SOCIAL STATUS OF WOMEN IN ISLAM

ABSTRACT

THESIS SUBMITTED FOR THE DEGREE OF
Doctor of Philosophy
in
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BY

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SUMMARY
The research topic which has been selected for this project is directly related to the social status of women in Islam. Precisely, therefore, the title of this project is "Social status of women in Islam".

By the term social status the researcher means the status or rank of a member (women) of a particular society in relation to their interaction and interdependence with other members (men) of the community.

Rationale of the study

The story of women's freedom and her liberty, is one of the most attractive and burning issues which is being discussed over the last several years in the western and eastern circles of this planet. Not only the eastern and western world are involved in this subject but even the Islamic countries are also faced with this controversy. Different societies are showing positive as well as negative views in this regard. The issues of freedom and equality of rights of women are occasionally extended to such a length that most often it has crossed sensational limits. Confusions regarding the freedom, equality of rights, and the social status of women in general, may some times become dangerous and repulsive.

Unfortunately, in this discussion or actions the name of Islam is also dragged in, and various interpretations of
the Islamic viewpoint are made to convince the opponent. It is wrongly understood that Islam is totally opposed to liberty or progress of women. There is a false propaganda against Islam that in Islam women are treated as captive in the hand of men'. She is denied of all rights and special privileges.

In order to support and justify these false allegations towards women the people who are jealous of Islamic ideals and thoughts, propagate that in Islam, women do not have equal right in parents' property or in the selection of her husband. It is also said, that they do not have any say in the determination of their destiny. According to them 'a muslim women is deprived of education' and 'is required to confine herself within the four walls of their house with her eyes and ears closed'. People of other community have developed a wrong concept about muslim women and think that the religion of Islam keeps their women completely detached from the society.

It is claimed, that women in Islam, are always dependent upon the male members of the family and can not take any decision independently. She has to live the life of a miserable creature, who has wider role to play in the human society. She is a helpless, captive, forced to live and die without enjoying any human right, and dignity. These were the few factors based on misunderstanding and misconception about women.
Delimitation

The main object of this project has been delimited to answer the following questions in a systematic order.

1. Whether the real position of woman in a family or society has been identified in Islam?
2. Whether equal status of men and women were ever granted and practiced?
3. Could any religion before Islam recognised the real place of women in family or society and could they define their role as a mother, wife, sister, and daughter?
4. Could women folk ever enjoyed prestige, respect and honour as it has been provided under Islamic laws?

Seemingly, the women of today, in pursuance of freedom and liberty, has lost her real position in the family, as such she has defeated the real purpose of her very existence. She has gained a social status comparable to man at the cost of her duties as mother, her responsibilities as a wife and her role as a sister and daughter. Suffice is to say that women of today are in reality the exhibits, in the hands of the crafty man, who uses them according to his need, lust, will and necessity. In search of false freedom, liberty and equality, they have put at stake, the charm of their body and soul. They have surpassed all limits and boundaries of sanctity, sanity and honour.
The above facts helped the researcher to derive the following inferences.

1. It may be inferred that the exploitation of women has been a systematic venture and a continuous phenomenon of human society.

2. That women through ages have been considered inferior to man, who has virtually dominated the human society.

3. That the dominance of man over woman has never allowed the women to understand their real position in the family and society consequently they were deprived of the real pleasure of women hood.

4. It may be inferred although human mind has worked under the sub-ordination of one or the other type of religious beliefs, ironically, no religion could acknowledge the real status of women in their real perspective, nor the followers could visualise the real purpose of her existence.

5. Unfortunately, even during the post-Islamic period no radical change in the attitude of society towards women exploitation could be visible, perhaps because the infrastructure of society presented by Islam, could hardly be accepted and understood by its followers.

6. Islam is the only religion which has not recognised the individual and social status of women but has also acknowledged, in specific terms, her position equal to men.
These inferences, however, provide valid thought-provoking materials to the investigator to critically examine the status of women in family and the society in the context of Qur'anic laws and the sayings of the Prophet of Islam (S.W.A.).

Objectives of the study

Based on the assumptions and the inferences presented above it seems necessary to examine, carefully the position and status of women as it has been presented in Islam. The objective of this research study may therefore, be identified as under;

1. The position of women in human society, in general, and in the Arabian Peninsula in particular, during pre-Islamic period.

2. To investigate the position of women as it was recognised in Judaism and Christianity, and its impact on Arabian Society.

3. The contribution of Islam for the well being of women in the society and recognition of her status as mother, wife, daughter and as an individual.

4. A study of the status of women as existed during the life time of the Prophet of Islam (S.W.A.).
5. Relevant references from the Holy Quran and Ahadith in support of women’s rights and duties in her various capacities with special reference to:

(a) Responsibility of parents towards their daughters,
(b) The importance of birth of female child in a Muslim family.
(c) The sanctity and significance of marriage institution,
(d) Freedom in choosing husband and
(e) The right of women in parent's property and divorce etc.

In order to fulfill the objectives of the study an investigation into the position of women in our society is not only justified but is also essential. The investigator is of the opinion that such an investigation will be helpful in restoring the lost prestige and honour of women community, and would also be helpful in removing many misunderstanding about the rights and duties of women.

There are old and repeated allegations against Islam for several centuries that (i) Islam has actually lowered the status of women because they get half share from their parents property as compared to the male members of the family. (ii) It is also alleged that by recommending the plurality of wife and polygamy Islam has degraded the status in the society. (iii) It is also alleged that it has made the divorce an easy task for men which can be used as a weapon
against women's authority. (iv) Similarly it is also alleged that by making seclusion (Purda) compulsory for women Islam has actually isolated them from the human society. These and many other allegations have been levelled against Islam from time immemorial. Unfortunately, because of the paucity of sound religious education, our innocent youths are becoming an easy victim of false propaganda against Islam. Consequently, they are deliberately being driven away from religious thoughts and practices. The youths of today love to live in an imaginary world of false pleasure rather than in a world of reality. Family values and social norms are no more important to them. The new social and economic order, the growing urge for material gains, and the wild race towards earning one's livelihood have changed the general attitude of boys and girls towards life and religion. Such a changing attitude of young men and women towards Islam accelerates the responsibility of researchers to help this generation recognise the facts of life and enlighten their minds with true Islamic ideals.

Surely, these innocent youths deserve a sound training of mind and character, on the lines shown by the Holy Quran and by the Holy Prophet of Islam (SWA) so that they could take correct decision about their lifestyle and might choose a right path. These and many other similar factors have been the cause which compelled the investigator to
pickup this subject of vital importance as her research topic. In order to make the topic interesting and understandable deliberate effort has been made to project the continuity in the historical development of the status of women in the society and in the family from the pre-Islamic period to the modern time. Similarly, issues and problems of vital importance have been discussed and presented in the same sequence, at and when they had happen. In addition to the continuity and sequence, the horizontal integrity between the chapters have also been maintained. Relevant references from Ahadith and Holy Quran have also been presented in support of the discussions where ever it was found necessary.

The present study has been conducted on historical as well as on survey method of research design. Hence the sources of investigation are confined to the Holy Quran, authentic Tafsirs, authentic religious books, magazines and other relevant literature which were available to the investigator. Original sources such as the Holy Quran and the authentic Ahadith of the Holy Prophet (SWA) and the Holy Imams have been taken into account. Necessary verses from the Holy Quran and Ahadith have also been presented where ever they were found necessary. For the convenience and for a systematic presentation of the research materials the study has been presented in the following chapters.
Research Design

Chapter-I
INTRODUCTION

Under this title the importance and the significance of social and individual status of women has been presented. The chapter also specifies the objectives and the purpose of this study. The need and the rationale of such an study in the context of value crisis experienced by the people of the modern society has been examined in an orderly and systematic style. This chapter also gives an idea of the design of the study and the presentations of the project in different chapters.

Chapter-II
HISTORICAL REVIEW

In this chapter the developmental history of the status of women during pre-Islamic period has been depicted. The areas covered in this chapter are related to the legal position of women in society, her status as wife, mother and daughter as they were practiced before the advent of Islam in the Arabian Peninsula and in other neighbouring countries. In context of the study this chapter becomes more important because it deals with the status of women in their historical perspective. It also depicts the real picture of women during pre-Islamic period.
Chapter-III
THE ERA OF ENLIGHTENMENT

As the title shows this chapter deals with the position of women after the advent of Islam. The main body of this chapter consists of various commands revealed in the Holy Quran, regarding the actual position of women in Islam. The sayings and the practices of the Holy Prophet (SWA) to maintain social and individual status of women have also been presented in this chapter. An effort has also been made to examine the validity and genuineness of the charges, which have been raised against Muslim women from various sections of society. While dealing with these objections, convincing arguments have been given duly supported by the verses from the Holy Quran and authentic Ahadith. As such, this chapter forms the main body of this research study.

Chapter - IV
THE INSTITUTION OF MARRIAGE

This chapter deals with the significance and the importance of marriage institution in Islam. The reforms which were introduced by Islam in making this institution a sacred and honourable matrimonial agency have been explained at length. The topics such as, the importance of dower, condition of divorce, justification about polygamy, have also been covered in this chapter.
Chapter- V

EDUCATION AND INHERITANCE

This chapter deals with two most important and crucial topics regarding the social status of women in Islam.

The first part deals with the importance of education in Islam. It has convincingly been explained that Islam did not discriminate between the male and female members of the society so far the acquisition of knowledge and education is concerned.

The second part deals with the importance of inheritance in Islam and the social significance of right of women in parents property.

Chapter - VI

FINDINGS AND CONCLUSIONS

In this chapter a comprehensive summary of the finding has been systematically presented. An effort has also been made to give a critical appraisal of the objections labelled against Islam by the different organizations. A careful and convincing explanation of these objections has also been given with due authenticity.

BIBLIOGRAPHY

A comprehensive bibliography of the original sources, Books, Ahadith periodicals, magazines and booklets, which have been consulted in this study has been presented at the end of each chapter.
CONCLUSION

One of the main objectives of this Research project was to examine critically the social status of women in Islam. In order to achieve this end and to do full justice with the little of the project, an effort has been made to appraise almost all possible aspects of women's life which, directly or indirectly, could effect the women's social and individual status. While examining different aspects of women's life, genuine efforts have also been made to give a convincing answer to the time old objections raised against Islam regarding the status of women and her position. In this pursuit the investigator has also been able to explore the causes which were responsible for misleading people to criticize Islam in general, and to its women community in particular.

Precisely speaking on the basis of the research findings the investigator could... .reach at the following conclusions.

(1) Contrary to the objections that 'Islam has lowered the status of women', it has been found that Islam is the first religion in the world which has not only enhanced the status of women in the society, but it has also ensured maximum
security and welfare to the women community. The freedom, honour and respect which have been granted to her under the Islamic laws are aiming at the development of self confidence, self-reliance, self-respect, self-dependence, dutifulness, humaneness, kindness, truthfulness, honesty, dignity, integrity, chastity and modesty in her. Islam as such surpasses all other religion of the world.

(2) So for the women's social status is concerned as compared to the men, it can be said, with considerable authenticity that Islam considers men and women equal as for the basic human rights and privileges are concerned. There are hundred of verses which take the form of address such as 'O mankind: or 'O Believers, are referred to both men and women. It has been promised in the Holy Quran that both men and women are human beings, both are expected to follow Islam, be faithful and obedient to God. Promise of God: reward paradise and God's grace, are for both without
discrimination. The only criteria of superiority of one over
the other is based on piety and guarding themselves against
evil. Both are required to observe chastity and to lead a
pious life. Similarly, moral vices, such as absence acts, in-
sanity, back biting and mockery are not desirable from either
of them, like rewards, equal punishment have also been
recommended for both of them.

(3) It has been found that Islam has emphasized the inter-
dependent of male and female as well as all members of the
society. The wife and husband are described as garments of
each other. Contrary to the western thought, in Islam men
and women are directed to be complement each other, not to
compete each other. They are the protectors of each other’s
respect, honour, and status. They have been assigned specific
responsibilities for the good and welfare of both and of the
family. In the (S.2: A.177), (S.4: A.1), (S.7:A.‘2); (S.8:A.41); (S.16:A.90), (S.7: A.23-26) etc. The Holy Quran
has stipulated mutual duties and obligations of men and
women, father and mother, children and elders, and other
members of the society, for the physical and psychological
well-being of the human race. Such a comprehensive
specification has never been done before the advent of Islam.
There is no doubt, that the economic, social and
psychological advantages of such an interdependence provide
more than ample compensation for the individual to sublimate
his or her ego and complexes. The result of the lack of social inter-dependence in the contemporary society of the world today, has resulted in many serious problems. The so-called generation gap, the high suicide rate, the ever increasing dowry death, increasing crime rate, and the crisis of moral values are the result of breakdown of social inter-dependence and the denial of human society for mutual care. To be more specific, the miserable condition of the Indian society can be understood by going through a few facts which are reported by the newspapers almost every day. To quote a few example from them.

The Hindustan Times, July 31, 1991 reports, that "More than 11,000 women were killed in 3 years between 1988 and 1990 in dowry-related murders and suicide in the country. Commenting on this information, in a written reply the Minister of State for Home, Mr. M.M. Jacob, said, nearly 28,000 cases of rape were registered in the last 3 years in between 1988-1990.

Hindustan Times, May 2, 1991 commenting on the cruelty and distress of the Indian social system, referred to former speaker Mr. Rabi Ray as saying, 'that', 'female child sacrifice to appease god is still prevalent in India, and according to him, 'it is worst than the sati".
Reports Hindustan Times on July 31, 1981, that the main reason for the 2700 suicide reported in the capital from January 1st, 1988 to June 13, 1991 are poverty, unemployment, extreme frustration and social maladjustment.

The above figures represent only a small section of the country's population. The investigator believes that if a comprehensive survey is conducted throughout the country the figures might be hundred times more than what has been reported here. This crisis of social system in the contemporary current Indian society is simply the result of lack of the sense of interdependence, Value crisis, Godlessness, an purposelessness of the creation of human being.

(4) There is a time-old allegations against Islam that women get half share from their parents property as compared to the male members of the family. It is said, that, the law of inheritance has lowered the status of women in society. This topic has been discussed in the relevant chapter in full details. Perhaps it would be suffice to mention here, that it is Islam which has recognised the right of women to have a share in her parents' property. During the pre-Islamic period, women did not get any share from their parents property. An unbiased look into the problem would convince, clear minded people, that this is, in fact, one of the greatest
contribution of Islam for the cause of women's economic security. Apart from ensuring economic security to women, this law binds all the numbers of the family and keep them united. One important reason of men getting double of the women's share in parents property is that the division of labour imposes more economic responsibilities on men than on women. It is the man who owes the responsibility of maintaining the whole family and to make arrangements to fulfill the needs of his own family, his parents and relatives. Thus we can see that 14 century ago, Islam had decreed women's total financial independence. Their right to own and to dispose of property owned by them without the consent of man is any important factor which adds to the enrichment of women's personality. While women are expected to play their role in child bearing and rearing up the children. The men are required to fulfil their role as the maintainer and the protector of the family. Quran recognizing this important complementary sexual assignment and responsibilities, and in view of the greater economic demands made on male members of the society, compensates by allotting a larger share than women in inheritance. In addition to these rights, Quran proclaims the right of every women to buy and sell, to contract, to earn, to hold and to manage her own property without the consent and interference of her husband.
Such a provision in the Holy Quran has enormously added the security and status of women in Islam.

(5) As regards the institution of marriage, plurality of wife and divorce, two important factors should be kept in mind while raising objections against these provisions.

In the first place, it should be remembered that one of the primary concerns of Islam is related towards the raising position of women in society and inculcating in the masses a sense of respect, love and devotion towards her.

In the second place, Islam aimed at giving them a greater responsibility of bearing children and rearing them up under a proposed Islamic system, so that as an adult they could be a worthy follower of Islam. Eventually, Prophet Mohammad (SWA), the last messenger of God, could be successful in his mission and in achieving both the objectives.

Respect for women was one of the essential teachings enforced by Mohammad (SWA) for his people. "Paradise is at the feet of the mother", said, the Prophet of Islam to testify the high position women occupy in Islam.

The Prophet of Islam prohibited the custom of conditional marriages in due course of time. It was in the third year of the Hijra when the custom of temporary
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marriages were also forbidden. In this way it would not be unfair to say, 'that', Mohammad (SWA) secured to women, in his system, the status which they did not possess before, and placed them on a footing of perfect equality with men in exercise of legal power and functions.

Regarding polygamy, it should be remembered that plurality of women was never introduced by Islam. The investigator, however, believes that in Islam there is no choice between polygamy and monogamy but there is a choice between polygamy and corruption. In order to completely eradicate corruption, the Holy Prophet restrained polygamy by limiting the number of marriages to a maximum of four. In fact, in allowing this privilege to men, Islam imposed a very strict conditions of absolute equality to all wives as obligatory on man. The condition of equity and justice therefore cuts down the permission to its legitimate dimension. Where-in, the Holy Quran permission is accorded that "you marry two, three, or four wives but not more". The subsequent line declares, but if you cannot deal equitably and justly with all, you shall marry only one. The word 'equity' (Adl) is an important denominator, in this provision. it is this condition which should never be forgotten by a true muslim, while availing the provision. The critics, however, very deliberately ignore this very condition when they charge Islam on plurality of wives, and also the situation where polygamy
becomes essential for men. Moreover, it has also been clearly mentioned in the Holy Quran that the second marriage can not take place without the consent of the first wife. It is therefore the first wife who owns the responsibility of giving her consent to the husband for having another wife. Regarding divorce, it should be remembered that, in Islam marriage institution is a sacred one. It aims at leading a harmonious life between husband and wife based on peace, tranquillity, love and respect and at the top of all happiness in bringing up the children on righteous path. It is worthy to note that marriage does not only provides worldly satisfaction and comfort to the couple but also is considered by Islam, a source of bringing about spiritual development of the husband and wife and through them of the whole family. It would not be difficult to understand that a pious married life and happiness depends upon mutual trust, respect and understanding between husband and wife. In the absence of these factors the very purpose of the marriage will be defeated. It is under this situation, Allah has asked that the husband and the wife not to remain tide together if they cannot live together happily with a code of conduct as ordained by Holy Quran or if there exists continuous conflict between them. In such an ugly situation there is undoubtedly, a provision of separation. But the separation is an act which is not pleasing to God and His Prophet. Our Prophet has said,
that of all things permitted by law, divorce is the most hateful in the sight of God'. Those who think that divorce in Islam is an easy practice, are simply at fault. It should also not be forgotten that in case the marriage is to be dissolved because of the deep rooted conflict and differences between husband and wife, or because of open lewdness, then there is an order of setting the matter equitably, keeping into mind, the interest of both the parties. In any case 'mataum-bil-maruf' has to be provided to the wife by the husband.

(6) The system of seclusion (Purdah) of women in Islam was never introduced by Islam itself, but it has been borrowed from pre-Islamic period. It was practiced in most of the nations of antiquity from the earlier time. Even today, it prevails in forms more or less strict among nations far removed from mulsim influences. For example in Korea, China, in the Spanish colony of South America, the purdah system is still observed. In view of the widespread laxity of morals among the classes of people, the Holy Prophet recommended to the women community the observance of privacy and to guard their own chastity. In this connection the Holy Quran has in so many words instructed the mulsim women to guard their own modesty and chastity through all possible means. The main objective behind this revelation of the Holy Quran is that no mulsim women should manifest such behaviour
by action or by movement that it could be mis-understood by wicked people. This system, undoubtedly, posses many advantages in the social well-being of human lot. Though this ordinance in the Holy Quran is addressed to the wives of the Holy Prophet but it has its general application as well for every muslim women.

It should be remembered by the critics who oppose the Islamic way of life that Islam is not the collection of mere ideals. It has its own practical side. Islam is a way of life. In order to maintain purity in sex and keep the muslim community pious and pure, it ordains that the fair sex has to duly guard herself against the rebellions passions. The Sanctions given by the Holy Quran here is to promote and maintain the purity of mind and heart and chastity in the practical life in both the sexes of the human family. Thus it controls and sublimes the self in man and women (P. 1260)^

(7) It may also be concluded that if the muslim women in the present day are labelled as backward it is not due to Quranic teaching but because of the general paucity of muslims to understand Quran and to follow the sayings of Holy Prophet and his disciples. According to Imtiaz Ali, The teacher who, in an age when no country, no system, no community gave any right to women, maiden or married mother or wife - who, in a country where the birth of a daughter was considered a calamity, secured to the sex rights which are

\*Holy Quran
only unwillingly and under pressure being conceded to them by the civilized nations in the nineteenth century - deserved the gratitude of humanity. If Mohammed had done nothing more his claim to the benefactor of mankind would have been indisputable (P. 13).
FINDINGS

The purposes and objectives of the research project have been explained in the first chapter with considerable comprehension. The investigator, at this stage, therefore does not feel the necessity of repeating them once again. However, the findings of this research project have been presented below in the same order and sequence.

(1) Before the advent of Islam women in the Arabian peninsula and also in the neighbouring countries were passing through the an age of 'utter darkness' and barbarism. No social laws were observed. The limit of this lawlessness and insanity was that, very frequently, even step mothers were taken as wives after the fathers death, child infanticide, selling and buying of female child, marriage by capture, unrestricted polygamy, frequent divorce, slavery and polyandry were the common features, practiced in the society. It was at this epoch, Mohammed (SWA) appeared and applied himself to evolve order out of chaos. He had seen the immorality and the depravity of his country men. He looked upon the customs of divorce, polygamy, and the maltreatment with the female children with extreme disapproval, and considered them as the factors responsible for uprooting the basic foundation of society.
This great Teacher soon realised that it was not possible to eradicate and abolish all the evil practices at one stroke in the then existing conditions. Since the customs interwoven with the people’s way of life and were sanctified by society from ages, the Prophet (SWA) came forward with a mission to mould the minds of an uncultured and semi barbarous community into a higher degree of excellence. With the grace of God and the wisdom bestowed upon him, this Great reformer became successful in his mission.

It is worthy to note that in pursuit of the success of his mission the Holy Prophet kept himself tied with the revelations of the Holy Quran. Which says:

'No, compulsion be in religion; Indeed truth has been made manifest distinct from error.

(S.2. A.256).

The above verse answers the false and baseless charge that the Holy Prophet offered Islam at the point of the sword.

Islam vehemently rejected the theory that women are inferior to men, instead, it has been proved that women are equal to or even more than equal to men, if modesty, chastity, piety and fear to God are taken as an index for value Judgement.
(4) As regard to marriage Islam considers the consent of the girl as the basic foundation of a happy life. Dower or (Mehar) should be given to the girl as a gift and not to the parents as the price of the girl. Besides this, women have been granted full authority on what they possess and earn.

(5) The Holy Quran allowed to exercise power of divorce to husband under stringent conditions. permitted to divorce parties at three distinct and separate times within which they might endeavour to become reconcile and renew their conjugal intercourse. In case all efforts fail then the third time the final separation could take place. "In case of conjugal disputes the Holy Quran advised reconciliation by means of arbiters chosen by the two deputation".

(6) Islam, by granting women the right to seek separation from men has not only secured her position in the family and society but has also granted her the status of real humans being.

(7) Under the law of inheritance, Islam has granted women right in parents property. This law has been enforced so emphatically in the Holy Quran, that it is considered obligatory to every muslim believer to strictly follow the law of inheritance.
(8) Respects for the parents, particularly for mother, is a valuable contribution of Islam for a united family life and for raising the status of women within and outside the family.

(9) By granting women's right to participate in different social, educational and economic activities, Islam contributed in raising the standard of life and developing in her maximum confidence to live an independent life.

(10) Islam did not discriminate between men and women so far the acquisition of knowledge is concerned. Importance of education was so important for the Holy Prophet of Islam that at every step the believers are instructed to acquire knowledge to their maximum ability. The Quran itself bears the testimony of supreme value of learning and science. Suratul-'Al-Alak' testifies the importance of acquiring knowledge.

No other religion has given so much importance to reading writing and understanding as it has been given in Holy Quran and by Prophet (SWA). In very clear words the prophet preached the importance of knowledge and has never confined the acquisition of knowledge to only one sex. There are recorded facts that Islam produced many learned women scholars who excelled in different disciplines and their contribution to the knowledge and literature, logic,
philosophy and art were so great that they will always be
remembered as great scholars of their time.

The importance of knowledge can easily be understood by
only one Surah of Holy Quran.

"What! can those who know be equal to those who know
not? (65 A. 9).

According to Mr. Imtiaz Ali. The practical recognition
of an absolute equality of the sexes does not owe its origin
to any particular creed or system. It is due to gradual
evaluation of human enlightenment to that spirit of
progressive opinion which is the product of centuries of
material and moral advances:

He further adds and yet nothing furnishes a more
correct criterion of a culture of a race than the position
occupied by its women". The author of the article "The
influence of women in Islam" believes that when the women
stand by the side of the husband possessed of full rights,
with a free independent will not merely the mother of his
children but the mistress of the household, not a simple toy
but a comrade and friend, only then can it be said that the
people among whom the relations of the two sexes are thus
developed is a truly cultured race".
It is generally observed that at the fountain of every spiritual faith stands a women, whose sympathy blesses the work of infusing new life into humanity. Whether this statement is applicable in the progress of every spiritual might not be taken as universal truth but so far Islam is concerned, it is a fast that had Khadija (SA) not been there Islam would never had become a vital force!

There is no doubt that it was Khadija (SA) had soothed and encouraged our Holy Prophet (SWA) when he was depressed. It was she who stood by his side, kept alive his enthusiasm, consoled him in defeat, and rejoined with him in success. She was the truest friend, a comrade and a disciple in the darkest hour of this missionary. This is an example of a woman who served Islam and its prophet as a true disciple. It is evident from historical facts that women excelled in different discipline during the lifetime of our Prophet and afterwards.

Fatima (SA) the beloved daughter of the Holy Prophet lectured to mixed congregations of both sexes often in the courtyard of her house and some times in the public mosque.

Eventually, being influenced by this lady, the Arabian women started listening to the sermons of caliphs and other disciples. They studied theology and law with the increase of material prosperity they did not confine themselves to the
study of law and religion, but they also took interest in general literature, rhetoric, calligraphy and other cognate branches of learning with considerable enthusiasm.

With deep interest and enthusiasm, the investigator has made concerted effort to cover almost all the aspects, which in her view, could influence the social status of women in Islam. But still, much more is needed to be done in this regard. More intensive research in this area might be of great social and academic importance.
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I certify that the thesis entitled "Social Status of Women in Islam" has been completed by Ms. Rani Bano Rizvi, under my guidance. She has fulfilled all requirements laid down by the University for the award of the degree.

In my judgement the work is original and is of vital importance in relation to present day situation and may contribute to the knowledge of the readers interested in this area.

S. Irtiza Hussain
Supervisor

( DR. SYED IRTIZA HUSSAIN )
Reader in Shia Theology,
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INTRODUCTION

God! there is no God but He - the Ever Living, the Self-subsistant. Slumber seizeth Him not nor sleep; His it is what so ever is in the heavens and what so ever is in the earth; Who is He that can intercede with Him but with His permission; He knoweth what is before them and what is behind them, while they cannot comprehend any thing out of His knowledge save that which He willeth. His Throne extendeth over the Heavens and the earth, and the preservations of them, both, tireth Him not and He is the Most High and Most Great.

(S.2, A.255)

The choice of the researcher in reproducing 'Ayat-al-Kursi' before stepping into the main stream of the project, is to show how any Muslim can do such things in life on this temporary abode excepting what Allah has ordained upon him, knowing full well that after his soul departs he has to reappear before Him to give Him account of all his deeds. Human beings, as we are all, have our failings, and, it is 'Allah' and 'Allah' alone, who can forgive us for them. Naturally, this should be governing idea of all our deeds, whether they are related to religious, economic and social matters, if at all, we establish our claims as a true Muslim.
Every action of an individual or of the members of the muslim community which is against the sayings of the Holy Quran or the Holy Prophet (SWA) must therefore be based on simple ignorance. It is this ignorance which is responsible for the enormity of the social canker eating into the heart, and poisoning the life blood of nations in modern time. Perhaps, it would not be incorrect to say, that this ignorance spreads a sense of Godless materialism covered with a thin veneer of religion which has created a society full of insanity and valuelessness which symbolizes the modern human society.

The crisis of human values

The crisis of human values to-day has resulted in confusion and chaos to the extent that the people of modern generation are failing in making decision about the real purpose of their life. They fail to differentiate between good and bad, right and wrong, and between just and unjust. Such self deception and misperception are the principal determinants causing loss of personality, independent thinking, sense of rightful appraisal, and a meaningful appreciation of religious and spiritual ideals.

In order to overcome such a state of chaos and confusion people of the world have to make themselves free from the lustful world which binds the human spirit into the castle of corruption and the filth. We, perhaps, can achieve
this end by cleaning ourselves from within and refining our thinking both in practice and thought.

In the process of recovery and restoring lost moral and spiritual heritage, people of today need courage, dignity and honesty, a sense of rightful judgement, and at the top of all an undiluted faith in Allah. Paradoxically, in its fast movement towards materialism and modernization, the human society has left behind two cherished elements of humanity, namely the spiritual and moral values, and the family structure. The efforts of the society to ignore these two important components of civilization, unluckily, was not because of the simplicity and ignorance, but because of its deliberate, craftily designed cleverness.

The moral values and the family structure were in fact considered as two forceful barriers in the path of material growth of the society. The family structure, particularly, embodied with moral values and social bindings were considered as the potential components posing strong limitations in exploiting the weaker section of the society, including women. Moral values do not and cannot grow in vacuum, nor the social norms be practiced in isolation. It is an organized family structure committed to certain well defined value system and religious obligation which transmits religious thoughts, ideals and moral values to children. It is the combination of a few families which forms a society
where these moral values are practiced. The society in turn, after a logical modification and re-evaluation transmits them to the new generation. Such a circular process of evaluation and re-evaluations continuous right from the beginning of human civilisation. The investigator has full faith that it would remain functional upto the end of this living world. A concerted effort was therefore made to break this circular development of culture and society. Unluckily the wicked society could be successful in achieving their goals. New definition have been evolved in order to make the modern civilization more attractive.

A review of the position of women of the modern society and of the past will reveal, that women have been the central object of exploitation and distortions in society through ages. While during pre-historic period they were exiled, tortured, burnt alive, victimized, sold like a consumable commodity in the open market, buried alive, and were systematically denied of most of the human rights. Ironically, such treatment with women community, was not confined to one place, time or country. History tells us that such inhuman treatments with women folk were prevalent and developed with the development of the present civilisation. Strangely, it appears, that all men throughout this planet were united at one point, that is, "Use and misuse your women community". The only visible distinction, however, lies in the style of exploitation which certainly differed from one
community to another, from one place to another, from one country to another, and from one century to another century. The modern society, however, continued exploiting its women folk but in a different style. Today, this weaker section of the society is being exploited in the name of modernisation, freedom and equality.

In order to collapse the family structure and to dilute the moral and social values, the modern society has brainwashed women to believe that, staying within her natural parameter, she will always remain inferior to man. On the other extreme, the cruel design of exploitation has forced women to come out of her feminital characteristics. Today, she feels proud in working shoulder to shoulder with people, who represent in-hospitable, merciless and un-compassionate world of materialism. Her charm and feminile beauty, which were once meant to keep the family together, are now employed in the service of materialism.

Because of the unrestricted social interaction at parties and workplaces, the sexes have dropped their natural inhibition. Gradually women have lost this feminine modesty and character. She has given up a sense of honour in pre-material virginity and the pride in her chastity, sexual infidelity, and permissiveness.
The research topic which has been selected for this project is directly related to the social status of women in Islam. Precisely, therefore, the title of this project is "Social status of women in Islam".

By the term social status the researcher means the status or rank of a member (women) of a particular society in relation to their interaction and interdependence with other members (men) of the community.

Rationale of the study

The story of women's freedom and her liberty, is one of the most attractive and burning issues which is being discussed over the last several years in the western and eastern circles of this planet. Not only the eastern and western world are involved in this subject but even the Islamic countries are also faced with this controversy. Different societies are showing positive as well as negative views in this regard. The issues of freedom and equality of rights of women are occasionally extended to such a length that most often it has crossed sensational limits. Confusions regarding the freedom, equality of rights, and the social status of women in general, may some times become dangerous and repulsive.

Unfortunately, in this discussion or actions the name of Islam is also dragged in, and various interpretations of
the Islamic viewpoint are made to convince the opponent. It is wrongly understood that Islam is totally opposed to liberty or progress of women. There is a false propaganda against Islam that in Islam women are treated as captive in the hand of men'. She is denied of all rights and special privileges.

In order to support and justify these false allegations towards women the people who are jealous of Islamic ideals and thoughts, propagate that in Islam, women do not have equal right in parents' property or in the selection of her husband. It is also said, that they do not have any say in the determination of their destiny. According to them 'a muslim women is deprived of education' and 'is required to confine herself within the four walls of the house with her eyes and ears closed'. People of other community have developed a wrong concept about muslim women and think that the religion of Islam keeps their women completely detached from the society.

It is claimed, that women in Islam, are always dependent upon the male members of her family and can not take any decision independently. She has to live the life of a miserable creature, who has wider role to play in the human society. She is a helpless, captive, forced to live and die without enjoying any human right, and dignity. These were the few factors based on misunderstanding and misconception about women.
Islam which compelled the investigator to highlight the facts about the importance of women in Islam and her status and role for the development of the human society.

Purpose of the Study

Even today i.e. the last quarter of the twentieth century, presents almost the same picture of the position of women in an accelerated form. We know, that in most of the European countries, in U.S.A., U.S.S.R., China and in many eastern countries, women in general, enjoy freedom of thought and action. They move freely in the society. Work with men shoulder to shoulder, almost in all walks of life. They participate in literary and cultural activities and have considerable representation in many professions. In their effort to get recognition and to win equal participation in various walks of they make every effort to be presentable in outer world. The only difference, however, between the women of the present century and the past lies in the fact, that previously the representation of women was confined to a very small selected groups of people and community, but now it is general and common to all, irrespective of any caste, race and community. The question, however, proposed, to be answered in this research, is that, whether the women of present country are better as compared to their counterparts, in previous centuries.
Delimitation

The main object of this project has been delimited to answer the following questions in a systematic order.

1. Whether the real position of woman in a family or society has been identified in Islam?

2. Whether equal status of men and women were ever granted and practiced?

3. Could any religion before Islam recognised the real place of women in family or society and could they define their role as a mother, wife, sister, and daughter?

4. Could women folk ever enjoyed prestige, respect and honour as it has been provided under Islamic laws?

Seemingly, the women of today, in pursuance of freedom and liberty, has lost her real position in the family, as such she has defeated the real purpose of her very existence. She has gained a social status comparable to man at the cost of her duties as mother, her responsibilities as a wife and her role as a sister and daughter. Suffice is to say that women of today are in reality the exhibits, in the hands of the crafty man, who uses them according to his need, lust, will and necessity. In search of false freedom, liberty and equality, they have put at stake, the charm of their body and soul. They have surpassed all limits and boundaries of sanctity, sanity and honour.
The above facts helped the researcher to derive the following inferences.

1. It may be inferred that the exploitation of woman has been a systematic venture and a continuous phenomenon of human society.

2. That women through ages have been considered inferior to man, who has virtually dominated the human society.

3. That the dominance of man over woman has never allowed the women to understand their real position in the family and society consequently they were deprived of the real pleasure of woman-hood.

4. It may be inferred although human mind has worked under the sub-ordination of one or the other type of religious beliefs, ironically, no religion could acknowledge the real status of women in their real perspective, nor the followers could visualise the real purpose of her existence.

5. Unfortunately, even during the post-Islamic period no radical change in the attitude of society towards women exploitation could be visible, perhaps because the infra-structure of society presented by Islam, could hardly be accepted and understood by its followers.

6. Islam is the only religion which has not recognised the individual and social status of women but has also acknowledged, in specific terms, her position equal to men.
These inferences, however, provide valid thought-provoking materials to the investigator to critically examine the status of women in family and the society in the context of Qur'anic laws and the sayings of the Prophet of Islam (S.W.A.).

Objectives of the study

Based on the assumptions and the inference presented above it seems necessary to examine, carefully the position and status of women as it has been presented in Islam. The objective of this research study may therefore, be identified as under;

1. The position of women in human society, in general, and in the Arabian Peninsula in particular, during pre-Islamic period.

2. To investigate the position of women as it was recognised in Judaism and Christianity, and its impact on Arabian Society.

3. The contribution of Islam for the well being of women in the society and recognition of her status as mother, wife, daughter and as an individual.

4. A study of the status of women as existed during the lifetime of the Prophet of Islam (S.W.A.).
5. Relevant references from the Holy Quran and Ahadith in support of women's rights and duties in her various capacities with special reference to:

(a) Responsibility of parents towards their daughters,
(b) The importance of birth of female child in a Muslim family.
(c) The sanctity and significance of marriage institution,
(d) Freedom in choosing husband and
(e) The right of women in parent's property and divorce etc.

In order to fulfill the objectives of the study an investigation into the position of women in our society is not only justified but is also essential. The investigator is of the opinion that such an investigation will be helpful in restoring the lost prestige and honour of women community, and would also be helpful in removing many misunderstanding about the rights and duties of women.

There are old and repeated allegations against Islam for several centuries that (i) Islam has actually lowered the status of women because they get half share from their parents property as compared to the male members of the family. (ii) It is also alleged that by recommending the plurality of wife and polygamy Islam has degraded the status in the society. (iii) It is also alleged that it has made the divorce an easy task for men which can be used as a weapon
against women's authority. (iv) Similarly it is also alleged that by making segregating women Islam has actually isolated them from the human society. These and many other allegations have been levelled against Islam from time immemorial. Unfortunately, because of the paucity of sound religious education, our innocent youths are becoming an easy victim of false propaganda against Islam. Consequently, they are deliberately being driven away from religious thoughts and practices. The youths of today love to live in an imaginary world of false pleasure rather than in a world of reality. Family values and social norms are no more important to them. The new social and economic order, the growing urge for material gains, and the wild race towards earning one’s livelihood have changed the general attitude of boys and girls towards life and religion. Such a changing attitude of young men and women towards Islam accelerates the responsibility of researchers to help this generation recognise the facts of life and enlighten their minds with true Islamic deals.

Surely, these innocent youths deserve a sound training of mind and character, on the lines shown by the Holy Quran and by the Holy Prophet of Islam (SWA) so that they could take correct decision about their life style and might choose a right path. These and many other similar factors have been the cause which compelled the investigator to
pickup this subject of vital importance as her research topic. In order to make the topic interesting and understandable deliberate effort has been made to project the continuity in the historical development of the status of women in the society and in the family from the pre-Islamic period to the modern time. Similarly, issues and problems of vital importance have been discussed and presented in the same sequence, at and when they had happened. In addition to the continuity and sequence, the horizontal integrity between the chapters have also been maintained. Relevant references from Ahadith and Holy Quran have also been presented in support of the discussions where ever it was found necessary.

The present study has been conducted on historical as well as on survey method of research design. Hence the sources of investigation are confined to the Holy Quran, authentic Tafsirs, authentic religious books, magazines and other relevant literature which were available to the investigator. Original sources such as the Holy Quran and the authentic Ahadith of the Holy Prophet (SWA) and the Holy Imams have been taken into account. Necessary verses from the Holy Quran and Ahadith have also been presented where ever they were found necessary. For the convenience and for a systematic presentation of the research materials the study has been presented in the following chapters.
Research Design

Chapter-I
INTRODUCTION

Under this title the importance and the significance of social and individual status of women has been presented. The chapter also specifies the objectives and the purpose of this study. The need and the rationale of such an study in the context of value crisis experienced by the people of the modern society has been examined in an orderly and systematic style. This chapter also gives an idea of the design of the study and the presentations of the project in different chapters.

Chapter-II
HISTORICAL REVIEW

In this chapter the developmental history of the status of women during pre-Islamic period has been depicted. The areas covered in this chapter are related to the legal position of women in society, her status as wife, mother and daughter as they were practiced before the advent of Islam in the Arabian Peninsula and in other neighbouring countries. In context of the study this chapter becomes more important because it deals with the status of women in her historical perspective. It also depicts the real picture of women during pre-Islamic period.
Chapter-III
THE ERA OF ENLIGHTENMENT

As the title shows this chapter deals with the position of women after the advent of Islam. The main body of this chapter consists of various commands revealed in the Holy Quran, regarding the actual position of women in Islam. The sayings and the practices of the Holy Prophet (SWA) to maintain social and individual status of women have also been presented in this chapter. An effort has also been made to examine the validity and genuineness of the charges, which have been raised against Muslim women from various sections of society. While dealing with these objections, convincing arguments have been given duly supported by the verses from the Holy Quran and authentic Ahadith. As such, this chapter forms the main body of this research study.

Chapter - IV
THE INSTITUTION OF MARRIAGE

This chapter deals with the significance and the importance of marriage institution in Islam. The reforms which were introduced by Islam in making this institution a sacred and honourable matrimonial agency have been explained at length. The topics such as, the importance of dower, condition of divorce, justification about polygamy, have also been covered in this chapter.
Chapter - V
EDUCATION AND INHERITANCE

This chapter deals with two most important and crucial topics regarding the social status of women in Islam.

The first part deals with the importance of education in Islam. It has convincingly been explained that Islam did not discriminate between the male and female members of the society so far the acquisition of knowledge and education is concerned.

The second part deals with the importance of inheritance in Islam and the social significance of right of women in parents property.

Chapter - VI
FINDINGS AND CONCLUSIONS

In this chapter a comprehensive summary of the finding has been systematically presented. An effort has also been made to give a critical appraisal of the objections labelled against Islam by the different organizations. A careful and convincing explanation of these objections has also been given with due authenticity.

BIBLIOGRAPHY

A comprehensive bibliography of the original sources, Books, Ahadith periodicals, magazines and booklets, which have been consulted in this study has been presented at the end of each chapter.
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CHAPTER II
HISTORICAL REVIEW

General Condition of Arabs:

To understand the social status of women in Islam it seems reasonable to throw some light on the general conditions of Arabs and their attitude towards women, on the eve and the rise of Islam. According to Hitti, the History of Arabs may be divided into three main sections.

1. The Sabeo = Himyarite periods, ending at the beginning of the sixth century after Christ.

2. The Jahaliya Period, which in a sense extends from the "creation of Adam" down to the mission of Mohammad, but more particularly covers the centuries immediately preceding the rise of Islam.

3. The Islamic period, extending to the present day.

This project is precisely concerned with the Islamic period extending to the present day, where a steady change has taken place in the family and social status of women in Islam.

A cursory review of the general condition of people and the society may be of great help in understanding the present study. It is now a well documented fact that a vast majority of the population of north Arabia, including al-Hejaz and Najd, remained nomadic till the advent of Islam. Upto the
sixth century A.D. the Bedouins were usually found of gūralla wars, in which there was a great deal of raiding and plundering, but little bloodshed. From the record available to us, which is pre-dominantly based on traditions, legends, and above all on poems, show that the 'Ayyam-al-Arabs' intertribal hostilities, were common feature among Arabs. Generally, disputes were over cattle, pasture lands or springs. They afforded ample opportunity for plundering and raiding to show single handed deeds of heroism by the champions of the contending tribes. Strangely, the Bedouins were always ready to fight but not necessarily eager to be killed. The course of the events on each of these quarrel followed some what a unique pattern. At first only a few women came to blows with one another due to some disputes on cattle, springs or personal insult. The quarrel of the few then became the business of the whole and peace was finally restored by the intervention of some neutral party.¹

One of the earliest and the most famous of the Bedouins war the "Herbal Basus", which was fought towards the end of the fifth century between the Banu Bakr and their kinsmen, the Banu Taghlib in North Eastern Arabia. But tribes were Christianised and considered themselves descendents of vile. The conflict arose over a "She camel" which was the property of an old women of Bakar named Basus. The camel was wounded by "Taghlib Chief".²
According to the legendary history of Ayyam, this war was carried on, for forty years, with reciprocal raiding and plundering while its flames were fanned to poetical exhortation. Equally famous is the war known as the day of Dabiss and Alghabra. This war was fought between the Abs and its sister tribe, Dhubyan in Central Arabia. This struggle broke out in the second half of the sixth century and persisted at intervals for several decades up to Islamic times.

Such wars between the tribes were a permanent source of hostility, disregard and disunity among the people of peninsula. In fact from time immemorial the Arabian Nation had been wrapped in absolute moral darkness. The people were sunk in superstitions, cruelty and vice. Insane and devilish custom of female infanticide were common. It was a common practice that the eldest son inherited his father's widows, as property, with the rest of the estate. The worst of all was that the fathers bury their infant daughters; and this crime, which was most popular among the tribes of Quraish and Kinda, was regarded, as among the Hindu Rajput a mark of pride.

Mecca was the centre of commercial activity which has distinguish the Arabs at all times from the other nations of the East. From Mecca radiated the caravans which carried to different places including the Persia, the rich products of
Yeman, and brought from Syria the silk and stuffs of the Persian cities. In the train of these carvan came all the luxurious habits and vices which had attracted the neighbouring empire. The slave girls imported from Syria and Iraq were taken as the best source of entertainment for the rich people. The dancing and singing of the Persian Gracious girls were things of joy for them and encouraged the immorality of the people in general. They were engulfed in the luxuries of the present life, and no one was thinking of tomorrow.

**A period of Moral Deprivity:**

The Arabs and especially the Meccans, were passionately addicted to drinking, gambling and music. The dancing and singing as a profession was practiced by a class of women occupying a servile position, who were called 'Kiyan' or 'Kayana' and whose immorality was well established. Inspite of this fact they were held in the highest esteem and the greatest chiefs paid public courts to them.

The moral deprivity of the people is evident by the fact that these women used to give reception, which were attended by all the people of high rank and status in the city. Polygamy was practiced to an unlimited extent among Arabians and people belonging to other religions. The atrocious and inhuman practice of burning female infants were
universal. Apart from this moral, the religious practices of
the Arabs were more disgraceful.

Mecca was, at that time, a Centre of far-reaching
idolatry, ramifications of which extended throughout the
tribes of Peninsula. The Goddess 'Uzza' represented by a tree
at a place called Nakhla was worshipped by the Meccans and
the people of the neighboring areas. The Howazine, who roamed
towards the South-east of Mecca used to worship their
favourite idol known as the Goddess "Lat" located at "Taif".
Monat was represented by a rock located between Mecca and
Syria, was also worshipped as Goddess. The worship of these
idols was chiefly phallic, similar in character to that which
prevailed among the ancient Semites and Babylonians.
Similarly the tribes belonging to the race of Mozar, were
addicted to Fetishism i.e. extravagant, irrational devotion
of a very low type. Such as animals and plants, gazelle, the
horse, the camel, the palm tree, inorganic matters like
pieces of rocks, stones etc., from the principal objects of
adoration and worship. The idea of Supreme Divinity, however,
was not totally unrecognized.

Among some tribes, in the case of death, a camel was
sacrificed on the tomb, or was allowed to die from
starvation. It was believed that it would serve as a
conveyance for the deceased in a future existence. Some
believed when the soul had separated itself from the body, it
took the shape of a bird called Hama and Sada. The cause of continuous war between the tribes for years, perhaps lies in the belief that if the deceased was a victim of a violent death the bird hovered over the grave, crying 'askuni', which means "give me drink", until the murder was avenged. Each tribe had its particular idols and particular temple. The priest attached to these temples received rich offerings from the devotees. Such was the social, moral and religious condition of this Peninsula when Mohammad the Prophet of Islam (SWA) had arisen to rehearse unto them the signs of God, to sanctify them, to teach them the scripture and knowledge, who before, had been in utter darkness. Mohammad the Prophet (SWA) found them sunk in a state of utter ignorance and superstitions (says Quran about these people in Sura LXII verses 2 and 5).

Prophet Mohammad (SWA) inspired them with the belief of oneness of God, of truth of love, and brotherhood. He saw them dis-united and engaged in perpetual war with each other, he united them by the ties of brotherhood and charity.

The reforms instituted by Mohammad (SWA) during this deplorable period effected the people in a positive way. Being impressed by his continuous effort, honesty, simplicity and dignified dynamic personality, people were attracted towards this great reformer. They watched his action and work.
closely and found coordination in his deeds and sayings. Consequently, within a short period, radical changes became visible in people's attitude and behaviour. Such a change also resulted in a marked improvement in the position of women among the Arabs. Particularly among those who embraced Islam. In order to understand the change which took place in the status or position of women during Islamic period, it is essential to depict a complete and more comprehensive picture of the condition of women on the eve of the rise of Islam. Before the advent of Islam people of Arabian peninsula were mostly influenced by Jewish and Christian ideology.

In the following part of this chapter some important features of society towards women, during this period, have been explained. There are authentic statements which show, Hebrew maiden for example even in her father's house, stood in the position of a servant. Her father could sell her even if she is a minor. In case of the death of the father, sons could dispose off her at their will and pleasure. The daughter inherited nothing except when there were no male heir.

"Marriage was invariably arranged by the parents and wives were bought through a recognised method of evaluation. The Mosaic law set down the price of women at the cost of 50 Shakes that was equal to 40 sterling of English Money, but it, nevertheless, varied in practice according to the socio-eco status of the bride and bridegroom."
Jewish literature shows that unstrained polygamy was practiced among all classes. Child marriage was frequent, as it still is among the Jews of Palestine. It appears that there was no limit on the power of the husband to divorce the wife. It was sufficient to write a bill of divorce and dismiss the wife for no cause, what so ever. Wives, in general, had no power to divorce the husband nor to apply even to the judge to release her from an irksome bondage. This was the condition of the women under old covenant.

Exploitation of Women

A synthesis of the above statements shows that Jew women did not have the right of inheritance, they had no right in the choice of their life partners. They were sold in the open market on a fixed price. There was no restriction on polygamy. Child marriage was a regular feature. They had no right to divorce. As such it may be said that a Hebrew women remained a servant in his father’s house and living robot in the house of her husband during her life time. After the death of her husband, she was completely at the mercy of her brothers and other male members of the family.

Precisely speaking, women did not enjoy any respectable status within her family or in the society. Obviously, the neighbouring empire of Persia settled Pagan Arabs were mostly influenced by such an insane and deplorable condition of women. They too, therefore, considered their
women as cattle. She formed an integral part of the estate of her husband and her father. The widows of a man had descended to his eldest son by right of inheritance.

The moral corruption in Persia was even fearful. There was no recognised law of marriage. "In the absence of any fixed rule regarding the number of wives a man might possess as many wives as he wished. The Persian indulged in multitude of regular matrimonial conviction, beside having of a number of concubines".\textsuperscript{11}

Among all Eastern nations of ancient times polygamy was a recognised institution. Among the Hindus, Polygamy in both its aspects prevailed from the earliest times. Unrestricted polygamy was prevalent among Hindus in the same way as it was among the ancient Arabs, Babylonians, Assyrians and Persians. There was no restriction on the number of wives a man might have. High caste Brahmin, even in modern times, is privileged to marry as many women as he chooses. Polygamy existed among the Israelites before the time of Moses. They also did not impose any limit on the number of marriage which a Hebrew husband might have. The Persians, religion offered a premium on the plurality of wives".\textsuperscript{11}

Among the Syro-Phoenian races, polygamy was degraded into animal like sexual relationship.\textsuperscript{12} Among the Athenians, which was supposed to be the most civilized and most cultured
of all the nations of ancient time, the wife was considered as a piece of personal property like a slave which was marketable and transferable to other and a subject of testamentary disposition. She was regarded as a necessary indispensible for domestic work and was considered as a fertile soil to give birth to children. Polygamy was also very common among them.

Among the spartan the story was just reverse. Though men were not allowed to have more than one wife under ordinary circumstances, but the women could have and almost always had more than one husband.

A study of the Roman Empire and other European countries, during pre-Islamic period shows that polygamy flourished in a more or less pronounced form among all the religions during this period and continued to be practiced until it was condemned by the reformers of the modern society. They did not enjoy any human right, they did not have any legal right to safeguard their life and individuality. They were the slaves of the desires and whims of their husbands. Their children were characterized as bastard, they did not have any right of inheritance. They were treated as out-caste in the society. Until very recent times, polygamy was not considered anything as against social norms established by the society.
History tells us that among Christians, women were considered as an unavoidable evils. The father of the church wrote upon the enormities of women, their evil tendencies, their inconceivable malignity described them as 'the devils gateway', the unsealer of the forbidden tree, the deserter of the divine law, the destroyer of God's image, St. Chrysostom pronounced women to be a necessary evil, a natural temptation, a desirable clamity, a domestic peril, a deadly fascination, a painted ill.

The orthodox church was so indifferent towards women that they were excluded from the exercise of all religious activities. Even the lowliest religious functions were denied to them. They were absolutely excluded from society, prohibited from appearing in public, from going to feast, or bonquest. They were directed to remain in seclusion, to observe silence, were asked to obey their husbands and to apply themselves to weaving and spinning and cooking. If even they went out they were to be clothed from head to foot. Such a miserable was the condition of a Christian woman.

It is said that in the street of Alexandria, a woman whose only crime was her beauty and her learning, was torn into pieces by the followers of a christian saint. The curses inflicted upon women during pre-Islamic period did not end here. Manu, the Hindu legislature, of the ancient India declared that a wife guilty of disobedience to her husband
should be torn to pieces by wild dogs where the four highways met. Even in medieval times women were outraged, carried into captivity, thrown into dungeons, scourged by the feudal chiefs of devoutly christian Europe. They were burnt, and they were drowned.

Reforms enforced by Islam

It was at that epoch when Mohammad (SWA), the true messenger of God appeared with a full determination of introducing radical changes in human society. He applied himself to evolve order out of chaos. He had seen the immorality of Syrians and Christians. He had seen the immorality and deprivity of the settled Arabs and Jews towards their women folk. He justly realised that fighting against these evil practices was not an easy job.

Inspite of this fact the Arabian Prophet (SWA) introduced certain reforms with the object of eradicating these evil practices and frame the rules for the observance of decency. Regulation to modify habits on moral and religious grounds for the promotion and safety of women folk were introduced.

According to Amir Ali in his book the 'Spirit of Islam'.

In the laws which the Arabian prophet promulgated he strictly prohibited the custom of conditional marriages, and
though at first, temporary marriages were tacitly allowed, in the third year of the Hijra even these were forbidden.

Mohammad (SWA) secured to women, in his system, the rights which they did not possess; He allowed them privileges the value of which will be more fully appreciated as time advances. He placed them on a footing of perfect equality with men in the exercise of all legal powers and functions.

He restrained polygamy by limiting the maximum number of contemporaneous marriages, and by making absolute equity towards all, obligatory on the man. It is worthy to note, that the clause in the Quran, which contains the permission to contract four contemporaneous marriages, is immediately followed by a sentence which cuts down the significance of the proceeding passage to its normal and legitimate dimensions. The passage runs thus, "you may marry two, three or four wives, but not more". The subsequent lines declare, "But if you cannot deal equitably and justly with all, you shall marry only one".

The extreme importance of this verse, bearing specially in mind the meaning which is attached to the word "equity" (Adl) in the Quranic teachings. It has not been lost sight of the muslim world. (Adl) signifies not merely equality of treatment in the matter of lodging, clothing and other domestic requisites, but also complete equity in love
affection and esteem. "As absolute justice in matters of feeling is impossible, the Quranic prescription amounted in reality to a prohibition. This view was propounded at the third century of the Hijra".\textsuperscript{17}

Seemingly, favourable effects of the reforms, introduced by the Prophet of Islam (SWA) were soon visible. The social status of women was generally improved. Equality which is secured to them in the exercise and enjoyment of civil rights, perpetuated the chivalry of Arabs, and women continued up to the period of the Caliph Qadir B'illah to occupy a high pedestal. The prophet of Islam (SWA) restrained the power of divorce and practically forbade polygamy and concubinage. Thus the reforms introduced by the Holy Prophet placed women on such a high status, both socially and individually, which had hardly been enjoyed ever before. Even the so called civilised society today failed to guarantee such a high status to them. A brief account of different reforms promulgated by this great messenger of God has been presented below.

The Prophet of Islam enforced as one of its essential teachings of his creed, was "respect for women". This idea was so emphatically presented that his followers in their love and reverence for his celebrated daughter, proclaimed, 'Fatima as "the Lady of Pradise", as the representative of her sex. "Our lady of Light", 'Khatoon Jannat', Fatima Zehra
(SA) is the embodiment of all that is Divine in womanhood, of all that is pure and true and holy in her sex (the noblest ideal of human conception). She has been followed by a long succession of women, who have consecrated their sex by their virtues. The saintly Rabiya and a thousand others equal to her are well known historical figures.

A general review of the pre-Islamic literature of Arabs shows that husbands possessed unlimited powers of divorce. Arabs did not recognise any rule of humanity or Justice in dealing with their wives. The Prophet (SAW) looked upon the custom of divorce very seriously. He showed his dismay and dislike at several occasions. At last totally disapproved it, and considered its practice as a social crime. To him the nature of crime was such that it could damage the very foundations of human society. He repeatedly declared that nothing pleased God more than the emancipation of slaves and nothing displeased Him more than divorce.

Any effort to modify or change this custom had to be defeated because of two reasons. In the first place it had become a part of their regular habit, and secondly it had social approval and was practiced through ages. Under such a condition it was very difficult for the great Prophet of Islam to change their habits and break the old custom. In view of these facts and also because of circumstances when divorce became unavoidable he allowed his followers to
exercise the right of divorce but he laid certain specific conditions before complete divorce can take place.

The person who is willing, for example, to divorce his wife, may divorce her after three intervals. This provision and sanction was given because of the following reasons.

Firstly, because with this gap they might regret for their behaviour and decide to review their relationship as husband and wife. If all attempts of reconciliation between husband and wife remain unsuccessful and they decide to separate then the third time and final decision for separation is declared.

This great reformer, never in his life, approved divorce in ordinary circumstances. He was deeply concerned to maintain the matrimonial ties up to the last movement. It is because of this reason, he declared, that in case of mutual disputes, reconciliation by means of arbiters chosen by parties should involved so that they could settle the dispute and could avoid divorce.

In order to maintain the social and family status he granted a special right to women in relation to matrimonial relationship. It was the right which women had never before enjoyed. According to Muslim law the wife is also entitled to demand separation from her husband, on the ground of ill treatment, want of proper maintenance, care, and incurable
disease of the husband. In such cases the Qazi is empowered to decree separation if the reasons are proved valid and the facts are established. In case where the husband takes the initiative he has to give up in favour of the wife every thing he had settled upon at their marriage. Inspite of these provisions, it is repeatedly said that divorce is disliked by God, and the prophet of Islam (SWA) as well. The repeated instruction in the Holy Quran to heal quarrels by personal reconciliation shows the significance and secrecy of matrimonial ties in Islam.

As it has been pointed out earlier that another horrifying and terrifying custom prevalent among the Arabs, in general, and among the tribes of Quraish and Kinda, in particular, was that of burying alive the female children. This dreadful custom was emphatically denounced by Mohammad (SWA) and was prohibited under severe punishment. Alongwith this inhuman practices, there was also a custom of sacrificing a child to please the gods. This custom was also condemned and rejected by the prophet of Islam. A marked improvement in the position of women took place by introducing the law of inheritance. During pre-islamic period the daughters inherited nothing, both among the jews and non-nomade Arabs.

The reforms introduced by Mohammad marked a new departure in the history of human society. Consequently the
position of women, in due course of time, became more secure and our prophet became the protector of the social and individual status of women community. It was he, who restrained the power of divorce, which was till then, the exclusive privilege of husbands. He gave the women the right of obtaining a separation from husbands on reasonable grounds.

However, at a later stage the divorce was not possible without the intervention of an arbitrator or a Qazi. He, the Prophet Mohammad (SAW) pronounced that Tilaq or separation or divorce is the most unliked activity before 'Allah'.

The Pardah System in Islam

The Pardah system or the system of female seclusion was certainly not introduced by holy Prophet Mohammad (SWA) but was borrowed from the pre-Islamic period. Undoubtedly, it possessed many advantages for the social well being of women. Historical evidences are available to show that the Pardah system was practiced among most of the nations of antiquity from the ancient times. It was observed more strictly in countries where the diversity of culture and the moral conception distinctively existed. It prevailed, more or less, in the same form, in many nations far removed from muslim influences. It existed in India and in other oriented countries. In Koria, female seclusion was carried on the
height of absurdity. In China and among the Spanish colonies of South America the Purdah system is still observed.\textsuperscript{20}

The Prophet of Islam (SWA) did perceive its advantages, and it is possible that because of the wide spread deterioration of moral values among all classes of people, he recommended to the women folk the observance of privacy. But in the words of Ameer Ali "it can never be believed that he ever intended to introduce Purdah system, so strictly, as it is observed today or that he ever allowed or enjoined complete seclusion of women for the society. According to him complete seclusion was not possible because it is totally opposed to the spirit of Islam. The holy Quran itself affords no warrant for holding such a seclusion. In the words of Holy Quran,

\begin{quote}
O, Prophet! speak to your wives and to your daughters, and to the wives of the faithful, that they let down upon them their cover garments: that they may be known, so that they will not be troubled. God is for giving and most merciful. It further says, "And speak to the believing women to cast down their gaze and guard their private parts and they display not their adornment safe what apparent of it, and to draw. Veils over their bosoms and they"\
\end{quote}
display not their adornment save to their husbands".

(S. 24, A.31)

A critical Appraisal of the reforms

In the context of the prevailing situation in Arabian Peninsula and in the neighbouring countries, it is easy to understand the direction Mohammad (SWA) was leading to. In the midst of moral and social chaos such injection was wise and beneficial for the women folk. It aimed at the promotion of decency among women. In the light of these facts, one may safely conclude, that it is a mistake to suppose that there is any thing in the law which tends to perpetuate this custom. It is also evident from the fact that Ayesha (R.A.), the daughter of the first caliph and the wife of Prophet Mohammad (SWA), personally organized the revolt against the established Khilafat of Hazrat Ali. She commanded her own troops in the battle of camel. Fatima (S.A.), the daughter of Prophet often took part in the discussions regarding the succession to the Khiliphate, Similarly, Zainab, (S.A.), the sister of Imam Husain (A.S.) shielded her nephew Hazrat Zainul Abdin (A.S.) from the ummeyyades after the butchery of Karbala. Her marvellous speeches swayed away the grandeur of Ubaidulah Ibn-Zaiyad and the cruel Yazid bin Muaveya. Infact, the Prophet (S.W.A.) stressed the privacy of women more vehemently, when the deprivity of moral values had shattered the foundation of society. There was a great need
of complete reform among Arabs, Jews and the Christians who badly needed such operations.

Undoubtedly, the continuance of Purdah system served a great purpose. It proved as a barrier in the path of immorality. It prevented the diffusion of the customs and disguised polyandry among the followers. In other words, Mohammad (S.W.A.) rendered this custom into a permanent creed and embodied respect for women in his pursuit of reforms. These reforms were not only one sided but multidimensional. The laws, regulations and limitations introduced by the Holy Quran through this last messenger (S.W.A.) induced more courage, respect and security of life in women than was found in the teachings of earlier reformers. It goes without saying, that on the whole, the true bravery, honour, and generosity are more intimately associated with Islam than with any other religion or social organization.

As a result of these reforms, for quite a long period, in the early centuries, Muslim women continued to occupy as exalted a position as in modern society. To quote, a few, for example, 'Zubaida', the wife of Haroon, played a conspicuous role in the history of her age. It was by her virtues, as well as by her accomplishments, that she left behind her, an honourable name to posterity. 'Humaida', the wife of Farooq a Madini citizen, remained, for many years the sole guardian of her minor son, she educated him to become one of the most
distinguished Jurists of his time. 'Sukaina' or Sakina, the daughter of Imam Husain (A.S.) and the grand daughter of Hazrat Ali (A.S.) was the most brilliant, most accomplished, and most virtuous women of her times.

Even the ladies of Prophets family were noted for their learning, their virtues and their strength of character, Buran, the wife of Caliph Mamoon, Umul Fazl, Mamoon's sister married to the eight Imam of the house of Ali (A.S.) and Ummul-Habib, Mamoon's daughter. All these women were famous for their scholarship and virtues.

It is Perhaps, suffice to say, that the improvement affected the position of women in almost all directions, including their social status. It was because of this great contribution of our Prophet (S.W.A.) he is acknowledged by all right thinkers as the pioneer of women cause and a great reformer. Inspite of these facts there are group of people who still say, that the 'Islamic system has lowered the status of womens'. This biased and false statement of the western world is itself negated by the fact that even, by the end of 20th century, in most advanced communities women do not enjoy the same rational and balanced status as they are enjoying under Islamic system. Until very recently, even in Britain, which claims to be the pioneer of the civilized society, a married woman has no right independently of her husband.
Under Islamic laws, as long as a Muslim woman is unmarried and remains with her parents until the age of maturity, she is to some extent under the control of her father or guardian, but as soon as she attains maturity, the law ensures her all the rights as an independent human being. She is entitled to inheritance just as other male of her parents along with members of deceased. A woman was under no circumstances can be married without her consent, not even by a sultan. The forced marriage among Christians chief, was practiced even centuries after this principle were laid by the Muslim jurists. Uniquely, under the Islamic laws a Muslim woman on her marriage does not lose her individuality. Marriage, in Islam takes place under certain pre-stated conditions. A husband has no right on the goods and property of his wife. Her earnings acquired by her own efforts can not be shared by her husband. She is allowed to act under Islamic laws in all matters, related to herself, her property, her individual right, without the intervention of husband or father.

It should be made clear here, that all these privileges, which have been given to her as a women and as a wife, are secured to her by the actual text in the book of law. In view of these facts it may be summarised that the legal status of Muslim woman, in many respect occupies, decidedly, a better position as compared to the European
women or women of any other community of this world even today. In fact the muslim woman today is not so advanced as their christian sister in the western or in other parts of the world, but their backwardness is not due to Quranic teachings but because of the general extinction of the muslim culture and their indifferent attitudes towards the Islamic laws.

Dower As a mark of Respect & Honour

It has already been pointed out that practically down to the time of Muhammad (SWA) 'Mehar' meant the 'purchase price' paid by the suitor to the wali of the bridge, 'Sadaq' on the other hand was a present given by the suitor to the girl herself. The one practice inevitably influenced the other, for shortly before Muhammad's time part of the 'Mahar', also appeared to be given to the bride.

In the reforms introduced by Muhammad (SWA) 'Mahar' was made the property of wife alone, and in accordance with the injunctions by the Quran, this became an accepted custom. Moreover, the Quran, no longer retains the conception of the wife as purchased, object or of the mahr as her 'price', it was considered as a gift by way of a reward, 'a legitimate compensation which the woman has to claim in all cases'. The old custom of giving Mahar as the purchased prise of the bride was condemned by Islam. It was made clear that the amount paid as 'dower' should exclusively be the property of
the girl. The fathers or the brothers of the girl would have no right over it. The Holy Quran, has revealed this instruction in the following words:

"Give away women their freely (without any restraint); but if, they of themselves (voluntarily with pleasure) remit unto you any thing thereof, then (ye may) consume it with pleasure (and it shall be wholesome) (to you)" (IV.4).

There are three basic points which have been revealed in the above Ayat. Dower, in the first place, is given as a token of truthfulness and earnestness of the affection of man to his wife. Secondly, it is ordained that the dower belongs to the bride, not to the father or mother. Dower, under no circumstances, should be considered as the wages to be paid to the parents for having bought her up, nurses her, or fed her. Thirdly, the word 'Nahlatan' (willingly, spontaneously and not reluctantly) makes it completely clear that the dower has no other purpose apart from being an offer, a present or a gift.

There are several instances which show that Holy Prophet (SWA) was never ready to hand-over a woman to man without the offer of a dower. It is reported that once a woman came, to the Holy Prophet (SWA) and requested him to accept her as his wife. The Holy Prophet did not answer her request and remained silent. The woman sat down at her place. One of his disciple stood up and said, 'O messenger
of Allah, if you are not ready to oblige this woman, I am prepared to accept her as my wife". The Holy Prophet (SWA) asked, what will you offer her as a dower. The man replied, "I don't have any thing to pay". The Holy Prophet said, "without dower your marriage cannot take place, and said", "Go home, and try to find out, even if you have a metal ring, it would suffice". The man returned empty handed and helplessly sat down with the gathering. After some time man started to leave his company. The Holy Prophet called him back and asked, "If he could recite some surah from the Holy Quran." The reply of man was in affirmative. The Holy Prophet of Islam (SWA) agreed to marry that woman with the man and said, "Her dower will be that, you teach her Quran". Such was the importance of dower under Quranic law.

There are several other instances when the Holy Prophet asked people to arrange for dower before the matrimonial ties were established. Even in the case of Az-Zehra (SWA) Mohammad (SWA) himself asked Hazrat Ali (AS) to go and arrange for dower before marrying Az-Zehra.

At another place the importance of dower has been revealed in Holy Quran in the following words: "And if ye intend one wife in place of another, and have given one of them a heap of gold, then take not from it any thing";

(S.IV, A.24)
In this verse it is strongly prohibited that, if a man desires to have another woman in the place of his first wife, he used to compel her in such a way by which the poor wife had to demand a divorce paying a large sum of money for releasing herself from the wed-lock of the tyrant, i.e. her husband. This is prohibited by this part of the verse.

It is not only important to pay dower to a woman before she become your wife, but the Holy Quran, in clear words, commands, it is unjust for you to take back any part of it from her, how much great it might had been.

The same instructions have been given at another place in the following words.

It becomes clear from the above "Ayats" that under Islamic laws marriage was no more a lustful individual function. It also a pious thing, in which the men were duly bound to pay dower as a gift before matrimonial ties are established. However, a provision of convenience has also been granted, based on mutual trust and understanding. This much of financial independence has never been guaranteed in any religion before Islam. The assistance in terms of dower and independence in business matters substantially enhanced the status of woman in society.

In the following chapter an effort will be made to negate the charges against Islam and to justify the
rationality of the Islamic laws which favoured the enhancement of the social and individual status of women in human society.
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Chapter III
THE ERA OF ENLIGHTENMENT
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THE ERA OF ENLIGHTENMENT

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CHAPTER III

THE ERA OF ENLIGHTENMENT

INTRODUCTION:

The reforms introduced by the Prophet Mohammad (SWA) in the form of the revelations of the Holy Quran, for the upliftment of human society, soon became a subject of sharp criticism because of various reasons.

In the first place, the teaching of Islam was based on a disciplined life, it imposed specific limitations on the social, cultural, economic and personal life of the people of which the masses were not accustomed of. As a result, people, in general, became sharp critics of this new system of life.

Secondly, Islam presented a comprehensive social structure embodies specific social code of conduct for the individual and for the social system. Imposition of such code of conduct was something new and against the vested interest of the influential people of the time. So they opposed this changed system in every possible way.

Thirdly, and perhaps, the most important reform was the imposition of the concept of oneness of God. This concept of monotheism was so important in Islam that it did not accept any compromise in this regard at any moment. The same has
been explained in 'Sura Ikhlas' which is said to be equal to one third part of the Holy Quran. The sura reads,

Say! "He, God, is ONE (alone)

God, the Needless,

He begetteth not, nor is He begotten,

And there is none like unto him.

(S.CXII - A.1.4)

The Spiritual and Practical Supremacy of Islam

These and many other factors including the spiritual and practical supremacy of Islam over Judaism and Christianity, created many hurdles in the progress of Islam. In the midst of such an unfavourable environment and turmoil, Islam did not only survived but, with in a very short span of time, it became a religion of masses. The factors responsible for its progress and popularity were, in fact, the comprehensive code of conduct and the highly disciplined way of life prescribed by the Holy prophet (SWA) of Islam and his faithful devotees.

The changes imposed by Islam upon the believers, were surely radical, and pragmatic in nature. Hence, they were considered against the customs, traditions and the philosophy of the pagan Arabs.
The main body of this chapter will consist of the discussion related to the modes of social control, social code for individual life, the relationship between husband and wife, parents and children, Philosophy of marriage, divorce, polygamy, Dower (Mehar) and dowry etc. Codes regarding the inheritance and the importance of education for women would be presented in the next chapter.

The Concept of Social Structure in Islam:

"The mores of social control, as given in Islam are wider than the prayer to Allah. It includes, not only the fear of the day of judgement, but also active service to Allah and his creature".¹ Perhaps, it is the reason why the Holy Quran has emphasized that the muslims while busy in worldly activities, must not forget to remember Allah. Whether they are regular in their prayer to him or are involved in social interaction. Says the Quran;

"that God may reward them according to the best of their deeds, and add even more for them out of His Grace.

(S. 34, A. 38)

This quotation from the Holy Quran shows, that Islam preaches good deeds in ones relation with his fellow beings more than anything else.
'For Allah bounties and reward in the hereafter has no limit for those who are the righteous'.

The establishment of social relations between the individuals in commercial, family or social dealings have been so important in the eyes of Allah, that he has forbidden all frauds which ought to be committed by human beings. There is, again and again, emphasis on, not doing any fraud either in commercial or social matters in order to keep this relationship pious and sacred. This is why great emphasis has been given on speaking truth even in personal matters. A liar, in the eyes of Islam, has been most disgracefully condemned. This is, in fact, a social code related to individual. In this regard the Holy Quran says,

"Woe to those that deal in fraud, - those who, when they have to receive by measure from men, exact full measure, but when they have to give by measure or weight to men, give less than due. Do they not think that they will be called to account? on a Mighty Day, a Day when (all) mankind will stand before the Lord of the Worlds"?

(S. LXXXIII, A.1.6)

There is repeated emphasis, not only against, doing any fraud, either on commercial or in social matters, but, also the Muslims have been asked to speak the truth, even in the
cases, if their relatives are involved. To quote from the Holy Quran.

"...give measure and weight with (full) justice, no burden do We place on any soul, but that which it can bear, - whatever ye say, speak justly, even if a real relative is concerned."

(S.VI, A. 153)

Inference:

From the above two quotations it can be inferred that the expression 'fraud' here is to be taken in the widest sense of the term. "The term 'fraud' is not limited to the economic and commercial dealing but it may mean, dealings in domestic, as well as, in social matters, when a person wants to get more than what he gives". Worst of all, it may refer to the spiritual matters when a person asks for Mercy from his Lord when, on his part, he is not willing to give to his fellow being. There are, surely, social and legal checks on such frauds; but the greatest check is due to the fear of the day or judgement. The fear of Allah in these matters is the beginning of wisdom in all matters.

Further there is much emphasis that the muslims should have no difference, what so ever, in their words and their deeds. Such a conduct has emphatically been condemned and it has been ordained that if a man's deeds are not in
consistence with his words, then such behaviour in all social matters, are extremely condemned by the Almighty. This ordinance is not confined to the deed of men only but the women are also equally accountable under this code of conduct. Such actions of muslims men and women in all social matters are odious in the sight of Allah, because He is the one, who knows what could not be seen by other individual human being.

The Holy Quran says:

'O ye who believe! why say ye that which ye do not? Grievously odious is it in the sight of God that ye say that which ye do not'.

(S. LXI, A.2.3)

Significance of Islamic Code of Conduct

To maintain social norms, the duties towards Allah and the duties towards fellow beings are so much interwoven that they can not be separated from each other, under the Islamic code of conduct. These have clearly been mentioned under the Islamic laws; for example:

1. In the eyes of Almighty it is an offence against society to do shameful and unbecoming acts, the acts which do not have social sanctions whether, locally or universally.

2. Secondly, it is considered a sin to tresspass limits prescribed by social laws, which include insanity in any
form, failure in performing intangible duties of society not clearly defined by law, being selfish, or being proud, instead of being modest.

3. Thirdly, it is also a sin to assign any partner to Allah in the widest sense of the term.

4. And lastly, it is one of the greatest sins to indulge into superstition, instead of being rational as defined by islam.

The Holy Quran addresses the Holy Prophet (SWA) asks him to instruct muslims; in the following words.

say the things my Lord hath indeed forbidden are: shameful deeds, whether open or secret; sins and trespasses against truth and reasons: assigning of partners to God, for which ye are given no authority, and saying things about God of which ye have no knowledge.

(S. VII, A. 33)

In order to maintain decency and modesty in social relationship, muslim men and women have equally been warned to observe the rule of modesty. For example, 'staring by a man at women is certainly not permitted in the social code of Islam'. Surely, it is a breach of refined manners. The need of being modest is the same for both men and women. Although on account of the difference of the sex, in nature, temperament, and the social life of women, a greater amount
of privacy and modesty is expected from women than from men, especially in matters of covering of faces and bosoms, Holy Quran says:

"And say to the believing men that they should lower their gaze and guard their modesty; that may will make for greater purity for them: and God is well acquainted with all that they do. (24, 30) And say unto the believing women that they cast down their gaze and guard their private parts and they display not their beauty and ornaments except what (must ordinarily) appear there of; that they should draw their veils over their bosoms, and not (24, 31) display their beauty except to their husband's their fathers, their husbands fathers, their sons their husband's son. Their brothers and their brother's sons their sister's son or their women, are the slaves whom their right hand posses, or male servant free of physical needs or small children who have no sense of shame of sex; and that they should not strike their feet in order to draw attention to their hidden ornaments. And O ye Believers! turn ye all together towards God, that ye may attain Bliss".

(S. XXIV, A. 30, 31)
Such is a social code of Islam which binds a muslim man and woman to live a life of modesty and to fulfill religious, commercial and social obligations. Such obligations are very wide, which spread over the whole spectrum of family life, neighbours, the members of our own community and other communities.

Emphasis on Personality Development in Islam

Islam preaches both men and women virtues which are essential for living in a decent civilized society. Islam is basically concerned with the development of human character, and in the establishment of decent human society, depending upon mutual trust, tolerance, understanding and faith in God. At so many instances it commands a muslim to follow certain virtues which are essential for maintaining individual and social relationship. For example first and the foremost virtue is that both men and women must have hope, trust and faith in Allah. Secondly, they should have devotion and fairness in practical life. Thirdly, they should have love and practice truth in their thoughts, words and deeds. Fourthly, they should have patience and tolerance even when they are in trouble. Fifthly, they should be humble and should avoid an attitude of arrogance and superiority, they should help the poor and unlucky persons with generosity, kindness and politeness. They should follow the practices and sayings of the Holy Prophet. It is they who are dearest and
nearest to Allah. Lastly, Muslims should be chaste, should have purity in sex, in motives, thoughts, words and deeds, including the following of the true path, which has been taught by the great prophet of Islam (SWA). The Holy Quran promises forgiveness and great reward for such people. Holy Quran says:

"For Muslim men and women -- for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engaged much in God's praise -- for them has God prepared forgiveness and great reward".

(S.33; A.35)

Other various virtues of the righteous persons which can help them developing their mutual relationship in the cultural and social life have been described in Holy Quran in (S. 42, 36 to 42). Allah has promised to give these persons more lasting reward in this world and in the world after life.

The Holy Quran has been so much particular in establishing a proper social relationship that at numerous places Allah has ordered the Muslims not to breed the hatred
for others, even to them, whom they found wicked and hostile. He has instructed muslims to help each other in piety and goodness, to have fair dealing in social life.

"That even the hatred by others towards a true muslim should not lead him to do injustice to them". To quote from the Holy Quran, and let not the hatred of some people in (once) shutting you out of sacred Mosque lead you to transgression (and hostility on your part). Help ye one another in righteousness and piety, but help ye not one another in sin and rancour; fear God; for God is strict in punishment".

(S.5, A.8)

These and many other 'ayats' from Holy Quran may be quoted to prove that Islam has been essentially concerned with the development of healthy human society. The Quranic commands and instructions are applicable to men and women alike. There is no distinction in the behavioural manifestation and dealings of men and women towards human society. Allah, has enjoined upon muslims men and women to do justice, be good and liberal to kith and kins; and He has forbidden all shameful acts, injustice and rebellions for both the sexes. Says the Holy Quran.

"God commands, justice, the doing of good, and liberality to kith and kins, and He forbids all shameful
deeds, and injustice and rebellion: He instructs you that ye may receive admonition (S. XVI, 90).

A Healthy Family Ensures a Healthy Society:

In order to maintain a healthy social relationship in a society. Islam has instructed the believers almost in every possible way to avoid the situation which can lead to misunderstanding and conflict and could destroy the fabrics of social interaction. There is no doubt, that a healthy society depends solely upon the healthy relationship with the individual within the family. If this small unit of the society, that is the members of a family, have good relationship within themselves, then it may be expected that the whole society will be good. In case, this smaller unit is disturbed and lives under a state of tension and conflict, the whole society will be disturbed. In order to keep this smaller unit of the society healthy and intact, some code of conducts are necessary to be adopted by the members of the family, which consists of husband, wife, parents and children.

Mutual Trust and Faith is an Essential Fabric:

If mutual trust, faith and good understanding, prevail within the family, the relationship between the members of the family will remain good, otherwise the family will be disturbed. A disturbed family will adversely affect the structure of the society.
Adultery has been strongly condemned in Islam:

Perhaps because of unending evil effect of adultery, Islam is very strict in matters of pure sex relations between husband and wife. In the Holy Quran, there are very strict instructions against adultery. Adultery is not only considered a shameful act inconsistent with self respect and respects of other fellow beings in the society, but it may also be a source of many other evils. There is no doubt, that adultery, whether it is committed by the husband or by the wife, will destroy the very fabric of family life. It works against the interest of born and unborn child. Ill-feeling, distrust and conflict between the couple and murder might be the result of such an undesirable action of either member of the family. From social point of view, a person may lose reputation as an individual, may permanently break the sacred bonds of family life. Therefore, for a true muslim, it is upon them not only to consider adultery as a sin, but also to avoid any approach or temptation to it. In this context the Holy Quran says:

Nor come Neigh to adultery, for
it is a shameful (deed) and an evil,
opening the road (to other evils)".
(S.17, A.36).

It is because of these reasons, clear instructions have been given in the Holy Quran regarding the rights and
duties of the husband towards his wife and children, to the wives towards their husbands and to children towards their mother and father.

A careful examination of the existing situation will reveal, that if an Islamic dictation apparently remained ineffective due to an inadequate religious, moral and spiritual education. It is not because that the Islamic laws and teachings of Islam are defective, or limited, but because of an inadequate religious moral and spiritual education.

Position of Women in Islamic Society

Concerning the women's position in Islamic society, it is to be remembered that Islam regards the woman as an independent member of the society and places no difference between her and the man as far as human virtues are concerned.⁴

It is repeatedly mentioned in the Holy Quran that the favour of the Almighty will be attained only through piety, virtue, knowledge and good deed, of a muslim individual. There is no distinction whether the doer is a male or a female. The Holy Quran says

"O you men, surely, we have created you of a male and a female and made you tribes and families, that you may know each other; surely, the most honourable of you with Allah
is the one, among you, most careful of his duty".  
(S.49, A.13).

In the same context at another place the Holy Quran declares, in more specific words.

"I will not waste the work of a worker among you, whether male or female, the one of you, being from the other"

(S.III, A.194)

The above two ayats from the Holy Quran testifies that Islam does not differentiate between the virtuous of dutiful man from the women possessing the same qualities. It would not be out of place to mention here, that 'in Islamic society, a woman has the right to own and sell her property, she has a right to inheritance, right to seek knowledge, and even the right to seek employment for earning money like any man in the society'.

"In Prophet Mohammad's times there was a woman named 'Zeinab Aattaari' who sold perfume and had the Prophet as one of her clients'. It is evident from the Islamic literature that 'in Islam the woman can also take part in social activities and trade in so far as her participation is consistent with chastity and virtue'. In early Islam, "the women used to accompany Muslim combatants (Mujahedeen) to the war fronts and helped in cooking and nursing the wounded soldiers and so forth". 
The Holy Quran comments:

"There is no blame on you for what they do for themselves in a lawful manner"

(S.2, A.234)

Inference:

The above discussions and quotations from the Holy Quran, may lead us to infer, that Islam has been very particular in establishing and strengthening, social bonds and relationship with an ultimate objective of social welfare. It is perhaps, because of this reason, the Almighty has said in very strong language, that 'a man will definitely be a loser if he does no good work and exhorts one another to truth and endurance, to remain concerned with ones own material gain. Pre-occupation of a person only in material gain on or loss is strictly condemned. Faith leads a person to be righteous and contribute to social welfare.

It may also be inferred that a strong faith in Allah and his prophet Mohammad (SWA) may lead a person to do good to others. Obviously, thinking and doing good to others contribute to social welfare. Such persons would, surely, be liked and respected by other members of the society and he would be able to lead others to the path of truth and constancy.

The Holy Quran says:

"Verily man is in loss! except such as have faith, and do righteous deeds, and (join
together) in the mutual teaching of Truth, and of patience and constancy".

(S.CIII, A.23)

In addition to selflessness, forgiveness, humbleness, truthfulness and endurance, the conventions of propriety and privacy are also essential features of a refined social life. It has been enjoined upon the muslim (men and women) that they should not enter the houses of others unless they have sought their permission to do so. Muslims, in general, have been instructed to exchange good wishes and ensure safety whenever they meet each other. It has also been commanded in Holy Quran, that in case, the permission to enter other's house is not given and he has been asked to go back, a muslim must immediately go back without hesitation. Such an action and behaviour will make his life, a life of goodness, and purity. He will remain respectful and honourable for his fellowmen and to the Almighty. (Ref. S XXIV - 27,28).

The Holy Quran further says:

"The believers must (eventually) win through, those who humble themselves in their prayers; who avoid vain talk; who are active in deeds of charity; who abstain from sex except with those joined them in their marriage bonds, but those who desire to exceed limits are transgressors; those who faithfully observe their trust and their covenants; and who (strictly) guard their prayers; these will be the heirs, who will inherit paradise; they will dwell there in (for ever)."
Micro-religious form of Islamic Structure

Upto this point, aspect and macro-culture issues of Islamic society and their importance have been discussed. The remaining part of this chapter will deal with some micro-religious form of social structure of Islam, based on Quranic instructions. This part will consist of the relationship of an individual with his family, his relationship with muslim community as a whole, and the role of an individual as a father, mother son and daughter and their interrelationship. As it has been mentioned in the early pages of this chapter that the Competent Creator, views family as the core of the society which has been equipped with conditions which would establish its foundation. For instance, the natural sex mechanism which ties two individual into a life long companionship where peace and happiness could be sought.

Islam, genuinely, considers family life to be of great significance in which women play a very important role in bringing mental peace and happiness within the family. The mutual affection between the couples after marriage is in accordance with the natural phenomena.

Men and Women are Equal:

It is expected that married couple will feel comfortable with each other only when there develops mutual trust, respect and good understanding between them. This is
also the will of the Almighty, the Holy Quran declares:

"And one of the sign is that he created maids for your from yourselves that ye may find rest in them, and ye put between you love and compassion (S.30, A.21)

It is clear from the above verse that the harmony which exists in divine legislation is corresponding to the human nature.

The vital significance of a united family can be well understood through meditation of the Quranic verses. The family is comprised of two main elements namely, men and women. It is expected that the couple, on the basis of their mutual trust, cooperation, and understanding can bring happiness to the family, which will ultimately lead towards a happy society. Frankly speaking, a joint venture of the couple forms such a unique body which enables the tree of humanity to grow, and eventually, bear fruits.

A women cherishes this fruit inside her body for several months, nurturing it with the juice of her life, and after child's birth, she embraces the child as she would nourish her own life and soul. She suckles the baby instinctively, sacrifice her rest, comfort, and peace for it. While the husband, or the father of the expected baby, waits anxiously, with a mixed feeling of pleasure and pain. During all this period, he tries to extend every comfort to his
wife, because he knows that she is the real custodian of his future generation.

It is evident from this fact, that in a family structure, men and women stand on equal footing. The contentment, satisfaction and joy, are the basic components of a happy family life and are responsible for a healthy generation and the well being of the society. Surely, the creation of a healthy society is not possible without a sensible cooperation of husband and wife. In the light of these facts it may be inferred that Islam has given equal status to men and women and has treated them equal without any discrimination.
REFERENCES


2. Ibid P. 16

3. Ibid, P. 16


5. Ibid. P. 20


8. Ibid. P. 21
Chapter IV

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CHAPTER IV
THE INSTITUTION OF MARRIAGE

INTRODUCTION

One of the important and valuable contribution of Islam is the introduction of marriage institution and giving it a legal status. Islam advocates that marriage between male and female is one of the most sacred fundamental social institution which serves three important purposes.

1. It is a legal source of procreation, which means propagating of human population so that the human race could continue to grow and survive.

2. Cooperation and participation in the struggle of earning ones livelihood through legally acceptable means.

3. Educating the offspring, submission to Allah and the following of Islamic Shariat. Marriage in Islam is based on reality. It emphasises on women’s chastity and conjugal rights i.e. exclusive attachment of the wife to her husband. It cares for child legitimacy and their parentage. It is through this institution, parent have been given the responsibility of nursing and rearing up their children. The Offsprings of legally married couple inherit his parents property and maintains the values of the family. At the top of all under Islamic system, marriage has been considered as the only legal and honourable way of satisfying sexual
desire, and as such the union of husband and wife ensures the survival of the mankind. In short, marriage in Islam is 'sunnat' and is looked upon as an essential religious obligation for both men and women. The Muslim Marriage, in its real perspective, is purely a secular ceremony. There is nothing sacred about it, nor their is any mystical over-tones of two halves coming together to make a whole.

It is a contract between two concerning adults who join together as husband and wife. Both parties enjoy rights and share responsibilities. It is surely beneficial if they live in harmony. But, if such harmony could not be achieved, no censure is attached to separation and divorce. Although divorce should not normally be considered the easy way out. It is this provision which is unique in Islam and which makes the marriage institution most secular in character and practice.

The Prophet of Islam (SWA) himself, placed marriage over and above an ordinary union of two sexes or a mere means of producing progeny and assuming the continuance of human race. "Marry" 'he is reported to have said', "to enjoy their (women's) love and to legal children". Marriage thus, makes husband and wife, not only partners in the venture of raising a family but it also ensures full sexual partnership in giving and receiving pleasure\[1\].
Historical Appraisal of the Marriage Institution

It has repeatedly been pointed out earlier that during pre-Islamic period the birth of a daughter was usually looked upon by the Arabs, and by other neighbouring nations, as a clamity and insult to the parents. Burying alive the female child was a common practice among them.

It is reported that Hilkrion warned his expected wife Allice in these words "If perchance you bear an offspring and it is a male, let him live and if it is a female, put it on the midden."

The Quran while speaking of the Jahilliyas says, "on hearing such news a father’s face grew black and be choked with rage". This statement has appeared in Quran at two different places (Sura 16 Ayat 60 and Sura 43 Ayat 16). Robertson Smith, in his book, 'on kinship and Marriage in early Arabia', "says", that the practice of burying the female child had been common, among the Arabs before the advent of Islam. Another common practice was that, if a girl was allowed to live, she would have normally been married at an early age, the parents fearing that, otherwise she and they would be dishonoured. In those period of utter darkness and of barbarism, no social laws were observed. Children infanticide was common. According to Ghulam Ahmad, in his book, "The teachings of Islam" Rapine and incest raged supreme and not infrequently mother were taken as wives.
Sirdar Ikbal Ali Shah, in his book, 'Mohammad the Prophet', has mentioned "Barring the love songs in praise of the beloved, which were the out-come of carnal east, women were accorded no better treatment than lower animals. There were no set principles and laws which could govern this system. As pointed out by 'Abul Faraq' the compiler of the book 'Kitabul Afghani'. The women in Jahaliya, used to divorce their husband very casually. The form of the dismissal was somewhat atypical. For example, If a woman living in a tent, had decided to divorce her husband, she would turn the tent round, so that if the door had faced east, it was now faced west and if it had faced yemen it would now face Syria. When the man (husband), saw this change, he would understand that, she had divorced him, and he would not enter, the tent.

Marriages were conducted in the simple ways involving not very high moral standard. No witnesses were required, nor was there any contract with the women's kinsmen. Such marriage were known as Sadiqa Marriage.

SADIQA MARRIAGE

As per tradition the perspective husband used to present himself before the women with the remark "Khitb" (I am suitor) and the women, on acceptance replied, "Nikha" (I wed). A woman so married was called Sadiqa, which means "friend" and the man was her sadiq. He gave her a present, as
a prize of her "Consent". In such marriage contacts the woman who received the gift, need to remain with his man upto the expiry of the specified period. The period might however, be extended with mutual consent. There were also instances of forced marriages during pre-Islamic period. Such marriage were known as marriage by capture.

Marriage by capture

This practice was common among the primitive Arabians and it continued upto the time of Mohammad (SWA). In this system women of strange tribes were exposed to peril. There can be little doubt, that the experience of marriage by capture were derogatory for women. After forcing a women to become wife of a man, from another tribe, they lost their identity. This inhuman custom made the Arab women very cheap and dishonoured. Captured women were often held to ransom, and it was a question of prestige for the tribes, whose women had been captived, to recover them, at very high cost. Another reason for the prevalence of this custom was, that the purchased price of a wife was often too high for the indigent Beduin. When other means failed to have a wife Beduins usually grabbed possession over a women by capture. The shortage of women due to female infanticide, was perhaps, one of the major causes of the popularity of this in-human practice.
Such type of marriage and similar other mal-practices degraded the status of women to a great extent. They tended to reduce the position of women to that of a cattle. They did not have any right to divorce, nor they had any right on their children. Men, usually had complete authority on them, on their children, and property. There were also customs of marriage by contract or by purchase.

Shighar was another form of marriage recognised in pre-Islamic times.

Shighar: In this system a man would contract the interested party to give his daughter, sister and other wards, in exchange of the payment of 'Mahar'. This amount would go directly to the father or brother, who possessed the women in his charge. Hazrat Mohammad (SWA) however, emphatically condemned this system, on the ground, that it deprived the women from her right on 'Mehar', which must go to her directly.\textsuperscript{6}

Polyandry: It was another form of marriage in this system a group of kinsmen, might be several brothers, would unite to procure a women of another tribe, either by capture, or by purchase, and bring her to their home to serve as a wife to all of them.

It is clear that in such a state of affair, the paternity of the child remained doubtful, and in the case of
a polyandrous group, the real father of the child could not be known. Apart from this problem, unlawful system had an unending bearing on lowering down the status of women in the society and in her own eyes.

Reforms regarding marriage, implemented by Prophet Mohammad (SWA)

Our Prophet Mohammad (SWA) remained a close observer of the traditions and customs prevailed in Arabia for about forty years. At several occasions he was badly pained to witness the deteriorating condition of Arabian women.

Fully realising the importance of women in the human society he directed his efforts towards raising the status of women in the family and in the society. He therefore made concerted effort towards modifying most of the existing customs, and introducing new laws and conditions for the upliftment of women community and restoring their real position. In view of the Special needs of his time and the country, the Prophet of Islam (SWA) was undoubtedly an earnest champion of restoring women's right. The form which his advocacy took place, resulted in slamming out the most abused custom of female infanticide. In his pursuit to raise the status of women in Islam, he laid down different restrictions on the earlier Arabs practices regarding marriage.
Marriage in Islam is a divine institution

It is Islam which gave the women the right to give their consent to choose their life partner. They were given absolute protection against gross tyranny. It was for the first time, that Islam legalised the right of women to demand separation from her husband, if the life of the partner become miserable. The divorce, or the dismissal of the marriage contact did no more remain an easy job. These and many other such reforms introduced by the Prophet of Islam certainly improved their lot. Women were sanctioned almost an equal status, as it was enjoyed by men, in every sphere of life. The reforms introduced by our Prophet Mohammad (SWA) were invariably revealed in the Holy Quran. Marriage has repeatedly been presented in the Holy Quran as a divine institution, legalizing sexual intercourse for the purpose of procreation. Quran says,

"Your wives are" your fields, go in therefore to your field as ye will, but do some act for your souls, good and fear ye God, and know that ye must meet Him and bear these good.

(S.2, A.223; and also S.30, A.2)

Although marriage has been obligatory to every muslim but there are certain concessions. Surely, the believers are directed to live a married life but, Quran says, If you are
poor and because of poverty you can not afford marriage. It is legitimate reason for not getting married.

"And let them be in continence, those find not means to marry until God out of His grace maketh them free from want".

(S.24, A.33)

In the same tone Quran promises that a rightful marriage is always liked by the Almighty. Since God is aware of all, what is right and what is wrong, He is all knowing, but at the same time all bounteous. He promises to take care of married couple even if they are not in a well to do position.

Quran reveals, 'And marry ye those among you who are single and those who are righteous one's your male slaves and your female slaves; If they be needy, God out of His grace will make them free from want, and God is all bounteous and All knowing'.

(S.24, A.32)

Islam wants every believer in God, men and women to lead a respectable married life. The sex urge in man and woman is a natural force, which is a God gift, to keep the processes of procreation of the species to continue, till the last day of judgement. If this urge is not properly controlled and duly sublimated it is liable to play havoc and
cause irreparable damage to social health, harmony and happiness of the people. It may also degenerate the individuals resulting spiritual degradation. Islam always preached and commanded the rational and moderate movement in every walk of life, and had never encouraged extremist approach in religious, social economic and spiritual matters.

Islam recognizes Husband and Wife as equal partner

In Islam the equal status of both male and female sexes have not only been recognised but has emphatically been insisted upon. It may be said that if sex distinction due to biological reasons do not affect the spiritual status of the two sexes, how can it affect status in worldly affairs? Allah addressed both the sexes on equal terms in the Holy Quran.

"Never will I suffer to be lost the work of any of you, be they male or female, you are members one of another.

(S.3, A.194)

At another place the Holy Quran reminds that men and women are equal in the eyes of God. They are inter-dependent. It is their cooperation and mutual understanding that may rightly serve the very purpose of the creation of this universe.

In the eyes of Almighty there is no distinction of sex, so far reward for righteousness is concerned. A righteous
person shall be dully rewarded. This part of the verse indicates that men and women both are equally required to shun off evil and be righteous. Islam recognises perfect equality of both sexes as regards to their responsibility to be good. According to the natural assignment and native endowment, the status of men and women as a married couple is that "Ye are from one of another", reminds that men and women have equal status.

Surah 'Nisa' or the women, starts with the command from Allah to worship Him alone who created all the human being from a single soul Adam, and created the male and female of the same rank and nature, made them mate for each other; then Allah or dains that the human beings, in general, and the muslims in particular, on account of their faith, 'revere' the womb that bore them. The Holy Quran says"

'O mankind! Reverence your Gaurdian-Lord, Who created you from a single Person, created of like nature his mate, and from them twain scattered (like seeds) countless men and women; - Reverence God, through Whom ye demand your mutual (right) and (reverence), the wombs (that bore you); for God ever watches over you".

(S.4, A.1)
This Ayat clearly indicates that Muslims have been enjoined to hold the women in the highest form of respect. They have been asked to 'revere' Allah who produced them, the mothers, who gave them birth and the wives, through whom they are expected to continue their linear succession.

The phrase "to revere the womb" is, perhaps, the most comprehensive phrase, in which men have been ordered and are expected to keep the women in greater respect. The respect to women-kind has perhaps, been the one of the main objectives of the Holy Quran. Islam respects and believes in the purity of sex and therefore, it gives and honourable position to the institution of marriage. An Islamic marriage does not only mean the physical relationship between male and female, there is also an spiritual aspect in it, and it is because of this reason, the purity of sex has been given the highest priority in the Holy Quran.

Since sex bears the highest spiritual harmony in human life, it is feared that if the husband and wife belong to different faith, it might lead to some confusion and conflict between them. Such conflicts and differences between husband and wife may prove a barrier in the path of fulfilment of the objective of marriage. It is because of this fear the Holy Quran has forbidden marriage between the believers and the non-believers. The Holy Quran is very specific on this point. The Holy scripture commands.
"Do not marry unbelieving women, idolaters, until they believe. A slave woman who believes is better than an unbelieving woman even though she allure you, nor marry (your girls) to unbelievers until they embrace Islam. A man slave who believes is better than an unbeliever even though he allures you.

(S.2, A.221)

It may be pointed out here that his command is very important from the point of view of sociology and human Psychology. It has been very aptly pointed out, that marriage is the most intimate communion, and the mystery of sex finds its highest fulfilment when intimate spiritual harmony is combined with the physical Truth. If religion, at all, has some impact on life, a difference in believes and faith must effect the life of both, more profoundly, than differences that might be due to birth, race, language or position of women in life. It is therefore, only justified that the parties pursuing matrimonial relationship should have same religious and spiritual outlook." 7

A Harmonious and pious married life is the "WILL of God"

The Holy Quran says, in regards to the position of husband and wife that, women shall have right similar to the right of men, but men have a degree (of advantage) over
women. The reason, why husband have been granted a little degree of advantage over the wives? Because, According to the Holy Quran:

"Men are the protector and the maintainer of the women, because God has given the one of them more (strength) than the other, and because they (men) support them (women) from their means. Therefore, the righteous women are devoutly, obedient and guard in (the husbands) absence what God would have them asked to guard. As to those women on whose part ye fear disloyalty and ill conduct admonish them (first), (next), to refuse to share their beds and (last) beat them (lightly); but if they return to obedience; seek not against them means of (annoyance) for God is most High Great (above you all)".

(S.4, A.34)

The above Ayat throws light on two important facts of life. In the first place, it shows that the husband has an obligation to maintain his wife and the family, and the wife on her part, has got an obligation to guard her own virtue; the husbands reputation and his property. This part of the revolution of the Holy Quran based on the fact that mutual trust between husband and wife ensures love and affection between them. This relationship lays the foundation of a
civilized society. Certainly, the mutual rights and duties between husband and wife is the foundation of a happy family life, which definitely promises sound minded generation.

The second part, however, marks a provision between them, which is natural and can any time be expected from the human being. In view of this natural phenomena the Holy Quran says; that in case of fear of disloyalty and mis-conduct on the part of the wife, four steps have been suggested. First, it had been that the verbal advice or admonition may be sufficient. If it does not work, as a second step, it is suggested, that husband may suspend sex relation. Even if, that does not work as a third step, slight physical correction might be administered. It may be seen that these steps have been suggested in a very psychological way in ascending order. It would not be out of place to mention, that seldom there would be any need of going down to all the three steps, if men and women have started their relationship with real trust and understanding. Presumably, the first two steps would be sufficient to bring the mutual relationship back to normalcy between husbands and wife. Surely, if the third steps becomes necessary then the couple must be sure that they are not going to live a healthy married life. It has further been suggested, that if these steps did not lead to harmonious relations between the husband and wife and it is feared, that there might be a breach between them, then
two arbiters are to be appointed one from each side. These arbiters may help bring reconciliation between the couple and might enable them to lead an honourable, harmonious life. The same has been revealed in the Holy Quran in the following words.

"If you fear a breach between them twain, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, God will cause their reconciliation: for God hath full knowledge, and is acquainted with all things.

(S.4, A.35)

In fact, purity of sex has been commended both for men and women all the time, before and after marriage. From time immemorial, the sex offences have been considered as one of the major offenses. It is this fact, that might affect the spiritual life of the couple in the highest degree, and therefore, in such matters, there has been no difference between husband and wife.

The honour and respect of women and the significance of equal status between male and female are so important in the eyes of Allah, and before our Prophet Mohammad (SWA) that even minor happenings which might take place in a family between the husband and wife has been explained in the Holy Quran. For example, it has been revealed that "in the case of any one launching a charge of infidelity against his/her
spouse without any evidence, it has been ordained by 'Allah' that he or she will take an oath in the presence of Allah, four times, that the charge is correct and for the fifth time he/she will have to take an oath again in the presence of Allah that the curse of Allah be upon him/her if he or she is wrong.

Obviously, this very strict condition has been laid down for the proper social conduct of both the husband and wife. It can also be witnessed that both husband and wife have been given equal right and equal status, in proving his or her charge against the other. It has further been revealed 'If any one hesitates in doing so (taking oath) then the charge against him or her is proved. It is but natural that in either case, the marriage contract would be broken, because no party can live happily after such an incident. The same has been revealed in the following verse.

"And for those who launch charge against their spouses, and have (in support) no evidence but their own -- their solitary evidence (can be received) if they bear witness four times, (with an oath) by God, that they are solemnly telling the truth; and the fifth (oath) (should be) that they solemnly invoke the curse of God on themselves if they tell a lie. But it would avert the punishment from the
wife, if she bears witness four times (with an oath) by God, that (her husband) is telling a lie; and the fifth (oath) should be that she solemnly invokes the wrath of God on herself if (her accuser) is telling the truth.

(S.34, A.6-9)

And then Holy Quran proceeds further to add:

"If it were not for God’s Grace and Mercy on you, and that God is Oft-Returning, Full of Wisdom, (Ye would be ruined indeed)

(S.24, A.10)

The above surah, clearly negates the old traditions of Arabs 'Jahaliyas', when the separation of men from women and breaking up the matrimonial ties were just a fun, depending on the sweet will of either party. This further strengthens the view, that Islam is the first and the only religion which has been particular in raising the social status of women at the time when women were treated as cattles, and were used for the sexual pleasure of men.

Islam concerns towards women status in the society and its willingness to help people lead a pious a married life is very important. In so many words, it has been said, that who lay a charge against the chaste women and are not able to produce four eye witnesses, then for then 'Allah' have laid down strict punishment.
It must be noted, that in other cases only two witnesses are needed, but on the charge of infidelity against the chaste women, four eye witnesses have to be produced, and all of them must admit that they had seen the infidelity of women.

'Allah' has laid down severe punishment to those who fail to prove the cases of infidelity against women under Quranic laws. The Holy Quran says:

"And those who launch a charge against the chaste women, and produce not four witnesses (to support their allegations), -- flop them with eighty stripes; and reject their evidence ever after: for such men are wicked transgressors";

(S.24, A.4)

And in case the charge is proved against men or women before or after marriage, Allah has ordained for a very strict punishment to him or her, so that it becomes exemplary for the future. The Holy Quran says:

"The woman and man guilty of adultery, or fornication, flog each of them with a hundred stripes: let not compassion move you in their case, in a matter prescribed by God, if ye believe in God and the last Day: and let a party of the Believers witness their punishment".

(S.24, A.2)
Once again, it can be said that equal punishment has been prescribed by 'Almighty' for both men and women without any discrimination. Allah has repeatedly condemned those who laid down accusation against the chaste women. In the words of Holy Quran:

"Those who slander chaste women, indiscreet but believing, are cursed in this life and the Hereafter: for them is a grievous Penalty",

(S.24, A.23)

The marriage institution has been given a very significant place in the Holy Quran. Since it lays a foundation of a family it should be considered, as the most pious and honourable institution. Best efforts have been made to safeguard its sanctity and honour.

The Holy Quran says:

"O, children of Adam! we have bestowed upon you garment to cover you shame and to be an adornment to you and the garment of righteousness, that is the best"

(S.7, A.26)

In other words, a healthy union of husband and wife may be a source of everlasting happiness for them and for their family. If this union is developed on mutual trust and respect and they have firm belief in 'Allah', in His Heavenly book, and in the supremacy of the Holy Prophet then they will be able to discharge all the duties and
responsibilities gracefully. They will surely win God's favour.

Importance of the consent of the Girl in choosing her husband

Consent of Girls in choosing their husband is a necessity in Islam.

In pre-Islamic days the Arabs as well as non-Arabs including Jews and Christians, considered fathers to have full authority over their daughters, their sisters and in most of the cases, even over their mothers, in the choice of their husbands.

For them these women were not given any liberty to give their own consent or decision about their likes and dislikes. It was considered to be the sole authority and function of the father, brother or the uncle, to give them in marriage to any body whom they liked. In some cases these women might be sold, exchanged or even given as a gift to the person whom their guardians decide. Islam was the first religion which has broken this in-human custom. Islamic laws about the consent of women regarding her marriage is considered very important. There are certain Ahadith which can be quoted here that the Holy Prophet had very emphatically, practiced this natural Islamic law himself. Infact, Islam did the greatest service to the female sex by giving them the right and freedom to make a choice for their life partner without accepting any external pressure.
Shahid Athani the Great Fuqaha (Islamic law scholar) and the writer of 'Jawahar lul Kalam', reveals in Masalick, that, a young girl came before the Prophet (SWA) and complained that her father had given her into the marriage of his nephew without seeking her consent, but "I do not like him, so I can not be a wife of a person whom I dislike". The Prophet (SWA) in the first place, with all sincerity, advised the girl to agree with the decision of her father, but the girl did not agree. So, the Prophet (SWA) willingly allowed her to make a choice of her own. However, the girl finally accepted that she, very much likes her cousin, and wanted to live with him as a wife. She said "I was against the marriage simply because, it was done by my father without my consent". It was at this moment that Holy Prophet (SWA) declared" Inform all women that hence-forth father have no right to take a decision on their own and give their daughter to any one they like".

There is another authentic A-Hadith which explains the circumstances when the Holy Prophet (SWA) had to give injunction against the decision of the father about the marriage of his daughter. It is reported, that during the last pilgrimage of the Holy Prophet, a man came before him and complained", "Many years ago, "he said, 'during the Jahalliya, I and Tariq Ibne-Marqa, had taken part in battle". Tariq was badly in need of a spear and declared,"if any body
gives him the spear he would give him as reward, the first
daughter born to him" I accepted the offer, and handed over
my spear to him" After many years I discovered a daughter had
been born to Tariq and that she was of a marriageable age".
"I went to Tariq" and 'reminded him about his offer", but
Tariq had broken his words of honour and now he asks for a
dower for his daughter" Now I have come to you for justice
and to know 'is justified between I and Tariq'? The Prophet
(SWA) enquired about the age of the girl and when he came to
know that she was a grown up lady, he answered" "According to
what you asked me", "neither you nor Tariq are right". Go
back and look after your own affairs and leave the poor girl
to look after herself.  

Islam vehemently opposed and condemned such customs. It
is another successful effort of Islam towards restoring
women's respect and valuing their will, in the selection of
their husbands. It has been reported, that the Holy Prophet
himself gave his daughter A Zehra (SA), liberty of choosing
a husband for herself. On the occasion when Ali-Ibne-Abi
Talib (AS) presented himself to the Prophet and asked for the
hand of Az-Zehra (SA), the Holy Prophet said", "several
persons had come to me to ask the hand of Az-Zehra, but by
the displeasure of her countenances, she had refused them"
"I shall inform her of your request". It is further added that
"The Holy Prophet went to his daughter and put the offer
before her". Az-Zehra did not turn her face away in
disapproval this time, and by keeping silent and undisturbed, she expressed her consent. The Holy Prophet, "reciting Takbir came back to Ali (AS) and congratulated him."

Similarly, the Holy Prophet gave several other daughters in marriage, but never he deprived them of their right to choose their husband. In fact, for our Holy Prophet the consent of girl for their marriage was considered something very important. It does not mean, that the fathers do not have any right on their daughters, but surely, her willingness should be sought and it should be given due consideration, this is the spirit of Islam, in support of the above facts the Holy Quran says:

"It is not lawful to inherit women against their will..."

(S.4, Ayat 15)

It was the custom in the pre-Islamic Arabia that when a man dies his elder son inherited his widowed step mothers as his wives. The same was strictly prohibited by Islam.

According to Murtada Muthari, under Islamic laws sons and daughters are independent so far the disposal of their property is concerned, provided they have reached the age of maturity, and are in possession of sound state of mind. He say, that "fathers, mother or any body else, do not have any right to interfere in the economic matters or in the matters related to property dealing." Although, he agrees, that there
is some difference of opinion between sons and daughters, in case of marriage. Where as a matured son has full right to select his wife for himself, but in case of daughters, if they are virgin then the father may have certain rights, but that too, to a very limited extent. So far the absolute authority of father is concerned there are difference of opinion between scholars in this regard. There are “fuqahas” who believe that the necessary condition in the marriage of the daughter is to get the approval of his father, while other group of Fuqahas’ are of the opinion that fathers approval is no a necessary condition.12

However, the point, on which both the group agree, is that if the father does not give his approval, then he should give a convincing reason for his disapproval. In case father fails to convince and fails to give a genuine reason for his disapproval, then he forfeits his rights. almost all Fugahas of Islam agree, that in such case the daughter has complete freedom in choosing her husband. However, on the safer side it is better that parents approval should also be sought if the daughter is going to be married for the first time. In case of remarriage of windows there is no such restriction.13

All these facts show the concern of Islam in restoring and maintaining the social status of women. Giving women the right which she had never enjoyed before the advent of Islam, is a unique character of Islam. These facts may confirm that
the reforms introduced by Islam and practiced by our great Prophet Mohammad (SWA) were all directed towards raising the social status, respect and prestige of women community.

DIVORCE IN ISLAM

The efforts of Islam in extending protection to women does not end here. The Holy Quran has suggested many provision if married life becomes miserable to either member of the party and they wish to break this matrimonial ties. From time immemorial, man had been enjoying the privilege of divorcing or setting aside their wives, on one or the other pretext. No religion before the origin of Islam could restore the right of women to challenge men's autocracy. Islam is the first religion which has given the women a right to seek separation from her husband if there exists an impatchable conflict between them. If their life becomes miserable and separation between husband and wife remains the only solution.

It has already been pointed out, that the institution of marriage is a sacred one. Apart from leading a harmonious life between the husband and wife, Islam demands from a believing man and a believing women to lead a pious married life with peace and tranquility so that the happiness which exists in the family should be helpful in bringing up their children on the righteous path.
Says the Holy Quran in the following words:

"Among His signs is this, that We created for you maids from among yourselves, that ye may dwell in tranquillity with them, and He has put love and mercy between your (hearts) verily in that are signs with those who reflect".

(S.30, A.21)

In spite of this fact Islam has never made the matrimonial ties between husband and wife a contract which can not be broken. In other words, it has not been asked that the husband and wife must remain tied together irrespective of the fact whether they can live together happily within the code as ordained by Allah. The situation in which the husband and wife live in a state of continuous conflict, or there develops some misunderstanding between them which might adversely effect the family environment and the proper mental and physical development of children. Under such circumstances Islam has taken maximum precautions and suggests that all possible steps should be taken to remove the conflict and normalize the relationship between them. However, if all possible efforts of reconciliation fail then there is the provision of separation, under very specific conditions. In fact, separation or divorce is, after all, an act which is not liked and pleasing to God. Our Prophet, said
that "of all things permitted by law, divorce is the most hateful in the sight of God".\textsuperscript{14}

Seemingly, no religion has shown so much disregard to divorce as it has been under Islamic laws. Divorce has been vehemently discouraged, and preventive measures have been advised to avoid divorce. As a matter of fact, the provision of divorce in Islam is not a rule but it is a remedy of any possible social evil. Divorce has been recommended when both parties fail to reconcile and their remains no alternative except separation. Those who marry one women after another and divorce them, in quick succession, have been condemned in Islam. They Prophet Mohammad (SWA) was always unhappy at such occasions. It has been reported that one of his followers, divorced three wives one after the other. When Prophet Mohammad (SWA) came to know this fact, he showed his displeasure in the following words:

"Allah considers as his enemy and damns the man who relishes changing wife one after another, and the women who delights in changing the husband one after anothers".\textsuperscript{15}

In Islam, divorce is considered as a sin if it has taken place without any genuine reason. Once, the Holy Prophet, was informed that Abu-Ayyub-Al Ansar was determined to divorce his wife. On bearing this, the Prophet said varily, "the divorce of women is a great sin".\textsuperscript{16}
In the same context Imam Jafare Sadiq (AS) quoted the Holy Prophet as saying, 'To God, no house is dearer than the house where there is union of marriage, and no house exists which deserves this wrath more than that in which the union of marriage is broken by divorce'.

At another place, Imam Jafare Sadiq said, "No lawful thing is the object of so much wrath and hate in the eyes of allah, as divorce is. Allah considers the man who repeatedly divorces as his enemy".

The above Ahadith show that the union of man and women for a sound purposeful end is the supreme objective of Islam and also a thing of pleasure to God. The separation and divorce, on the other hands, is not only disliked by Him and by the Holy Prophet (SWA), but it is also disgraceful. The above Ayats and Ahadiths helps us to derive the following inferences:

(1) Islam preaches healthy union of husband and wife as a matter of great pleasure to God and His Prophet (SWA).
(2) Divorce, not supported by genuine reason and valid causes is considered as sin.
(3) The allegation against Islam that it has made divorce an easy process is based on simple ignorance and prejudices.
(4) Of all evils, unjustified divorce is the most condemned act in Islam.
However, there might be certain situations when ill feelings and some conflict might develop between husband and wife. These conflicts, may, some time become very serious and may effect their relationship, that the union of the couple might became intolerable. Under such circumstances, a forced union of husband and wife, might be a cause of great damage to the children and to the family as a whole. Even under this situation the couple has been advised by the Holy Quran in the following words:

'' ............ And live with them (on a footing of kindness and equity, and even if ye hate them, it may be that ye hate a thing while Allah hath placed in it a great deal of good.

(S.4, A.19)

Islam has thus enjoined couple to have patience and tolerance in manifestation of their temper. They must be tolerant to each other and try to hide their weaknesses. These all efforts have been directed towards one end i.e. as for as possible, the permanent separation should be avoided.

Undoubtedly, the growing conflict between husband and wife is one of the important factor which may lead to a temporary or permanent separation or divorce. Such conflicts might be developed under three possible situations.
In the first place, the husband might be at fault. Secondly, the wife might be at fault and finally both the husband and wife might be at fault. Under all the three situations, the Holy Quran suggests remedies. It is argued that the husband's fault might be of such a type that he was neglecting his duties towards his wife and children. He might be working against the prescribed Islamic laws, or he would be engaged in adultery, or inspite of his capabilities he was not fulfilling his duties and responsibilities towards his children and wife. He might be drunkard, gambler or might be involved in antisocial and criminal activities etc. All these activities of the husband are potent enough for the development of conflict between husband and wife. Under such circumstances the Holy Quran suggests:

"And if a wife fears cruelty or negligence on her husband’s part, there is no blame on them if they arrange an amicable reconcilement between themselves, and the reconcilement is best"

(S.4, A.128)

It can be seen from the above verse that even under these circumstances the wife has been advised not to go straight for separation but different measures of reconciliation have been suggested.
It is also suggested that even if the matter is not settled then the wife has a right to put the problem before Qazi or Mujtahid, who has every authority to settle the dispute in a respectful manner.

In the second situation, when the wife is at fault that she neglects her duties towards her husband and children or instead of being a source of comfort to them, is a cause of trouble for the husband, then the Holy Quran prescribed three measures to be taken against her step by step.

"....... And so to those women on whose part ye fear disloyalty and ill conduct, admonish them, and (then) refuse to share heir beds, and (lastly) beat them. Then, if they returns to obedience, seek not against them means (of annoyance), for Allah is most high great (S.4, A.34).

All the three steps suggested here in the surah are natural and do have significant psychological impact on the wrong doer. in the last line of the surah it has clearly been mentioned that if these steps remove the cause of complaint, the husband should at once start gentle and fair dealing with her. This is what is meant by the last sentence of this ayat which says.

".......Then if they return to obedience, seek not against them causes of annoyance".
Under the third situation, when both are at fault, that is to say, if both neglect their duties toward each other and there is a reign of doubt, and disobedience between them, then there is a need of the services of a third party known as an 'arbitrator'. This arbitrator will act as an helping hand to end the dispute or conflict between them. The same has been revealed in the Holy Quran in the following words:

"...... And if ye fear a breach between the two then appoint two arbiters, one from his own family and other from the family of the wife. If they wish for concealment and peace Allah will cause their reconciliation, for Allah is omniscient, all knowing (S.4, A.35).

However, if the reconciliation between husband and wife does not take place and the husband is determined to give divorce, then after saying one's, 'I give you divorce' A waiting for fourth month is ordained by 'Allah'. Upto four months, they may live in the same house with respect, for each other and Allah has given the time for them, to decide whether his intention to divorce is firm or flexible. During this period if they change their opinion and repent on their decision, there is no harm if they start to live together a normal life. In such case there is no need of formal 'Nikah'.

In case, if they think that there was no possibility of compromise and the husband is determined to give divorce to
his wife, then there is the provision of separation. Yet, in Islam divorce is regarded a bitter medicine which should not be applied, except in extreme cases. If divorce becomes the only solution, then Islam has put very hard conditions and careful observance of the rights of both parties, Quran addresses both the parties in the following words:

"..... And when you divorce women and they reach their prescribed period then (either) retain them in fairness or set them free, liberally, and do not retain them for injury, that ye may transgress.

(S.2, A.231)

The above surah clearly shows, inspite of the fact, that the men have been given the right to divorce their women under certain specified conditions but they have been advised, not to hurt their feelings or insult them. He has to retain them in good condition, he has to bear her expenditure during this period. If he can not fulfill these conditions he has to set her free with honour and respect. If under any circumstances a person fails to fulfill these conditions, he will be treated as a sinner and he will have to pay heavily for this crime. In the same verse it has been emphatically pointed out:

"..... And who so ever does this, he indeed is unjust to his own soul; and do not take commandments of Allah as a mockery and remember the favour of Allah upon you and what He
hath send down unto you of the Book ad Wisdom, admonishing you there by; and be careful (of your duty) to Allah, and know that Allah is the knower of all things": (S.2, A.231).

Divorce has been revealed in the Holy Quran in (S.2 Ayat 226, 227, 228, 229, 230, 231, 232). The above ayats contain instruction and warnings for both man and women regarding their responsibilities if they decide to divorce. According to the Quranic laws divorce is not an easy job. The husband may give divorce second time but again it as obligating on him to keep his wife for complete four months with the same respect and honour as they used to live during married life.

It has further been ordained, that after two divorces, during the period of waiting, if the husband wishes to take his wife back, then it is necessary that he should take her back on equitable terms without any intention of causing any injury to the wife, and if he decides to set her free, then it should be done with kindness, without taking any undue advantage from her. We can see that men have repeatedly been warned to restrain themselves from doing any injustice to the women whom they wish to divorce. Allah has totally forbidden such behaviour and asked a righteous muslim to provide for her, maintenance exactly in the same way and with the same standard of living as he himself has. The Quranic instruction do not end here. In addition to these conditions, Allah has
ordained men to have sex relations with his wife. If during the wailing period they have sex, then it is incumbent upon a muslim to keep his wife with him till the child is born. Even, after the birth of the child, if no compromise develops between them, the nursing of the child and the care of the mother remains the responsibility of the husband. The condition is applicable even after the third and the final divorce had taken place. During the period of the rearing up the child, there must be mutual adjustment between them with all trust and sincerity. The same has been revealed in the Holy Quran in the following words.

"..... let the women live (in Iddat) in the same style as ye live, according to your means: annoy them not, so as to restrict them, And if they carry (life in their wombs), then spend (your substance) on them until they deliver their burden: and if they suckle your (off spring), give them their recompense: and take mutual council together, according to what is just and reasonable. And if ye find your-selves in difficulties, let another women suckle (the child) on the fathers behalf.

(S.LXV, A.6)

From the above ayat it can be inferred that under Quranic society a muslim should spend money for nursing of
the child and for the welfare of the mother according to his means. However, even if a mother agrees to feed their children, she can claim a reward for her service from the father.

The same has to been pointed out in the following words,

"..... Let the man of means spend according to his means: and the man whose resources are restricted, let him spend according to what God has given him. God puts no burden an any person beyond what He has given him. After difficulty, God will soon grant relief.

(S.LXV, A.7)

Coming back to the original discussion about divorce, it may be pointed out, that before implementing the irreversible or the total divorce, Islam suggests a specific gap of four months between first and second divorce, with the hope that separation between husband and wife for such a long period, might remove the causes of their differences, and might soften their hearts to recall the good days of happy life. This may lead the couple to rethink of their decision of complete divorce. This step of Islam is based on human psychology of forget and forgiveness. Practically it has been observed, that in certain cases, the reunion could
become possible and the couple had been found living a life full of joy.

Islam, the protector of women's right.

Although it is the man, who has been given the right to divorce his wife but to safeguard women's prestige, respect and social status they have not been ignored under Islamic law: This has been revealed in the following word in the Holy Quran:

".... O man, live with your wife in kindness and equity. If you hate them, it may be that you hate a thing while God hath placed in it abundant good.

(S.IV, A.19)

At the same time in the same Surah (4 vers 128) the Holy Quran says,

"If a wife feareth ill treatment or disertion from her husbands, then shall it be no fault on the twain if they effect compromise (Peace), between them two amicably; for compromise (peace) is good; and Avarice is made to be present in (people's) minds; and if ye do good and guard yourselves (against evils) then verily God is All-Aware of what ye do".

(S.IV, A.128)
INFERENCES

(i) Once again, the main thrust is, on living amicably settled happy married life.

(ii) It may further be inferred that the prohibition and limits prescribed in the Holy Quran are in the interest of a harmonious and honourable life for both husband and wife.

(iii) In case the wife fears threat to her social, economic or personal life from her husband, and she, on her own, decides to have separation from her husband, then it is permissible for wife to give some material goods to husband for her freedom. The Holy Quran says:

... Except when both parties fear that they would be unable to keep the limits ordained by God. If ye (Judges) do indeed fear, that they would be unable to keep the limits ordained by God, there is no blame on either of them, if she gives some thing for her freedom. This type of divorce is called Khula.

(S.2, A. 228)

In the case of 'khula' it has further been suggested in the Holy Quran, that it is better to have an amicable settlement with her husband if it is possible. Although khula has also been disliked by Islam. In so many words, it has been pointed out in the book 'Mustadarak' (Volume 3 page 2),
"Any woman who seeks to be divorced from her husband, save in cases of extreme necessity, falls out of the grace and Mercy of the Lord."¹⁹ Again in the 'Vassael' (Volume 3 page 144). The warning has been given in the following words. "Enter upon matrimony; but do not divorce your wife since divorce shakes the very throne of God".²⁰

Inspite of all these measures, if it is found that sound marital relationship becomes impossible and the efforts of relatives and the arbitrators fail to bring about any sort of reconciliation, then Islam recommends that each party should be allowed to select their own way of life, the Holy Quran says:

"Two just persons from amongst yourselves shall bear witness to the evidence before God, when the divorce is settled"

(S.LXV, A.2)

Such a divorce then becomes irrevocable; and thereafter, the husband can not take her back as his wife. However, if after sometime the husband again wants to keep that lady as wife, then there are certain conditions. The wife should marry to another person and if the second husband gives her divorce then the former husband and wife would be wedlocked again, provided they promise to fulfil the limits ordained by 'Allah'. Such limits as ordained have been laid down in the Holy Quran in the following verse.
"So if a husband divorces his wife (irrevocably), he can not, after that, remarry her until after she has married another husband and he has divorced her. In that case there is no blame on either of them if they reunite, provided they feel that they can keep the limits ordained by God. Such are the limits ordained by God, which he makes plain to those who understand”.

(S.2, A.230)

Before preceding further, it seems reasonable to highlight certain important inference in connection with this highly disliked and highly condemned counter productive action of married person as divorce.

**INFENCES**

1. It has emphatically been stated that irrevocable divorce must take place in the presence of two just persons as witnesses. In the absence of these two witnesses the legal divorce will not take place. A simple advantage of this condition is that these persons who have been appointed as witnesses may, as a last resort, exert every pressure of affection and wisdom to avert their decision of divorce. It is quite possible that the parties may agree to select a better course of action.
2. Secondly, it has been laid down that no divorce may be absolute, saved after the women's periods of purification (after menstruation) or childbirth is completed.

It appears that maximum precautions and provision have been taken under Islamic laws to avert this unholy action of divorce.

3. It is under this balanced relationship the caravan of life moved smoothly and their offspring grow in an atmosphere of trust, faith, contentment and satisfaction. The children born in such a family get true love and sincere attention of their parent. It is the time when the great role is played by women as a wife, a mother of the child. A woman is expected to devote herself completely to the worthy and difficult task of raising children with predetermined objectives only when she is honoured, respected and protected by her husband, by other members of the family, and by the society.

4. There is also a provision of remarriage, after irrevocable divorce, shows that after the final divorce, if the man repents about his action and shows his willingness to remarry the same woman, he can do it, but at this moment, the man has to pay a heavy penalty for his stupidity and hasty step. Remarrying of a divorced woman with another person, before coming back to her first husband, might be a great shock to the husband's ego. In order to avoid such a shock,
maximum precautions have been suggested, for a person, who decide to take divorce. In order to protect social and personal status of women's Islam also protects women's right and saves her from living in an unhappy environment. Many beneficiary measures have been proposed in this regard. For example,

1. The wife can insert a clause in the marriage contract ensuring, that if any of the following conditions is broken, she would have the right to obtain a divorce from her husband through the court:

1. Incompatibility of temperament,

2. Maltreatment of the husband,

3. The husband's refusal of maintenance,

4. Under taking long journey without announcement, and lastly,

5. Marring any other women and bring her as a second wife without her consent. These conditions have been explained in the Islamic sharah. It is certain, that, if they are strictly followed, the possibility of any misunderstanding and bitterness between husband and wife could never take place.
Polygamy

Polygamy is one of the few radical reforms introduced in Islam, which is highly abused and criticized. It is said, that by allowing polygamy, Islam has degraded the status of women in the society as well as in her own eyes. It appears, that it is Islam which has introduced polygamy among muslims, which is absolutely an incorrect assumption. Moreover, all the criticism against polygamy is based on mere ignorance about the Islamic approach to life. In the first place, it may be stated with authentic evidences that Islam never introduced polygamy. In fact, what the great Prophet and the Holy Quran have done, is to put a limit on the number of wives, a man can have. Secondly, the polygamy which is accepted in Islam, can take place, only, under very specific condition and unusual circumstances.

There are historical evidences which show, that before the rise of Islam, the tribes used to keep unlimited number of wives. During those days the plurality of wife was considered as status symbol. Most of the religions had officially permitted the plurality of wife in ancient time. In China the Li-Ki law, gave every man the right, to have upto one hundred thirty (130) wives. Charle-Magne had four hundred wives. Ardeshir Babekan had about the same number of wives'.22 No religion had ever put any limit on the number of wives a person could have. As a result, the second half of
the eight century (816) A.D. polygamy was a common feature in Europe, and till then it was not condemned by the Church. However, after some times the Church promulgated a decree throughout Christiandom which compelled them to divorce all the wife except one. Although christian obeyed the orders, but at the same time, they adopted a greater evil of adultery and prostitution. Polygamy was also practiced among Arabs. They might keep as many women as they wanted in their haram. These women did not have any right whether financial or otherwise over the property of the husband. They did not have the right to challenge their ill treatment. Islam took drastic steps against this custom and strictly limited the number of wives to a maximum of four.

Since the nomad desert society of Arabs were initially busy in business and most of the time they were away from their home, for a long period, it was difficult for them to be contented only with one wife. Similarly it was next to impossible for an Arab women to live a life without the company of men during those difficult days. Polygamy, therefore, was made convenient for men and separation was made comparatively easy for women. In practical life Arabs used to go out in business for off places and usually takes years to come back to their own tribes. Such a long absence was creating inconvenience and hardship for both husband wife. Such a socio-economic structure gave rise to many ill
practices, such as adultery and prostitution. It was, therefore, felt by the Prophet Mohammad (SWA) to introduce such laws which could protect them from ill practices of adultery and prostitution. It was, rather unwise and illogical for Islam to put a stop on this deep rooted ill-practice. Islam, therefore, put a specific limit on the number of wives a person can have.

It may pointed out here, that the law permitting four wives was not a command. On the contrary, if a person confined himself to only one wife and remains contented with her, actually pleaseth God. It may be remembered, that during those days, there were frequent wars between the believers and non-believers. In war most of the men were killed and their women become widow. In order to provide moral and material support to grief stricken widows and also to provide them and their children shelter and security, many arrangements were made. Polygamy i.e. to allow the fellow comrades to marry the widows of their fellowmen, who sacrificed their lives in the holy wars, was one of them. Polygamy as such was a compassion for those bereaved women. According to, Mujtaba Rukni, several of the Prophet wives were the widows of the comrades, who were slain in the Islamic battle. There is no doubt, that such a compassion for the widows of the faithful commanders saved their lives from being ruined. Apart from this fact, there are certain
other factors of vital importance, which made polygamy a necessity in Islam. The Holy Quran says:

"If ye fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two, or three, or four; but if ye fear that ye shall not be able to deal justly (with them), then only one, ---"that will be more suitable to prevent you from doing injustice". (S.4, A.3)

The above ayat shows that the order contained the essential condition of doing justice and equity in all worldly matters. Although the general permission of having upto four wives, with the condition of justice and humanity with all of them, was given by the Holy Quran fourteen hundred years back, but the significance and importance of such provision can be felt, with the same intensity, even today. Polygamy has been a target of unqualified attack from the people of different religion for the last several centuries, because of lack of reasons and correct knowledge of what Islam has actually done. Be it is known and remembered by critics that Islam had never introduced polygamy. What Islam has done, is that it has restricted and controlled the unrestricted and uncontrolled the time old institution of wrong practices.
A sincere look into the human problems, based on individual differences, will convince that polygamy has been allowed as a remedy for several ills and malpractices, which would otherwise be more harmful and terrifying for human beings.

The circumstances, which may force a healthy man to look for another wife, in the presence of first wife, may be more than one. For example, a wife has fallen victim of some incurable disease or illness. May be her illness is of such a nature which is contagious and infectious. Further, might be having physical relation with such a woman is injurious for the husband himself, or because of some accident, the woman has become completely invalid. Under all these circumstances, the husband is left, but, with a few alternatives. He would divorce the women, and the poor women would become a burden on the society, or should marry another woman for maintaining his own self, the family, and continues caring the ailing wife or in order to fulfill his sexual desire adopts illegal means. Definitely 'the first' and 'the last' decision would be against the humanity and are disliked by 'Allah' and its 'messenger'. The last course of action, in such a situation, would therefore be, the best to keep the first wife at her place and keep on helping her in all possible ways, and for the sake of his ownself and for the welfare of the whole family, he could marry with another women as a second wife. Similarly if the wife is not able to bear the child for her
husband and she is physically declared non-productive. There is always a natural urge of a man to have his own children.

Again, either the husband should decide to kill his natural urge for ever, and keep on cursing his fate for the whole life, or he should marry with another women, and live a happy and a contented life.

These and similar other cases are very common in our society. Polygamy under similar situation is the best possible course of action and the same has been approved in the Holy Quran. It may, however, further be recalled, that in spite of these facts the last phase of the same ayat emphasizes. "If we fear that ye shall not deal justly (with them), ... then only one".

It may, once more, be pointed out here, that Although husband's have been granted the right to marry, they have, again and again, been warned to be just, humane, and honest to their wives. But at the same time the right of wife to challenge the ill treatment of her husband has not been withdrawn. Instead, she has been given full right to seek separation from her husband if she finds that her husband is not doing justice to her, in his treatment and behaviour.

If we read (S.4 Ayat 128) with (S.4, A.130) the spirit of the statement may be more clearly understood. The Ayat commands:
"And if they separate God will render each free from want out of His abundance; and God is Omniscient wise."

(S.4, A.130)

Based on the above discussions the investigator is in a position to draw the following inferences:

**INFERENCES**

1. Islam did not introduce polygamy but instead, it has emphatically imposed strict limitation on the ill practice of marrying several wives, simply for the sake of pleasure during pre-Islamic period.

2. The permission to have two, three or four wives have been given in an extraordinary unavoidable circumstances.

3. Persons marrying more than one wife have been warned to do justice and have equal treatment with all of them as had been shown by the great Prophet (SWA) himself and his Wasi Ali Ibne-Abi-Talib (AS).

4. Having more than one wife is never a command rather it is simply a provision which could be used under certain specific conditions.

5. Since perfect equality in affection, love and material things is not possible by human being towards all his wives, because, one might be very rich while the other might be
poor, one might be beautiful more charming and attractive, than the other or similarly there might be some intra-individual differences between the wives and so on so forth, then it is better for a man to be contended with only one wife.

6. Monogamy, instead of polygamy is be more favourable to Allah and the Prophet of Islam (SWA).

7. Women have never been denied to use their right of justice from men. Ill treatment and disregard from the side of husband can always be challenged by a women.

Last but not the least it may be inferred, that inspite of the fact that polygamy in a strictly limited form has been permitted in Islam, it is only 'Convenience'.
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Chapter V

EDUCATION AND INHERITANCE
IMPORTANCE OF EDUCATION IN ISLAM "WOMEN ARE NO EXCEPTION"

The Holy Prophet said, "The quest of knowledge is obligatory for every muslim". Receiving education and acquiring more and more knowledge has never been confined to only men community. In Islam men and women have been given equal right to seek knowledge to the extent of their maximum ability. An intensive study of the Holy Quran and Ahadit will show that in Islam no distinction has been made between male and female, so for the acquisition of knowledge is concerned. The Holy Quran says;

"God will exalt (you in) ranks (unto Him),
those who believe among you, and those who
have been granted knowledge; "and God is all
aware of what so ever ye do"

(S. LVIII - A. 11)

In this verse human beings have been advised that those who gain knowledge would be exalted high ranks. This verse clearly tells us that those who acquire knowledge and believe in God would be raised in ranks whether male or female. In Islam knowledge is supposed to be as a God gift for human being. The gift of knowledge is much important because a person without knowledge, i.e. an illiterate person, would neither be able to understand the Holy Book nor he would comprehend the greatness of Allah.
There might be persons, who might gain some knowledge but true education is that which modifies human behaviour. An educated person is supposed to be honest and just. Such an education would be acquired only if a person has full faith in Allah and the Holy Quran. Unless a person receive true knowledge he would not be able to appreciate both of the two. It is feared that such persons would interpret the Quranic sayings according to their vested interest. For them the Holy Quran says:

"He it is who hath send down to thee (O' our Apostle Mohammad!) the Book of it there are (some) verses decisive, these are the Basis of the Book, and others are ambiguous. "...But those in whose heart there is perversity, they are after that which is ambiguous therein seeking to mislead and seeking to interpret (to suit their selfish motives) while none knoweth its hidden interpretation except God and those firmly rooted in knowledge; say they: "we believe in it all is from our Lord", but none mindeth save those endowed with (wisdom).

(S.III, A.6)

The Ayat clearly distinguishes between two categories of people. In the first place, there are persons who might
have acquired certain knowledge but they are still ignorant if they are devoid of God's grace. These are the persons who try to interpret the Holy Book in the way that suits their selfish motives. But those who have acquired true knowledge by the grace of god, they have firm believe, that, the universe has been created by God. He is all powerful and Omnipresent. These are the persons who have knowledge and also have the wisdom to understand the Holy Book and Allah. They are the real scholars about whom the Holy Prophet has said,

"A scholar is superior to a martyr. A martyr is superior to pious one. An Apostle of God is superior to whole mankind. The Holy Quran is superior to all scriptures as God is over all this creation. The superiority of scholar over mankind is like that of the full moon. That is superior to hundred and thousands of stars."¹

No where, a true scholar has been defined so beautifully as it has been described by the Holy Prophet himself. It is the true scholar about whom sixth Holy Imam, Jafar Ibne Mohammad Sadiq (AS) said that, "on the day of judgement, the ink of the scholar would be superior to the blood of the martyr".² Such is the importance of an educated person in Islam. It may also be added here, that there are
person who have God gifted knowledge. They are those whom God Himself has purified.

The importance of education is so much in Islam that the superiority of a person over the other is established by the quality of knowledge one possesses. It is neither established arbitrary nor by the temporal position, any one enjoys. Education, basically is the basis of determining the superiority of one person over the other. The Holy Quran says: "all are equally born, male and female, and with God, there is no distinction between them except by the merit and by the piety faith, and knowledge. Thus it is education, faith in Allah, and the piety that makes a man superior to other. It is the an accepted criteria of exaltation. The same view has been expressed in (S. 6, A.165 and S.4, A.95).

All these passages show that the only distinction recognized by Islam is, undoubtedly perfect knowledge. The real insight can not be attained without divine help or guidance and that the gift of Almighty Allah i.e. (knowledge), is not confined to only men, because women have never been deprived of the divine gift of knowledge. They stand on equal footing to men because of their piety, faith, devotion and love to God and the Holy prophet. It is universally admitted by the Islamic world that all the Holy fourteen i.e. the Holy prophet. Ali, Fatima and eleven Holy
Imams, had never received any education under formal institution, and yet were the fountain heads of knowledge. To the wonderful store of knowledge that Ali was divinely gifted, about which Umar Ibne Khattab, openly declared ' Len la Aliyan lahlak Omar' i.e. Had Ali not been there, Umar would have been perished. It is this perfect and deep knowledge of Ali for whom the Holy Prophet said 'I am the city of knowledge and Ali is its gate'.

At another place the Holy Quran says,

"...... Say thou (O'our Apostle Mohammad!) what! can those who know be equal to those who know not? Only the men of understanding take the Warning".

(S.XXX, A.9)

In the above Ayat a clear cut line of demarcation has been drawn between those who are educated and those who are illiterates. The Quran says that, who possess knowledge can not be equal to those who are not educated. It is only the educated and knowledgeable person who have the ability to follow the sayings of Holy Quran and Prophet Mohammad (S.W.A.).

(S.A.W.)

Attainment of knowledge has been again emphasized for the believers if they wish to gain high rank in the eyes of Allah. Acquisition of knowledge has, therefore, become a compulsion for a true muslim, whether he is a male or female. Further, the education of muslim is more important because
without having the ability to read and write, one can not read the verses of the Holy Quran with wisdom and understanding. The Holy Quran says.

'He it is who hath send among the unlettered one's a messenger of their own, to recite unto them the revelation and to make them grow and to teach them the scripture and wisdom though here to before they were indeed in error manifest' (S.LXII, A.2).

In this Ayat it has been made clear that the messenger of God was sent to teach illiterates and help them grow mentally, so that they would be able to read the Holy Quran and acquire wisdom, because without this they will always remain in darkness.

It may also be inferred from the above verse that it is not enough for a person to gain true knowledge and education only for himself, but it is also his responsibility to educate other human beings, who are illiterate.

A few of the Ayats which have been presented above and also the Ayat which will be presented at later stage, provide us enough material to ponder over one pertinent question, as why again and again the people of the world, have been commanded and inspired to learn, to read and write and acquire more and more knowledge? Apparently, the reason of
this emphasis lies in the fact that unless muslims are not truly educated they would not be able to understand the sayings of the Holy Quran and would not be able to give correct interpretation and thus they would be failing to acquire wisdom from it.

Infact, every muslim believes that the Holy Quran revealed on the Prophet Mohammad (SWA) is the last heavenly book and Prophet Mohammad (SWA) is the last Prophet. It means that no other heavenly book is going to be sent in this world and no messenger has to come after Holy Prophet (SWA). Thus it is believed, that the Holy Quran is perfect in all respect. It will remain for all time to come as a protector and a guide for the human race. In other words, according to 'Kafi' our sixth Imam said, surely, “God has revealed in Quran, the norm of every thing. Surely, God did not leave any thing which people would not need to know. All have been revealed in the Holy Book. This Book is comprehensive and complete in all respect. Obviously, if the believers do not acquire correct knowledge they would not be able to understand the message hidden in this Holy Book. And if, at all they acquire knowledge which is not 'God gifted', they will simply mislead people and would interpret the Holy verses according to their own choice and interest. It has thus become doubly important for the believer to acquire knowledge.
According to Prof. Abdul Salam 'there are seven hundred and fifty verses of the Holy Quran (almost one eight of the book), exhort believers to study Nature, to reflect, to make the best use of reason in their search for the ultimate end, to make the acquiring of knowledge and scientific comprehension part of the community’s life. The Holy Prophet of Islam (S.W.A) emphasised that the quest of knowledge and science is obligatory upon every Muslim man and woman.  
Education establishes the superiority of human being over other creation: 

The quest for knowledge has repeatedly been emphasized because the creation of human being was purposeful and they were enriched with such a great power which no other creation had ever enjoyed. God endowed the human being with the power to unravel the mysteries of nature and to harness them to its use. The distinction he enjoys of having been taught 'All the names' is indicative of his intrinsic worth and merit, and is symbolic of his high position as a representative of God on earth. This has been pointed out in (S.2, V.30-33). “Where in Allah has told that when He was to make Adam, He said to angels, that He was going to make a vicegerent on earth. There upon, the Angels said to Allah 'O! Allah, Thou are going to make human beings on earth who will shed blood and create mischief where as we have been all the time praying our Lord. Allah said in reply, "I know what you do
not know". He taught Adam all the names and nature of the things and asked angels to tell these names if they know”. The angels thereupon said to Allah; "Glory be to Thee; of knowledge we have none save that thou hast taught us". Allah said to Adam; "tell the names and nature of the things if you know"; whereupon Adam told all the names and nature of the things". This shows the great position that Allah has assigned to the human beings. In another verse the Holy Quran reveals,

'It is God who hath created the heavens and the earth and sendeth down rain from the skies, and with it bringeth out fruits where with to feed you; it is He Who hath made ships subject to you; that they may sail through the sea by His Command; and the rivers (also) hath, He made subject to you. And He hath made subject to you the sun and the moon, both diligently pursuing their courses, and the Night and the Day hath, He (also) made subject to you". (S.14, A.32,33).

The above Ayats suggest that we (as human beings) must realise that behind all our strength, skill, and intelligence, there is a power and goodness of God, Who gave us all these things. Man can understand and control the forces of nature so as to bring them at his own service, the human being can only do so, because:
1. He has got these gifts from God, and
2. God has fixed definite laws in nature of which he can take advantage only through education and knowledge, and of course, by God's command.

It is only the human beings who can use rain to produce food, make ships to sail in the sea; use rivers as highways and cut canals for irrigation. Not only this, but even the heavenly bodies can (by God's command) contribute to human needs. Such as the sun gives out heat which is a source of all life and energy on this planet. It produces the seasons of the year and so on so forth. It is the privilege of the human being, who through his education and knowledge, can bring these things at his service. He can fulfill his needs in the shape of light, heat and other blessings. Since these things exist under some specific natural law, which only man can understand and calculate, he can use all such things for his own service but through education and knowledge. It would not be unjust to say, 'that Allah has subjugated all that is on earth and the heavens for exploration and for the use of human beings to bring about welfare of the human society.'

Similarly the Holy Quran says:

"(ye, the same that) has made for you the earth (like a carpet) spread out, and has made for you roads (and channels) there in, in order that ye may find guidance (on the way);
that sends down (from time to time) rain from the sky in due measure; - and We raise to life their with a land that is dead; even so will ye be raised (from the dead); - That has created pairs in all things ......

(S.XLIII - A. 10,13)

It is to be noted that the use of the word 'carpet spread out' indicates that the human beings have been given the freedom of movement from one place to another. And the use of word 'roads' and 'channels' gives us the idea of 'means of transportation' and 'communication'. The expression 'due measure' about rain indicates the normal rain fall. And similar other similes given in this Ayat show the necessity and importance of education. A person who is illiterate, who has not been enlightened by the light of knowledge and education, how can he understand these facts?

It is, surely, a person who has gained knowledge, under right directions, can only understand and interpret these secrets. The Holy Quran addresses to the persons who can think and use their intelligence, and asks

"Can they not look up the clouds that, how, they are created; and to the Heaven how it is appraised; and the mountain how they are
rooted, and to the earth how it is out
spread?"

(S.88- A.17)

It further says:-

"Verily in the creation of the heavens and of
the earth, and in the alternation of the
night and of the day, there are indeed Signs
for men of understanding".

(S.3, A.189,190)

The Ayats quoted above and many similar Ayats are
sufficient to convince, the people of world that only if they
can understand and acquire correct knowledge, and develop
required skills in reading, writing and comprehension, then
they could take advantage from the Holy Quran in matters of
day-to-day life. It is through education that human being
could be benefited from this comprehensive book and would
understand the subjects of great significance such as
physics, biology, medicine, agriculture, chemistry and
Geography.

It has been reported that the Holy Prophet while
preaching the value of knowledge has said, "Acquire
knowledge, because he who acquires it in the way of Lord,
performs an act of piety, who speaks of it, praises the Lord;
who seeks it adores God; who dispenses instruction in it,
bestows alms; and who imparts to its fitting objects performs
Knowledge enables its possessor to distinguish what is forbidden from what is not; He further says "It lights the way to Heaven; It is our friend in the desert, our society in solitude, our companion when bereft of friends; it guides us to happiness; it sustains us in misery; it is our ornament in the company of friends; it serves as an armour against our enemies. With knowledge, the servant of God rises to the heights of goodness, and to a noble position, associates with sovereigns in this world, and attains to the perfection of happiness in the next world.

We have learnt from Misbahush-Shariat and from Jamiul-Akhbar, that our Holy Prophet repeatedly impressed on his disciples, that in search of knowledge you can go even into China". "He who leaves his home in search of knowledge, walks in the path of God". "He who travels in search of knowledge", to him God shows the way to paradise". The Holy Quran itself acknowledging the supreme values of learning and science has presented valuable thought-provoking challenges before the human being.

Commenting on Surah 'Al Alaq' a learned scholar Zamakh Shari has explained the meaning of the Quranic verse in the following words, "God taught human beings (male and female) that which they did not know, and this testifieth to the greatness of His beneficence, for He has given to His
servants knowledge of that which they did not know. And He
was brought them out of the darkness of ignorance to the
light of knowledge, and made them aware of the inestimable
blessings of the knowledge of writing, for great benefit
occur there from which God alone compasseth; and without the
knowledge of writing no other knowledge (Ulum) could be
comprehended, nor the sciences placed within bounds, nor the
history of the ancient be acquired and their sayings be
recorded, nor the revealed books be written; and if that
knowledge did not exist, the affairs of religion and the
world, could not be regulated.13

The importance of learning, reading and writing was so
important in the eyes of our Prophet that he did not miss
even a single opportunity in preaching his disciple to
acquire more and more knowledge. As a result the word of
Prophet gave a new impulse to awaken energies of the race.
Below are given a few sayings of the Holy Prophet about
significance of acquiring education and knowledge. The Holy
Prophet said:

"To listen to the instruction of science and learning
for one hour is more meritorious than attending the funerals
of a thousand martyrs, ---- more meritorious than standing up
in prayer for a thousand night's". "To the student who goes
forth in quest of knowledge, God will allot a high place in
the mansion of bliss; every step he takes is blessed, and every lesson he receives has its reward”.

“The seeker of knowledge will be greeted in heaven with a welcome from the angles”.

“To listen to the words of the learned, and to instill into the heart the lesson of science, is better than religious exercises ———— better than emancipating a hundred slave”.

“Him who favours learning and learned, God will favour in the next world”.

The Holy Prophet said, “he who honours the learned honours me”.

“The chief disciple of the Prophet (SWA) Hazrat Ali (AS), also followed his master in preaching the importance of learning and gaining knowledge in the following words.

“Eminence in science is the highest of honour”; "He dies not who gives life to learning”; "The greatest ornament of man is education".

Such were the ideas of the Holy Prophet and his chief disciple Hazrat Ali (AS) towards learning and knowledge.
As a result of their continuous effort and their liberal policy the quest of learning awakened almost among all muslims.

The above verses of the Holy Quran followed by the precious saying of the Holy Prophet and his chief disciple Hazrat Ali (AS) help the investigator to draw the following inference:

1. The Holy Quran has addressed to the whole human community, the muslim women are no exception. Both men and women are equally important so for the human community is concerned. All the sayings of the Holy Quran and the declaration of Prophet Mohammad (SWA) are binding on every believer unless otherwise specified.

2. Emphasis on acquiring knowledge does not mean religious education only. Gaining knowledge in almost all the disciplines is equally important in the eyes of Allah.

3. The emphasis on religious education is given because it is hoped, that if persons with religious orientation gain knowledge in other disciplines they would never misuse their knowledge against the cause of humanity. Whereas there is always a danger that the education of non-religious persons may any time be misused against the cause of humanity. The people may use their knowledge with selfish motives and for
their vested interest as it has been pointed out in the Holy Quran in (5.2, 1.6).

The use of nuclear weapons against human population by Americans and Europeans are the best example of this Quranic declaration. The Holy Quran says.

'-------- the Book of it there are (some verses decisive these are the Basis of the Book, and others are ambiguous, But those in whose hearts there is perversity, they are after that which is ambiguous there in seeking to mislead and seeking to interpret (to suit their selfish motives) while none knoweth its (hidden) interpretation except God and those firmly rooted in knowledge; say the: "We believe in it, all is from our Lord" but none mindeth says those in endowed with (Wisdom). (5.3, 1.6)

The investigator feels the necessity of reproducing the above surah at the end of this chapter because many important facts have been revealed in it. The one who fails to comprehend the real meaning of this surah may always be misguided by those who with certain superficial knowledge try to interpret the meaning of the verses of Holy Quran to mislead innocent persons.

According to S.V. Meer Ahmad Ali Hony Secretary Husaini Trust Madras "this verse loudly sounds a clear warning against any imagination, that every thing in the Holy Quran
can not be intelligible to any one but the Holy Prophet. Most of its verses being open, clear, plain and decisive about their meanings, of which there can be no doubt for those with average intelligence. They are called the 'Muhkamat'. These are the verses relating to the cardinal doctrine or the articles of faith viz. the unity of God, the directions relating to the practice of the faith, the law governing the practical life of the faithful. These verses, the meanings of which is fully secured against being changed or altered. These verses form the basic principles of its faith and its practices and have been revealed in clear cut words but there are verses in the Holy Quran which could not be understood and interpret by ordinary minds. They need higher thoughts fit for the tested mind of higher intellectuals. It is because of this reason the shias believe that there is always a need of a perfect man with divinely gifted knowledge, so that he could impart true education, and could save the believers from being misguided and misled by 'those in whose heart there is perversity'. This perfect man can be no one else except our twelfth Imam Hazrat Mehdi (AS) the last Imam from the family of the Prophet of Islam (SWA).
THE IMPORTANCE OF LAW OF INHERITANCE IN ISLAM AND ITS IMPACT ON SOCIAL STATUS OF WOMEN

During pre-Islamic period women, in general, forefeit their right on the property of their parents as soon as they are married. It was Islam which introduced a specific and perfect law of inheritance and recognized that women should have a right to share the property of their parents, even if they are married. By introducing the law of inheritance in which women can also inherit from the property of the parents, Islam has enhanced the social and economic security and status of women:

Paradoxically, in some cases, women absolutely did not inherit any property from their parents. However in cases where they got some share from the parent's property they were not having a full right on it, which meant they did not have the right to pass on the inherited property to their own children. While in some cases daughters also got an equal share from their parent's property, but that was only when the same had been mentioned in the 'will' of the parents. There had never been any occasion when the daughter was lawfully entitled to have a fixed share as inheritance from her parent's property. It was Islam and only Islam, which introduced the law of inheritance in which the shares of mothers, daughters, sons, sisters and brothers, were
specified. Historically, this specification provided an excellent example of the general process of the development of human right in Islam. Within the framework of Islam's legal system as a whole, the laws of succession occupy, particularly a prominent and an important position. In fact, the manner in which the law of inheritance was introduced, it becomes a religious binding on the relatives and the legal heirs to share the property as specified in the Holy Quran.

Islam ensures material support to women:

The supreme purpose of the introduction of inheritance in Islam is the material support for surviving dependents and relatives, after the death of the head of the family. One of the spirit behind the implementation of the law is to bind the deceased family by mutual ties and responsibilities which stems from blood relationship. Hence family ties remain intact even after the binding figure is dead. Apart from ensuring material support to the female members of the family of the deceased, the law of inheritance promises many legal rights for the benefit of the heirs.

In the first place female members of the family develop a sense of self-confidence and self-dependence. This feeling boosts up their moral and social status, they do not feel themselves helpless. Secondly, it keeps the family ties
intact, and members of the family are ready to share the family problem.

Thirdly, even if the deceased person did not leave a will, there would be no fighting between the family members.

In the Holy Quran, the law of inheritance has been prescribed in a rigid and uncompromising terms. Any deviation from the specification given in the Holy Quran has been vehemently condemned and is treated as a sin. The Holy Quran say:

"For men shall be a share in what their parents and kindred leave and for women shall be a share in what they parents and kindred leave, and be it little or much (it is a decreed (allotment of) share".

(S.IV, A.7)

The above ayat is not simply a suggestion or advice, but it is an order which should be followed under all circumstances. The same has been expressed in the Holy Quran in the following words.

"It is prescribed for you when death approacheth (any) one of you, if he leaveth behind any goods that he maketh a bequest for parents and (the nearest) kinsmen-in goodness
(this is ) a duty (incumbant) upon the pious (ones).

(S.II, A.180)

The Holy Quran further warns:
"And who so ever altereth the bequest after he has heard it, the gult shall be on those who alter it".

(S.II, A.181)

The warning of Holy Quran does not end here. It has further been said,

"------------- those who eat away property of the orphans, unjustly, they swallow (only) fire into their ballyes; and anon shall they enter the blazing H\ell fire".

(S.IV, A.10)

It may be pointed out here that the shares from the property of the deceased have to be distributed among men and women according to the specification of the Holy Quran. Any deviation from the prescribed law is, in the eyes of Allah, unexcusable offence. Regarding the sharing of the property of the deceased the Holy Quran says:

"For you, shall be half of what leave your wives if they have no issue, but if they have an issue, then for you shall be a fourth of
what they leave after paying the bequest they have an issue, then for you shall be a fourth of what ye leave after paying the bequest they had bequeathed and the debt; and for them shall be a fourth of what ye leave if ye have no issue. If ye have an issue then for them (shall be) the eight of what ye leave after paying the bequest ye had bequeathed and the debt, and if a man or women leavith (his property) to be inherited by (not the lineage but) any side relation and he or she has a brother or a sister each of these two shall have the sixth; but if there be more than this, then they shall be sharers in the one-third after paying the bequest he had bequeathed, and the debt, without loss to (any one) this is an ordinance”.

(S.IV, A.12)

Without appreciating the reason and logic involved in this excellent distribution of wealth and property of the deceased, the investigator is presently interested in the emphasis which has been given for the implementation of the law. There is no doubt, that the clarity with which the law of inheritance has been worked out, visualizing the interest of every survival of the deceased family, is beyond human
comprehension and capacity. However, it has clearly been pointed out in the Holy Quran, that those who implement this law honestly will be justly rewarded and those who disobey, will be severely punished. This is clearly mentioned in following Ayat:

"And who so disobeyeth God and his Apostle (Mohammad) and transgresseth his limits, him shall God admit in Hellfire to abide there in and for him shall be a shameful torment"

(S.4, A.13,14)

Inferences

According to M.J. Coulson, the law of inheritance prescribed under Islamic law has sociological justification, significance and religious impact. He says, "From the sociological stand point, the laws of inheritance reflect the structure of family ties and the accepted social values and responsibilities within the Islamic Community. For in the eyes of the law, rights of inheritance are generally regarded as the consideration of duties of protection and support owed to the deceased during his/her life time; so that the stronger the family bonds the greater the right of inheritance". There is also a specific rule that the duty of a person to maintain his needy collateral relative, depends upon and proportion to the right to inherit from that
relative. Juristically, the law of succession is a solid technical achievement, and Muslim scholars may take adjustable pride in the mathematical precision with which the rights of various heirs, in any given situation, can be calculated. Coulson M.J., further says "Above all however, the great esteem which this branch of legal science enjoys among Muslim people, stems from its strong religious significance." In short, it may be said, that the laws of inheritance appear as a vital aspect of the individual's supreme duty, in Islam, because, it provides the basis for the continuity of the family group as one complete unit. Obviously, the unity in the community can exist only when, women in the family also inherit from their parent's property.

It has been pointed out earlier that women, in general, were not enjoying the right to share the property of her deceased parents. In cases where they were given the right of inheritance there were no definite rules regarding the distribution of share in the property.

Seemingly, the causes of women being deprived of inheritance might be manifold.

1. It was feared that if women are given share in the parents property the property will automatically be
transferred to another family where the daughter or sister was married.

In order to prevent the transfer of the property from one family to another family women, in general, were deprived of the right of inheritance. This shows a general attitude of indifference towards women. The argument which was Commonly given to deprive the women from the right of inheritance was that the wife, daughter, the daughter's daughters of the deceased were unable to arm themselves and fight against the enemies. It is male member of the family who had to take the sword and defend them. So the wealth should also go to male members only. It was the moment when the Holy Prophet recited to them the commandments of God from the Holy Quran and defended women's right to have their shares from parents' property.

4. Undoubtedly, Islam, by introducing the law of inheritance and specifying the share of women in their parents' property did not only provide economic security to women but had also strengthened their status in the society.

5. This radical change, in the then prevalent custom, forced people to recognize women's importance and accepted them as a living member of the family.
A logical appraisal of criticism against the law of inheritance

There are, however, certain objections against the law of inheritance about the share of women. For example, in Islam a son inherits twice as much as a daughter, a brother, twice as much as a sister and a husband twice as much as a wife. It is only in the case of father and mother that if the deceased has children and his father and mother are also alive, both the father and mother will inherit one sixth of the property of the deceased.

Before examining the validity of this objection the investigator would like to rephrase the concept of womanhood in Islam. It may be recalled that Islam has given women an unprecedented advantage in financial and economic matters. On the one hand, it has given her full financial independence and freedom. In clear words Islam has prevented man from having any power over her property and earnings. It has taken away from man the right of ownership over the affairs of women. Under the Quranic laws, women are free from the responsibility of family expenses. They are exempted from any liability or obligation to maintain the family or earn money for the family. If we could appreciate these facts the share of women in inheritance as half of the men will be very easily understood. Infact the problem is self explanatory.
DUTIES OF CHILDREN TOWARDS THEIR PARENTS

There are many Ahadith which confirm that love and respect for the parents was very much liked by the Holy Prophet himself. Abu Zubair Al Makki says:

"I heard Jabir Ibne Abdillah Al Ansari saying, "O people of Ansar teach your children the love of Ali and if any one rejects it, then investigate the morality of his mother".  

A similar hadith about parents revealed that, 'Any one who beats parents is an illegitimate child'. However, a review of Ahadith and Ayats from Holy Quran, lead us to infer that love for parent is love for Allah, and one who disobeys his parents cultivates love with those who are enemy of Allah and is far from paradise. Similarly, the person who hurts the feelings of his parents is an enemy of Allah and is far from paradise.

Obedience to parents is in fact a mirror to obedience to Allah. In confirmation to this fact it is said in Hadith, 'Al Qudis, "tell 'O' Prophet' to the child who is obedient to his parent", "Do what ever good deeds (you want to do) to them you will never enter the fire (of Hell) and say to the child who is disobedient to his parents; do whatever (good deeds) you want (to be) you will never enter paradise".
A1 Imam Ibne Ali Mosa Al Raza (A.S.) said that he had learnt that the Holy Prophet used to say: "Verily Allah has ordered three things joined with three other things. He ordered prayer and Zakat (wealth tax). Thus if any one performed prayer and did not pay zakat his prayer will not be accepted. He asked people to show gratitude to Him and to their parents. Any one who did not thanked his parents, he did not thank Allah."

In another hadith A1 Iman Jafare Sadiq said, "there are three things in which Almighty Allah has not given any option to his believers. First to return to the owner the thing, whether the owner be a pious or a debauchee. Second to fulfill the promise whether it was (made) to a pious or a debauchect. Third to do good to parents whether they are pious or sinner".

The Holy Prophet said about the parents in one of hadith that, "any one who hurts his parents hurts me and who hurts me hurts Allah and who so ever hurts Allah is cursed in Torait, Injeel, Zaboor and Quran".

There are so many hadith which go to the extent of saying that the duty of the children towards their parents does not end even if any one expires. It continues in the same way as it is for Almighty Allah. Islam ordained that as the Lordship of Allah does not come to an end, like wise, the
lordship of the parents does not end by their death, rather it continues so long as the a person is alive. Al Imam Mohd. Al Baqar (A.S.) said:

"Varrily, a servant of Allah remains good to his parents, when they are alive: when they die and he neither repays their loans nor asks pardon of (Allah) for them. Before Allah such a person is a disobedient child. And, varily if a person remains disobedient to their parents during their life time not being good to them, but when they die, he repays their loans and ask pardon (of Allah) for them. Their Allah considers him as 'obedient and good' child".\textsuperscript{26}

Once a man from Banu Salmah, asked the Holy Prophet, 'After the death of parents, Does their right still remain on us which we should perform (by which we should do good to them)? The Holy Prophet said, "Yes, praying for them, asking pardon of Allah for them fulfilling their promise and respecting their friends".\textsuperscript{27} In support of the Ahadith presented above there are several Ayats in the Holy scripture regarding an individuals relationship with his/her parents. Precisely speaking Allah has asked the whole community of muslims to worship none but Allah alone. Then in the same verse and in the verses that follow. He asks each individual to hold his/her parents in the highest esteem.
A few of the verdicts of the Holy Scripture has been presented below in this regard.

The Holy Quran says:

Thy Lord hath decreed that ye worship none but Him, and that ye be kind to parents. Whether one or both of them attain old age in thy life, say not to them a word of contempt, nor repel them, but address them in terms of honour and out of kindness, lower to them the wing of humility, and say, My Lord! bestow on them Thy Mercy even as they cherished me in childhood".

(S.XVII, A.23,24)

In the following two verses of the Holy Quran the reasons and the logic as to why we have to respect our parents, have been explained, says the Holy Quran:

"And We have enjoined on man (to be good) to his parents in Travail upon travail did his mother bear him, and in years twain was his weaning" (hear the command), "show gratitude to Me and to thy parents: to Me is (thy final) goal".

(S.XXI, A.14)
Further, highlighting the importance of mother the Holy Quran says:

"We had enjoined on man kindness to his parents: in pain did his mother bear him, and in pain did she give him birth......

"O My Lord! Grant me that I may be grateful for thy favour which thou hast bestowed upon me, and upon both my parents."

(S.XLVI, A.15)

These are the few verses of the Holy Quran which show that the respect of father and mother has been so dear to Allah and His messenger.

For the Holy Prophet (SWA) the respect of mother had been so great that he used to say "Heaven lies under the feet of mother". The same can be understood by the conversation which took place between our Prophet (SWA) and Hakim-ibn Hezam.

It is reported that the Hakim asked the Holy Prophet whom should he respect, the Holy Prophet replied, 'Your Mother'. He asked the same question repeatedly for three times and every time the reply remained the same. When he asked the fourth time, Holy Prophet said, 'Your Father'.
It is on the basis of this hadith we can say that the right of mother is three time greater than the right of father upon their children.

In references

1. It has been commanded that parents have a great obligations of their sons and daughters and in return the sons and daughter are required to pay due respect to them. This obedience, respect, support love and affection are liked by the Almighty Allah and his messenger the Holy Prophet (SWA) very much. It is equal to the respect and love to Allah and to the Prophet of Islam. Secondly, It must be noted here that in issuing such commands there is no discrimination between fathers and mother, or men and women. Therefore it many be inferred that in the eyes of Allah and the Holy Prophet the father and the mother are of equal status and therefore they command equal respect, love and obedience from their children.

3. There are authentic ahadith which confirm that in the eyes of Holy Prophet (SWA) the status of mother is much higher as compared to the father. These inferences may help us to conclude that the status of women has never been considered lower than the status of men in Islam.
Our Holy Prophet has particularly given much importance to the status of women during his life time. He practically made concerted efforts to make people understand the importance of girl in a family. To his own daughter Fatima Zehra (A.S.) he has said, "Fatima is a part of my life". Who so ever hurts her hurts me and who so ever hurts me hurts Allah.

Importance of female child in Islam

During the age of ignorance preceding to Islam girl were considered disgrace objects for their families in Arabian Penninsula. The birth of a girl has been described in the Holy Quran in following words:

"And when a daughter is announced to one of them his face became black and he was full of rath (S.15, A.58).

He hides himself from the people because of the evil which was announced to them. He had to keep the child with disgrace. In order to avoid shame they would bury the female child alive in the dust. Now surely evil is what they judge. (S.16, A.59)

This was the position of girl when our Prohet Mohammad (SWA) started his campaign to uphold the prestige and respect of the girls in the eyes of the society. Since the change in attitude of general people was not possible, with in a short
period and it could not be conceived that the people would altogether stop the socially approved bad treatment against their daughters. The messenger of God thoughtfully started a campaign against the prevalent customs and traditions steadily and very intelligently. He did not introduce all the changes at once. He issued injunctions against any custom when he thought that the time was matured for that particular reform.

It was the time when women lived in society in solitude, deprivation and neglect, no attention was paid to her rights even, the right to be alive was denied to her. At that moment God sent Hazrat Mohammad (SWA) to protect women and all the deprived and oppressed people of the world from sufferings and injustice. One of the most important and radical serious change brought by Islam was to put an end the aggression against women rights in general and to defend their birth right to live like a human being. This contribution of Islam during period of ignorance might be considered as one of the most important contribution for the human welfare. It gave her the right to life, welfare and comfort, the right to gain knowledge, right to ownership. The right to own her property which belongs to her alone, the right to lodge complaint against her husband for his misbehaviour and the right for struggle for her right and to seek justice. Precisely it can be said that after the advent
of Islam women were able to handle their own social political and religous affairs for the first time in their life time. In order to bring change in the attitude of the people towards the female sex from the era of extreme darkness to the age of enlightenment, contineous efforts were made by Prophet Mohammad (SWA) himself and his followers. Our Prophet used to say the best among your children are your daughters. This slogan indeed brought a revolt in the belief practices of that age. Islam professed, just like a male child, a girl has the same right to life. No one is superior to other as a human being. The Holy Prophet (SWA) in his practical life had shown great respect for girls. He said, who so ever has a daughter the lord! would make that girl a shield for him before the flames of Hell. Who so ever has two daughters, the Lord! will take him into heaven. The importance of girls in a family was so high in his eyes that our Prophet (S.W.A.) the great messenger of God used to say, 'among the blessings of the Almighty for women is that her first child be a girl.28

Referred to an authentic Hadiths, it is said that, "a person sitting before our Prophet was informed by one of his friends that a girl baby was born to him. On hearing this news the Holy Prohet blessed him in the following words. "The earth will bear her weight, the sky will cost her shadow on her, the Lord! will give her subsistence. 'She is like a fragrant flower. The support and assistance of God will be
with him who ever has a daughter, the blessings and forgiveness of God will be bestowed upon him". The Holy Prophet further added, that who so ever raises three girls three gardens of Heaven will be given to him. He had also said, 'who so ever raises two or three girls will be with me in the paradise'.

In view of the important role played by women in family and in the society, Islam has given much importance to the up bringing of a girl child as compared to a male child. Islam holds the view that girls of today are the mothers of tomorrow. A competent and an able mother brings up children who are brave and honest, selfless and competent. The modern scholars of science and sociology also agree with the old Islamic sayings that 'if you wish to build a healthy society, build mothers'. Islam had has been so much concerned with the raising up of a girl child and their education that it has prescribed a comprehensive syllabus for their education, so that they could be able to serve the purpose of an Islamic society.

A believing women in Islam has to perform a multiple role during her life time. She has to play a role of a daughter, a wife, a mother and a custodian of future Islamic society. According to the Holy Quran, woman is a sign of God. 'The creator of a human race she has been given the quality to control stubborn men so that they may humanise
them and prepare them to create a friendly environment."  

In the role of a wife, women hold a social position. She is beloved of her husband. As a good wife she is an honest person she is interested in leading a life with mutual trust, agreement, cooperation and peaceful coexistence with her husband. She is always proud of fulfilling her responsibilities and duties as a faithful wife. A believing woman does not lose control on her emotions at the moment of hardship and difficulties. Under every circumstances, she remains balanced and faithful to her husband. In her practical life she is polite but firm in domestic affairs the responsibilities assigned to her. She is the real custodian of the respect, honour and dignity of her husband.

A believing women trains her daughter through her own behaviour so that she may be able to play the important role as an adult women in the family and the society of which she is a member.

In short the love, respect and proper training of a girl child in an Islamic society ensures a happy family life, which is a positive step in constructing a true Islamic society.

A society in which its womenfolk follow the Islamic laws and Shariat in words and spirit, the sayings, that "the
reward for the believing women is the salvation on the way of resurrection. Every moment of her life is filled with divine reward." \(^{32}\) Would came twice to them.
REFERENCES


2. Opcit. P. 1639

3. Opcit. P. 1439


5. The Holy Quran P. 1639


7. Ibid. P. 91

8. Opcit. P. 92

9. Opcit. P. 93

10. S. Ameer Ali. P. 361

11. Ibid. P. 361

12. Ibid. P. 361

13. Ibid. P. 361

14. Opcit. P. 362

15. The Holy Quran. P. 250


Chapter VI
FINDINGS AND CONCLUSIONS
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CONCLUSION AND FINDINGS

One of the main objectives of this Research project was to examine critically the social status of women in Islam. In order to achieve this end and to do full justice with the title of the project, an effort has been made to appraise almost all possible aspects of women's life which, directly or indirectly, could effect the women's social and individual status. While examining different aspects of women's life, genuine efforts have also been made to give a convincing answer to the time old objections raised against Islam regarding the status of woman and her position. In this pursuit the investigator has also been able to explore the causes which were responsible for misleading people to criticize Islam in general and to its women community in particular.

Precisely speaking on the basis of the research findings the investigator could . . . . reach at the following conclusions.

(1) Contrary to the objections that 'Islam has lowered the status of women', it has been found that Islam is the first religion in the world which has not only enhanced the status of women in the society, but it has also ensured maximum
security and welfare to the women community. The freedom, honour and respect which have been granted to her under the Islamic laws are aiming at the development of self confidence, self-reliance, self-respect, self-dependence, dutifulness, humaneness, kindness, truthfulness, honesty, dignity, integrity, chastity and modesty in her. Islam as such surpasses all other religion of the world.

(2) So far as the women's social status is concerned as compared to the men, it can be said, with considerable authenticity that Islam considers men and women equal as for the basic human rights and privileges are concerned,

The very existence of women and duties assigned to her are so important that one of the surahs of Holy Quran named 'Surat-Al-Nisa' has been assigned to her name. Besides this S.4: A.1; S.49: A.13; S.3: A.195; S.9: A.71; S.33: A.35; S.39: A.11; S.2: A.187 and S.24: A.30-31; may be quoted in support of the above statement. Apart from this, there are hundred of verses which take the form of address such as 'O' mankind: or 'O' Believers, are referred to both men and women. It has been promised in the Holy Quran that both men and women are human beings, both are expected to follow Islam, be faithful and obedient to God. Promise of God's reward of paradise and God's grace, are for both without
discrimination. The only criteria of superiority of one over the other is based on piety and guarding themselves against evil. Both are required to observe chastity and to lead a pious life. Similarly, moral vices, such as absence acts, insanity, back biting and mockery are not desirable from either of them, like rewards, equal punishment have also been recommended for both of them.

(3) It has been found that Islam has emphasized the interdependent of male and female as well as all members of the society. The wife and husband are described as garments of each other. Contrary to the western thought, in Islam men and women are directed to be complement each other, not to compete each other. They are the protectors of each other's respect, honour, and status. They have been assigned specific responsibilities for the good and welfare of both and of the family. In the (S.2: A.177), (S.4: A.1), (S.7: A.12); (S.8: A.41); (S.16: A.90), (S.7: A.23-26) etc. The Holy Quran has stipulated mutual duties and obligations of men and women, father and mother, children and elders, and other members of the society, for the physical and psychological well-being of the human race. Such a comprehensive specification has never been done before the advent of Islam. There is no doubt, that the economic, social and psychological advantages of such an interdependence provides more than ample compensation for the individual to sublimate
his or her ego and complexes. The result of the lack of social inter-dependence in the contemporary society of the world today, has resulted in many serious problems. The so called generations gap, the high suicide rate, the ever increasing dowry death, increasing crime rate, and the crisis of moral values are the result of breakdown of social inter-dependence and the denial of human society for mutual care. To be more specific, the miserable condition of the Indian society can be understood by going through a few facts which are reported by the news papers almost every day. To quote few example from them.

The Hindustan Times, July 31, 1991 reports, that "More than 11000 women were killed in 3 years between 1988 and 1990 in dower related murders and suicide in the country. Commenting on this information, in a written reply the Minister of State for Home, Mr. M.M. Jacob, said, nearly 28000 cases of rape were registered in the last 3 years in between 1988-1990.

Hindustan Times, May 2, 1991 commenting on the cruelty and distress of the Indian social system, referred to former speaker Mr. Rabi Ray as saying, 'that', 'female child sacrifice to appease god is still prevalent in India, and according to him, "it is worse than the sati".'
Reports Hindustan Times on July 31, 1981, that the main reason for the 2700 suicide reported in the capital from January 1st, 1988 to June 13, 1991 are poverty, unemployment, extreme frustration and social maladjustment.

The above figures represent only a small section of the country's population. The investigator believes that if a comprehensive survey is conducted throughout the country the figures might be hundred times more than what has been reported here. This crisis of social system in the contemporary current Indian society is simply the result of lack of the sense of interdependence, Value crisis, Godlessness, and purposelessness of the creation of human being.

(4) There is a time-old allegations against Islam that women get half share from their parents property as compared to the male members of the family. It is said, that, the law of inheritance has lowered the status of women in society. This topic has been discussed in the relevant chapter in full details. Perhaps it would be suffice to mention here, that it is Islam which has recognised the right of women to have a share in her parents' property. During pre-Islamic period, women did not get any share from their parents property. An unbiased look into the problem would convinc, clear minded people, that this is, in fact, one of the greatest
contribution of Islam for the cause of women's economic security. Apart from ensuring economic security to women, this law binds all the members of the family and keeps them united. One important reason of men getting double of the women's share in parents property is that the division of labour imposes more economic responsibilities on men than on women. It is the man who owes the responsibility of maintaining the whole family and to make arrangements to fulfill the needs of his own family, his parents and relatives. Thus we can see that 14 century ago, Islam had decreed women's total financial independence. Their right to own and to dispose off property owned by them without the consent of man is an important factor which added to the enrichment of women's personality. While women are expected to play their role in child bearing and rearing up the children. The men are required to fulfil their role as the maintainer and the protector of the family. Quran recognizing this important complementary sexual assignment and responsibilities, and in view of the greater economic demands made on male members of the society, compensates by allotting a larger share than women in inheritance. In addition to these rights, Quran proclaims the right of every women to buy and sell, to contract, to earn, to hold and to manage her own property without the consent and interference of her husband.
Such a provision in the Holy Quran has enormously, added the security and status of women in Islam.

(5) As regards the institution of marriage, plurality of wife and divorce, two important factors should be kept in mind while raising objections against these provisions.

In the first place, it should be remembered that one of the primary concern of Islam is related towards the raising position of women in society and inculcating in the masses a sense of respect, love and devotion towards her.

In the second place, Islam aimed at giving them a greater responsibility of bearing children and rearing them up under a proposed Islamic system, so that as an adult they could be a worthy follower of Islam. Eventually, Prophet Mohammad (SWA), the last messenger of God, could be successful in his mission and in achieving both the objectives.

Respect for women was one of the essential teachings enforced by Mohammad (SWA) for his people. "Paradise is at the feet of the mother", said, the Prophet of Islam to testify the high position women occupy in Islam.

The Prophet of Islam prohibited the custom of conditional marriages in due course of time. It was in the third year of the Hijra when the custom of temporary
marriages were also forbidden. In this way it would not be unfair to say, 'that', Mohammad (SWA) secured to women, in his system, the status which they did not possess before, and placed them on a footing of perfect equality with men in exercise of legal power and functions.

Regarding polygamy, it should be remembered that plurality of women was never introduced by Islam. The investigator, however, believes that in Islam there is no choice between polygamy and monogamy but there is a choice between polygamy and corruption. In order to completely eradicate corruption, the Holy Prophet restrained polygamy by limiting the number of marriages to a maximum of four. Indeed, in allowing this privilege to men, Islam imposed a very strict condition of absolute equality to all wives as obligatory on man. The condition of equity and justice therefore cuts down the permission to its legitimate dimension. Where in the Holy Quran permission is accorded that "you marry two, three, or four wives but not more". The subsequent line declares, but if you cannot deal equitably and justly with all, you shall marry only one. The word 'equity' (Adl) is an important denominator in this provision. It is this condition which should never be forgotten by a true Muslim, while availing the provision. The critics, however, very deliberately ignore this very condition when they charge Islam on plurality of wives, and also the situation where polygamy

* S. Ameer Ali, P. 229
becomes essential for men. Moreover, it has also been clearly mentioned in the Holy Quran that the second marriage can not take place without the consent of the first wife. It is therefore the first wife whose consent owes the responsibility of giving her consent to the husband for having another wife. Regarding divorce, it should be remembered that, in Islam marriage institution is a sacred one. It aims at leading a harmonious life between husband and wife based on peace, tranquillity, love and respect and at the top of all happiness in bringing up the children on righteous path. It is worthy to note that marriage does not only provides worldly satisfaction and comfort to the couple but also is considered by Islam, a source of bringing about spiritual development of the husband and wife and through them of the whole family. It would not be difficult to understand that a pious married life and happiness depends upon mutual trust, respect and understanding between husband and wife. In the absence of these factors the very purpose of the marriage will be defeated. It is under this situation, Allah has asked that the husband and the wife not to remain tied together if they cannot live together happily with a code of conduct as ordained by Holy Quran or if there exists continuous conflict between them. In such an ugly situation there is undoubtedly, a provision of separation. But the separation is an act which is not pleasing to God and His Prophet. Our Prophet has said,
that of all things permitted by law, divorce is the most hateful in the sight of God'. Those who think that divorce in Islam is an easy practice, are simply at fault. It should also not be forgotten that in case the marriage is to be dissolved because of the deep rooted conflict and differences between husband and wife, or because of open lewdness, then there is an order of setting the matter equitably, keeping into mind, the interest of both the parties. In any case 'mataum-bil-maruf' has to be provided to the wife by the husband.

(6) The system of seclusion (Purdah) of women in Islam was never introduced by Islam itself, but it has been borrowed from pre-Islamic period. It was practiced in most of the nations of antiquity from the earlier time. Even today, it prevails in forms more or less strict among nations far removed from muslim influences. For example in Korea, China, in the Spanish colony of South America, the purdah system is still observed. In view of the wide spread of the laxity of morals among the classes of people, the Holy Prophet recommended to the women community the observance of privacy and to guard their own chastity. In this connection the Holy Quran has in so many words instructed the muslim women to guard their own modesty and chastity through all possible means. The main objective behind this revelation of the Holy Quran is that no muslim women should manifest such behaviour
by action or by movement that it could be mis-understood by wicked people. This system, undoubtedly, posses many advantages in the social well-being of human lot. Though this ordinance in the Holy Quran is addressed to the wives of the Holy Prophet but it has its general application as well for every muslim women.

It should be remembered by the critics who oppose the Islamic way of life that Islam is not the collection of mere ideals. It has its own practical side. Islam is a way of life. In order to maintain purity in sex and keep the muslim community pious and pure, it ordains that the fair sex has to duly guard itself against the rebellious passions. The sanctions given by the Holy Quran here is to promote and maintain the purity of mind and heart and chastity in the practical life in both the sexes of the human family. Thus it controls and sublimates the self in man and women (P.1260) (7)

(7) It may also be concluded that if the muslim women in the present day are labelled as backward it is not due to Quranic teaching but because of the general paucity of muslims to understand Quran and to follow the sayings of Holy Prophet and his disciples. According to Imtiaz Ali, The teacher who, in an age when no country, no system, no community gave any right to women, maiden or married mother or wife - who, in a country where the birth of a daughter was considered a calamity, secured to the sex rights which are
only unwillingly and under pressure being conceded to them by the civilized nations in the nineteenth century - deserved the gratitude of humanity. If Mohammed had done nothing more his claim to the benefactor of mankind would have been indisputable (P. 13).
FINDINGS

The purposes and objectives of the research project have been explained in the first chapter with considerable comprehension. The investigator, at this stage, therefore does not feel the necessity of repeating them once again. However, the findings of this research project have been presented below in the same order and sequence.

(1) Before the advent of Islam women in the Arabian peninsula and also in the neighbouring countries were passing through the age of 'utter darkness' and barbarism. No social laws were observed. The limit of this lawlessness and insanity was that, very frequently, even step mothers were taken as wives after the fathers death, child infanticide, selling and buying of female child, marriage by capture, unrestricted polygamy, frequent divorce, slavery and polyandry were the common features, practiced in the society. It was at this epoch, Mohammed (SWA) appeared and applied himself to evolve order out of chaos. He had seen the immorality and the depravity of his country men. He looked upon the customs of divorce, polygamy, and the maltreatment with the female children with extreme disapproval, and considered them as the factors responsible for uprooting the basic foundation of society.
(2) This great Teacher soon realised that it was not possible to eradicate and abolish all the evil practices at one stroke in the then existing conditions. Since the customs, inter-women with the people's way of life and were sanctified by society from ages, the Prophet (SWA) came forward with a mission to mould the minds of an uncultured and semi barbarous community into a higher degree of excellence. With the grace of God and the wisdom bestowed upon him, this Great reformer became successful in his mission.

It is worthy to note that in pursuit of the success of his mission the Holy Prophet kept himself tied with the revelations of the Holy Quran. Which says:

'No, compulsion be in religion; Indeed truth has been made manifest distinct from error.

(S.2. A.256).

The above verse answers the false and baseless charge that the Holy Prophet offered Islam at the point of the sword.

(3) Islam vehemently rejected the theory that women are inferior to men, instead, it has been proved that women are equal to or even more than equal to men, if modesty, chastity, piety and fear to God are taken as an index for value Judgement.
(4) As regard to marriage Islam considers the consent of the girl as the basic foundation of a happy life. Dower or (Mehar) should be given to the girl as a gift and not to the parents as the price of the girl. Besides this, women have been granted full authority on what they posses and earn.

(5) The Holy Quran allowed the husband to exercise power of divorce to husband under stringent conditions. permitted to divorce parties at three distinct and separate times within which they might endeavour to become reconcile and renew their conjugal intercourse. In case all efforts fail then the third time the final separation could take place. "In case of conjugal disputes the Holy Quran advised reconciliation by means of arbiters chosen by the two deputence".

(6) Islam, by granting women the right to seek separation from men has not only secured her position in the family and society but has also granted her the status of a human being.

(7) Under the law of inheritance, Islam has granted women right in parents property. This law has been enforced so emphatically in the Holy Quran, that it is considered obligatory to every muslim believer to strictly follow the law of inheritance.
(8) Respects for the parents, particularly for mother is a valuable contribution of Islam for a united family life and for raising the status of women within and outside the family.

(9) By granting women's right to participate in different social, educational and economic activities, Islam contributed in raising the standard of life and developing in her maximum confidence to live an independent life.

(10) Islam did not discriminate between men and women so far the acquisition of knowledge is concerned. Importance of education was so important for the Holy Prophet of Islam that at every step the believers are instructed to acquire knowledge to their maximum ability. The Quran itself hears the testimony of supreme value of learning and science. Suratul-'Al-Alak' testifies the importance of acquiring knowledge.

No other religion has given so much importance to reading writing and understanding as it has been given in Holy Quran and by Prophet (SWA). In very clear words the prophet preached the importance of knowledge and has never confined the acquisition of knowledge to only one sex. There are recorded facts that Islam produced many learned women scholars who excelled in different disciplines and their contribution to the knowledge and literature, logic,
philosophy and art were so great that they will always be remembered as great scholars of their time.

The importance of knowledge can easily be understood by only one Surah of Holy Quran.

"What! can those who know be equal to those who know not? (65 A. 9).

According to Mr. Imtiaz Ali. The practical recognition of an absolute equality of the sexes does not owe its origin to any particular creed or system. It is due to gradual evaluation of human enlightenment to that spirit of progressive opinion which is the product of centuries of material and moral advances:

He further adds "and yet nothing furnishes a more correct criterion of a culture of a race than the position occupied by its women". The author of the article "The influence of women in Islam" believes that when the women stand by the side of the husband possessed of full rights, with a free independent will not merely the mother of his children but the mistress of the household, not a simple toy but a comrade and friend, only then can it be said that the people among whom the relations of the two sexes are thus developed is a truly cultured race".
It is generally observed that at the fountain of every spiritual faith stands a woman, whose sympathy blesses the work of infusing new life into humanity. Whether this statement is applicable in the progress of every spiritual might not be taken as universal truth but so far Islam is concerned, it is a fast that had Khadija (SA) not been there Islam would never had become a vital force!

There is no doubt that it was Khadija (SA) had soothed and encouraged our Holy Prophet (SWA) when he was degusted. It was she who stood by his side, kept alive his enthusiasm, consoled him in defeat, and rejoined with him in success. She was the truest friend, a comrade and a disciple in the darkest how of this missionary. This is an example of a woman who served Islam and its prophet as a true disciple. It is evident from historical facts that women excelled in different discipline during the life line of our Prophet and afterwards.

Fatima (SA) the beloved daughter of the Holy Prophet lectured to mixed congregations of both sexes often in the courtyard of her house and some times in the public mosque.

Eventually, being influenced by this lady, the Arabian women started listening to the sermons of caliphs and other disciples. They studied theology and law with the increase of material prosperity they did not confine themselves to the
study of law and religion, but they also took interest in
general literature, rhetoric, calligraphy and other cognate
branches of learning with considerable enthusiasm.

With deep interest and enthusiasm, the investigator has
made concerted effort to cover almost all the aspects, which
in her view, could influence the social status of women in
Islam. But still, much more is needed to be done in this
regard. More intensive research in this area might be of
great social and academic importance.
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