



# MATRIMONIAL RIGHTS

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أَلْوَرَاءَهُ

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# Matrimonial Rights

**Sayyid Mahdi as-Sadr**

# Chapter 1

## Merits of Marriage

Marriage is the holy legal tie between man and woman through which they share the same life and reciprocate definite rights and obligations. God has passed the law of matrimony so as to keep humankind on this earth and keep the earth constructed and prosperous.

“Marry the single people among you and the righteous slaves and slave-girls. If you are poor, Allah will make you rich through His favor; He is Bountiful and All-knowing (24:32).”

“His creating spouses for you out of yourselves so that you might take comfort in them and His creating love and mercy among you are evidences (of the truth) for the people who (carefully) think (30:21).”

The Prophet (s) said: “The most favorable thing to Allah that is ever constructed in Islam is marriage.” ( 1 )

“He who gets married wins the half of his religion. Hence, he should fear Allah in questions regarding the other half.” ( 2 )

“Marriage is my custom; therefore, he who rejects my custom is not belonged to me.” ( 3 )

“Get married, for I will take pride in your great numbers on the Day of Resurrection. The immature fetus, even, will stop on the door of Paradise saying angrily, ‘unless my parents will be with me, I refuse to be in Paradise.’” ( 4 )

“The two-rakaa prayer offered by the marrieds is preferred to

the night worship and the fasting of the bachelors.” ( 5 )

“The evilest dead are the bachelors.” ( 6 )

Imam as-Sadiq (a) said: “A two-rakaa ( 7 ) prayer offered by the marrieds is preferred to a seventy-rakaa prayer offered by bachelors.” ( 8 )

## **1. Advantages of Marriage**

Because of the great variety of merits of marriage, many texts confirm persistently on it by way of awakening the desires and warning against its negligence. Marriage is the only means by which righteous progeny is gained. Through sons, fathers feel dignity, power, extent of existence, good reputation, and great rewarding of God.

## **2. Benefits of Marriage**

Marriage achieves chastity and immunity against corruption. From this cause, the punishment of the marrieds who commit fornication is stoning to death, because they are immunized by marriage and they despise the holiness of the honors and dignities.

## **3. Results of Marriage**

Marriage secures easeful subsistence, tranquility, and freedom from worry. Naturally, man alone spends his day encountering the crises of life and striving for seeking earnings. He can find relief nowhere except in the shadows of his darling, sincere wife who, trying to ease his troubles, encompasses him with kind treatment and affectionate conduct. Referring to this fact, God says:

“His creating spouses for you out of yourselves so that you might take comfort in them and His creating love and mercy among you re evidences (of the truth) for the people who (carefully) think (30:21).”

The Prophet (s) said: “Subsequent to the embracement of Islam, the best thing that a Muslim can profit is a Muslim wife who pleases him when he looks at her and has loyalty to him in honor and property.” ( 9 )

## **Marital Happiness**

Marital happiness is achieved when it is known how to choose the suitable partner. There are certain standards in the light of which spouses must be chosen. Such standards strengthen the marital ties and make peace of mind cover all the corners of the spouses’ lives. Bad choice, on the other hand, exposes marriage to failure and disappointment.

Treating this important aspect that plays a great role in people’s life, the Ahl ul-Bayt (a) referred to the advantages and disadvantages of both men and women so that each will know how to choose a spouse.

## **The Ideal Husband**

The ideal husband is the qualified man who achieves happiness to his wife and ensures tranquil marital life. Unlike the false idea of most of people, the qualifications of a spouse have nothing to do with material vanities, such as handsome house, comely means of transportation, or big fortune. The true qualifications are high certificate, respectful office, high morality, and the like matters. Material vanities may be found with many spouses; still, they are unable to achieve marital happiness or achieve their wives’ pleasure and expectations.

Listen to the following words uttered by the wife of Muawiya—the Umayyad caliph—who could no longer stand the life of luxury, lavish expenditure, and wealth in the laps of her husband, and longed for her love’s young dream, though he cannot secure luxury, lavish expenditure, and wealth:

A house in which souls are roaming is favorable, in my sight, to a handsome palace. To have a single cloak with delight is favorable, in my sight, to wearing diaphanous clothes. A clumsy,

but highborn, cousin of mine is favorable, in my sight, to a stern unbeliever.

Hence, the true qualification is the mixture of three things: true embracement of the religion, well mannerism, and capacity to maintain and guard the wife materially and morally. Having these three qualities, a man becomes, in the sight of Islam, an ideal competent husband.

The Prophet (s) said: "If a man whose morals and religiosity are accepted in your sight proposes to your daughter, you must agree; otherwise, there will come into being widespread idolatry and great evil." ( 10 )

Imam as-Sadiq (a) said: "The well-qualified husband is the chaste who can save good living." ( 11 )

Thus, it is discommended, as an Islamic ruling, to give one's daughter in marriage to the sinful, alcoholic, effeminate, ill-tempered, and the like individuals whose religiosity and morality are not guaranteed.

### **The Ideal Wife**

The ideal wife is the faithful, chaste, highborn, well-mannered, good-looking woman who is well-behaved with her husband.

The Prophet (s) said: "The best of your ladies are the fertile, the amiable, the chaste, the proud with her family, the humble with her husband, who adorns herself for her husband, behaves decently with others, listens and carries out her husbands' instructions, provides herself for him when they are alone, and avoids violating good manners, like men.

The worst of your ladies are the humble with her family and proud against her husband, the barren, the spiteful, who does not care if she does something hideous, adorns herself when her husband is absent, behaves chastely with him when he is present, does not listen and does not carry out his instructions, abstains from providing herself to him when they are alone just

like a riding animal that prevents the rider from riding it, does not accept his apologies, and does not forgive his flaws.” ( 12 )

“The best women of my umma are the most bright-faced and the askers for the less dowry.” ( 13 )

“He who chooses a wife for her beauty only will not have his aim achieved. As for him who chooses a wife for her wealth only, Allah will leave him with that wealth. Hence, you should choose the religious women for marriage.” ( 14 )

“Beware of the green-looking women... It is the beautiful women of evil source.” ( 15 )

This prophetic tradition warns against marrying the beautiful women whose families are disreputable.



# Chapter 3

## **Observance of Rights**

Spouses cannot obtain marital happiness before they apply the law of give and take to themselves through observing each other's rights. Considering it as the first cell of society, the Islamic Sharia has paid a great deal of attention to the marital life through regulations and common rights of spouses and special rights of each. The common rights that each spouse should perform towards the other are honesty, confidence, trust, sympathy, and cooperation. These are the genuine supports of successful marital life.

### **Rights of Husbands**

By virtue of their obligatory and guardianship on their wives, husbands enjoy definite rights:

#### **1. Obedience to Husbands**

A wife is fully responsible for responding to the husband's acceptable desires, and avoiding any matter that harms him, such as leaving the house before obtaining his permission, spending his wealth wastefully, neglecting the domestic duties, and the like matters.

Imam al-Baqir narrated that the Prophet (s) answered the woman who asked him about the husbands' rights against their wives by saying: "Women should obey and avoid defying their husbands. They should not give alms out of the husbands' wealth before obtaining their permission, avoid observing fasting recommendably before they obtain their permission, respond to their sexual call every time and in every manner, even

if they were on the backs of camels, and not leave their houses before obtaining their per mission. If they do, they are cursed by the angels of the heavens, angels of the earth, angels of wrath, and angels of mercy until they come back to their houses.”

The woman then asked: “God’s Messenger, who is the owner of the greatest right against man?” The Prophet (s) answered: “His father is.”

She asked: “Who is the owner of the greatest right against woman?” The Prophet (s) answered: “Her husband is.” ( 16 )

Imam as-Sadiq (a) narrated that a woman, whose husband had ordered her not to leave her house until he would be back from his journey, sent a messenger to the Prophet (s) to ask him a permission to visit her diseased father.

“No,” answered the Prophet (s), “She should sit in her house and obey her husband.”

As her father became intensely ill, she sent a messenger to the Prophet (s) asking for permission to visit him.

“No,” answered the Prophet (s), “She should sit in her house and obey her husband.”

As her father was dead, she sent a messenger to the Prophet (s) asking for permission to attend his funeral ceremony.

“No,” answered the Prophet (s), “She should sit in her house and obey her husband.”

When her father was buried, the Prophet (s) sent a messenger to tell her that Allah forgave her father and her because of her observance of the obedience to her husband. ( 17 )

Imam as-Sadiq (a) said: “As for any wife who passes a night while her husband is angry with her for a question in which he is right, her prayers will not be admissible unless her husband

is pleased with her.” ( 18 )

## **2. Compliance with Husbands**

Wives are recommended to encompass their husbands with nice sociability, pleasant attention, and kind compliance by means of observing their affairs, securing means of their physical and mental tranquility, doing well the housekeeping, and caring for the family members. Carrying out so, wives will certainly be dear and lovable by husbands. Moreover, wives, by following such instructions, become good examples for their sons and become the sources of high moral standards. The most significant form of the wives' compliance with their husbands is to avoid exhausting them by expensive charges that injure their economical capacities. This causes confusion to husbands who, subsequently, begin to have an aversion to their wives.

Imam al-Kadhim (a) said: “Jihad of women is their compliance with their husbands.”

The wives' good behavior and compliance with their husbands raise their spirits and supply them with huge physical and mental energies helping in going on exerting all efforts for seeking earnings and encouraging on standing ordeals and crises of life. The wives' quarrelsomeness and disobedience, on the other hand, enfeeble the husbands' entities and bring to them senility earlier.

The following story is a good example:

A group of people went to ask the three brothers of Banu Ghannam for a solution for their complicated question. As they met the first one, who was old man, and asked him for a solution, he referred them to his brother saying, ‘You may find a solution with him because he is older than I am.’ When they went to meet his brother, they found a middle-aged man. Having sought a solution from him, he said, ‘You may see my third brother and, because he is older than I am, you can find a solution with him.’ Hence, they went to the third brother to meet a

young man. As they could no longer conceal their astonishment, they asked him about his two brothers and his manner. He answered: 'My brother whom you first met is the youngest among us. Unfortunately, he had to suffer the misbehaviors of his ill-tempered wife because he anticipated an intolerable matter if he would divorce her. His wife therefore has been the main reason beyond his growing old at an earlier time. The second one you met is the middle among us. His wife has gathered both good and bad mannerism. She sometimes pleased him, but she also displeased him. Hence, you can see him as middle-aged man. I have a well-mannered wife who never shows misbehavior with me. Hence, I could keep my youth with her.' ( 19 )

Let us now listen to the following words of a wise Beduin mother who provides some instructions to her daughter on her wedding night:

"Daughter, you will very soon leave the house in which you came to this world and the nest in which you grew up to join a nest that you have not known yet, and a companion with whom you have not familiarized yourself yet. Thus, you should behave as his bondmaid so that he will behave as your slave. Observe for him the following ten points:

The first and second are that you should live with him with satisfaction and associate with him with obedience.

The third and fourth are that you should observe the places where his eye and nose notice. Hence, he should not see anything ugly and should not smell anything bad from you.

The fifth and sixth are that you should observe the times of his sleep and food. Continuous feelings of hunger arouse fiery and continuous disturbance of sleep arouses rage.

The seventh and eighth are that you should observe his wealth and respect his family. To observe his wealth is to opt for moderation, and to respect his family can be achieved through good management.

The ninth and tenth are that you should avoid disobeying his orders and divulging his secrets. You will certainly arouse his malice against you if you disobey him, and you will certainly expose yourself to his unexpected punishment if you divulge his secrets.

Beware of showing happiness before him when he is sad or showing depression when he is happy, because the earlier is a sign of negligence and the latter is a sign of annoyance.

Glorify him more than anyone else does, so that he will honor you more than anyone else. You must know that you cannot obtain that which you like before you prefer his satisfaction to yours and prefer his desires to yours in any matter. Finally, God may choose for you the good." ( 20 )



### **3. Observance of Husbands' honor**

The most important obligation that is imposed upon a wife is to protect her husband's honor and reputation and exert all efforts for avoiding any matter that deforms them, such as profligacy, garishness, or divulgement of secrets, especially matters that husbands try to conceal. Any negligence of this right will waste away confidence and threaten with disagreement.

#### **Rights of Wives**

The Islamic Sharia has paid the greatest attention to wives and granted them, opposite to the rights of husbands, all their material and ethical rights that are based on wisdom, justice, and the good and interests of both spouses:

##### **1. Disbursement**

It is obligatory upon husbands to save their wives' essentials material requirements, such as clothing, food, and residence as well as other requisites that meet their ranks and way of living. From the viewpoint of the Islamic Sharia, disbursement is a familiar right that husbands must carry out for their wives, no matter how wealthy they are. This right, however, does not cease to be valid unless the wife is decided as recalcitrant. Furthermore, husbands are not allowed to coerce their wives to do the household managements or nurse the babies unless they themselves do such matters voluntarily.

##### **2. Good Companionship**

Wife is the husband's intimate companion and partner of his

life. She shares him in good days and bad days, consoles him in sorrow and in joy, and does alone exhausting efforts, such as the household managements, care for the family affairs, and maternal functions. Hence, it is necessary for husbands to associate with their wives nicely and treat them with leniency. Out of their boasting and arrogance, some husbands mistake that manhood cannot be achieved unless they control, mistreat, insult, and disgrace their wives. As a matter of fact, such qualities are detestable since they indicate the complexity and feebleness of personality. They also create disorder of marital life and eradicate family pleasure. In view of her emotions and functions, woman is sensitive and quick-tempered; therefore, she may, sometimes, utter an unbecoming word or stinging reproach originated from a mental excitement or emotional agitation. In such cases, husbands are required to control themselves and turn in kind forgiveness so that the family march will go on peacefully.

The Prophet (s) said: "The like of woman is a crooked rib. If you leave it crooked, you will benefit by it. But if you try to fix it, you will break it."

This means that man, when his wife exceeds the limits of disobedience to him, must treat her, first, by means of advice. If such means prove futility, he must follow the method of ignoring her and avoiding sleeping with her. If this is also useless, he may then beat her, but not severely:

"Admonish women who disobey, do not sleep with them and beat them. If they obey, do not try to find fault in them. Allah is High and Supreme. (4:34)"

### **3. Protection**

Because wives are under the guardianship of them, husbands are responsible for defending them against any matter that may cause them moral or material injury or may defame or soil their dignities, such as dissoluteness and suspicious association with the other sex or immoral women. How ugly those men who shove their wives in mixed clubs and dissolute parties

and allow them to dance with whomsoever they want are! They try to close their eyes before the serious religious, moral, and social dangers of such mixing that threatens the family entities with disorder and disintegration.

Man, too, must be jealous and protect his wife and family against the trickeries and misleading rumors of the invasions that could deceive many male and female Muslims who, lacking enough knowledge of the principles and concepts of their religion, repeated these rumors just like parrots. It is important for such individuals to learn enough about their religion, each according to his intellectual and cultural level, so that they will be saved from the evils and trickeries of such invasions.

“Believers, save yourselves and your families from the fire which is fueled by people and stones and is guarded by stern angels who do not disobey Allah's commands and do whatever they are ordered to do (66:6).”

## **False Rights**

Intending to extinguish the luminous light of Islam, the anti-Muslims have dedicated all efforts to invading the Islamic world by weapons of delusions and false principles. Unfortunately, the inexperienced and the dull responded to such strange concepts, and went on imitating and calling for them as if they are within their untouchable values. Because of that, curtains covered the Islamic portrait that has been shining with beauty, illumination, and ideality and a new deformed, hideous portrait came out. Islam, thus, began to feel strange and alienated among its people, while the non-Islamic concepts occupied large positions in the intellects and feelings of Muslims to clear them out of values and idealities. Moreover, many calls and hireling writers raced in demanding with more non-Islamic traditions so as to spread them in the Islamic environment through false claims of defending, releasing, and equalizing women with men, in addition to similar fake statements. Let us now refer to some of these deceptive rumors:

## **Removal of the Veil**

As they could not stand seeing Muslim women guard themselves from dissoluteness and lechery through veiling themselves with hijab, ( 21 ) the propagandists of liberalism tried to seduce them by means of removing the veil and grooming themselves so as to take them away from the highness of their dignities and boudoirs. Having been deceived by such false calls, some women, unfortunately, responded and began to remove their veils and show their beauty and charms so as to prepossess eyes and hearts shamelessly. All over their extensive history, Muslim women, who ignored the dangers and slips that were plotted against them, have never been seduced in such a mean and illusory way.

Unlike the idea of the dissolute, hijab is not an aspect of retardation or reactionism, it is in fact an aspect of modesty and chastity since it guards women against indecorum and deterioration, protects them from the snooping of the aberrant, and keeps them away from the slips of vices and seductions.

Finally, Muslims must learn lessons from the Western nations that have suffered many misfortunes of immorality as well as ethical, physical, and social tragedies—all because they allowed removal of veiling, primping up, and mix of the sexes to prevail on their societies.

## **Moral Defects**

Primping up and mixing of the sexes have created moral complications in the Western milieu. Thus, they have no longer denied the sexual vices or felt ashamed of their sins. Accordingly, they have become the subjects of moral diseases that massacred them so heavily that the honorable personalities have had to declare their denial and complaint and warned against the horrible dangers of such dissolution.

Depicting the collapse of morality in his country, Paul Beau-dre—the French author said that it had no longer been odd to hear about the existence of sexual relations between the

relatives, such as fathers and daughters and brothers with their sisters in some French provinces as well as the crowded quarters of cities.

The Fourteen Committee, whose task is to inspect the ambushes of lechery reported that most of the nightclubs, dance halls, manicure places, stores of cosmetics, massage rooms, and coiffures have become brothels or, perhaps, something too horrible to be mentioned.

Ben B. Lindsey -the judge of Los Angeles in 1934- predicted that forty-five per cent of girls of schools profane their honors before they leave schools. In the higher stages of study -as the judge added- this rate raises vastly.

In his book titled 'History of Lechery', George Scat, referring to the common state in his country, said that numbers of the non-professional prostitutes have come to an unprecedented rate. Among almost all the social classes, you can find such prostitutes. In the sight of girls nowadays, sexual intercourse, lechery, and even abnormality have become within the modern styles of living. Such moral corruption can be found even with the children of both sexes because they have been affected by the crooked environment and the sexual incentives.

In his book titled 'Sexual Regulations,' Dr. Rodet Hugo said that it had not been odd or abnormal to see the seven or eight-year-old girls play sexually with boys or, even, practice sexual intercourse with them.

A physician from the city of Baltimore reported that in a period of one year, more than one thousand suits of committing fornication with less than twelve - year - old girls were brought before the courts in that city alone. Moral corruption has not stopped at such lowly levels, but it has exceeded all limits of normal sexual relations to reach a stage of perversion and sexual deviation. It has become familiar, under the encouragement of the law, to see a boy get married to a boy of his same sex and to see some people congratulate for such marriage!



Dr. Hooker says that it has been common, in the faculties, nursery schools, and even religious schools, to hear about the commitment of sodomy among the students most of whom have completely lost any desire for the other sex.

Let us now ask the parrot-like propagandists of liberalism whether this is the very goal that they want for the Islamic nation and themselves, or whether they do not understand the results of their liberalism!

Beyond dispute, every individual who calls for liberalism and primping up is no more than an axe deconstructing the entity of the Islamic society, and a pioneer of evil and dissolution in his nation and country.

“Those who like to publicize indecency among the believers will face painful torment in this world and in the life to come. Allah knows what you do not know. (24:19)”

# Chapter 5

## **Physical Defects**

Any nation that lacks religious and moral values and is predominated by deviation must encounter the results of its individuals' aberrance and corruption. Like the collapse of moralities, individuals of such a nation must suffer physical collapse.

This is what has exactly occurred in the Western milieus that have become the target of venereal diseases, which caused great losses, socially and economically. Hence, physicians, through numerous reports, have gone on declaring the dimensions and dangerous tragedies of such diseases.

A French physician declared that, because of syphilis and venereal diseases, more than thirty thousand persons die annually. After hectic fever, syphilis occupies the second position in the list of the deadliest diseases in France.

In Britannica Encyclopedia, it is recorded that, as an annual rate, 200,000 persons affected by syphilis and 160,000 persons affected by gonorrhoea are treated in the official hospitals of the U.S.A. 650 hospitals have been specialized in treating these diseases. In addition, 61% of the diseased with syphilis and 89% of the diseased with gonorrhoea see official physicians.

In the book titled 'Sexual Regulations', it is recorded that 30,000-40,000 babies die in the U.S. annually because of hereditary syphilis, and that the number of mortalities because of the other diseases —except tuberculosis- is as same as the number of mortalities of syphilis.

Thus, the Western nations, because of their dissoluteness, have

paid all these losses as taxes collected from the health and life of their individuals.

## **Social Defects**

In addition to the material and physical losses, the dissolute nations have suffered serious social defects. Because they neglected principles of chastity and sincerity and closed the eyes to the conditions of true matrimony, these nations have terminated their family and social lives. Thus, you find the spouses each wandering in the glooms of deviation. The wife, being dissolute and adorning herself with maximum appearance of beauty and seduction, breaks froth in a direction, and the husband wanders in the hotbeds of vice and depravity. As soon as one of them finds a personality that is more attractive or seductive than his/her other half, he/she slips in the depths of vice with him/her. As this circle goes on, the family entity will unquestionably be destroyed and the matrimonial relation will split for the most tasteless reason. Reports of experts in this field have confirmed this fact.

About the divorcement in the town of Donor in 1922, Ben B. Lindsey says that separation was the result of every marriage and the courts received a file of divorcement of every two states of marriage. The judge also confirmed that this was not in the town of Donor only, but also all towns all over the U.S., almost, witnessed such cases. Such states of divorcement or separation, the judge added, are still increasing...

The other nations that authorized illegitimate sexual relations were not better than the U.S. in encountering bad results of abnormality and mixing of the sexes. Most of the individuals of such societies rejected marriage and preferred bachelorhood so as to satiate their sexual mania and to free themselves from the bounds and costs of marriage.

An essay issued in a newspaper in Detroit said that the common states of the decrease in the rates of marriage, the increase in the rates of divorce, and the illegitimate relations between men and women—all these indicate that 'our' society

is retarding to the depths of bestiality. The natural desire of sexual reproduction has faded away, the newborns are left without judgment, the feeling of the importance of family structure has been relying upon the persistence of civilization, and self-judgment has been null. The negligence of the results of civilization and free government has been prevalent on the society.

A deep look at the tragedies that invaded the Western world proves that they have been the results of primping up, dissoluteness, mixing of the sexes, and commonness of the sexual incentives, such as the sexy movies, stories, and songs, that deformed the moral values and rumored corruption in the Western societies.

In his report advanced before the General Committee of the Association of ban of adulteries, Emil Porissi said that the sexy photographs have affected people's feelings with the highest degrees of excitement and disorder and urged the miserable customers to commit unimaginable crimes. Besides, they have affected boys and girls so tremendously. Because of the existence of such seductive photographs, the moral and physical states of many schools and colleges have been null. Finally, it is incredible to find anything more destructive to girls than these photographs. ( 22 )

From the previous presentation, we conclude that the Islamic Sharia has ordered Muslim women of hijab and warned them against primping up and suspicious mixing with the other sex so as to guard their dignities and chastity from the incentives of offense and seduction, and protect the Islamic society from the tragedies and misfortunes that affected the Western societies, deformed their morals and consciences, and caused them misery and perdition:

“Prophet, tell your wives, daughters, and the wives of the believers to cover their bosoms and breasts. This will make them distinguishable from others and protect them from being annoyed. Allah is All-forgiving and All-merciful. (33:59)”

This is one of the holy Quranic texts that enjoin hijab and urge Muslim women to adhere to it in such a frank, serious style.

First, God orders the Prophet (s) to convey the divine command to his wives, daughters, and wives of the believers that they must cover their bosoms and breasts. He then shows the importance of hijab by expressing that it will save them from harm and annoyance. This is because hijab covers the charms of women and encompasses them with rings of immunity and protection against the spying and criminal intrusions of the dissolute individuals who try to play with the chastity and dignity of women.

“Wives of the Prophet, you are not like other women when you have fear of Allah; hence, do not be tender in your speech lest people whose hearts are sick may lust after you. Speak a good word. Stay in your houses and do not display yourselves after the manner of the (pre-Islamic) age of darkness. Be steadfast in the prayer, pay the zakat—the religious tax, and obey Allah and His Messenger. (33:32-3)”

God addresses to the wives of the Prophet (s), because they are not like ordinary women in fields of honor and ranking, for their belonging to the pioneer personality of Muslims—the Prophet (s). He orders them to fear Him and avoid the disobedience to His Messenger and Him. This very statement proves that the honor of their belonging to the Prophet (s) relies upon the stipulation that they must fear God and obey His Messenger and Him. He then warns them against speaking with people in tender style so as not to arouse the lusts of the ill-hearted ones. He then orders them to speak in a style indicating modesty, chastity, dignity, and gravity. He then orders them to stay in their houses and avoid displaying themselves before the non-relatives, as women in the period before Islam used to do. These matters, if applied, secure women’s chastity and dignity and protect them from the slips of sins and obsessions of suspect.

Through its high idealities and ethics, the holy Quran goes on planting virtue and chastity in the mentalities of Muslim



women:

“(Muhammad), tell the believing men to cast down their eyes and guard their carnal desires; this will make them more pure. Allah is certainly aware of what they do. Tell the believing woman to cast down their eyes, guard their chastity, and not to show off their beauty except what is permitted by the law. Let them cover their breasts with their veils. They must not show off their beauty to anyone other than their husbands, father, father-in-laws, sons, step-sons, brothers, sons of brothers and sisters, women of their kind, their slaves, immature male servants, or immature boys. They must not stamp their feet to show off their hidden ornaments. All of you, believers, turn to Allah in repentance so that perhaps you will have everlasting happiness. (24:30 -1)”

In the previous holy Verse, God orders the Prophet (s) to convey the moralities of the Quran—the divine revelation, to the believers who, through so, can be guided constructively. He orders the Prophet (s) to convey the instruction that the believing men must cast down their eyes before women so as to save themselves from serious dangers. It frequently has happened that a single aspirant look at beauty resulted in long regret, and a single look has frequently captured with the traps of love. A sinful view may also shove in the depths of vice. The Lord, then, orders the believing men to guard their carnal desires against sexual sins —or guarding them against being seen by others—.

By issuing the two instructions of casting down the sights and guarding the carnal desires, God has closed the most dangerous doors to moral evils. He then guards the believing men with chastity and honesty as He tells that such practices secure purity of souls and moralities and benefit for the religion and the worldly life. He then refers to His absolute prevalence, supervision, and awareness of the believers’ sights and carnal desires as well as everything else, so that this will lead to the enlightenment of the senses and the raising of the ethical values.

He then refers to the believing women by ordering them, like men, of casting the sights before the non-relatives and controlling the carnal desires, since both the sexes have equal instincts and tendencies that attract each other.

He then dedicates definite instructions to the believing women so as to regulate their behaviors and kindle in their mentalities feelings of modesty, chastity, and dignity. He orders them not to display their aspects of beauty before anyone except the relatives except the external appearances and those which are allowed by the Islamic Sharia—namely, the clothes, face, and palms of the hands. He also orders them to lower their veils on their necks and breasts so as to keep them unseen. He then permits women to show off their aspects of beauty before their relatives as well as the individuals who are not expected to be charmed or seduced by such aspects of beauty. Hence, the Verse nominates their fathers, fathers-in-law, sons, stepsons, brothers, nephews, bondmaids, men who are not expected to have any desire for women, such as the insane and the righteous old men, and the boys who are immature or too innocent to realize women's private parts. He then warns women against stamping their feet to show off or to make others hear the sounds of their anklets. Finally, God instructs all believers to repent to Him so that they will see success in this world and the life to come.

The Prophet (s) said: "Every eye will be weeping on the Day of Resurrection except three: an eye that wept out of fear of Allah, an eye that was cast down against scenes that are forbidden by Allah, and an eye that passed night sleepless for sake of Allah." ( 23 )

Imam as-Sadiq (a) said: "The (forbidden) look is one of the poisonous arrows of Eblis. It has frequently happened that a single look caused a long-termed regret." ( 24 )

"The first look is yours, the second is against you, and the third causes you perdition." ( 25 )

"The Prophet (s) warned men against seeing women before

they obtain their guardians' permission." ( 26 )

"Every individual may commit a deal of fornication. The -for-bidden- look is the fornication of the eye, backbiting is the fornication of the mouth, and touching is the fornication of the hands, whether it affects sexually or not." ( 27 )

"Any one who casts his sight upward to the heavens so as to avoid looking at a woman will be given one of the Paradisiacal women in marriage by Allah before he is back to his normal sighting." ( 28 )

# Chapter 6

## **Woman in Islam**

While discussing the marital rights, I feel it is important to refer to women's ranks in Islam and to tell how this religion cares for and treat women with utter kindness. This is the reason beyond women's being happy and respectful under the shades of Islam. To prove so, it is essential to compare between women of the first age of Islam and women of other ages in the light of the divine principles and genuine standards, away from capricious and ignorant tendencies and control of the customs and traditions that are unsuitable to be considered as true criteria in examining, evaluating, and distinguishing the genuine facts from the false, since some facts may take the color of their surroundings or circumstances. As a matter of fact, custom, sometimes, regards evil manners as good and good traits as evil. It can be trusted and accepted as arbiter only when it agrees with the wise guidance of God. Only then, custom will not misjudge and will not go astray from justice.

## **Woman in the Ancient Ages**

The social standard of women's evaluation in the different ancient ages varied to great extent and swing between negligence and excessiveness, deprived of any state of moderation. Woman, first, was regarded as lowly, imperfect creature. Then, she was regarded as a devil that inspires with sinning and evil. Then, she was regarded as the mistress of the society who has absolute control over everything. Then, she was regarded as a worker that must be exerting all efforts for saving her livelihood.

During most of these ages, woman used to suffer misery and humiliation, since her rights were usurped and her soul was enslaved by man who had the right to use her for any purpose.

During the Roman civilization, woman's values were unstable. First, she was decided as a slave and servant of man, who had all the freedom to domineer her. Then, she was overestimated when she was freed from the fist of fathers and husbands and granted a ll rights of possession, heritage, divorce, indecorum, and indecency to the degree that a Roman woman used to marry a number of men shamelessly.

A Roman writer mentioned the story of a woman who moved in the laps of eight men in less than five years. Another saint referred to the story of that woman whose last marriage was the twenty-third to the man who married twenty times before her. ( 29 )

Furthermore, the Roman woman was allowed to practice sexual deviation freely, and that was the main reason beyond the corruption that affected the Roman society.

In the custom of the Greek civilization, woman was added to the rubbish. She was sold, purchased, and regarded as devilish infection.

The ancient codes of India decided that epidemic, death, hell, poison, snakes... etc. are better than woman. Hence, the Indian women's rights to live were ceased with the death of their husbands who were their absolute masters and lords. Hence, they had to throw themselves in the fire in which the bodies of their husbands were thrown; lest, the eternal curse would befall them.

From the viewpoint of the Torah, the rank of woman can be noticed through the following words that are recorded in the Exodus, Chapter 14, paragraph 17:

“My heart and I wandered so as to know, search, and seek wisdom and reason, and to know that evil is ignorance and idiocy

is insanity. I found that woman who is snare and whose heart is trap and hands are fetters, is bitterer than death.” ( 30 )

Christianity, in the Middle Ages, considered woman as a devilish, profane creature that should be kept away.

In his book titled ‘History of Ethics of Europe’, Liki says that people used to escape women’s shadows and deem sinful to approach or meet them. They also believed that to meet by chance in the way or talk to any woman, including mothers, wives, or sisters, abort righteous deeds and spiritual efforts.

Thus, the Western society used to underestimate women. In 586 A.D., a conference was held in France to decide whether woman is human being or not! After discussions, they decided that woman is human being that is created for serving man!

In England, Henry VIII deemed unlawful for women to recite the Holy Scriptures. Until 1850 A.D., women were not regarded as citizens, and until 1882, they had no personal rights and had no right to possess anything. Hence, women were dissolved in the personalities of their fathers or husbands. ( 31 )

# Chapter 7

## **Woman in the Pre-Islamic Arab Society**

Mr. An-Nadawi could summarize the life of women in the pre-Islamic Arab society by the following words:

“Women were the subjects of wronging and oppression. Their rights were violated and properties were extorted. They were deprived of their heritage, prevented –after being divorced or widow- from choosing husbands, and inherited just like properties or riding animals. They were also given deficient measures. Man could enjoy all of his rights, while woman enjoyed nothing. Even in food, there were definite meals allowable for men, but forbidden for women. Man also had the right to marry any number of women . They also hated the newborn girls to the degree that they used to bury them alive. They also used to kill girls so savagely. It happened that a newborn girl was kept alive until her father would come back from a journey that took, sometimes, months or even more. When that father came back, he would kill that girl who began to grow up mentally and physically! Some, furthermore, used to throw girls from tremendous heights.”

## **Woman in the Modern Western Civilization**

After long strife and big sacrifices, woman could win her freedom and rights when the modern Western civilization came to its climax. Woman, hence, have been able to feel her being equal to man and share him in offices, shops, industries, and various social activities. The Western woman has been glad at these gains that she could obtain after centuries of shedding tears and suffering misfortunes. Unfortunately, she has ignored the reality of the wrong and loss that she has to

encounter in this field. If woman used the criterion of logic for comparing the gains that she has achieved with the losses that have befallen her, she would feel grief, disappointment, and damage. The propagandists of liberalism in this material civilization have certainly deceived, beguiled, and exploited women's innocence so meanly and cunningly. First, they exploited her to compete with man who demanded with raising the wages and decreasing the working hours, and she was deceived when she accepted to do men's jobs with fewer wage. Because she has the ability to attract customers, they exploited her femininity in commercial fields so as to double their material profits, deriving benefit from the sexual potentials. After that, she has to do her feminine tasks, such as pregnancy, giving birth, education, and household management in addition to her strife for seeking earnings so as to get rid of ghosts of hunger, because man, in most cases, had deserted his mission of securing her living.

In spite of the achievements of the European woman, she is, still, decided as loser according to the logical standards. This is because, as she sought freedom, lost her religion, morality, and dignity, and became in such a disgusting state of dissoluteness and degradation. We have previously shown that the Western scholars themselves have testified to this fact. Let us focus more light on this fact through the following discussions:

### **Woman's Liberation in Islam**

With the rising of the dawn of Islam, the inconsiderate traditions and the ragged customs were thrown away. Instead, an everlasting constitution befitting the intellects and sound nature and escorts humankind all over ages was issued. One of the reformations of that constitution was rectifying and rehabilitating the values of women, by granting them all their material and moral rights in such a wise, moderate style away from negligence and exaggeration. During the luminous age of Islam, woman occupied a high rank that has never been achieved by women of any other nation.

Islam has shed lights on women's reality and equality to man in



the human concepts, principles, sanctity of soul, honor, and property, and gain of the afterlife rewarding. Thus, Islam has canceled all the pre-Islamic allegations of woman's coming after man in these fields:

“People, We have created you all male and female and have made you nations and tribes so that you would recognize each other. The most honorable among you in the sight of Allah is the most pious of you. Allah is All-knowing and All-aware (49:13).”

“All righteously believing male or female will be granted a blessed happy life and will receive their due reward and more. (16:97)”

As some of the Arabs used to bury their newborn girls alive and kill them wrongfully, Islam, granting girls dignity and right to live, reproached the committers of such a crime and threatened them with painful punishment:

“And when the female infant buried alive is asked for what sin she was killed? (81:8-9)”

“Do not kill your children for fear of poverty. We will give sustenance to all of you. To kill them is certainly a great sin. (17:31)”

The pre-Islamic customs decided to control woman so wrongfully by coercing her to marry the one she does not like, preventing her from marriage, or inheriting her just like properties and giving the right to the heir to do anything with her—such as giving her in marriage and seizing her dowry or preventing her from marriage until she redeemed herself or died so that he would inherit her. Islam freed woman from all these forms of slavery and granted her the right to choose for her marriage the one she sees well-qualified. As an Islamic law, it is inadmissible to give a woman in marriage before obtaining her satisfaction. Islam, also, deemed forbidden to inherit a woman coercively:

“Believers, it is not lawful for you to inherit women against their will as part of the legacy. Do not create difficulties for your wives in order to force them to give-up part of what you had given to them to set themselves free from the bond of marriage, unless they have clearly committed adultery. Always treat them reasonably. If you dislike them, you could be disliking that which Allah has filled with abundant good. (4:19)”

One of the customs of the Arabs before Islam, and even some of the Western societies in recent times, was depriving women of ownership. Claiming that inheritance is a right dedicated to men of the tribe who defend it with their swords, the Arabs before Islam deprived woman of right of inheritance.

When Islam prevailed, these false traditions were cancelled and women were granted all their rights of possession and inheritance. Islam, also, decided their shares of inheritance, as mothers, wives, sisters, daughters, or other titles:

“Men and women will both be rewarded according to their deeds, rather pray to Allah for His favors. Allah knows all things. (4:32)”

“Male and female are entitled to their legal share in the legacy of their parents and relatives, whether it be small or large. (4:7)”

Islam has also imposed upon husbands to cover the needs of their wives even if they are rich and wealthy.

Thanks to the principles and ethics of Islam, Muslim woman could be the ideal examples of rationality, faith, and high nobility. Islam has also raised women’s social ranks to the degree that they could dispute with even the caliphs—the highest authority in the Islamic state:

Omar ibn al-Khattab, once, was addressing to people not to exaggerate in dowries, but an ordinary woman opposed him saying: “You have no right to say so.”

He asked: “Why?”

She answered: "This is because God says: 'Do not take back the dowry which you had paid even if what you paid was a large amount of gold. To do this is a slanderous act and a manifest sin (4:20).'"

Hence, Omar unsaid declaring: "Omar was wrong, and a woman was right."

History has recorded bright pages about the glories and heroic situations of Muslim women, and narrators could not hide their admiration of such situations; therefore, they related them with fascinating styles showing their esteem and wonder:

Naseeba al-Maziniyya used to participate in the campaigns of the Prophet (s) with her son. In one of the battles, her son wanted to flee, but she attacked him saying: "Son, do you want to leave God and His Messenger?" Hence, her son was back to the battle, but a man attacked and killed him. As she saw this situation, she took the sword from her son's hand and attacked that killer and could kill him. Referring to her situation, the Prophet (s) addressed to her: "God bless you, Naseeba."

This lady used to stop in front of the Prophet (s) so as to protect him. Because of that, she was injured heavily. ( 32 )

The following is another story showing heroic situations of a lady:

During his reign, Muawiya -the Umayyad caliph- performed the hajj and, during his stay in Mecca, he asked about a black, fat lady from the tribe of Banu Kinana. She was residing in al-Hujoun and was named 'Daramiyya al-Hujoun.' When he was informed that she was still alive, he summoned her, and she was brought before him.

He said: "How are you, daughter of Ham?" ( 33 )

She answered: "You should not have dishonored me for my belonging to Ham. I am a woman from the tribe of Banu Kinana,

and from the tribe of your father.”

He said: “You have said the truth. Do you know why I summoned you?”

She answered: “None but God knows the unseen?”

He said: “I summoned you to ask you why you have loved and supported Ali and hated and antagonized me.”

She requested: “Will you allow me not to answer you?”

He said: “No, I will not.”

She said: “Well, you have insisted. I have loved Ali for his justice among the subjects and for his equitable distribution. And I have hated you for you fought those whom are more deserving than you are of this position and for you asked for that which it is not rightful for you to ask. I have supported Ali for the obligation of the loyalty to him that was declared by the Prophet (s), and for he loved the poor and revered the religious. And I have antagonized you for you shed the respectful blood, so wed discord among Muslims, ruled unfairly, and issued judges according to your own caprices.”

Muawiya said: “Therefore, your belly is puffed up, is it not?”

She said: “Listen you, it is Hind whom is cited as example of puffed bellies, not me.” ( 34 )

Muawiya said: “Listen you, stop it. I have not meant something disgraceful. I have only intended goodness.”

Hence, she stopped.

Muawiya then asked her: “Did you see Ali?”

She answered: “Yes, by God, I did.”

He asked: “How was he?”

She answered: "He was not seduced by the authority that seduced you and was not engaged by the grace that engaged you."

He asked: "Did you ever hear his words?"

She answered: "Yes, by God, I did. His words polished hearts from blindness in the same way as oiling polishes rust."

He commented: "You have said the truth. Do you have any need that I can settle for you?"

She wondered: "Will you really settle my need if I say it to you?"

He answered: "Of course I will."

She said: "Then, I want one hundred red she-camels with their male and cameleer."

He asked: "What do you intend to do with these?"

She answered: "I will feed the babies with their milk and feed the adults with their meat, win noble deeds through them, and use them for reconciling the disagreeing tribes."

Muawiya said: "Well, if I give you these camels, will I occupy the same position that Ali occupied in your heart?"

She answered: "This will never happen. A great difference lies between Ali and you."

He said: "By God I swear, Had Ali been alive, he would not have given you a single camel."

She answered: "Of course he would have never done it. Furthermore, he would not have given a single hair of a camel so long as they are within the public treasury." ( 35 )

Let us now mention another story in this regard:

Az-Zarqaa bint Edi was a strong lady from Kufa who stopped, during the battle of Siffeen, among the rows of Imam Ali's army calling loudly at them with statements of the highest degree of encouragement on fighting. Her words were so affective that they urged even the coward to fight, the absconder to attack, the peaceable to go into battle, the fugitive to assail, and the unstable to resist.

A long time after the battle, Muawiya summoned her. When she attended, he asked her: "Do you know why I summoned you?"

She answered: "Except God, nobody knows the unseen."

He asked: "It was you who rode the red camel during the battle of Siffeen and stopped between the rows of the soldiers kindling the fire of war and urging on fighting, were you not?"

She answered: "Yes, it was I."

He asked: "What for did you do so?"

She answered: "Chief of the believers, the head died, the tail was amputated, that which departed will never come back, time is changeable, he who thinks will realize the truth, and matters will surely be followed by others."

He said: "You have said the truth. Now, do you still remember your words in that situation?"

She answered: "No, by God, I do not. I have forgotten."

He said: "How excellent you are! I do remember you when you said: 'O people! Pay attention and think well. You have been engaged in a seditious affair. You have been covered by the gowns of gloom that took you away from the very course. It is surely a blind, deaf, and mute ordeal that does not respond to the whooping and does not become mild to its leader. A lantern

cannot shine in sunlight, stars cannot shine in moonlight, and mules cannot win over mares. Likewise, nothing can cut the iron except the iron. We will surely lead him who seeks guidance and we will surely answer him who has questions. O people! The right has certainly gained its long-sought goal. O Muhajirs and Ansar! Be steadfast against difficulties, for the reunification shall very soon be achieved, the word of justice shall very soon prevail, and the right shall very soon overcome the wrong. For sure, the right and the wrong are not the same. (Is he then who is a believer like him who is a transgressor? They are not equal.) Go on fighting and be steadfast. It is certainly that women's dye is henna, while men's is blood. Patience surely achieves the best result. Wage war without regression, for this day will be followed by other alike days.'

These were your words of urging on fighting, were they not?"

She answered: "Yes, they were."

Muawiya said: "You are the partner of Ali in every single drop of blood that he shed during that war."

She answered: "Chief of the believers, God may reward you excellently and keep you in safety for such great tidings that you have born to me. You are, now, surely worthy of telling good news and pleasing the sitters."

He wondered in astonishment: "Has my accusation been great tidings in your sight?"

She answered: "Yes, by God, it has. Had I been actually participating him!"

Muawiya laughed and said: "Verily, your loyalty to Ali after his death is more astonishing than your love for him during his lifetime." ( 36 )

Let us now cite a third story in this field:

On the day of Ashura, the mother of Wahab ibn Abdullah ibn

Khabbab al-Kelbi said to her son: "Son, stand up to support the son of the Prophet's daughter."

He responded: "Of course, mother, I will do without showing any neglect."

Hence, the son proceeded for fighting, reciting his famous *ra-jaz*. ( 37 ) When he attacked, he could kill a number of the enemies. He then returned to his mother and wife, saying proudly: "Mother, are you satisfied?"

She answered: "I will not be satisfied before you fight until you will be killed before al-Hussein (a)."

When his wife shouted at him, 'By God, do not distress me,' his mother said: "Son, do not listen to her words. Go to fight in front of the son of the Prophet's daughter so that he will intercede for you before God on the Day of Resurrection."

He listened to his mother's words and went on fighting. He could kill nineteen horsemen and twelve soldiers before his hands were cut. Seeing this, his mother took a post and came towards him shouting: "I may sacrifice my father and mother for you, fight for protecting the Immaculate—the harem of the Prophet (s)." When the son tried to convince her to go back with the other women, she hanged to his clothes saying: "No, I will not go back before I will be killed with you."

Imam al-Hussein (a) intruded in the situation to say: "God may reward you and your family excellently. Join the other women."

Only then, she went back, and her son went on fighting until he was martyred. ( 38 )

How great the difference between such honorable, virtuous women and the modern Muslim ones, most of whom call to primping up, casting away the Islamic traditions, and imitating the Western women in their showing off and dissoluteness, is!



# Chapter 8

## **Equality of the sexes**

Among the various heresies that invaded the East was the idea of the complete equality of man and woman in political, economical, and social fields. The naïve Muslims, having been deceived by this fallacy, went on calling to it, ignoring its being in violation of the principles of nature and conscience, because of the great differences between the two sexes and the dissimilarity of their qualifications in this life. By proving the great differences between man and woman, it becomes easy to realize the falsity of this idea that is full of negligence and waste of the characteristics of both sexes.

Generally, man is huger, stronger, and more steadfast against ordeals than woman is. He is also more broad-minded, sagacious, and experienced.

Woman, on the other hand, is, generally, more handsome, less physically powerful, more sensitive, and more delicate than man is, since she is prepared for her maternal tasks.

Symptoms of menstruation, pregnancy, and suckling that occur to women and influence effectively their lives and physical states are factors that increase the difference between the two sexes. During their monthlies, women suffer symptoms that cause them to be unfamiliar.

Dr. Jebb Hard says that it is infrequent to find a woman who does not suffer a disorder during her menstrual period. Most women, however, suffer headache, exhaustion, pain under navels, and anorexia. They also become aggressive and sleepers. Because of these symptoms, it is possible to say that women

become ill during their monthlies and that they have to suffer such illness once a month. Hence, such physical changes naturally affect women's intellectual faculties and bodily processes.

Thus, many researchers have proved the impossibility of the equality of the sexes.

In his book that proved the inequality of the sexes through natural experiments and observations, Antoine Namilav; the Russian physician, records that 'we must not deceive ourselves by claiming that it is easy to equalize between man and woman in the practical life. In fact, none in this world exerted the efforts that we, the Soviet, had exerted for making the equality of the sexes practical, and none enacted such innocent, but fanatical, laws that we have enacted in this field. Nevertheless, woman's familial position has hardly ever changed. Moreover, woman's social position has also hardly ever changed. The conception of the impossibility of the equality of the sexes is still deep-rooted in the minds of all the classes of the Soviet society.' ( 39 )

Dr. Alexis Carrel, who received the 1912 Nobel Prize for Physiology, says that it is essential for educationists to pay a great deal of attention to the mental and organic characteristics as well as natural functions of both male and female since there are innumerable differences between the sexes. Hence, it is necessary, for constructing a civilized world, to take in consideration these differences.

As a matter of fact, we cannot consider man's surpassing woman in the scientific and theoretical fields as a standard that is applied to all men. It happens that woman surpasses man in such fields. This, however, cannot deny the fact that woman, in most cases, falls behind man. Some people claim that woman's falling behind man has been the reason of social traditions and educational systems that prevailed on her life. This is not accurate because most of such traditions and systems have ceased to exist in most of the dissolute nations where the difference between the sexes faded away and woman have enjoyed all opportunities that are gained by men. Yet, woman, in these societies, has still occupied the second position after

man. This is another evidence on the impossibility of the equality of the sexes, which is, such being the case, considered as a sort of idiocy and silliness.

As the propagandists of equality of the sexes are completely incapable of developing man's qualifications so as to make him fit to do the female tasks, they cannot make women assume masculine manners and do the jobs that are purely men's.

The Divine Wisdom has prepared each sex for definite function and tasks in this life. Hence, it is unavoidable to distribute jobs among them according to each one's qualifications and abilities. It is said that 'everything is prepared for doing its job.'

Man's task is to practice the arduous works and the out-of-house affairs, work hard for securing means of livelihood for the family members, and guarantee material and moral protection and pleasure for them. Women, however, are unqualified enough to do such tasks so expertly.

Woman's task, on the other hand, is to be good housewife and bring up well-qualified men. None but woman can change her house and society into a paradise where man can find release of the life difficulties and children can feel the warm affection and factors of growth and prosperity. To insert women in men's fields and encourage her competing with him in his own tasks is regarded as forfeiture of their qualifications. It also plays the role of immobilizing men's right to practice their vital activities that, nobody except him, can do, as well as his right to create a family.

The results of modern women's competition with men in the fields of their specialization have been dangerous moral, social, and mental evils whose disadvantages have surpassed greatly their advantages.

Because women have failed to do their genuine tasks and joined the mixed society, the family structure has become the victim of loss, immorality, and misery, and has suffered the commonness of moral deviation and collapse.

On another page of his aforementioned book, the Russian researcher records that 'symptoms of sexual disorder have disappeared on all the workers. This is in fact serious danger that threatens termination to socialism. Hence, we must fight with every weap on such symptoms. However, fighting at this front has many problems and difficulties. I can refer to thousands of events that demonstrate the fact that the infection of sexual libertinism spread into the educated individuals of the proletariat in addition to the ignorant ones.' ( 40 )

It is however acceptable for women to practice certain jobs pertaining to and befitting their sex, such as teaching girls or treating women. In case a woman does not have a family provider or when the breadwinner is incapable of securing her essential requirements, it becomes acceptable for her to practice a job that saves her from the charms of the mixed association and saves others from her charms.

Islam, having protected her dignity, has saved the earnings of the needy women without letting them need for such suffering. If Muslims defray the zakat, poverty will find no place in the Islamic society. Thus, what do the propagandists of the equality of the sexes want? If they intend to dignify and free women from social wronging, Islam has certainly freed women, raised their ranks, and granted them their moral and material rights. They in fact intend to deceive and humiliate women so as to approximate them from the eyes and flirts of the wolves. What do the liberalist women want? Do they seek the absolute equality with man, or do they seek the freedom of dissoluteness and indecorum?

Because they all are immoral purposes, Islam has forbidden both man and woman to respond to such calls so as to save them from the slips of charms and the tragedies of the mixing of the sexes.

## **Distinction Between the Sexes**

Islam has freed women from the offensive traditions and customs of the pre-Islamic era, honored them, raised their ranks, and decided their being equal to man in humanity, principles, sanctity of blood, honor, and property, and the deserving of the rewards and penalties of the life to come. On bases of fairness and wisdom, it has identified women's values and standings to men. In some situations, Islam, depending upon advisability and rightness, has deemed women as same as men, but it, because of the different qualifications and responsibilities in the various fields of life, has also made a distinction between them through nominating certain rights, duties, and rulings for each.

In all these affairs, Islam has aimed at achieving wisdom, uprightness, and fair evaluation of humankind's natures and traits. By preferring man in certain rulings, Islam has not aimed at humiliating or wronging woman. Its one and only purpose has been the achievement of justice through granting each sex the rights that befit the qualifications and responsibilities.

We, hereinafter, will refer to the most significant points of distinction between the two sexes so as to realize the reasons of the Islamic rulings in this regard:

### **1. Maintenance**

Each society, no matter how small it is, is in need for a well-qualified guardian whose mission is to supervise its affairs and achieve prosperity and development. From this cause, each family is in an inevitable need for a guardian and supervisor

who, though engaged in serious task requiring sagacity, practice, willpower, and enough experience in this life, must govern his family member with well management and secure means of acceptable livelihood.

Now, which one is the worthiest of supervising and maintaining the family? Is it man or woman?

Owing to his qualifications, man is more experienced in the life affairs, more competent of supervising the family morally and materially, and more capable of achieving means of good living than woman is. This matter has been decided by the eternal constitution of Islam:

“Men are the maintainers of women because Allah has made some of them to excel others and because they spend out of their property. (4:34)”

Maintenance, however, does not mean absolute dominance and policies of severity and violence against the family members, since such practices are in violence of the ethics of Islam. The true maintenance relies upon mutual understanding, cooperation, and emotional and intellectual consent between the paterfamilias and his family members:

“Women have benefits as well as responsibilities. Men have a status above women. (2:228)”

In view of her femininity, woman is tenderhearted, sensitive, and touchy. Frequently, women’s emotions prevail on their minds. All these matters qualify her to fulfill the mission of maternity whose functions require such feelings, and take her way from the leadership of family that requires sagacity, emotional balance, tolerance, and firmness. All these traits are found with man; therefore, he is more qualified than woman is in fields of maintaining the family.

Finally, positive woman usually disrespects the inactive, feeble husband and honors the husband of great and attractive personality.

## **2. Man's Preference to Woman in Inheritance**

The Islamic Sharia has decided that man should enjoy the double of woman's share of heritage. Some simple-minded people mistake that such a law is considered as mortification and wronging for woman. In fact, Islam has never degraded or wronged woman. Because of man's big responsibilities, Islam has decided for him double share of heritage so that fairness and equity can be achieved.

Unlike woman, man is responsible for securing his family members' food, clothing, house, education, and medical treatment. He is, unlike woman too, responsible for protecting Islam by all possible means. Finally, man is responsible for many social obligations that require spending. In the light of this comparison, it is fair to decide for man a double share of heritage. Woman, however, is luckier than man is, since she is not responsible for many family and social obligations. Hence, Islam has decided:

"Let the male inherit twice as much as the female. (4:11)"

Finally, woman's possessive and vested rights are completely saved for her alone, and man has no right to do anything to such properties before her satisfaction and permission are obtained. Woman, in this field, is equal to man.

## **3. Testimony**

The Islamic Sharia has considered two women's testimony as one man's so as to protect woman's testimony from falsity and to guard the litigants' rights from wronging and waste.

As she is prevailed by agitated emotions, sensitivity, and passivity towards a definite party, woman deviates from justice and neglects the right and the obligation of providing exact testimony. Evading so, Islam has decided the joining of two women in testimony so that one may remind the other and prevent her from false testifying:

"Let two men or one man and two women whom you choose,

bear witness so that if one of them makes a mistake the other can correct him. (2:282)”

Modern medical experiments have proved that some women, during their monthlies, suffer symptoms causing their mental powers to be enfeebled. Hence, they become oblivious. ( 41 ) Such experiments support the necessity of joining two women during bearing testimonies.

#### **4. Polygamy**

The enemies have waged wrong campaigns against Islam using various forms of bitter criticism and empty censure one of which is their vituperating Islam’s permitting polygamy, which is, as they have claimed, considered as injury and confusion for the marital life.

First of all, Islam was not the originator of polygamy. Many centuries before Islam, polygamy was decided by the divine religions and positive laws.

“Polygamy was not forbidden in the most ancient code. Likewise, it was not forbidden in the Torah and the Gospel. Since the reign of Prophet Abraham up to the Nativity, none of the prophets forbade polygamy. In the Gospel, we cannot find a single text telling the illegality of a matter which was decided as legal in the Old Testament. Everything that is mentioned in the Gospel asserts the legality of polygamy in every situation except one: the bishop who shows failure in standing monasticism must satisfy himself with a single wife...”

Edward Westermarck, whose major interests were history of marriage, says that ‘polygamy, as the Church confesses, perpetuated until the seventeenth century. Moreover, it occurred frequently beyond the sights of the Church and the ruling authorities.’

Hence, Islam, allowing polygamy, has not brought something heretic. However, the new thing that Islam has brought in this regard was reforming the disorder created by absolute



polygamy and taking in consideration the necessities that God does not neglect . In some circumstances, or even general social circumstances, the allowance of polygamy is more beneficial than its forbiddingness.” ( 42 )

As a matter of fact, those who denied Islam’s allowing polygamy have certainly practiced it by means of deviation and sinful relations. Had they thought about the matter perceptively and impartially, they would have found that polygamy is the one and only solution for the problems and crises that befall individuals and societies.

# Chapter 10

## **Justifications of Polygamy**

In the light of the following justifications, we may refer to the purposes beyond Islam's allowing polygamy:

First, it happens that a wife may be affected by a physical or mental defect that impedes her from doing her duties, responding to her husband's desires, or paying attention to the family members. Such crises may create disorder; therefore, it is essential to find acceptable and firm solution. This solution must be that:

(a) Either the husband, suffering the deprivation of his marital rights, is neglected without treatment and left slipping in the depths of vice, and the family members, as well, are left for disorder. This is in fact wrongness against the husband and the family members,

(b) Or the husband leaves the diseased wife, by means of divorce, suffering the agonies of ailment in addition to the bitterness of rejection and loneliness. This is absolutely denied by sound sense, for it contradicts the principles of humanity, (c) Or the husband, after obtaining the diseased wife's permission, marries another wife who can respond to his desires, reunite the scattered family, and encompass the diseased wife with kindness.

This is in fact the best and most acceptable solution.

Second, in some circumstances, it happens that a wife is incapable of giving birth. Husbands, in such cases, have to choose one of two—either deprive themselves of sons and stand the

burning feelings of being heirless. This is however nobility. Or marry another woman capable of giving birth. The second is in fact more logic since it is decided by nature and instincts. Very rare are those who deny this fact.

Third, women, as a rule, are more numerous than men because, practicing dangerous and deadly jobs in factories, mines, and the like, men encounter fatal dangers. Men, naturally, are less immunized and more subjected to the infections of diseases and epidemics than women are. Biologists, referring to this fact, say that women enjoy physical abilities that men lack and nearly all diseases affect men, not women. On this account, there are 7,700,000 widows living, currently, in the U.S.A. The office of American Census predicts that numbers of this class will raise in the rate of two million per one decade.

Dr. Marion Langer, the sociologist, says that there are two solutions only for covering the reduction in the numbers of men—either polygamy or inventing a method that elongates men's ages!

War is another reason beyond women's being more than men in numbers. Wars in fact terminate great numbers of men and cause horrible decrease in their rates in proportion to women. In the First World War, the number of the casualties was 21,000,000. The Second World War consumed about 50,000,000 men. This huge number of casualties caused a big space in the numbers of men and created an international crisis that needed a decisive treatment.

The Western nations, because they prohibited polygamy, faced this problem with puzzlement; therefore, they had to treat it by means of moral corruption that rumored profanity, prostitution, and bastards as well as moral disorder.

Using such a unique, nonesuch method befitting the nature of humankind and requirements of circumstances, Islam has treated this problem with polygamy through which individuals and societies are saved from many tragedies:

“Marry such women as seem good to you, two and three and four; but if you fear that you will not do justice between them, then marry only one. 4:4)

Having allowed polygamy, Islam has not opened its door at random. Protecting women’s rights and dignity, it has specified justice and equality between wives as stipulations for the validity of polygamy. Nevertheless, the stipulation of justice is dedicated to the material requisites of life. The other emotional aspects are not controlled by human beings. Hence, man is incapable of achieving fairness among wives in the emotional matters:

“You will never be able to maintain justice among your wives, no matter how hard you try. (4:129)”

Some people may claim that the Western woman does not need marriage since she is able to practice jobs and seek earnings. This claim is untrue. The actuality of the human nature and the inner instincts prove the opposite. Woman’s need for man is not restricted in material aspects only. It is in fact an urgent mental need without which woman cannot perfect her entity. The same thing can be said about man.

Fourth, some men are characterized by excessive sexual energy that requires extreme carnal need. This energy can be controlled by polygamy; otherwise, it may find a deviant course. This is the very thing that occurred in the societies that banned polygamy and, in return, were affected by poly-girl-friends or poly-paramours.

# Chapter 11

## **Divorce in Islam**

Islam has been also criticized nonsensically for allowing divorce, which, from the viewpoint of the criticizers, threatens woman's entity with ruination. Hence, for a single state of stupidity of the husband, the wife may change into homeless, heartbroke n woman.

This is in fact one of the false accusations against Islam. Since the most ancient ages, divorce was enacted in such an improvised form that wasted the wife's rights and dignity. Unconditional divorce was common among the Greek. The Romans, though their first generations forbade it, allowed divorce in their religious and governmental laws. The Jewish code narrowed the zone of divorce and made it lawful in three cases only: fornication, barrenness, and moral or physical defect. Christianity forbade divorce except in two cases: fornication of one or both spouses and barrenness.

These were the reasons that urged the modern Western nations importunately to codify the civil divorce, even if this may contradict the religion.

When Islam emerged with its prosperous reign and inclusive legislation, it has enacted divorce and encompassed it with a number of precautionary measures that contribute in reducing its problems.

In sight of Islam, divorce is the most discommended legal matter to God. There are certain states in which the disagreement between spouses reaches climax to make any association and mutual understanding impossible. Treating such cases, Islam

provides solutions step by step. It does not hurry to untie the sacred matrimonial bond at first blush, but it tries the best to fasten it. First of all, Islam repeats the words of God:

“Always treat them reasonably. If you dislike them, you could be disliking that which Allah has filled with abundant good. (4:19)”

This is an invitation to wait and be patient even in case of dislike.

If the matter surpasses the question of like or dislike to reach to alienation, divorce is still not the first solution that Islam advances. It should be preceded by efforts of other parties who intend righteousness:

“And if you fear a breach between the two, then appoint judge from his people and a judge from her people; if they both desire agreement, Allah will effect harmony between them, surely Allah is Knowing, Aware. 4:35”

“And if a woman fears ill usage or desertion on the part of her husband, there is no blame on them, if they effect reconciliation between them, and reconciliation is better. 4:129”

If this mediation is of no use, too, then the matter has reached a considerable stage of seriousness, and there must have been impossibility to continue. Such being the case, it is futile to coerce the two spouses to stand such a situation, and it is wise to put an end for this manner of life so long as there is no other way.

Such separation may create in the mentalities of the two spouses the desire to begin anew. It frequently happens that we feel the advantages of a thing after we lose it. Hence, there is still an opportunity:

“A marital relation can only be resumed after the first and second divorce, otherwise it must be continued with fairness or terminated with kindness. 2:229”

There is also the term of waiting for the consummated wives. During this term, it is obligatory upon the divorcing husbands to meet the material needs of their divorcees generously. During this term, also, it is permissible for the regretting husbands to reassume marriage and begin new marital life without being in need for any matrimonial procedures.

If the term of waiting passed without reconciliation between the spouses, they, also, can reassume their matrimonial life, but with a new matrimonial contract.

This is, so far, the first experiment for both the spouses to realize the reality of their feelings towards each other and the seriousness of the reasons that led to separation. If these reasons, or any others, rise again to cause the husband to declare a second divorcement, he then will lose the second opportunity, and will have to encounter a very difficult situation, because of his frivolity, if he repeats the divorce for a third time:

“After a divorce for the third time, it is not lawful for the husband to resume marital relations with her or remarry her until she has been married and divorced by another husband. 2:230”

Why then are the blabbers criticizing Islam for allowing divorce? Do they want to annul the law of divorce so that the tragedies that have been suffered by the Catholic nations whose laws of forbidding divorce and polygamy obliged people to take numbers of girlfriends and commit fornication— do they want such tragedies to prevail on the Islamic society?

1. Quoted from al-Wafi; part 12 page 11 (as quoted from al-Faqih).
2. Quoted from al-Wafi; part 12 page 11 (as quoted from al-Kafi).
3. Quoted from Bihar ul-Anwar; vol. 23 page 51 (as quoted from at-Tabirsi’s Mekarim ul-Akhlaq).
4. Quoted from al-Wafi; part 12 page 11 (as quoted from al-Faqih).
5. Quoted from al-Wafi; part 12 page 11 (as quoted from al-

Faqih).

6. Quoted from al-Wafi; part 12 page 11 (as quoted from al-Faqih).

7. Rakaa: The unit of a prayer.

8. Quoted from al-Wafi; 12/11 (as quoted from al-Faqih and al-Kafi).

9. Quoted from al-Wafi; 12/16 (as quoted from al-Faqih and al-Kafi).

10. Quoted from al-Wafi; part 12 page 17 (as quoted from al-Kafi).

11. Quoted from al-Wafi; 12/18 (as quoted from al-Kafi, al-Faqih, and at-Tahtheeb).

12. Quoted from al-Wafi; 12/14 (as quoted from al-Kafi and at-Tahtheeb).

13. Quoted from al-Wafi; 12/15 (as quoted from al-Faqih and al-Kafi).

14. Quoted from al-Wafi; part 12 page 13 (as quoted from at-Tahtheeb).

15. Quoted from al-Wafi; 12/12 (as quoted from al-Faqih and al-Kafi).

16. Quoted from al-Wafi; 12/114 (as quoted from al-Faqih and al-Kafi).

17. Quoted from al-Wafi; part 12 page 115 (as quoted from al-Kafi).

18. Quoted from al-Wafi; 12/114 (as quoted from al-Faqih and al-Kafi).

19. Quoted from Safinat ul-Bihar; part 1 page 133.

20. Quoted from al-Manfaloutti's Mukhtarat, page 240.

21. Hijab, generally, is the way of veiling that is ordained by the Islamic Sharia, and, particularly, the manner of dress for Muslim women, which involves wearing loose, modest clothing and covering the hair.

22. All the previous indications are quoted from Mr. Al-Mawdoudi's book titled al-Hijab.

23. Quoted from Bihar ul-Anwar; vol. 23 page 101 (as quoted from al-Khissal).

24. Quoted from al-Wafi; part 12 page 127 (as quoted from al-Kafi).

25. Quoted from al-Wafi; part 12 page 127 (as quoted from al-Faqih).



26. Quoted from al-Wafi; part 12 page 127 (as quoted from al-Kafi).
27. Quoted from al-Wafi; part 12 page 127 (as quoted from al-Kafi).
28. Quoted from al-Wafi; part 12 page 127 (as quoted from al-Faqih).
29. Quoted from Mr. Al-Mawdoudi's book titled al-Hijab; page 22.
30. Quoted from Dr. Ahmed Chalabi's Comparison of Religions; 3/196.
31. Quoted from Dr. Ahmed Chalabi's Comparison of Religions; 3/200.
32. Quoted from Safinat ul-Bihar; vol. 2 page 585.
33. Ham is one of the sons of Noah the prophet. He is regarded as the father of the black.
34. Hind (daughter of Utba) was the mother of Muawiya. She was one of the well-known most notorious prostitutes in Mecca. In the battle of Uhud, she tried to swallow the liver of Hamza ibn Abd ul-Muttalib (a), out of her rage and malice, after she had given a great prize to a slave if he would kill him.
35. Quoted from Qissas ul-Arab; part 2.
36. Quoted from Qissas ul-Arab; part 2.
37. Rajaz is a sort of Arabic poetry used to be including an introduction of the fighters during battles.
38. Quoted from Sheikh Abbas al-Qummi's Nafas ul-Mahmoum.
39. Quoted from Mr. Al-Mawdoudi's book titled al-Hijab.
40. Quoted from Mr. Al-Mawdoudi's book titled al-Hijab; page 257.
41. We have referred to this topic in details during discussing the equality of the sexes.
42. Quoted from Abbas Mahmoud al-Aqqad's haqaiq ul-Islam.

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*"Wisdom is the lost property of the Believer,  
let him claim it wherever he finds it"*

*Imam Ali (as)*