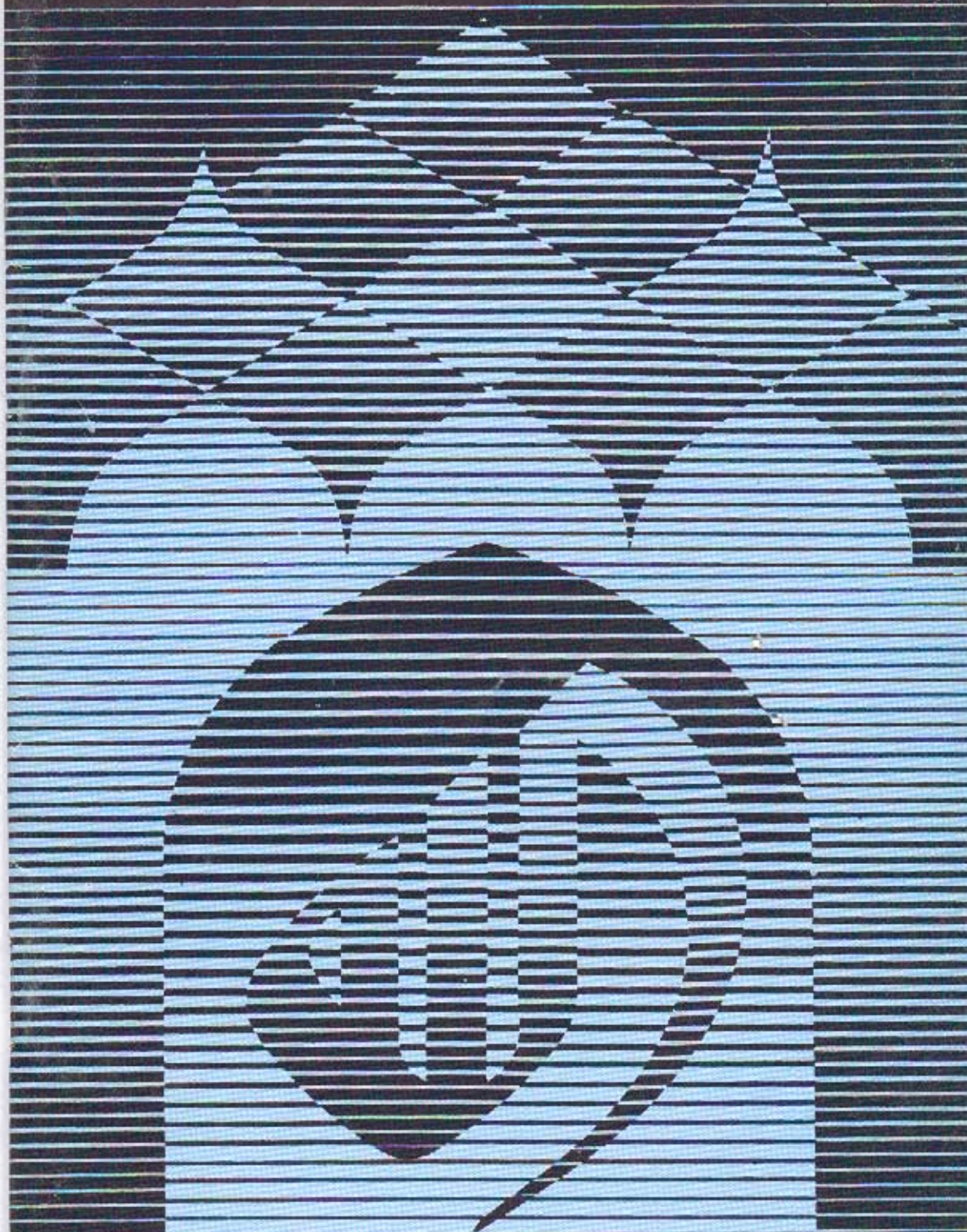


ISLAMIC CORRESPONDENCE COURSE

16



SOCIAL SYSTEM OF ISLAM

UNIT: 16

SOCIAL SYSTEM OF ISLAM

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International Islamic University
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(English)

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FOREWORD

Muslim communities all over the world are faced with a variety of challenges in their Dawah activities. One major challenge relates with the area of education. It is not easy to develop, in every community, an educational institution which may provide professional assistance and back up to members of community in acquiring Islamic knowledge and information. In some Muslim communities full time educational institutions have been established. In others, educational needs of the community are met through weekend programmes, seminars, symposia and other such activities.

Some Muslim communities have given serious thought to programmes of distance teaching, however, such programmes have not been materialized with proper know-how and professional assistance.

The Dawah Academy, at a humble level, is in the process of developing a series of correspondence courses in English and other languages. In order to develop a suitable introductory course on Islam as the way of life, we are introducing, at this point, material selected from existing Islamic literature.

Our next step will be to produce our own material in view of the needs of Muslim communities in various parts of the world. This will have two levels: first general level and second a post-graduate course on Islam. The present selection from Islamic literature deals with first level. This covers a variety of topics dealing with Islam as a complete way of life. We hope this course will provide initial information on important aspects of Islam.

We will greatly appreciate critical comments and observations of participants on this course. This will help us in development of our own material for both levels of study. Please do not hesitate to write to us if you have some suggestions to improve the material or methodology. Address all your observations at the following:

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SOCIAL SYSTEM OF ISLAM-I

BASIC CONCEPTS

A special characteristic of Islam is that itself explains the wisdom of its law. For instance, Islam has explained the wisdom of the principles and laws of nature on which it bases its law for regulating mutual relationships between man and woman.

Real Significance of Sex

The first thing that has been stated and explained in this connection is:

“All things We made in pairs.” (*Al-Qur'an*,51:49).

This verse makes a reference to the universality of the sex law and the Master Engineer of the Universe Himself divulges the secret of His Creation. He says that the universe has been designed on the relationship of pairs. In other words, all the parts of this great machine have been created in pairs, and all that one can see in this world is indeed the result of the mutual interaction of these pairs.

Now let us consider the nature of the sex relationship. This relationship itself implies that one partner in the pair should be active and the other receptive and passive, one prompt to influence and the other ready to be influenced, one prepared to act and the other willing to be acted upon. This relationship between the active functioning and the passive functioning, influencing and being influenced, acting and being acted upon, is the sex relation between the partners of a pair. This is the basic relation which gives rise to all other relations functioning and operating in the world. All that exists in this world has been created in pairs, and the real and basic relationship between the members of each pair is the sex relationship, the relationship signifying “activity” and

“passivity”, though it has assumed different forms in different strata of the Creation. One form of this relationship, for instance, is that which exists among the elements; another is that is found among the inorganic substances; another that is seen in the organic life; and still another that exists among the animal species. All these sex divisions, so to say, are different in form and nature and object of their creation, but the basic sex relation is common to them all. In each species of every class, it is essential that for the realization of the great object of nature, which is the creation of new relationship, one member of the pair should possess the ability to act and the other the inclination to be acted upon.

Now that the meaning of the verse has been specified, three basic principles of sex-law can be deduced from it:

1. The principle according to which Allah has created this world and the way according to which He is running its great system cannot be unholy and vile. It indeed is and ought to be holy and sacred. Though the opponents of this scheme may hold it as dirty and despicable and so shun it, the Maker and Owner of the Factory cannot desire that His Factory should cease to function. He will naturally want that all the parts of His Machine should continue working in order to fulfil the purpose for which they have been designed.

2. The existence of both the active and the passive partners is equally important for the purposes of the Factory. Neither the “activity” of the active partner is in any way exalted nor the “passivity” of the passive partner in any way debased. The excellence of an active partner is that he should possess the ability to act and also the other masculine qualities, so that he may effectively perform the active part of this duty in the sex relation. In contrast to this, the excellence of a passive partner is that she possesses the feminine qualities to an extent that she may carry out the passive part of the sex relation well. As a matter of fact, only a foolish, unskilled person can think of removing even a minor part of an

ordinary machine and employing it for a function for which it has not been actually designed. In the first place, he will not succeed in his object; and if he tries seriously, he will only succeed in breaking the machine itself. Similar is the case with the great machine of the world. Only the foolish, inexperienced people can think of replacing the active partners in it by the passive partners, and vice versa. But the Maker of the Machine can never commit such a folly. He will employ the active part in its right place and develop it accordingly, and employ the passive part in its own right place, and arrange to develop in it the desired qualities of passivity.

3. "Activity" in itself is naturally superior to "passivity" and femininity. This superiority is not due to any merit in masculinity against any demerit in femininity. It is rather due to the fact of possessing natural qualities of dominance, power and authority. A thing that acts upon something else is able to do so on account of its being dominant, more powerful and impressive. On the other hand, the thing that submits and yields, behaves so simply because it is by nature passive, weaker and inclined to be impressed and influenced. Just as the existence of both the active and the passive partners is necessary for the act to occur, so it is also necessary that the active partner should be dominant and able to produce the desired effect, and the passive partner yielding and inclined to be receptive. For if both the partners are equally powerful and neither is dominant, there will be no question of submission, and the act will not take place at all. If the cloth is as hard as the needle, sewing cannot take place. If the soil is not soft enough to yield to the dominance of the pick and plough, no cultivation and construction becomes possible. In short, all actions that take place in the world cannot take place unless there exists a passive partner for every active partner, and the passive partner possesses the qualities of yielding and surrendering. Thus, the active partner in a human pair should naturally have the qualities of dominance, vehemence and authority, called manliness, for he has to possess these qualities for performing the active part of his sex duty. In contrast to this,

the passive partner should naturally be soft, tender, elegant and impressionable, in short womanly, for these qualities alone can help her perform her passive role successfully. People who do not know this secret have either regarded the natural superiority of the active partner as something meritorious in itself and debased the passive partner, or they have wholly overlooked this superiority and endeavoured to produce in the passive partner qualities that properly belong to the active partner only. But the Engineer who has designed these parts fits them in the machine in such a manner that both become equally endowed and honourable, yet dominant and yielding as required by their respective natures, so that they may fulfil the purposes of their sex relation. They both should not become as hard as stone that they may only meet to break each other instead of combining and cooperating for fruitful purposes.

These principles can be deduced from the basic fact of division into the male and female. The human male and female, being physical entities, by their nature require that these principles should govern all their relationships. As will be explained later, these have been fully utilized in the social law that has been framed by the Creator of the heavens and earth.

Man's Animal Nature and its Demands

When we consider the matter a little more closely we find that man and woman are not only physical entities but they are living organisms also. Let us now see what is the natural object of their being a sexual pair. The Qur'an says:

“He has given you wives from among yourselves to multiply you, and cattle male and female”. (42:11).

“Your wives are your farms”. (2:223).

In the first verse, mention has been made of the pairs of man and animal together, and of the common object intended thereof, that is, the propagation of the species as a result of their sex relationship.

In the second verse, man has been considered separately from the other animal species, and it has been indicated that the relation between the partners of a human pair is that of a cultivator and his farm. This is a biological fact and the most appropriate illustration from the biological viewpoint of the relationship between man and woman.

These verses furnish us with three more principles:

1. Allah has created man also as male and female, like all other animals, for the purpose of perpetuating the human race. This is a clear demand of man's animal nature and cannot be overlooked. God has not created the human species to allow only a handful of its individuals to nourish and tend themselves on the earth and disappear. He indeed wants it to survive till an appointed time. He has placed sex urge in the animal nature of man so that human beings join as pairs and procreate to keep His earth humming with life. Therefore, a law given by God cannot be such as will crush and suppress the sexual urge; and inculcate its hatred and teach total abstinence from it. On the contrary, such law will provide for the satisfaction of this urge of human nature.

2. By comparing man and woman to the cultivator and the farm, it has been indicated that the natural relationship of the partners of the human pair is different from that of the other animal pairs. Apart from the human aspect, the physical structure of the human pair from the animal point of view also has been so designed as to help bind them in an abiding relationship like the one found between a cultivator and his farm. Just as it is not enough for a cultivator only to sow seeds but also to water his field, manure it and look after it. So woman also is not such a farm that an animal would by the way cast a seed in her, and then let her grow

it into a tree! But in fact when she becomes pregnant she stands in need of being carefully looked after and cared for by her 'cultivator'.

3. The sex attraction in a human pair is biologically of the same nature as is found in the other animal species. Every member of a species feels itself inclined instinctively towards every member of the opposite sex. The powerful urge of procreation placed in them by nature causes all those members of the opposite sexes who possess the ability to procreate attracted mutually. Therefore, the Law made by the Supreme Creator cannot disregard this weak aspect of man's animal nature, for it possesses such a strong inclination towards sexual anarchy as cannot be controlled without resort to special measures like checks and balances. If man once loses control of himself nothing can save him from becoming a brute animal, rather "the lowest of the low" even among animals.

"We moulded man into a most noble image, then We reduced him to the lowest of the low: except the believers who did good works." (Al-Qur'an, 95:4-6).

Human Nature and its Demands

As we have pointed out above, animal nature is like the base and foundation on which the superstructure of humanity has been built. For the sake of man's survival and propagation, both as an individual and as a species, Allah has endowed his animal nature with an urge, and the ability to realize that urge, for each and every thing that is necessary for the purpose. And the Divine Will does not mean that any of these urges should be curbed or any of these abilities should be destroyed, for all these urges and abilities are necessary, and without them man and his species cannot possibly survive. The Divine Will, however, is the man should not behave like a mere animal while satisfying his urges and employing his abilities, but he should be human in his behaviour in so far as the demands of his human and super-animal nature are concerned. For

this purpose Allah has ordained the *Shar'iah* injunctions in order to regulate the conduct of man. He has also warned man that if he transgresses the limits set by Him and drifts into extremes, he will be working for his own doom.

“He that transgresses Allah’s bounds wrongs his own self” (*Al-Qur’an*, 65:1).

Now let us examine the traits and demands of human nature as stated in the *Qur’an* with regard to sex.

1. The kind of mutual relationship, with which partners of the human pair have been endowed, has been stated as follows:

“He created for you mates from among yourselves that you may find rest and joy in them, and created between you love and mercy.” (30:21).

“They are (like) a garment to you and you are (like) a garment to them.” (2:187).

The verse which mentions together the creation of the pairs of man and animal also states the object of the creation of sex as propagation, but in the above verse, a higher function of sex in man has been indicated. That is, the mutual relation of a human pair should not only be of sexual nature; it should also be a relation of love and sympathy and a relation of the inclination of the heart and soul. The two partners should be the real partners with each other, who can share each other’s grief and joy. They should have such a close fellow feeling and abiding companionship between them as exists between the dress and the body. As has been explained at length above, this relation between the sexes is the bedrock on which the human civilization is built. The words “that you may find rest and joy in them” allude to the fact that woman is the source of peace

and comfort for man and that the natural function of the woman is to provide for the man a place of peace and comfort in this world, which is ridden with struggle, toil and hardship. This is the home life of man whose significance and importance has been overlooked by the Westerners in pursuit of material gains. The fact, however, is that this aspect of life is as important and necessary as any other aspect of civilization for the well-being of the social and community life of man.

2. This sex relation not only demands mutual love between the male and the female but also it demands that they should have a deep spiritual relation with their offspring, the direct result of their sex relationship. The Divine Will has endowed man, and especially the woman, with such a physical structure and natural course of pregnancy and suckling that the love of offspring becomes her very nature. The *Qur'an* says:

“His mother bears him with much pain and he is not weaned before he is two years of age.” (31:14).

“With much pain his mother bears him, and with much pain she brings him into the world. He is born and weaned in thirty months.” (46:15).

The man also loves his offspring though his love is not as intense as of the mother.

“Men are tempted by the lure of women and offspring.” (3:14).

This natural love helps establish blood and marital relations. From relations then spring up families and clans and nations whose inter-relationships give birth to civilization.

“It was He Who created man from water and gave him kindred of blood and of marriage.” (25:45).

“Man! We have created you from a male and a female and divided you into nations and clans that you may be able to recognise one another.” (49:13).

Thus the ties of blood and the relations of descent and marriage provide indeed the very basic and natural foundation for the human society. And the strength of these relations depends on the certainty and indubitability of parentage and purity of descent.

3. Another demand of the human nature is that if a person leaves something behind him from the fruits of his lifelong labours and toil, he wishes it to go to his offspring and near relations with whom he is bound in ties of blood all his life.

“. . . according to the Book of Allah, those who are bound by ties of blood are nearest to one another (in the matter of inheritance).”

(8:75).

“Allah does not regard your adopted sons as your own sons.”

(33:4).

This shows how important the purity of descent is for the purpose of the division of inheritance.

4. Sense of modesty is a part of human nature. Man by nature wants to cover and conceal some parts of his body. This urge has impelled him from the earliest times to adopt one or the other sort of dress. The *Qur'an* in this regard strongly refutes the modern prevalent theory. It asserts that the urge to conceal those parts of the human body

which possess sex attraction for the opposite sex is quite natural with man. Of course, Satan urges him to reveal these parts:

“But Satan tempted them, so that he might reveal to them their shameful parts that had been hidden from each other.” (7 :20).

“When they tasted of the tree, their shameful parts became visible to them and they began to cover themselves with the leaves of the Garden.” (7:22).

Then the Qur’an says that Allah has given man clothing so that he may cover his shameful parts therewith and also appear attractive. But it does not demand that one should cover one’s shameful parts only; it also demands that while doing so one should fear Allah too:

“O Children of Adam! We have sent down to you clothing in order to cover the shameful parts of your body and serve as protection and decoration; and the best of all garments is the garment of piety.” (7:26).

These are the basic concepts of the Social System of Islam. Keeping these concepts in view, one should study the whole system which has been built on them. During this study one should note well how Islam has maintained balance and logical consistency while applying these concepts to the practical details of life. The common weakness of all man-made laws that we have studied is that their basic concepts are not in harmony with their practical details. In other words, their principles and their details contradict each other; the spirit of their fundamentals differs radically from that of their application in the details of actual practice in the day to day affairs of life. Man invents a theory of high principles in the armchair, but when he brings it into the real world and tries to apply it to the practical problems of life he is so baffled by the complexity of affairs that he forgets his own theory. None of the man-

made laws has been found to be free from this weakness. Now let us examine, and examine as critically as we can, the Law which was presented before the world by an unlettered unschooled desert dweller of Arabia, even without the help of a legislature or select committee. We shall see that this Law is absolutely free from all sorts of logical inconsistencies and contradictions.

FUNDAMENTAL PRINCIPLES

The most important problem of social life is, as we have mentioned elsewhere, how to regulate the sexual urge into a system and prevent it from running wild. For without this, it is not possible to keep control over the community life, or even if that becomes possible, there is no way to save the community from mental and moral decay and disintegration. In order to achieve that purpose, Islam has organized the relations between the husband and the wife and reduced them to a system.

“Prohibited Relations”— (*Muharramat*)¹

To start with, the law of Islam prohibits those men and women for each other who are bound by nature to live together in close relationship. For instance, the following relations cannot marry each other in Islam: mother and son, father and daughter, brother and sister, paternal aunt and nephew, paternal uncle and niece, maternal aunt and nephew, maternal uncle and niece, step-father and daughter, step-mother and son, mother-in-law and son-in-law, father-in-law and daughter-in-law, wife's sister and brother-in-law (during sister's lifetime) and foster relations (4:23-25). By prohibiting them for each other, Islam has so cleansed the men and women of these relations that they cannot even imagine being sexually attracted mutually, except for those morally depraved people of animal nature whose animality does not allow them to be bound by any moral discipline.

Prohibition of Adultery

Besides the above prohibitions, Islam has also forbidden to take as wives those women who are already married. "And forbidden to you are the wedded wives of other people." (4:24).

Then, as for the rest of woman, it has been made unlawful to have any sexual relations with them without marriage. "Approach not adultery, for it is foul and indecent." (17:32).

Marriage

Thus, by imposing restrictions Islam has closed all the ways leading to sexual anarchy. But for the satisfaction of man's animal nature and propagation of the human race it was inevitable that at least one door for sexual satisfaction must be kept open. This was done by giving permission for marriage. Islam ordained that the sexual desire must be satisfied, not by unlawful sexual liaison nor secretly, nor openly and immodestly, but through the prescribed course so that the whole society comes to know, and it is established beyond doubt, that such a man and woman are now meant for each other.

"It has been made lawful for you to seek in marriage with your wealth any other women than those specified, provided that you keep them in wedlock

You may marry them with the permission of their guardians. ...so that they may live a decent life in wedlock and not in licence, nor may have secret illicit relations." (4:24,25).

According to this principle of moderation, the sexual relation which was forbidden and unlawful outside marriage has not only been declared lawful within marriage but also has been commended as good.

It is enjoined on the Muslims and its avoidance is regarded with disfavour. Marriage is looked upon as a virtuous deed; so much so that if a woman observes a non-obligatory fast, or busies herself in worship or recitation of the Qur'an with a view to evading the lawful desire of her husband, she commits a sin. Here are a few sayings of the Holy Prophet (p.b.u.h.) that amply illustrate the point:

1. "You should marry, for that is the best way of saving yourself from casting evil eyes, and of safeguarding yourself against sexual immorality. The one who does not possess the means to marry should fast, because fasting curbs sexuality." (*Al-Tirmizi*).
2. "By Allah, I am the best among you in the matter of fearing Allah and avoiding His displeasure. But in spite of that I observe fast and break it, offer prayers and sleep at night, and marry women. This is my way, and whosoever shuns my way does not belong to me." (*Al-Bukhāri*).
3. "The woman should not observe a non-obligatory fast without the permission of her husband." (*Al-Bukhāri*).
4. "The woman who passes a night with a view to evading the desire of her husband is cursed by the angels till she attends on him." (*Al-Bukhāri*).
5. "When one of you happens to see a woman and is attracted by her, he should go to his wife, for she has the same as she (the other woman) had." (*Al-Tirmizi*).

The *Shari'ah*, by enjoining these injunctions, wants to close all the ways leading to sexual anarchy, and intends to restrict sexual relation to marriage only. It does not like any sexual feelings to be aroused outside

marriage. If, however, such feelings are aroused naturally or incidentally, they should be satisfied mutually between the husband and the wife. This is the only way for man to protect himself against all sorts of unnatural, self-created sexual excitements and to conserve his energy for the service of society. It desires that the sexual love and attraction which Allah has created in every man and woman for the purpose of running this Factory, should be exclusively employed in creating and establishing the family. Thus, married life is commendable in every way as it meets the ends of human nature, animal instinct and Divine Law alike. On the contrary, avoiding marriage is in every way blameworthy, for it must entail one of the two evils: either man will not meet the ends of the law of nature at all and waste his energy in fighting against it, or, overwhelmed by his instinctive demands, he will be compelled to satisfy his desires by unlawful, illicit ways.

Organization of Family

After making the sexual urge a means of the creation of the family and the stability thereof, Islam turns to consolidate the family. Here also it keeps in view all the aspects of the laws of nature as mentioned above. The principles of justice and fairplay that Islam has adopted while determining the rights of the husband and the wife have been fully explained in my book *The Rights of the Spouses*. If one goes through this book, one will find that Islam has succeeded in establishing all possible equality between the sexes. But it does not believe in the kind of equality that is opposed to the laws of nature. As human beings, women are the equals of men in their rights:

“Wives have the same rights as the husbands have on them.”

But man being the active partner has been justly regarded by Islam as superior to woman:

“Of course, men are a degree above them (women).” (2:228)

Thus, taking into account the natural relations between the active and the passive partners, as exist between the man and the woman, Islam has organized the family on the following principles:

Man as Provider

Man’s position in the family is that of a provider. In other words, he is in charge of the family, and its protector and is responsible for its conduct and affairs. It is obligatory on his wife and children to obey him, provided that it does not involve them in the disobedience of Allah and His Prophet. He is responsible for earning a living for the family and providing it with the necessities of life:

1. “Men are the governor of the affairs of women because Allah has made men superior to women and because men spend of their wealth on them.” (4:34).
2. “Virtuous women are obedient, and guard their (husbands) rights carefully in their absence under the care and watch of Allah.” (4:34).
3. “The man is the ruler over his wife and children, and is answerable to Allah for the conduct of their affairs.” (*Al-Bukhāri*).
4. “When a woman steps out of her house against the will of her husband, she is cursed by every angle in the heavens and by everything other than men and jinn by which she passes, till she returns.” (*Khashf-al-Ghamma by Sh‘erani*).

5. "As for those women whose defiance you have reason to fear, admonish them and keep them apart from your beds and beat them. Then if they submit to you, do not look for pretences to punish them." (4:34).
6. "Do not obey the person who does not obey Allah." (*Ahmad*).
7. "None should be obeyed in the disobedience of Allah." (*Ahmad*).
8. "Obedience is obligatory only in what is good and lawful." (*Al-Bukhāri*)
9. "And We have exhorted man to show kindness to his parents. But if they order you to worship as god others than Me that of which you have no knowledge, do not obey them." (29:8)

So the family has been organized in such a way as to have a governor. The one who tries to disrupt the family discipline has been admonished by the Holy Prophet thus:

"One who tries to sow seeds of discord between a woman and her husband does not belong to us." (*Kashf-al-Ghamma by Sh'erāni*).

Woman's Sphere of Activity

In this organization the woman has been made queen of the house. Earning a living for the family is the responsibility of the husband, while her duty is to keep and run the house with his earning.

“The woman is the ruler over the house of her husband, and she is answerable for the conduct of her duties.” (*Al-Bukhāri*)

She has been exempted from all outdoor religious obligations. For instance, it is not obligatory on her to offer the *Jamu'ah* (weekly congregational) Prayers. (*Abū Da'ūd*). It is also not obligatory on her to go for *Jihad*, if the occasion demands, she may go and serve the fighters in the cause of Allah. She is also not required to join the funeral prayer; she has rather been forbidden to do so. (*Al-Bukhāri*). She has been exempted from attending the mosques and joining in congregational prayers. Though under certain conditions she may visit the mosque, yet as a principle it has not been approved by the *Shari'ah*.

The woman has not been allowed to go on a journey except in company with a *mahram*². (*Al-Tirmizi*). In short, Islam has not approved that a woman should move out of her house without a genuine need. The most appropriate place for her, according to the Islamic law, is her home. The *Quranic* verse, “Stay in your houses . . .”³ clearly points to the commandment. But in this regard no restriction has been imposed, because sometimes it becomes really necessary for women to go out of their homes. For instance, a woman may have nobody to look after her, or she may have to go out for earning a living on account of the poverty, insufficient income, sickness, infirmity or such other, handicaps afflicting the male protector of the family. For all such cases, the law has been made sufficiently flexible. The Holy Prophet has told women:

“Allah has permitted you to go out of your houses for genuine needs.” (*Al-Bukhāri*).

But such a permission which has been granted under special circumstances and genuine needs cannot alter the basic principles of the Social System of Islam which restricts the woman's sphere of activity to

her home. This permission indeed is a sort of concession which must perforce be treated as such.

Restrictions for Women

An adult woman has been given sufficient freedom with regard to her personal affairs, yet her freedom is restricted as compared to that of an adult male. For instance, a man is free to undertake a journey at will, but a woman, whether she is married, unmarried or a widow, cannot travel unless she is accompanied by a *mahram*:

1. "It is unlawful for a woman who believes in Allah and the Last Day that she should travel for three days or more unaccompanied either by her father, or brother, or husband, or son, or some other male *mahram*."
2. According to Abū Hurairah, the Holy Prophet said : "A woman should not travel for a day and night, unless she is accompanied by a male *mahram*."
3. Again, according to Abū Hurairah, the Holy Prophet said: "It is not lawful for any woman that she travels for a night, unless accompanied by a male *mahram*". (*Abū Da'ūd*).

These traditions differ about the distance and duration of the journey. But that in fact indicates that the time taken in a journey is not important. What is important is that a woman should not be given such freedom of moving alone as may land her in trouble. That is why the Holy Prophet has not specified the duration of the journey, but has mentioned different durations according to the requirements of the time and occasion.

Then man is entitled to full freedom in respect of his marriage. He can marry any woman, whether Muslim or Scriptuàry, and can keep a slave-girl. But the woman is not wholly free in this regard. She cannot marry a non-Muslim.

“They are not lawful for the disbelievers, nor are the disbelievers lawful for them.” (60:10).

She cannot have sexual relations with her slave. The *Qur'an* has allowed man to have sexual relations with his slave-girl, but the woman has not been given any such permission. During the time of Caliph ‘Umer, a woman misinterpreted the verse, “Whatever your right hands possess", and had sexual relations with her slave. When the Caliph got the report, he put the case before the Central Advisory Council of the Companions. They all gave the unanimous verdict: “She misinterpreted the Book of Allah”. Another woman asked Caliph ‘Umer for permission to indulge in a similar act. He punished her severely and remarked :

“Arabia is secure till such time that her women are secure.”

(*Kashf-al-Ghamma by Sh'erani*).

The woman can choose her husband from among the free Muslim men. But in this regard also it is necessary that she should respect the opinion of her father, grandfather, brother or other guardians, though they have no right to give her away to somebody against her will. The Holy Prophet has said :

1. “A girl has a greater right to decide about herself than her guardian.”
2. “Do not give an unmarried girl away unless she has consented.”

But it is also not proper for a woman' to marry anybody she pleases against the wish of the responsible people of her family. This is why the *Qur'an* has addressed males only on the question of marriage. For instance, while dealing with the marriage of males, it says:

“Do not marry idolatrous women.”

“Marry them with the permission of their guardians.”

Then, while laying down instructions for the marriage of woman, it again address:

“And marry such of you (from among women) as are single.”

(24 :32).

“Wed not your women to idolaters until they believe.” (2:221).

This shows that just as a married woman has to obey and be looked after by her husband, so an unmarried woman has to obey and be looked after by the responsible men of her family. But this dependence of her on others does not in any way deprive her of her freedom of action and will. It only implies that the responsibility of protecting the social system from chaos and disruption and of safeguarding the interests and morals of the family from internal and external mischiefs has been placed on the shoulders of man. In return for this, the woman has been made duty bound to obey the man who has to shoulder this responsibility, whether he is her husband, father, or brother.

WOMAN'S RIGHTS

Thus Islam, while recognizing the natural superiority of one partner over the other, has also specified that “men are a degree above women”. It works on the foundation that the biological and psychological difference between the man and the woman do exist; it keeps those

differences as they are; and it employs those difference for determining their place and responsibilities in the social system.

The next important question is of the woman's rights. In this regard Islam has observed the following three guiding principles:

First, it enjoins that the authority that the man has been given for maintaining order in the family should not be abused, lest the relation between the ruler and the ruled turns into that of the master and his slave.

Second, it exhorts that the woman should be afforded all such opportunities as may enable her to develop her natural abilities to the maximum within the social framework, so that she may play her role effectively in the development of civilization.

Third, it makes it possible for the woman to attain to the highest rung of progress and advancement, as a woman. To become the man is none of her rights. It is neither good for her nor for the society to be trained for the masculine life, nor can she succeed in the manly life.

Keeping these principles in view, Islam has granted the woman vast social and economic rights, elevated her status, and provided such moral and legal safeguards in its system for the protection of her rights and status that the like of these cannot be found in any old or modern social system of the world.

Economic Rights

Man's economical stability is the foremost factor that gets him a status in society and through it he is able to maintain that status. All laws, except the law of Islam, have weakened the economic position of woman, and this economic helplessness is the chief factor that has reduced her to virtual slavery in the society. Europe wanted to change her

condition, but the result was that she was made an earning hand like the man, which led to a still greater evil. Islam follows the *via media*. It grants the woman very extensive rights of inheritance. She gets her share of inheritance from her father, husband, offspring and other near relatives.⁴ Besides she is entitled to receive nuptial money from her husband. All the wealth that she thus receives is her own property and she possesses full proprietary rights over it without any right of interference by her father, husband, or any other relative. Then, if she invests her money in business, or earns with her own hand, she is the sole owner of the fruits of her labour. In spite of all this, her husband is under obligation to support her. However, wealthy the wife may become, the husband is in no case absolved of his responsibility to support her. Thus, the economic position of the woman has become so secure in Islam that more often than not she is economically better off than the husband himself.

Social Rights

1. The woman has been granted full freedom in the choice of her husband. Nobody has got the right to give her away in marriage without her wish and consent. And if she marries a Muslim by her free choice, nobody can stop her from doing so. If, however, she selects a man who is not her equal in the family status, the elders reserve their right to object.
2. She has been given vast legal rights to obtain separation from a husband who is cruel, impotent or whom she abhors.
3. The husband has been instructed to use the authority granted him over the wife with discretion in a large-hearted and magnanimous manner. The Qur'an says:

“Treat your women kindly” (4:19), and “Forget not magnanimity in your mutual dealings.” (2 :237)

The Holy Prophet said: “The best among you are those who are good to their wives and kind to their people”.

Islam does not give only moral instructions. If the husband abuses his authority the wife reserves every right to have recourse to the law.

4. Widows and divorced women and all such women whose marriage has been annulled by law, or who have been legally separated from their husbands, have been granted an unfettered right to remarry. Their previous husbands, or any relatives, do not retain any right whatever over them. This is a right which women in most of the European and American countries have not yet been able to get.

5. Absolute equality has been established between the man and woman in so far as civil and penal laws are concerned. The Islamic law does not recognize any distinction between them in so far as protection of life and property, honour and reputation is concerned.

Female Education

Women have not only been allowed to obtain education in religious and mundane branches of Knowledge, but their education and cultural training has been considered as important as that of men. Women also used to take lessons in religion and morality from the Holy Prophet along with men, though they had separate arrangements for the purpose. The wives of the Holy Prophet, especially Hazrat ‘Ā’ishah, not only taught women, they taught men also. Many an illustrious Companion and follower of the Companions learnt the Qur’an, Hadith and Islamic Jurisprudence from Hazrat ‘Ā’ishah. Besides educating free men and the

nobility, the Holy Prophet had enjoined the Muslims to educate their slavegirls, too. A Tradition says:

“If a person has a slave-girl, then he educated her liberally and trains her in the best manner and culture, then sets her free and marries her, he has a double reward (from his Lord).” (*Al-Bukhāri*).

This shows that in so far as the acquisition of knowledge and cultural training is concerned, Islam does not allow any distinction between man and woman. It, however, recognizes a difference in the type of education meant for the man and the woman respectively. From the Islamic point of view, the right sort of education for woman is that which prepares her to become a good wife, good mother housekeeper. Her sphere of activity is the home. Therefore, she should be trained primarily in those branches of knowledge which make her more useful in that sphere. Besides, she needs to be educated also in those sciences which help her become a good human being, morally as well as culturally, and which widen her outlook. Thus, it is obligatory for every Muslim woman to acquire knowledge and cultural training. If, however, a woman possesses extraordinary abilities of the intellect, and is desirous of acquiring higher education in the other branches of knowledge as well, Islam does not stand in her way, provided that she does not transgress the limits prescribed for her by the *Shari'ah*.

Real Emancipation of Woman

These are briefly the rights of the woman granted by Islam. But the mere mention of these rights does not fully convey the idea of how highly has Islam honoured the woman and elevated her status in society. The history of human civilization bears evidence that woman was regarded as an embodiment of depravity, shame and sin in the world. The birth of a daughter so embarrassed a father that he could not raise his head for

shame. The in-law relations were looked upon as base, mean and disgraceful. For this reason, the inhuman custom of disposing of daughters by killing them had become common among many nations.⁵ Besides the illiterate, ignorant people, the learned scholars and religious leaders also disputed for generations the question whether woman was a human being, and whether God had granted her a soul. In Hinduism, the woman stood debarred from being educated in the Vedas. Buddhism did not recognize salvation for the one having sex relations with woman. Christianity and Judaism looked upon woman as the source of all evil committed by man in the world. In Greece, the housewives were neither entitled to receive any education nor training in culture nor social rights. Only the prostitute was entitled to all these blessings! The condition in Rome, Iran, China, Egypt and other centres of human civilization was not any different. Centuries of inhuman treatment and universal contempt meted out to the woman had disgraced her in her own eyes. She herself had developed the mentality that she had no right and was not entitled to any place of honour in the world. The man considered himself to be perfectly within his right to treat her harshly, and she endured all this as part of her natural obligations. She had become slavish and prided herself on being called the "maid" of her husband; her religion was to extol and worship him as her god and lord.

It is Islam which revolutionized this state of affairs not only legally and practically but also intellectually. Islam has indeed changed the mentalities of both the man and the woman. The concept of giving the woman her rights and a place of honour in society has in fact been created in man's mind by Islam. The slogans of women's rights, women's education and women's emancipation that one so often hears these days are in fact an echo of the revolutionary call raised by the Holy Prophet of Islam (peace be upon him) who changed man's ways of thinking for all times to come. It was the Prophet of Islam who first taught the world that woman is as much a human being as man.

“Allah created you of a single soul, and from the same soul created his mate.” (4:1).

God does not distinguish between the man and the woman : “The men shall have their due share according to what they have earned and the women according to what they have earned.” (4:32)

The high places of honour and distinction that man can attain by virtue of his faith and righteous deeds are also attainable by woman. If a man can become Ibrahim bin Adham, nothing can prevent a woman from becoming Rābi‘ah Basriah.

“Their Lord answered their prayer (and said): “I never let go to waste the labour of any one that works among you, whether male or female, for in My sight all of you are alike.” (3:195)

“And those who do good works, whether men or women, provided that they are Believers, will enter into Paradise and they will not be deprived in the least of their rightful rewards.” (4:124)

Then it was the Holy Prophet of Islam who warned the man and infused the feeling in the woman that she had the same rights on him as he had upon her.

“Wives have the same rights as the husbands have on them in accordance with the well-known principles.” (2:228)

Again, it was the Holy Prophet of Islam who raised the woman from disgrace and shame to the place of honour and dignity. He told the father that the birth of a daughter did not bring him any shame; bringing her up and educating her was rather a means of his salvation.

1. "The man who brought up two daughters, so that they attained maturity, will appear at my side on the Day of Judgement as are my two adjacent fingers." (*Muslim*)
2. "A man of whom only daughters are born, and he brings them up properly, the same daughters will become a covering for him against Hell." (*Muslim*).
3. The best blessing among the blessing of the world to a man is a virtuous wife." (*Nasā'i*).
4. "Two things in the world please me the most: the woman and the perfume; and in *salat* is the solace of my eyes." (*Nasā'i*).
5. "Nothing among the choicest blessings of this world is better than a virtuous wife." (*Iba-i-Mājah*).

The Prophet of Islam taught the son that the one who most deserved his respect, veneration and kind treatment after Allah and His Prophet, was his mother:

"A man asked: 'O Prophet of Allah, who deserves to be treated well by me most of all?' The Prophet said: 'Your mother'. He asked: 'Who then?' The Prophet said: 'Your mother'. He asked: 'Who then?' The Prophet again said: 'Your mother'. He asked: 'Who then?' The Prophet replied: 'Then your father'." (*Al-Bukhāri*).

"Allah has forbidden you to disobey your mothers and deprive them of their rights." (*Al-Bukhāri*).

Again, it was the Holy Prophet (pbuh) who pointed out that woman is by nature emotional and sensitive and inclined to extremes. She has been created by Allah with that nature and this is her merit, not her demerit. This trait of her character can be usefully employed in the service of humanity. But if the man tried to straighten and harden her like himself he would break her instead.

“The woman is like a rib. If you try to straighten her, You would break her. But if you employed her usefully, you would benefit from her in spite of her crookedness.” (*Al-Bukhāri*).

Likewise, the Holy Prophet of Islam was the first, and indeed the last, man who not only changed the mentality of man about woman but also of the woman herself, and created the right type of mentality based not on emotions but on real knowledge and reason in place of the un-Godly, un-Islamic mentality of ‘ignorance’. Then he did not rest content with reforming the people spiritually but also made arrangements to safeguard by law the rights of woman against the encroachments of man. Moreover, he produced this awakening in the woman that she had her own legal rights for the protection of which she could go to the law.

The women had found such a merciful, sympathetic and strong supporter of their rights in the person of the Holy Prophet that they would freely approach him with all sorts of complaints against bad treatment of their husbands. The men, on the contrary, were cautious and careful not to give their wives any chance to complain against them to the Holy Prophet. ‘Abdullah bin ‘Umar has reported that during the lifetime of the Holy Prophet the Companions treated their wives most politely for fear that a commandment concerning them might be sent down, and not until he had passed away they began talking with them freely. (*Al-Bukhāri*).

According to a Tradition contained in the Collection by Ibn-i-Majah, the Holy Prophet had forbidden maltreatment of women. Once

Hazrat 'Umer complained that the women had grown insolent and sought permission to have resort to beating to set them right. The Prophet granted the permission. The same day seventy women were beaten in their houses by the husbands who had long been awaiting such a permission. The next day all the women thronged the Holy Prophet's house with bitter complaints. The Prophet called the people together and addressed them thus:

“Today seventy women have visited the people of Muhammad's house complaining against the harsh treatment of their husbands. The men who have misbehaved in that manner are certainly not the best among you.”

The effect of this moral and legal reform was that the woman attained such a high status in the Islamic society that it has no precedent in history. The Muslim woman indeed has the right to attain the highest place of honour and advancement materially, intellectually and spiritually, both in religious and mundane spheres open to the Muslim male. Her sex does not stand in her way at any stage. The world of today, even in this 20th century, falls far short of this Islamic standard. Human intellectual development has not so far touched the mark set by Islam. Whatever rights the woman has been granted in the West have been granted her not for her own sake but as if she was the man. The woman is still inferior in the Western eyes as she was in the past ages of ignorance. In the West a real genuine woman has yet to have respect as the queen of a home, the wife of a husband, the matron of children. The so-called respect that she enjoys today is in fact for her being the he-woman or the she-man who is physiologically a woman, but mentally a man, and who pursues masculine activities in life. Obviously, this respect is for manhood, not for womanhood. Another manifestation of the female inferiority complex is that the Western woman fondly puts on the male dress, whereas no man can even think of putting on the female dress in public. To be the wife is disgraceful for hundreds of thousands of Western women, but to be the

husband is not disgraceful for any man. Women feel honoured when engaged in manly jobs, whereas no man feels inclined for the rearing of children and housekeeping, which are purely womanly duties. It can, therefore, be said without fear of contradiction that the West has not honoured woman because she is the woman. This was done by Islam alone which accorded woman the place of pride in her own natural sphere in society and civilization, and thus raised the status of womanhood in the real sense. The Islamic civilization segregate men and woman and employs them respectively for the purposes Nature has created them for, affording them equal opportunities of attaining success and honour and progress in their own natural spheres. It regards both womanhood and manhood as two equally necessary components of humanity. Both are equally important for the development of civilization. The services rendered by both in their respective spheres are equally useful and valuable. Neither manhood is respectable nor womanhood disgraceful. Just as a man will attain respect and progress and success if he remains the man and performs the duties of the man, so a woman will attain respect and progress and success if she remains the woman and performs the duties of the woman. A righteous civilization would be that which grants the woman all the human rights in her own natural sphere, which gives her a place of pride in society, and which develops her latent abilities and opens new vistas of progress and success before her own sphere of activity.

SOCIAL SYSTEM OF ISLAM-II

SAFEGUARDS

This was an outline of the social system of Islam. Before we proceed further, let us again have a look at the main features of this system:

1. The object of this system is to keep the social environment as clean as possible of all sorts of sexual excitements and stimulations, so as to enable man to develop his physical and mental abilities in a pure and peaceful atmosphere, so that he may play his role effectively in the building up of civilization with conserved energies.

2. Sex relations should be restricted to marriage only. Not only should sexual lawlessness outside marriage be curbed, but as far as possible dispersion of sexual ideas should also be controlled.

3. Woman's sphere of activity should be segregated from that of man's. They should be entrusted with separate responsibilities in the social life according to their respective natures and mental and physical abilities. And their mutual relationships should be so organized that they co-operate with each other within the lawful limits, and do not transgress these limits to interfere with the duties of the opposite sex.

4. Man should have the position of a governor in the family and the rest of the members in the family should obey him.

5. Both man and woman should be given all the human rights, and both should be provided with all possible opportunities for advancement, but neither should be allowed to transgress the limits prescribed for his or her sex in the society.

The social system which is built on these bases needs to be strengthened by a few safeguards also, so that it is able to function with all its potentialities. Islam has provided three kinds of such safeguards:

1. Self-purification,
2. Punitive laws, and
3. Preventive measures.

These safeguards have been provided in accordance with the true spirit and objectives of the social system, and they all together help it function effectively.

By the process of self-purification man is so educated and trained that he automatically begins following and obeying the system, whether there is or is not an external force to compel him for obedience.

The punitive laws prevent the commission of all such crimes as may disintegrate the system or destroy any of its bases.

The preventive measures help organize social life in such a manner that it is automatically safeguarded against all sorts of unnatural excitement and artificial stimulation, and thus, the possibilities of sexual anarchy are reduced to the minimum. Those people who are not reformed spiritually and who are not scared of the penal laws can be thwarted only by the preventive measures. These measures raise such barriers in their way that despite their inclination towards sexual lawlessness it becomes really difficult for them to commit the act practically. Moreover, it is these measures which practically segregate the male and the female spheres of activity, which make the family system function on the truly Islamic pattern, and which safeguard the bounds prescribed by Islam for the preservation of the distinction between the lives of the men and women.

SELF-PURIFICATION

A sound faith in Islam is the basic factor which requires its followers to obey the laws of its system. A person who believes in Allah, His Book and His Prophet (pbuh) is the one for whose compliance the *Shari'ah* enjoins its injunctions. For the sake of one's personal guidance it is enough for one to know that a certain command is a Command of Allah and that a certain prohibition is a prohibition by Him. Therefore, when a believer comes to know from the Book of Allah that He forbids indulgence in obscenity and sexual promiscuity, his faith requires that he should not only abstain from indulging in it practically but also keep his heart clean of all inclinations towards it. Similarly when a Muslim woman comes to know that Allah and His Prophet have given her a particular position in the social system she is required by her faith to accept that position willingly and remain satisfied with it. Just as in the other spheres of life, the correct and complete obedience to the Islamic injunctions rests on one's faith in Islam, so it is in the moral and social sphere as well. That is why man has first been invited to believe in Islam and have a sound faith in it, and then given moral and social instructions for his guidance in life.

The scheme for spiritual reform underlies not only the moral theory but the whole system of Islam. In the moral sphere Islam has adopted a highly practicable and sound process of educating its followers, and we now briefly describe it in the following pages.

Haya

As pointed out above, adultery, theft, lying, and all other sins which man commits under the impulse of his animal nature, run counter to his human nature. All such acts have been described by the Qur'an by the comprehensive word *munkar*, which is "unknown or little known" in its literal sense. These acts have been called *munkar* because they are

unknown and repugnant to human nature. Obviously, when they are against human nature and man commits them under the impulse of his animality, there must be in the human nature itself something which prevents man from approaching these sins. The Divine Law-Giver has specified this thing. It is *hayā*.

Literally, *hayā* means shyness. As an Islamic term, *hayā* implies that shyness which a wrongdoer feels before his own nature and before his God. This shyness is the force which prevents man from indulging in indecency and obscenity. If, however, he commits a sin under the impulse of his animal nature, the same shyness makes him feel the pangs of conscience. The moral teachings of Islam aim at awakening this dormant feeling of shyness in human nature and try to develop it as a part of man's mental make-up, so that it may serve as a strong moral deterrent against all evil inclinations. This exactly is the explanation of the Hadīth which says:

“Every religion has a morality, and the morality of Islam is *hayā*.”

Another Hadīth touches on the same subject. The Holy Prophet said:

“When you do not have *hayā*, you may do whatever you please.” For when a person does not have the deterrent of *hayā* in him, his desires which spring from his animal instinct will lay complete hold of him and he will not hesitate to indulge in any sin.

The feeling of *hayā* is inherent in man though in a crude form. It abhors all sins by nature, but it lacks knowledge. Therefore, it does not know exactly why it abhors a particular sin. This lack of knowledge gradually weakens its feeling of abhorrence with the result that man begins committing sin under the impulse of his animality, and the repeated commission of sins at last destroys his sense of modesty altogether. The

moral teachings of Islam aim to educate *hayā*. It not only acquaints it with the manifest sins, but also lays bare before it all the evils of desire and intention hidden in the innermost heart of man. Thus, it warns it of all possible mischiefs of the evil spirit, so that it may abhor them consciously and with conviction. Then the moral training further sharpens the sensitivity of the “educated” *hayā* with the result that it is enabled to detect even the slightest inclination of the mind towards evil and sin. So much so that it does not let go unwarned.

The sphere of *hayā* in the Islamic morality is so vast that it encompasses all aspects of human life. Thus, the aspect of man’s social life which is related to sex has also been reformed by Islam by means of *hayā*. Islam detects even the slightest lapses of the human self in sexual affairs and warns *hayā* of their presence and exhorts it to be vigilant. It is not possible to go into details, but a few illustrations are necessary.

Hidden Motives

In the eyes of law, adultery implies physical union only, but from the moral point of view every evil inclination towards a member of the opposite sex outside marriage amounts to adultery. Thus, enjoying the beauty of the other woman with the eyes, relishing the sweetness of her voice with the ears, drawing pleasure of the tongue by conversing with her, and turning of the feet over and over again to visit her street, all are the preliminaries of adultery, nay, adultery itself. Law cannot have jurisdiction over such an act, for it springs from the hidden motives of man. It can only be detected by his own conscience. The Holy Prophet (pbuh) has elucidated this point as follows:

“Eyes commit adultery, and their adultery is the evil look; hands commit adultery, and their adultery is the use of violence; feet commit adultery, and their adultery is moving towards sin; the

adultery of the tongue is (lustful) talk; and the adultery of the heart is the evil desire. In the end, the sexual organs either confirm all this (by their action) or disapprove it.”

The Evil Look

The evil look is the worst culprit in this regard. Therefore, both the Qur’ān and Hadīth have pointed it out first of all. The Qur’ān says:

“(O Prophet), tell the believing men to restrain their eyes (from looking at the other women) and guard their shameful parts; this is a pure way for them; surely, Allah knows full well what they do. And (O Prophet) tell the believing women to restrain their eyes (from looking at the other men) and guard their shameful parts.” (24: 30-31).

The Holy Prophet (pbuh) says:

“Son of Adam, your first (unintentional) look is pardonable. But beware that you do not cast the second look.” (*Al-Jassās*). He said to Hazrat ‘Ali:

“O ‘Ali, do not cast a second look after the first one. The first look is pardonable, but not the second.” (*Abū Da’ūd*).

Hazrat Jabir asked the Prophet what he should do if he happened to cast a look by chance. The Prophet instructed him that he should turn his eyes away forthwith. (*Abū Da’ūd*).

Urge for Display

The feminine urge for the display of beauty is another evil which is linked up with the evil look. This urge is not always prominent, it is generally hidden in the depths of the heart. It often finds expression in the selection of pleasing, gauzy and bright clothes, fancy hairdos and such other apparently insignificant aspects of the female behaviour as cannot be enumerated. The Qur'an has comprehensively termed them all as *Tabarruj-i-Jahiliyyah*. All beautification and make-up which is meant to please and entertain others than the husband is *Tabarruj-i-Jahiliyyah*. Even if a pretty and bright veil is put on so as to appear attractive and pleasing to the eyes, it is *Tabarruj-i-Jahiliyyah*. Now law can be made to check and control this tendency, as it springs from the woman's own heart. She herself can only search her heart to detect any hidden evil desire. If it is there it has to be eradicated according to the following Divine Commandment:

“... and do not go about displaying your fineries as women used to do in the days of ignorance...” (33:33).

Only that decoration is Islamic which is free from the element of the evil motive. But as soon as it is corrupted by the evil motive it becomes un-Islamic.

The Voice

The voice is another agent of the evil spirit. There are countless mischiefs which are caused and spread by the voice. A man and a woman may apparently be absorbed in innocent talk, but the hidden motive of the heart is at work: it is rendering the voice more and more sweet, and the accent and the words more and more appealing. The Qur'an detects this hidden motive:

“... if you are Godfearing, do not talk in a soft voice, lest the man of the unhealthy heart should cherish false hopes from you. If you have to speak (to the other men), speak in an unaffected way (as people ordinarily do).” (33:32).

It is the same evil desire which finds pleasure and satisfaction in relating or listening to stories about other people’s lawful and unlawful sex relations. To satisfy the same urge, lyrical poetry is written and imaginary love romances described which take the people’s fancy and spread in society like wild fire. The Qur’an admonishes man about this also.

“Those people who desire to spread indecency and obscenity among the Believers have a grievous torment in store for them in this world and in the Hereafter.” (24:19).

The mischief cause by the voice has many other aspects and in each aspect there is one or the other evil motive at work. Islam has detected all these motives and warned man to beware of them. For instance, a woman is not allowed to describe the features of other women before her husband:

“A woman should not have too close an intimacy with another woman, lest she should describe her before her husband in a manner as if he himself saw her.” (*Al-Tirmizi*).

Both man and woman have been forbidden to describe their secret sex affairs before other people, because this also causes indecency to spread by creating evil desire in the hearts. (*Abū Da’ūd*).

If the Imām commits a mistake in the congregational prayer, or he is to be warned of some lapse, men have been taught to say *Subhān Allah*

(Allah be glorified), while women have been commended to tap their hands only. (*Abū Da'ūd*).

The Sound

Sometimes attention is attracted not by the word of mouth but by some other device. Such devices also spring from the evil motive and Islam disapproves of them all:

“... and they should not stamp the ground in walking, so as to reveal their hidden decoration (ornaments, etc. by their jingle).” (24:31).

The Perfume

The perfume also acts as a messenger between two evil spirits. This is the finest and most subtle means of communication which may be trivial in the eyes of others but the Islamic *hayā* is too sensitive to let it slip undetected. It does not allow a Muslim woman to wear scented clothes and pass on the ways or sit in gatherings, for even if her beauty and make-up are hidden, her perfume is spreading about and causing emotional stimulation. The Holy Prophet said:

1. “The woman who uses perfume and passes through the people is promiscuous.” (*Al-Tirmizi*).
2. “When a woman from among you wants to go to the mosque, she should not use perfume.” (*Mu'attā and Muslim*).
3. “Male should use that perfume which does not give colour but has a strong smell: and the females should use that

perfume which gives colour but has a light smell.” (*Abū Da’ūd*).

Nudity

Islam has given such a correct and psychological interpretation of the sense of modesty in respect of covering the shameful parts of man’s body as has no parallel in any civilization. For instance, the men and women of the most civilized nations in the world today do not feel any hesitation to uncover any part of their bodies. For them the dress is a means of decoration and not of covering one’s nakedness. But from the Islamic point of view, covering of the shameful parts is more important than mere decoration. Islam enjoins its followers, both male and female, to cover all those parts of their bodies which have attraction for the opposite sex. That is why nudity is an indecency which can never be tolerated by the Islamic *hayā*. Not to speak of others, Islam does not approve that even a husband and his wife should expose their shameful parts before each other. The Holy Prophet (pbuh) says:

1. “When one of you goes to his wife, he should mind his shameful parts. They should not both strip their clothes off their bodies and become naked like donkeys.” (*Ibn Mājah*).
2. Hazrat ‘A’ishah says that she never saw the Holy Prophet naked. (*Āl-Tirmizi*).

Over and above all this, the Islamic *hayā* does not approve that one should strip oneself naked even when alone, for “Allah has a greater right that one should observe *hayā* before Him”. (*Āl-Tirmizi*).

The Holy Prophet (pbuh) says:

“Mind, you never be naked, for you are being attended by the angels of God who never leave you alone, except at the time when you have to attend to the call of nature or when you go to your wives. Therefore, you should feel ashamed of them and have regard for them.” (*Al-Tirmizi*).

According to Islam, the dress which shows the body and reveals the shameful parts is no dress at all. The Holy Prophet (pbuh) said:

“Those women who remain naked even after wearing clothes, allure others and are allured by others, and walk coquettishly with the head turned to the side, will never enter Paradise, nor even get its scent.” (*Muslim*).

It is not possible to treat the subject in an exhaustive manner here. A few instances that we have presented above are meant to give an idea of the standard and spirit of Islamic morality. As must have become clear by now, Islam aims to cleanse the society of all kinds of excitements that may lead to indecency and obscenity. All these feelings arise from man's inner self which is the breeding place for the germs of indecency and obscenity and wherefrom spring motives which though trivial on the surface lead to great iniquities in the long run. The ignorant people regard them lightly, and so overlook them, but the wise know that they are indeed the real cause of all moral and social ailments that afflict a civilization and bring it to ruin. Therefore, the moral teaching of Islam aims to create a strong feeling of *hayā* in the inner self of man himself with a view to enabling him to censor the doings of his self and eradicate by his own will even its slightest inclination towards evil.

PUNITIVE LAWS

The basic principle of the punitive law of Islam is that unless a person practically commits a crime leading to disruption of the social system, he should not be proceeded against legally. But when he has actually committed such a crime, it is not proper and advisable to make him a habitual offender by awarding light punishments. Therefore, on the one hand, the Islamic Law requires extremely strict conditions⁶ for establishing the crime so as to protect people against its application⁷. But, on the other, as soon as the crime is established, it inflicts such a heavy punishment on the culprit as not only disables him to repeat the crime but also deters thousands of others who might be inclined towards it. Indeed the object of the law is to cleanse the society of crimes and not to encourage the people instead to commit crimes and go on receiving punishments over and over again.

In order to protect the Social System, the Penal Law of Islam holds only two offences as punishable: (a) Fornication, and (b) Calumny.

Punishment for Fornication

As pointed out above, fornication is morally the most heinous crime that a person can commit. The one who commits it in fact proves that his humanity has been overwhelmed by his animality, and he is not fit to live as a virtuous member of the human society. From the social point of view it is one of those horrible crimes which cut at the very root of human civilization. Therefore, Islam has held fornication as a punishable offence for its own sake, whether it is accompanied by some other offence as the use of violence or encroachment upon somebody else's legal rights, or not. The Qur'an says:

“The fornicators shall each be given a hundred lashes, and let not compassion for them keep you from carrying out the sentence of

the Divine Law, if you truly believe in Allah and the Last Day. And let a number of the Muslims witness their chastisement.” (24:2).

In this matter, the Islamic Law differs radically from the Western law. The Western law does not hold fornication by itself as a crime; it becomes a crime only when it is committed forcibly, or with a married woman. In other words, according to the Western law fornication by itself is no crime; the real crime is rape, or the act of encroachment on the rights of the husband. In contrast to this, the Islamic Law looks upon fornication by itself as a crime, and regards rape or the act of encroachment as additional crimes. This basic difference between viewpoints of the two systems of law gives rise to the difference in the punishment of the offence. In case of rape, the Western law rests content with the sentence of imprisonment only; in case of fornication with a married woman it requires the fornicator to pay compensation to the husband. This punishment cannot act as a deterrent, it rather encourages the people. That is why fornication is on the increase in the countries where this law is in force. In contrast to this, the Islamic Law punishes fornication and adultery so severely that the society is automatically cleansed of this crime for a long time. That is why it has never become common in the countries where the Islamic punishment for it is inflicted. Once the *Shari'ah* punishment is carried out, it so terrifies the whole population that no one can dare commit it for years to come. In a way it performs a psychological operation on the minds of those having criminal tendencies, and this reforms them automatically.

The Western people abhor the infliction of a hundred lashes. This is not because they dislike the idea of physical torture. It is because their moral sense has not yet fully developed. At first they regarded fornication as something indecent; now they look upon it as a fun, as a pastime, which amuses two persons for a little while. Therefore, they want that the law should tolerate this act, and should not regard it seriously unless

the fornicator encroaches upon somebody else's freedom or legal rights. Even in case of such an encroachment they regard it as a crime affecting the rights of one person only. Hence, they think that a light sentence or payment of compensation is sufficient punishment for the crime.

Obviously, a person who holds such a view about fornication will look upon a hundred lashes for it as a cruel punishment. But if his moral and social sense had developed, he would realize that fornication, whether it is committed with willingness or force, and whether with a married woman or with an unmarried one, is in each case a social crime that affects the whole society. This will naturally make him modify his view about punishment, so that the society is saved from the ill-effects of fornication. He will have to admit that since the motives leading to fornication lie deep in the animal nature of man and since they cannot be eradicated by mere imprisonment or inflicting of penalties, strict measures have to be adopted for their complete eradication. For it is better to subject one or a couple of persons to severe physical torture for the purpose of safeguarding hundreds of thousands of people against countless moral and sociological evils than to inflict light punishments on the criminals and so jeopardise the well-being of not only the society but also of the coming generations.

There is another reason for regarding the infliction of a hundred lashes as cruel. As pointed out above, the Western civilization emerged as a result of the urge of favouring the individual against the society, and it has been built up on an exaggerated notion of the rights of the individual. Therefore, even if an individual harms the society to his heart's content, the Western people do not feel ill at ease; they rather put up with it willingly in most cases. But when the individual is proceeded against with a view to protecting the rights of society, they shudder with horror and all their sympathies go with the individual as against society. Moreover, like all ignorant people, the Western people also have the special characteristic of regarding feelings as more important than reason.

Therefore, when they see the individual, as a particular case, being severely dealt with, they feel outraged at the sight of his suffering. But they do not seem to comprehend the far-reaching consequences of the damage that is done to society and the coming generations, too.

Punishment for Calumny

The evil caused by calumny is similar to that caused by fornication itself. Accusing a lady of fornication not only damages her reputation but also it creates bad blood between the families. It renders parentage doubtful, spoils conjugal relations and ruins the mental peace of scores of other people also for years to come. Therefore, the Qur'an has enjoined severe punishment for this offence as well:

“As for those who accuse virtuous women (of fornication) and then do not bring four witnesses as a proof thereof, give them each eighty lashes, and do not accept their evidence in future: they themselves are the fornicators.” (24:4).

PREVENTIVE MEASURES

Thus, on the one hand, the punitive law of Islam curbs fornication and adultery by force, and on the other it protects the righteous element of society against calumny. Whereas the moral teachings of Islam cleanse man from within so that he does not feel inclined towards sin, its punitive law regulates his external behaviour, so that in case his moral training remained defective, his evil inclinations taking practical shape may be suppressed by force. Besides these, certain other measures have also been adopted to reform the self. These measures have been so employed in reforming the social system that the weaknesses of the individual on account of his defective moral training may not develop into practical action. They aim to create a social environment that is unfavourable for the development of evil inclinations and emotional disturbances. Thus

they help to weaken factors leading to sexual anarchy and eradicate all forms of indecency that might land the social system in confusion.

Now we shall consider these measures one by one and deal with them at length.

Injunctions for Clothing and Covering of Nakedness

In this regard, Islam has first of all eradicated nudity and specified shameful parts which the males and the females have to cover. As regards dress, the conduct of the so-called civilized nations of today is not any different from that of the Arabs of the pre-Islamic period. The Arabs would freely strip themselves naked before each other⁸. Even while having bath and attending to the call of nature they did not bother to have a covering. So much so that they performed the ceremony of moving round the Ka'bah in a naked state, and considered it as an essential part of the worship.⁹ More than that, the women would perform this ceremony in perfect nakedness.¹⁰ The dress they wore was such as left a part of their breasts, arms, back and shins uncovered.¹¹ Almost similar are the conditions prevalent in Europe, America and Japan in respect of dress these days. In the Eastern countries also there is no other social system which may have specified the bounds of nakedness. Islam alone has taught man the first lessons of civilization in this regard. The *Qur'an* says:

“O Children of Adam! We have sent down to you clothing in order to cover the shameful parts of your body, and to serve as protection and decoration.” (7:26).

According to this verse, covering of the body has been made obligatory for every male and female. The Holy Prophet (pbuh) gave strict orders to the effect that no person should appear naked before any other person:

1. "Accursed is the one who casts a look at the shameful parts of his brother." (*Ahkām-al-Qur'an* by al-Jassās).
2. "No man should look at a naked man and no woman should look at a naked woman." (*Muslim*).
3. "By God, it is better for me to be dropped from the skies and torn in two than that I should look at the shameful parts of somebody or that somebody should look at my shameful parts." (*Al-Mabsūt*).
4. "Beware, never strip yourself of clothes, for with you is the One Who never leaves you alone, except at the time when you attend to the call of nature or have intercourse." (*Al-Tirmizi*).
5. "When one of you goes to his wife, he should cover his nakedness even at that time; he should not make himself naked like donkeys." (*Ibn Mājah*).

According to another Tradition, once the Holy Prophet (pbuh) went to the pasture meant for the camels of Zakāt, and saw that the camel-herd was lying naked on the ground. The Holy Prophet ordered his removal forthwith, and said:

"We have no use for a person who is shameless."

Boundaries of Satar for Males

Besides these general instructions, Islam has also specified those parts of the body which the males and the females must cover. Such a part as is obligatory to cover is termed as *satar* by the *Shari'ah*. For the males, the *satar* is the part of the body between the navel and the knee,

and it has been enjoined that one should neither uncover this part before another person, nor should one look at this part of anybody else:

1. "Whatever is above the knee should be covered, and whatever is below the naval should be covered." (*Dārquṭnī*).
2. "The male should cover that part of his body which is between the naval and the knee." (*Al-Mabsūt*).
3. Hazrat 'Ali bin Abī Tālib has reported that the Holy Prophet (pbuh) said: "Do not uncover your thigh before another person, nor look at the thigh of a living or a dead person." (*Tafsīr-i-Kabīr*).

This is a general command which excludes none but the wives. The Holy Prophet says:

"Guard your *satar* from all except your wives and your slave girls." (*Ahkam-al-Qur'ān*, Vol.III, p. 37).

Boundaries of Satar for Females

The bounds of *satar* for the females are wider. They have been enjoined to cover their whole body except the face and the hands from all people, including father, brother and all male relatives, and excluding none but the husband. The Holy Prophet said:

1. "It is not lawful for any woman who believes in Allah and the last Day that she should uncover her hand more than this"—and then he placed his hand on his wrist joint. (*Ibn Jarīr*).

2. "When a woman attains maturity no part of her body should remain uncovered except her face and the hand up to the wrist joint." (*Abū Da'ūd*).
3. Hazrat 'Ā'ishah says that she appeared before her nephew, 'Abdullah bin al-Tufail, with decorations. The Holy Prophet did not approve of it. I said, "O Apostle of Allah, he is my nephew." The Holy Prophet (pbuh) replied: "When a woman attains maturity it is not lawful for her to uncover any part of her body except the face and this"—and then he put his hand on his wrist joint so as to leave only a little space between the place he gripped and the palm. (*Ibn Mājah*).
4. Hazrat Asmā', daughter of Abū Bakr, who was the Holy Prophet's sister-in-law, came before him in thin dress that showed her body. The Holy Prophet turned his eyes away and said: "O Asmā', when a woman attains maturity, it is not lawful that any part of her body be seen, except this and this"—and then he pointed to his face and the palms of his hands. (*Takmilah, Fath-al-Qadīr*).
5. Hafsa, daughter of 'Abdur Rahmān, came before Hazrat 'Ā'ishah and she was wearing a thin wrapper over her head and shoulders. Hazrat 'Ā'ishah tore it up to pieces and put a thick wrapper over her. (*Mu'attā Imām Mālik*).
6. The Holy Prophet (pbuh) said: "Allah has cursed those women who wear clothes and still remain naked."
7. Hazrat 'Umar says, "Do not clothe your women in such clothes as are tight fitting and reveal all the outlines of the body." (*Al-Mabsūr*).

All these traditions show that except for the face and the hands the whole female body is included in *satar* which a woman must conceal in her house even from the nearest relatives. She cannot expose her *satar* before anybody including her father, brother or nephew, except her husband, and she cannot wear a dress that shows her *satar*.

All the commandments in this regard are meant for the young women. They become applicable as soon as a woman attains maturity and remain in force for her until she loses all sexual attraction. At this age the severity of the commandments is also relaxed. The Qur'an says:

“There is no harm if the old women who have no hope of marriage lay aside their over-garments, provided that they do not mean to display their decoration. But if they abstain from this, it is better for them...” (24:59).

Here the reason for relaxation has been clearly mentioned. “...who have no hope of marriage” implies the age at which sexual inclinations die out, and sexual attraction also disappears. Nevertheless, the condition that “they do not mean to display their decoration” has been imposed as a safeguard. That is, if an old woman has a sexual desire hidden in her heart, it is not lawful for her to put away the over-garment. The relaxation is meant only for those old women whose advanced age has rendered them careless of the restrictions of the dress, and who cannot possibly be looked at except with respect and reverence. Such women are allowed to go about in their houses without the over-garment.

Regulations for Entrance

The next restriction imposed by Islam is that the male members are forbidden to enter the house without alerting the female members, so that they do not see them in a condition in which they should not normally see them. The Qur'an enjoins:

“When your children attain puberty, they should ask leave before entering the house, just as their elders asked it before them....” (24:58).

Here the reason for the commandment has also been stated. The need to ask permission arises at the age of puberty, when the feeling of sex becomes active. It is not, therefore, necessary to ask permission before attaining this age. Besides this, the other people also have been prohibited to enter anybody else’s house without permission:

“O Believers, do not enter houses other than your own, until you have taken permission; and when you enter a house, greet the people therein with salutation...” (24:27)

The object is to demarcate the house from the outside world, so that men and women may live in peace inside the house against the gaze of other people. At first the Arabs could not grasp the real significance of these commandments; therefore, they would often peep into houses from outside. Once the Holy Prophet (pbuh) was present in his room, when a person peeped through the lattice. The Prophet said:

“If I had known that you were peeping, I would have thrust something into your eye. The command to ask permission has been given to safeguard people against the (evil) look.” (*Al-Bukhāri*).

Then the Holy Prophet publicly announced:

If a person peeps into somebody else’s house without permission, the people of the house will be justified if they injure his eye.” (*Muslim*).

Then the people were taught that if they had to ask for something from somebody else's house, they should not straightaway enter the house, but should ask for it from outside from behind a covering.

“...and when you ask women for an article, ask for it from behind a curtain; this is purer way for your hearts and for theirs...” (33:53).

Here also the object of imposing the restriction has been stated in these words: “...this is a purer way for your hearts and for theirs”. The aim is to safeguard the males and the females against sexual inclination and excitement by keeping them at safe distances, so that they do not grow too intimate and free with each other.

These commandments are meant not only for the other people but also for the servants of the house. Once Hazrat Bilāl or Hazrat Anas asked Hazrat Fātimah, daughter of the Holy Prophet, to hand him her child. She handed it by stretching her hand from behind a curtain (*Fath-al-Qadr*), whereas both these gentlemen were the personal attendants of the Holy Prophet and lived with him like the other people of his house.

Prohibition of Touching or Having Privacy with Women

The third restriction is that a man, other than the husband, is neither allowed to have privacy with a woman, nor is he allowed to touch any part of the body no matter how closely is he related to her. According to ‘Uqbah bin ‘Amir, the Holy Prophet (pbuh) said:

1. “Beware that you do not call on women in privacy.” One of the *Ansār* asked, “O Prophet of Allah, what about the younger or the elder brother of the husband?” The Holy Prophet said, “He is death!”

(*Al-Tirmizi, Al-Bukhārī and Muslim*).

2. "Do not call on women in the absence of their husbands, because Satan might be circulating in any one of you like blood." (*Al-Tirmizi*).
3. "According to 'Amr bin 'Ās, the Holy Prophet (pbuh) forbade men to call on women without permission of the husbands." (*Al-Tirmizi*).
4. "From this day no man is allowed to call on a woman in the absence of her husband, unless he is accompanied by one or two other men". (*Muslim*).

Likewise is the prohibition of touching the body of a woman:

1. The Holy Prophet said: "The one who touches the hand of a woman without having a lawful relation with her, will have an ember placed on his palm on the Day of Judgement." (*Takmilah, Fath al-Qadr*)
2. Hazrat 'Ā'ishah says that the Holy Prophet accepted the oath of allegiance from women only verbally without taking their hand into his own hand. He never touched the hand of a woman who was not married to him. (*Al-Bukhārī*)
3. Omaimah, daughter of Roqaiqah, says that she went to the Holy Prophet (pbuh) in company with some other women to take the oath of allegiance. He made them promise that they would abstain from idolatry, stealing, adultery, slander and disobedience to the Prophet. When they had taken the oath, they requested him to take their hand as a mark of allegiance. The Holy Prophet said: "I do not take the hand of women. Verbal agreement is enough." (*Nasā'i, Ibn Mājah*)

These commandments apply in respect of the young women. It is lawful to sit with the women of advanced age in privacy and touching them is also not prohibited. It has been reported that Hazrat Abū Bakr used to visit the clan where he had been suckled and shook hands with the old women. It has been reported about Hazrat ‘Abdullah bin Zubair that he used to have his fit and head pressed gently for relief by an old woman. This distinction between the old and the young women itself points out that the real object is to prevent such mixing of the sexes together as may lead to evil results.

Distinction Between *Mahram* and Non-*Mahram* Males

These commandments apply to all men, whether *mahram* or non-*mahram*, other than the husband. The woman is not allowed to uncover her *satar* before any of them, just as the man is not allowed to uncover his *satar* before anybody. All males have to enter the house with permission and none of them is allowed to sit with woman in privacy or touch her body.¹²

Then Islam has made distinction between the *mahram* and the non-*mahram* males. The Qur’an and Hadith clearly point out the limits of freedom and intimacy of relationship that can be had with the *mahram* males only, but not with the non-*mahram* males in any case. This is what has commonly been described as *purdah*.

NOTES

1. That is, those relations between whom marriage is forbidden in the law of Islam.
2. A *mahram* (male) in respect of a woman is her father, or brother, or son, or any other relative with whom she cannot enter into matrimony--Tr.
3. Some people say that this Commandment was only meant for the wives of the Holy Prophet, because the verse begins with: "O wives of the Prophet..." But the question is: Which of the instructions in the verse can be taken to be specifically meant only for the wives of the Holy Prophet (pbuh)? The verse says:

"If you fear Allah, do not be too complaisant in your speech, lest the lecherous hearted should just after you. Show discretion in what you say. Stay in your homes and do not display your finery as women used to do in the days of ignorance. Attend to your prayers, give alms to the poor, and obey Allah and His Apostle,..... Allah seeks only to remove uncleanness from you and to purify you." (33:32-33).

Now, one may ask, which of the instructions here is such as is not meant for the guidance of the common Muslim women also? Should the Muslim women not try to become God-fearing and righteous? Should they be soft of speech with strangers so as to allure them? Should they go about displaying their finery as was done in the days of 'ignorance'? Should they abstain from offering prayers and paying *zakāt*, and disobey Allah and His Prophet? Does Allah seek to keep them unclean? If all these instructions are meant for all the Muslim women, why should "Stay in your

homes...” only be taken to be specifically meant for the wives of the Holy Prophet (pbuh)?

Most probably the misunderstanding arose on account of the words with which the verse begins: “Wives of the Prophet! you are not like other women.” But, as the context clearly shows, it is just like addressing a child of a respectable family saying, “You are not like other children that you should roam the streets and behave unbecomingly. You should always be decent.” Such an observation is not intended to suggest that it is commendable for other children to roam about and behave indocently and that they are not required to conduct themselves like gentlemen. The object in fact is to establish a criterion of good etiquette, so that every child who wants to live like good children tries to attain this ideal. The *Qur’an* has adopted this way of instructing women for a specific purpose. In the pre-Islamic days the Arab women were as undisciplined and free as European women are today. They were gradually being made used to the culture of Islam through the Holy Prophet, and for that purpose their undue freedom was being curbed by enjoining moral and social restrictions. Therefore to begin with, the life of the wives of the Holy Prophet was specially regulated so as to serve as model for other women living in the houses of the common Muslims. This is exactly the view that Allama Abu Bakr al-Jassas has expressed in his *Ahkam-al-Qur’an*. He writes:

“This injunction, though revealed for the Holy Prophet and his wives, is meant to be for a general application. It is applicable to all the Muslims just as it was to the Holy Prophet, for the Muslims are his followers and all the injunctions revealed for his guidance are meant for our compliance, too. Those instructions however, may be an exception which were specifically meant for his person.” (Vol. III, p.55).

4. Her share in inheritance is half against that of the man. The reason is that she is entitled, by right, to obtain subsistence and nuptial money to which the man is not entitled. Supporting the woman is not obligatory only on her husband, but in case the husband is not there, it becomes obligatory on her father, brother, son or other guardians to support her. Thus, when the woman is not required to shoulder the responsibilities that the man has to shoulder, her share in inheritance should not be equal to him.
5. The Qur'an has described this mentality of 'ignorance' in its own eloquent style:
 "When the birth of a girl is announced to one of them, his face grows dark and he is filled with inward gloom because of the bad news he hides himself from men, and wonders whether he should keep her with disgrace or bury her under the earth." (16: 58).
6. In the Islamic Law of Evidence, conditions to establish the crime are on the whole very strict, but the conditions required to establish fornication are the strictest. To establish this crime the Law requires at least four witnesses as against two in the case of all other crimes.
7. The Holy Prophet said: "Protect the Muslims as far as possible against the application of the Law. Let the culprit off if he can possibly be let off. For the *Imam's* making a mistake in forgiving is better than his making a mistake in applying the Law". (*Al-Tirmizi*).
8. According to a Hadith, Hazrat Miswar bin Makhramah was carrying a stone towards the Holy Prophet when the garment covering the lower part of his body fell down on the way. He did not care and carried on with the load. When the Holy Prophet

saw him, he told him to go back and cover his body and refrain from moving naked in future. (*Muslim*).

9. Ibn ‘Abbās, Mujāhid, Tā’ūs and Zuhri have related that people used to perform the ceremony of moving round the Ka’bah in the naked state.
10. This custom has been described in the Collection of Hadith by Muslim. A woman would move round the Ka’abah in a naked state, and then would say to those present, “Who will give me a garment with which I may cover my body?” To meet such a request from a woman was considered to be an act of charity.
11. See *Tafsīr-i-Kabir*, commentary on v. 31 of Sūrah An-Nūr (24).
12. There is, however, a difference in the matter of touching the body of a woman between the *mahram* and the non-*mahram* males. A brother, for instance, can give his sister a hand in getting on or off a conveyance. Obviously, a non-*mahram* male cannot be allowed to do that. When the Holy Prophet returned from a journey, he would embrace Hazrat Fātimah, his daughter, and kiss her head. Similarly, Hazrat Abu Bakr used to kiss the head of his daughter Hazrat ‘Ā’ishah.

*The above material has been adapted from S. Abul A’la Maududi’s *Purdah and the Status of Women in Islam*, Lahore: Islamic Publications Ltd., 1983, PP. 132-178.