trusted when they become the witness in the court.

The cause of the imbalance right in public services is also caused by Islam teaching in Holy Quran 4:11, which stated that woman is valued half of man.

As the right to become witness it is influenced by Holy Quran 2:282 "Two witnesses from among your men. And if there are not two men [available], then a man and two women from those whom you accept as witnesses-so that if one woman errs, then the other can remind her." This interpretation affects how women intelligent are seen in the public eyes. Women are seen as less intelligent than men because they are need two females as replacement of one man witness just like the quotes from Holy Quran above.

According to Dr. Taha Jaber Al-Alwani the interpretation of the verse is the actual women witness needed is just one. Two women needed as witness because if one woman become witness the other will be the guarantor to remind the actual witness if what she says is right or not. This verse also happens in the era when women are not the one who manage the transaction as Holy Quran 2:282 is verse that discuss about financial problem. The second woman witness here is a guarantor to make sure that the main witness said the truth without reducing or adding any other statement (Al-Alwani, n.d.).

The situation described in the Holy Quran verse cannot be applied in the Mariam's or other similar case. What if the woman kills people in self-defense when there are no witnesses. They will be punished because the judge cannot trust the sole women witness. They will be sent to jail because they want to protect themselves. In Mariam case, she is being sentenced to death.

## **Conclusion**

After the research on novel *A Thousand Splendid Suns* by Khaled Hosseini by using feminist essentialist, it can be concluded that Islam teaching is one of the strong factors that causes



women right violation in the novel. Nonetheless, it cannot be forgotten about the background of Afghanistan history itself. The wrong interpretation of Islam teaching that led women right violation in the novel actually caused by the society condition in that country. A different belief of Islam teaching among different tribal and their rejection toward modern Islam teaching interpretation is what makes women position in society is lesser than men.

This novel also can be seen as Khaled Hosseini's way to tell the world how helpless Afghan women life is. They cannot seek help to the police because they will not interfere with what men do to their families. Women also cannot seek help to others because they will be beaten if they walk out from their house. They also will be prisoned if they try to run from their family, their main abuser. Furthermore, they also cannot defend themselves in the court because they cannot be witness for their own case.

It can also be seen that Khaled Hosseini wants to brings people awareness about how some women still struggle from discrimination. These women being abused openly by the law in their country and no way to escape. They need to be protected and freed from the law and the mindset of the society where they life.

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