20051 - Why is the witness of one man considered to be equal to the witness of two women?

the question

Why is the witness of two women considered to be equal to the testimony of one man?

Detailed answer

Praise be to Allah.

What is meant by witness or testimony is something by which the thing testified may be proven and known to be true and correct, so it is information about it. With regard to the witness of two women being equal to the testimony of one man. Allaah has mentioned the wisdom behind specifying the number of two as being that a woman may forget or get confused, so the other woman can remind her, as He said:

"…And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her…"

[al-Baqarah 2:282 – interpretation of the meaning]

With regard to the phrase, "that if one of them (two women) errs", Ibn Katheer said: "This means, the two women, if one of them forgets the testimony, then 'the other can remind her', i.e., she can remind her about the matter concerning which testimony is being given." (Tafseer Ibn Katheer, part 1, p. 724)

Allaah has commanded the testimony of two women so as to be sure that they remember, because the mind and memory of two women takes the place of the mind and memory of one man. (See I'laam al-Muwaqqa'een, part 1, p. 75).

This does not mean that a woman does not understand or that she cannot remember things, but

she is weaker than man in these aspects – usually. Scientific and specialized studies have shown that men's minds are more perfect than those of women, and reality and experience bear witness to that. The books of knowledge are the best witness to that; the knowledge which has been transmitted by men and the ahaadeeth which have been memorized by men far outnumber those which have come via women.

This has to do with gender, i.e., the gender of men is more perfect than the gender of women. Allaah says (interpretation of the meaning):

"Men are the protectors and maintainers of women, because Allaah has made one of them to excel the other, and because they spend (to support them) from their means. Therefore the righteous women are devoutly obedient (to Allaah and to their husbands), and guard in the husband's absence what Allaah orders them to guard (e.g. their chastity and their husband's property)"

[al-Nisaa' 4:34]

Nevertheless, there are some women who are far superior to men in their reason and insight, but they are few, and the ruling is based on the majority and the usual cases.

A woman may compensate for her weaknesses by striving hard, and surpass men when they are negligent. Hence we find that in some colleges, female students surpass male students because of their greater efforts and their keenness to succeed when many of the male students are negligent and are not eager to learn. A man may also excel over a woman in some fields that are basically hers, so we find that some of the most skilled chefs, tailors, cosmeticians and obstetricians on the international level are men. The point is that usually – and no wise person would dispute this – most of the prominent people in the religious sciences, such as fiqh, hadeeth, tafseer, 'aqeedah and preaching, and in the worldly sciences such as medicine, astronomy, engineering, physics, chemistry, etc. are men.

If we think about the western societies in which men and women are regarded as equal in all aspects, we will find that despite that men still prevail. Still, Allaah has given women pre-eminence

and has favoured them over men in some aspects, such as caring for children, and showing patience, love and compassion towards them, and managing the home. Hence the sharee'ah gives custody to them, for the mother is the first school, from which the future men, leaders of the world and scholars of the ummah graduate. What virtue can be greater than this?

Islam encourages special care for the mother and her children, and enjoins upon children to honour their mother, treat her kindly and give her preferential treatment above the father. It was narrated that Abu Hurayrah said: "A man said, 'O Messenger of Allaah, who among the people is most deserving of my good companionship?' He said, Your mother, then your mother, then your mother, then your father, then those who are closest in order of closeness.'" (Narrated by Muslim, 2548). What greater honour can there be than this?

So let everyone work in his or her field of specialization. Men should not interfere in pregnancy and breastfeeding, and women should not be involved in jihad, fighting the enemy, or holding the positions of khaleefah or ruler. Whatever is permitted to both of them should be done within the guidelines of sharee'ah, such as not allowing free mixing of the sexes and not neglecting other duties such as those of husbands and wives.

And Allaah is the Source of strength.