

Research Study on Women's Rights in the Light of Islamic Teachings

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Abstract: History testifies that women were oppressed for a long period of time. In the past era, women were tyrannized. Men would buy and sell the women to fulfill their own pleasures of life. The Arabs even considered the women a cause of shame and used to bury the young girls alive. No social status was given to the women in most of the world's civilizations.

Islam not only gave women the right to survive but also determined their status as a mother, daughter, wife and sister. By confirming their religious, social, economic, legal and administrative role, Islam guaranteed their rights. As a result, a civilization was created in which women were considered an important part of the society. The Prophet (peace be upon Him) elevated women to the highest possible level of dignity and greatness.

The women were also entitled to the rights of dower, alimony, respect and honor. As mothers, they were conferred a

great status and paradise was laid under their feet. The obedience of one's mother was made the source of success in this world and the hereafter.

It acknowledged their right of property and intervention in this right was held to be unlawful. It set the stoning and other adultery punishments for criminals in order to protect chastity and respect of women. Their testimony was acknowledged as rightful. They were allowed to preach the religion of Islam.

The importance of women's rights in the foundation of the modern Muslim state is recognized as true, provided that the establishment and provision of the rights are in accordance with the Islamic teachings. In this article, women's rights will be described in the light of Islamic teachings.

Keywords: Women's rights, right to inheritance, right of dower, alimony, marriage, divorce.

Introductions:

O ye believe! Enter in to Islam whole heartedly; and follow not the footsteps of the evil; for he is to you an avowed enemy.¹

Islam has deep concerned to the basic human rights. A systematic arrangement has made for the economic, social and cultural rights of man. Islam has used these rights as legal orders. It supported them all the legislations that are needed to ensure their implementation. Neither the provisions of the universal declaration of human rights, nor the international Covenant of women's rights have gone as far as Islam. They remained as moral recommendations not guaranteed by any legal safeguards. Under Islamic legal system these rights constitute imperative obligations and must be enforced by legislative and executive guarantees.

Islam declares the equality of male and female in these rights. This equality based on the doctrine that man and female have the same human nature. Relations between man and women are characterized by reciprocal rights and obligations, expect for the obligation incumbent on men to assume leadership of the family and to provide for the expenses. It is stated in the Quran: And they (women) have rights similar to those (of men) over them in kindness and men are a degree above them.²

We know that Islam introduced historic radical changes in favor of women in the legal domain.

Women in pre-Islamic Arabia

A review of women's low status in pre-Islamic times provides a perspective on the extent of the reforms which the Qur'an introduced to improve their position in classical Islam. In a primitive society threatened by poverty and starvation female babies who did not have the same potential for individual strength and mobility as males, often represented a great burden. One manifestation of this attitude was the pre-Islamic practice of female infanticide. Its existence is attested to in the Qur'an:

When news is brought to one of them of the (birth of) a female (child), his face darkness, and he is filled with inward grief! With shame does he hide himself from his people because of the bad news he has had! Shall he retain it (on sufferance and contempt), or bury it in the dust? Ah! What an evil (choice) they decide on.³

Because they were stronger and more agile than women, most of the tasks necessary in a society of nomads (ability) to fight as warriors, to attack animals, to seize food), were better done by men. Women, who were easily overcome by force and who spent much of their lives weakened by pregnancies or tied down with the care of children, could easily become liabilities to a tribe. They were often in the danger for their kin. Thus, social conditions and the necessities of survival accounted for women's low social position.

In addition, the lowering of women's status can be attributed to the types of marriage that were contracted. In ancient Arabia, two main categories of marriage can be distinguished, one based on female kinship (Sadiqa)

and the other based on male kinship (ba'l). In *sadiqa* marriage the wife stayed with her tribe while her husband sometimes came from a foreign tribe. The wife had the right to choose her husband, to receive him in her tent and to dismiss him when she wished. *Sadiqa* marriages involved no subjugation of the wife. She and not her family received a gift from her prospective husband in consideration of the marriage. No witness or guardines were necessary since the marriage was based solely on the consent of the two parties. It did not involve any contract with the wife's kin. Thus the *sadiqa* marriage corresponded to the law of mother kinship. Children belonged to the wife's tribe since her kin did not contract with the husband to relinquish their rights to the wife or her children.

Two types of *sadiqa* marriage existed, *mut'a* or temporary marriage and what Robertson Smith calls "*beena*" a more permanent marriage through which the husband settled with his wife's tribe.⁴

Women's Social Rights and its protection:

Islam has given women a very high social status with full social security. Hazrat Muhammad (peace be upon Him) raised the status of women as mother, sister, wife and daughter and specified special rights for each.

Women As a wife:

The welfare of women starts before marriage in terms of seeking the right partner. The Prophet (peace be upon Him) said:

"If a suiter whose faith and conduct you are satisfied with comes to you, marry him your daughter. If you do not, there will be affliction on earth and gross corruption."⁵

Only love, mutual respect, and understanding between husband and wife will bring peace to the family. A person you assume of with weakness might be better than you in the eyes of creator, or you might get the results through your patience, which is described "if ye take a dislike to them it may be that ye dislike a thing, and Allah (SWT) brings about through it a great deal of good".⁶

It advices that husband should try to understand and forgive his wife even if she has weakness.

In Quran, it is stated a woman has similar rights as she has her obligation.

ولهن مثل الذي عليهن بالمعروف

Women have rights similar to what they owe in recognized manner.⁷

These rights should be performed by men and by the fulfillment of the right, a man can become a true Muslim.

Hazrat Muhammad (peace be upon Him) said that:

خيركم خيركم لاهله وانا خيركم لاهلي

(The best among you is h, who turns best for his family.)⁸

In Surah Al-Nisaa it is ordered to behave well with women.

فعدنى ان تكرهوا شيئا ويجعل الله فيه خيرا كثيرا و عاشروهن بالمعروف فان كرهتموهن-

(Live with them in the recognized manner. If you dislike them, then it is quite likely that you dislike something and Allah has placed a lot of good in it.)⁹

In Surah Al-Baqra it is stated that

هن لباس لكم وانتم لباس لهن

(They are apparel for you, and you are apparel for them.)¹⁰

Women as a Mother:

Islam lay emphasize on paying respect to parents, and dutiful to them, and obey the. It was instructed:

"To be good to parents", and especially reminding about mother "in travail upon travail, did his mother bear him, and in years twain was his weaning."¹¹

Prophet said, "Paradise is at the feet of your mother and guides us to be kin, and dutiful to mother."¹²

In answering to questions by one of his companions, "Who most deserves (my) reverence? Prophet said: 'Your mother' and he repeats it for three times, then said, "Your father".

From this, one could be clearly observed that Islam place more favored to "mother" than "father".¹³

Women As a Daughters and Sisters:

The Holy Qur'an was revealed to the Prophet Muhammad (peace be upon Him) while the darkness of ignorance covered the Arabian Peninsula. At that time, women were treated as rubbish, sex objects, or being counted them as their livestock animals, sons were favored more than daughters, and daughters were buried alive. Regarding female infanticides, prohibited by Prophet saying that, "Allah (SWT) has forbidden you to bury your daughters alive."¹⁴ "And similarly in the Qur'an, When the female (infant) buried alive, is questioned - for what crime she was killed"¹⁵, bury it in the dust? What an evil (choice) they decide on."¹⁶ All these practice and attitude towards women were forbidden by Prophet Muhammad (P.B.U.H) reminding them the punishments of hereafter.

At the same time, the rewards are promised regarding kind treatment of daughters. The Prophet said, "whoever is in charge of these daughters and treats them generously, then they will act as a shield from him from the (Hell) Fire"¹⁷, Whoever has three daughters, or three sisters, two daughters, or two sisters and he keep good company with them and fears Allah (SWT) regarding them, then paradise is for him."¹⁸

Women and Religion:

Islam provides all religious and social rights to women. She can participate in religious sermons, marriages and other social activities.

عن ابن عمر ، قال رسول صلى الله عليه وسلم اذا استاذنكم نساءكم الى المسجد فاذنوا لهن-

(Ibn Umar said that the messenger of Allah (peace be upon Him) said if your women seek permission to visit mosque, you should permit them.)¹⁹

Women can participate in all religious and worships and this is the responsibility of government to make specific arrangements in the mosques where women may freely participate in prayers. Similarly, the government is also responsible to protect women's religious and social rights.

In Islam's social system, the basic feature is that it has made men responsible for state and society's responsibilities while relieving women from the economic, political and defense responsibilities and advised them to stay firm at the domestic front. The men have been made bound to look after financial requirements of women.

Economics Rights of female (women) in Islam:

Women have been given shares in the property of father, brother, son and husband etc. The husband was made bound to pay her dower.²⁰ All these rights make women financially stronger where in either father can intervene nor her husband. Similarly, if she earns something through hard work, it is her sole ownership and if she spends anything out of such income at her free will, it is "Sadqa" on her behalf which will be rewarded hereafter by Allah Almighty.²¹

Islam has made a woman owner and administrator of her house and she should give preference to her home on her outer activities. She should not destroy her family and house. After fulfillment of her domestic, expertise and aptitude.

Freedom of Speech and Education:

It is interesting to note that a woman, in the period of Holy Prophet (peace be upon Him) was fully enjoying

the right. A Muslim woman could express her opinion not only before her husband but also before Holy Prophet (peace be upon Him).

If we see towards Qur'an, we find chapter twenty-eight started with the name of a Muslim Woman. Arguing and litigating with the Holy Prophet regarding her husband. Qur'an states: "Allah has indeed heard the statement of a woman who pleads with the concerning her husband and carries her complaint to Allah."²²

Then we know that the wives of Holy Prophet also litigated before Him regarding their maintenance. At the time a woman was free to ask any type of question from Holy Prophet (peace be upon Him), for that she was not required to ask her father or husband. Whenever she wanted, she had to go to Holy Prophet directly without any hesitation and prior permission of her husband. There are number if Ahadith which prove that she did not need permission from her husband to do so. In this way she enjoyed the right of getting knowledge and to learn from Holy Prophet. It is important to note that knowledge includes all types of permissible knowledge, whether religious or scientific.

Because majority of Qur'an verses and Ahadith mentioned this word in absolute and in general terms.

Qur'an states:

"Allah will raise up to ranks those of you who believe and who have been granted knowledge and Allah is well acquainted with all you do."²³

Holy Prophet said:

"Who travels for learning and knowledge, God makes easy, him/ her way to paradise."²⁴

Here the word who includes both man and woman. In another Hadith it is reported from Anus b. Malik that Holy Prophet said:

"Get knowledge whether in China, because getting knowledge is an obligation."²⁵

It is clear that at that time there was no Islamic knowledge in China. Then Holy Prophet had to arrange separate sitting with women to teach them properly, through women had to attend meeting with men. It shows that how our great Prophet was concerned with the education of women. It is also proved that co-educational discussion is also allowed. It is reported that Umm Al-Fadl participated in the discussion with male Sahabah regarding the fast of the day of A'rfah. Some were saying that Holy Prophet had fast while others were denying it. Then Umm Al-Fadl sent a bowl of milk to Him. Holy Prophet drank it and He was on camel.²⁶

We see that how women were active and confident. It also indicates that a woman possess ability to understand the situation and to solve the problem in sophisticated manners. She has full capacity to participate in educational discussion. This is possible only if woman has knowledge on equal basis. The fact is that only knowledge can expand the vision and exposure of woman. By getting knowledge she is be able to grow up and to train her children properly. She learns to manage time and life.

In our society, freedom of Speech is often used against the woman. This male dominant society does not like freedom of expression from her daughter, sister, and wife and from his female colleague, Here I would like to quote saying of a woman to Hazrat Umar, The great Caliph of Muslim Ummah:

"O Umar! Allah has given us right of unlimited dower and you are going to prevent us by limiting it; does not God say in Quran:

And if you have given on of them a treasure, do not take back anything from it."²⁷

Then Hazrat Umar said: Woman is right and Umar has made mistake.²⁸

This happened in a general meeting with Muslims. This shows the freedom of speech for women in interesting

manners. Women, at that time were bold and could not afford any negligence regarding the rights. They had to attend every meeting called by Caliph without the permission of their husband. It also proves contribution of woman in the legislation.

Al-humdulillah, we have good and positive thinking for our mothers. Only here we act upon Ahadith that paradise is under the foot of mother. But until this stage, she has lost all her capacity, strength and energy to do any work. In majority cases, a woman in our society succeeds to get respect and to give suggestions after the marriage of her children. This practical situation simply means that we respect only weak and helpless, deaf and dumb female. Will Allah ask us only about our mothers?

Freedom of Social and Political activities:

Islam regulates every affair of the individual in detail manners. The life of Muslims is ruled in its entirety by the Shariah which spells out the precise rules and regulations governing individual relations with God as well as with fellows.

Since Islam considers a woman a social being, so allows her to participate in social gatherings and to contribute in social development. It is easy for us to hold the social fabric of the Islamic society through the history of the Muslim Ummah. We see that Muslim woman has a strong contribution in the development of Muslim society. During the period of Holy Prophet and his companions whenever Muslims were called for a meeting or some gathering, women hurried toward it and no one had to forbid them. Were all of them without husbands or guardians? It is reported from Khuwlabint Qays that in the period of Holy Prophet, Hazrat Abu Bakr and in early days of Hazrat Umer, we (women) had together in the Mosque, we had friendship with each other, we talked to each other and some of us treated the sickness of eyes.²⁹

Talking about these gatherings Allamah Ibn-al-Qayyam Al-Jawziyah writes:

What the Madni people reported about the speeches of Holy Prophet (peace be upon Him), it seems that they have stated that Holy Prophet kept silence regarding the issue of women to go to homes, to appear in mosques and to attend the social and general meetings, when it was announced.³⁰

In a Hadith it is reported from Anas b. Malik:

"When Holy Prophet (peace be upon Him) intended for jihad, He had to take Umm-e-Saleem and some other women with Him. They had to drink water to wounded Muslims and treated them.³¹

In another Hadith Umm-e-Atiyah reported that they were ordered to go outside the homes on Eid day, even unmarried and Hayeza were also asked to go to mosque. Hayeza were asked to remain behind the people, to say takbeer and to participate in pray.³²

This Hadith indicates the unmarried female was stuck at Home until Holy Prophet ordered her to go outside to enjoy Eid day. But married women were free to attend social and religious ceremonies. The Holy Prophet allowed a woman Asma bin A'mies to treat the children through spiritual way (Dam).

Another Muslim Ansari woman, Umm-e-Sharik was very rich and generous. Many companions of Holy Prophet (peace be upon Him) come and stay at her home. She had to attend her guests.³³

Woman can express her right of politics. We also know that Hazrat Ayesha used her political right by demanding retaliation of Murder of Hazrat Uthman. No companion objected that being a woman she had no right to participate in such political issues. Thus Hazrat Ayesha and communication with Arab leaders from all cities. They wrote letters to her. They gift her. Hazrat Ayesha had to reply them and accept their gifts.³⁴

Freedom of Professions and Business:

Allah said in Qur'an:

"And when the prayer is finished then ye may disperse through the land and seek of bounty of Allah." ³⁵

Islam appreciates working and earning. It is this reason that it favors the unlimited rights of ownership, it motivates its believers to do work hard and condemns the begging. This right of working and earning is a fundamental right of human being, man and woman. For man it is an obligation to work, to earn and to spend on her family. For woman it is permissible profession, job and business. To carry on her professional activities, it is her right to communicate, to deal, to enter in to any contract and to travel. ³⁶

It is her right of human being to work and to upgrade his living standard. According to Islamic Jurisprudence permissibility or Mubah does not depend upon the necessity. So, it is not correct when it is said that female can adopt profession only in case of necessity. Necessity permits prohibited things. The only condition is that this permissible matter should not in clash with her duties that is to look after her children and to care for the property of her husband and to attend her husband heart heartedly. We have number of examples that a Muslim woman in the period of Holy Prophet (peace be upon Him) was enjoying this right with full freedom. She earned and spent and become a source of prosperity for her family. The best example is the work of Hazrat AsmabintAbi Bakr. She had to work outside to home; she assisted her husband with her own desire. Her husband Abdullah b. Zubair never asked about her activities. According to Jamhur al-Ulema:

"She was doing so with her own desire because she was not under obligation to assist her husband outside the home." ³⁷

Once she sold her female slave and got money, meanwhile Hazrat Zubair come and asked her to give him that money. She replied that she had given it in the way of Allah. Her husband did not mind it. ³⁸

It is reported from Abdullah b. Abbas that Holy Prophet took women to Jihad and they were given share from Mal-e-Ghanimat. ³⁹

Another Hadith is that Umm-e-Mubashir Ansariyah was a farmer and cultivated her farm, and Holy Prophet appreciated her. ⁴⁰

Ant of Jabir b. Abdullah did work to collect dates during her waiting period when she was divorced by her husband and Holy Prophet allowed her to do so. Though, she was advised not to do work by her relatives. ⁴¹

For this Hadith it appears that she was not facing the problem of maintenance. It is stated in Tabqat al-Kubra that Hazrat Zainab wife of Abdullah was skillful. She knew handy craft. She had to prepare goods and sell it. She asked Holy Prophet if she spend money on her husband and children. Holy Prophet replied her that it will be reward able. ⁴²

It shows that she was not spending on her family before it.

An Ansari woman whose slave was a carpenter, asked Holy Prophet to make for Him a stage of wood (Minber). Then she ordered her slave to prepare Minber of Holy Prophet. There was no report that she did it with prior permission of her husband. ⁴³

On another occasion Holy Prophet ordered Shifabint Abdullah to teach Hazrat Sufiyah. A woman had to clean the mosque and Holy Prophet appreciated it. When she died Holy Prophet performed her funeral prayer. ⁴⁴

It is reported that whenever any trade delegation come to the city all men and women had together around it to know the rates of goods and to buy things and Holy Prophet was among them but He never prohibit women from coming there. ⁴⁵

The best example is that Hazrat Zainab wife of Holy Prophet was professional; she dyed the animal's skin. She stitched it and earned and then had to give in the way of Allah. ⁴⁶

It means that a woman can work or adopt of profession even if there is no necessity because other wives of Holy Prophet did not do any work as a profession. Then there is no report that Holy Prophet audited her regarding her income and expenditures.

To conclude this section, i would like to say that women in period of Holy Prophet played a significant role in the cultural and intellectual advancement of the Muslim society. There was hardly any phase of life where women did not contribute. They enjoyed a degree if freedom that was rare in the contemporary period of Muslim world. Though, in presence of such rich religious and cultural history it seems unnecessary to legislate in favor of women yet certain steps have been taken by all governments of Pakistan to protect women from discrimination and harassment. Let me discuss these legislations made by different governments in favor of women of Pakistan.

Discussions and Conclusions:

From all the reasons presented above, both Muslim men and women are equal in status in terms of their rights, though both have different opportunities and responsibilities. Men and women are being created from the same source, thus, both are accountable for their actions. Women are highly respected in terms if their role in family as mother, daughters, wife and sisters, and the rewards and punishments are given regarding their treatment. In Islam, women have the full rights in areas of education, economics, politics, religious practices and carrier choices. Moreover, they have the rights in choosing their partner, asking for divorce, child custody and their financial allowances.

Women rights as human rights movement was only started in Western countries from 18th and more actively in 19th century. One study conducted by Alotaibi (2016) concluded that Islam is a feminist religion which favor and empower women.

Muslim women secured their rights and freedoms over 1400 years ago with the arrival of Islam. "It is proved without doubt that Islam is neither backward nor repressive in respect of its treatment of women.

And "No other religious book and no other reformer has done one tenth of what the Holy Qur'an or the Holy Prophet Muhammad has done to raise the position of women (Maulana Muhammad Ali).

The women just have to claim back their rights which have already been before there before, neither overburdening themselves, nor neglecting their roles as caregiver, and supporter of a family.

Though the women rights have clearly laid down in Islam, abig gap between theory and practice are giving rise to many problems. Islam makes the pursuit if education obligatory; however, in most of the Muslim societies, girls are not encouraged to continue their higher education. On the other hand some Muslim families are so westernized that their women look at the house chores and childrearing as insignificant and trivial work. In both cases, either due to no education or to secularized education, Muslim societies face problems with women who increasingly becoming victims of these problems.

Thus, contemporary Islam demands the revival of the prominent of women in both theory and practice.

Women regardless of skin color, race or culture, should never be neglected and abused. Domestic violence or rape violates women's freedom of movement and their right to security.

"The best wat to respect cultural diversity and advocate for women's rights is to focus on those practices of concern to women in their own countries and to support their efforts to do accordingly."

For this, the rights and equalityof women from the Qur'an and Sunnah source should be promoted to improve public awareness, prevent discrimination, and abuse against women.

Suggestions:

In this regard, some suggestions are as follow:

1. They should be separate institutions and departments for women so that they are not mixed up with men and be able to observe purdah.
2. Separate transport should be arranged by various government departments like universities and hospitals for women so that they are free from the tension of non-availability of decent transport where women purdah might be affected.
3. Separate hospitals and health care units should be established for women.
4. Women doing government jobs should be posted closer to their homes and should not be compelled to roam about for her posting closer to her home address.
5. There should be clear legislation for the protection of women and their sanctity whereby if somebody violates that, he may be given exemplary punishment.
6. Official accommodations should be provided to women employees on priority.
7. Sufficient government accommodations should be constructed in all relevant departments to cater for the women accommodation problems.
8. Harassment of women should be severely discouraged by punishing those harass women and such cases should not be given media coverage and access.
9. Media should be restricted from defaming women employees.
10. There should be no male employees as far as possible in women specific departments, hospitals, schools, colleges and universities.

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