BIBLIOGRAPHY

Abdul Rahman, I. : Women in the Quran and Sunnah, Centre for Islamic Legal Studies, Ahmadu Belts, University, Zaira, Nigeria.


Akhtar, J. : Muslim Women in India, in Mohini Anjum.


Hasna, Mushirul. : Muslim Intellectuals, Institutions and the Post-Colonial Predicament, pg. 2995-3000 (Economical, Political Weekly, Bombay), 1996.


Khaduri, Majid, K. : Imam Shafei, “Al Risala”.


Lateef, S. : Muslim Women in India, Political and Private Realities 1890s-1980s; Kali for Women, New Delhi, 1990.


Mahmood, Tahir. : Marriage Age in India and Abroad, (1980).

Mahmood, Tahir. : Muslim Law in India, (1980).

Mahmood, Tahir. : Muslim Law in Modern India (1972).


Malik, Bin, Anas. : Muwalta Part II.


Metcalf, B. : Reading and Writing about Muslim Women in India, in Zoya Hasan (ed.) Forging Identities – Gender Communities and the State – Kali for Women, New Delhi, 1994.


Najmabadi, Afsaneh. : “Feminisms in an Islamic Republic”, pp. 390-399 in Joan Scott, Cora Kaplan, and Debra Keates, eds., Transitions,


Saddiq, A.H. : Sahih Muslim.


Tohidi, Nayereh.: “Islamic Feminism’: A Democratic Challenge or a Theocratic Reaction?” Kankash, No. 13 (in Persian).


Tohidi, Nayereh.: Feminism, Democracy, and Islamism in Iran (Los Angeles) (in Persian), 1997.


Zanan. Various issues.

Zan-e-Rouz. : Various issues.

ARTICLES


Anderson; “Muslim Personal law Reform”, I.L.I. Islamic Law in Modern India, 1972.


Azal, M., Bean, L.L. and I. Husain; Muslim Marriage : Age, Mehr and Social Status : Pakistan Development Review, XII : 48-61.

Bashir Ahmad; “Status of Women and Settlement of Family Disputes under Islamic Law”, Islamic Law in Modern India, I.L.I. 1972.

Bharat Bhooshan; Right to choose the Matrimonial Home, Famina, 8 Sept. 1978.


Daniel, Lattiffi; “Changes and the Muslim Law”, Islamic Law in Modern India, I.L.I. (1972).


Donnan, Hastings; Marriage Among Muslims, Hindustan Publishing Corporation, Delhi (India), 1988.


Haider, N.A. : “A comparative study of Recent changes in Muslim Personal Law in Muslim countries”, Muslim Personal Law (1972).


Mahmood, Tahir : “Indian Legislation on Muslim Marriage and Divorce”.


**QUR'ANIC REFERENCES REGARDING WOMEN**

**Creation**

* Created from one entity, then mate, then multitudes 4:1, 6:98
* Created out of male and female into nations and tribes 49:13
* Brought into being out of one entity 6:98, out of it, its mate 39:6
* Created from one entity, then mate so incline towards one another 7:189, mates of own kind 16:72, marriage-tie 53:54
* Created mates from selves (pairs/opposite) 36:36, 43:12, 51:49, 78:8
* Creates males/females out of drop of sperm 53:45, 75:37-39, 92:3, out of loins, pelvic arch 86:5, 15:27

**Gender Parity/Disparity**

* Two female witnesses 2:282 Other references to witnesses: property 0 orphans, lewdness 4:6, 15; bequests 5:106-108, adulter 24:4-9, divorce 65:2
* Inheritance 4:7, 11-12, 33 176
* Blood money for murder (femal fe female, slave for slave) 2:178-9(note 147)
* Reward for labor of believing men/women 3:195
* You are member, one from another 4:25
* Believing men and women get benefit from what they earn 4:32
* Believing men and women, protectors of one another 9:71-72
* Good deeds of believing men and women will be rewared 4:124, 57:18, 48:5, 40:40, 9:72, 16:97, 48:5
* Say to believing men and believing women...33:33-36***
* Ask forgiveness for yourself and believing men/women 47:18, 71:28 (du'a)

* Suffering for hypocrites male/female, mercy, for believers male/female 33:72, 57:12-13

* Corrupt women are for corrupt men 24:26

* Hypocrites, male/female 9:67-68, 48:6

* Those who persecute believing men/women and don't repent will suffer in hell 85:10

* Those who malign believing men/women 33:58

* Baiva (pledge of allegiance to prophet) from believing women 60:12

**Marriage**

* Unlawful to marry non-believers 2:221, 60:10-11

* Outlines who is lawful/unlawful for marriage, dowry 4:4, 19-28

* Lawful to marry women from people of the Book 5:5

* Do not betroth in secret 2:235

* They are your garments 2:187

* Approach wives as you will, they are your tilth, avoid sex during menses 2:22-223

* Consort with wives in goodly manner, do not keep against will 4:19

* Friend by your side (spouse) 4:36

* Mates from among yourselves 7:189, 16:72, 42:11

* Ask for spouses/offspring who are a joy to our eyes 25:74

* Mates, tranquility and love 30:21

* Enemies among spouses and children, pardon and forbear 64:14
* God endowed men with descent and marriage-tie 25:55
* Get married even to your slaves, if can't marry, stay chaste 24:32-33
* Be mindful of chastity, relations only with spouse or whom right hand possess 70:29-31 123:5-6
* Men protectors of women, discord (nushuz), arbitration 4:34-35
* Nushuz from husband to wife 4:128
* Marriage to adopted son's ex-wife 33:37-40
* Lawful women to prophet included slaves, first cousins, no more wive after this verse 33:50-52
* Polygamy 4:3, 127-129 (other references to orphans 2:219, 4:5, 6:152

**Divorce**

* General rules 2.224-237, Ch. 65 (talaq)
* Decisions re children (shura), nursing, parents not to suffer because of child 2:233
* Waiting period (iddah), treat in fair manner without harshness, spend on wife, children while pregant, nursing (alimony/child support) 65:4-7, alimony 2.241
* No waiting period if marrage not consummated 33:49
* Khul, woman gives up dowry to free herself if no offense by husband 2:229
* Don't retain women against their will 2:231
* Don't hold women againts their will, don't take back dowry 4:19
* Rights equal, but men have precedence (daraja) 2:226-228 (cf: 6:165)
* Act with grace 2:237
* If do separate, God will provide 4:130
* Nushuz from husband, seek amicable settlement 4:127-130
* If choose to separate, take witnesses endued with justice; God grants a way out 65:2
* arbitration in conflict 4:35
* Zihar forbidden 58:1-4
* Don't send women back to mushrik husbands, don't stay married to women unbelievers 60:10-11.(women not property)
* Don't expel from homes unless guilty of immoral conduct 65:1
* Widows
* Iddat/remarriage 2:234-5 right to one year maintenance (unless remarries) 2:240

**Sex Crimes**
* Women guilty of immoral conduct (lewdness, implies homosexuality) 4:15-16.
* Punishment for slandering chaste women, requirement for witnesses 24:4-25.
* Corrupt women for corrupt men, chaste for chaste 24:3, 26.
* Do not commit zina 17:32, 25:68, 60:12.

**Women in Qur'an**
* Queen of Sheba 27:23-44
* Wife of Abraham 11:71-73
* Zulaykha in story of Yusuf 12:24-35,51
* Lot’s wife/Noah’s wife/Mary/wife of Pharoah are examples for all believers 66:9-10
* Prophet’s wives, Not like other women, greater punishment/reward, stay in houses 33:28-34
* Mothers of Believers 33:6
* Speak to his wives from behind a screen, don’t marry his widows 33:53-55
* Divulged confidence, offered divorce, may substitute better, virgin or previously married 66:1-5
* Marriage to Zaineb 33:37-40
* No more wives after this verse 33:50-52
* Story re Aisha and the necklace 24:11-20
**Quranic References:**

Note: The Roman numeral refers to the topics in the text. The Arabic numerals refer to the Chapter and the Verse of the Qur'an i.e. 5:32 means chapter 5, Verse 32.

| I | 1 Qur'an Al-Maidah 5:32 |
| 2 | Qur'an As-Shura 42:41 |
| 3 | Qur'an Al-Hajj 22:41 |
| 4 | Qur'an Al-Ahzaf 46:19 |
| 5 | Qur'an Al-Mulk 67:15 |
| 6 | Qur'an Al-Zalzalah 99:7-8 |
| 7 | Qur'an An-Nisa 4:59 |
| 8 | Qur'an Al-Maidah 5:49 |
| 9 | Qur'an An-Nisa 4:148 |
| 10 | Qur'an Al-Isra 17:15 |
| 11 | Qur'an Al-Ahzab 33:5 |
| 12 | Qur'an Al-Hujurat 49:6 |
| 13 | Qur'an An-Najm 53:28 |
| 14 | Qur'an Al Baqarah 2:229 |
| 15 | Qur'an Al-Isra 17:15 |
| 16 | Qur'an At-Tur 52:21 |
| 17 | Qur'an Yusuf 12:79 |
| 18 | Qur'an Al Ahzab 33:58 |
| 19 | Qur'an Al-Hujurat 49:12 |
| 20 | Qur'an Al-Hujurat 49:11 |
| 21 | Qur'an Al-Tawba 9:6 |
12 Qur'an Al-Imran 3:97
13 Qur'an Al-Baqarah 2:125
14 Qur'an Al-Hajj 22:25
15 Qur'an Al-Baqarah 2:256
16 Qur'an Al-Maidah 5:42
17 Qur'an Al-Maidah 5:43
18 Qur'an Al-Maidah 5:47
19 Qur'an As-Shura 42:38
20 Qur'an Al-Ahzab 33:60-61
21 Qur'an Saba 34:46
22 Qur'an An-Nisa 4:83
23 Qur'an Al-Anam 6:108
24 Qur'an Al-Kafirum 109:9
25 Qur'an Yusuf 12:108
26 Qur'an Al-Imran 3:104
27 Qur'an Al-Maidah 5:2
28 Qur'an Al-Maidah 5:120
29 Qur'an Al-Jathiyah 45:13
30 Qur'an Ash-Shuara 26:183
31 Qur'an Al-Isra 17:20
32 Qur'an Hud 11:6
33 Qur'an Al-Mulk 67:15
34 Qur'an An-Najm 53:48
35 Qur'an Al-Hashr 59:9
36 Qur'an Al-Mairaj 70:24-25
<table>
<thead>
<tr>
<th>No.</th>
<th>Quran Reference</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>Al-Mutaffin 83:1-3</td>
<td>323</td>
</tr>
<tr>
<td>38</td>
<td>Al-Baqarah 2:275</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>Al Baqarah 2:188</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>At-Tawbah 9:105</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>Al-Ahqaf 46:19</td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>At-Tawbah 9:105</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Al-Ahzab 33:6</td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>An-Nisa 4:1</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>Al-Baqarah 2:28</td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>Ar-Rum 30:21</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>At-Talaq 65:7</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Al-Isra 17:24</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>At-Talaq 65:6</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>An-Nisa 4:34</td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>At-Talaq 65:6</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>At-Talaq 65:6</td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>Al-Baqarah 2:229</td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>An-Nisa 4:12</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>Al-Baqarah 2:237</td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>Al-Isra 17:23-24</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>Al-Imran 3:187</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>Al-Hujurat 49:12</td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>Al-Mulk 67:15</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Al-Anam 6:11</td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>An-Nisa 4:97</td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>Al-Baqarah 2:217</td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>Al-Hashr 59:9</td>
<td></td>
</tr>
</tbody>
</table>
Hadith References

1. From the Prophet's address
2. From the Prophet's farewell address
3. Hadith narrated by Bukhari,
4. Hadith narrated by Muslim
5. Hadith narrated by Abu Daud
6. Hadith narrated by Tirmidhi
7. Hadith narrated by Nasai
8. From the address of Caliph Abu Bakr
9. Hadith narrated by Ahmad
10. Hadith narrated by Al Bukhari, Hakim
11. Hadith narrated by Ahmad
12. Hadith narrated by Ibn Majah
13. Hadith narrated by Abu Yala-Majma Al Zawaiad
14. Hadith narrated by Tabarani-Majma Al Zawaiad
ENCYCLOPEDIAS


WEB SITES AND E-MAIL

- http://at alhewar@alhewar.com
- http://www.legacy98.org/index.html
- nw hp@aol.com
- http://www.n.whp.org’n
- nw hp@aol.com
- http.amestyusa.org/woman
- arches.uga.edu?~godios/Islawwomen.html
JOURNALS

1. Aligarh Muslim University Journal
2. Civil and Military Law Journal
3. Criminal Law Journal
4. Indian Bar Review
5. Journal of Indian Law Institute
6. Journal of Institute of Objective Studies
7. Kerala Law Times
8. Supreme Court Journal
DICTIONARIES

- Dictionary of Islam
- Black’s Law Dictionary
- National Dictionary of Law
- Legal Glossary (published by Government of India)

COMMENTARIES, DIGESTS, SURVEYS AND DEBATES

- Constituent Assembly Debates
- Annual Survey of Indian Law Institute: From 1972 to 1995
- Digest of Muhammadan Law (1865, by B.E. Neil, and Baille).

FATWAS

- Fatwa-a-Alamgiri
- Fatwa-a-Kazikhana
MAGAZINES

- Radiance Views Weekly
- Human Rights Bulletin
- Nation

NEWSPAPERS

- The Hindu
- The Times of India
- The Hindustan Times
- Quami Awaaz
ORGANISATIONS


International Association of Sufism Organisation.

Muslim Women’s League, Los Angeles, CA 90010.

Islamic Council, 16 Ghrosvenor Crescent, London, SW 1.

# GLOSSARY OF ARABIC TERMS

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adam</td>
<td>The first man created by God</td>
</tr>
<tr>
<td>Allah</td>
<td>God</td>
</tr>
<tr>
<td>Ayat</td>
<td>Stanza from Quran</td>
</tr>
<tr>
<td>Burkha</td>
<td>A coat and a cape-veil</td>
</tr>
<tr>
<td>Chadar</td>
<td>Sheet, large shawl used by women</td>
</tr>
<tr>
<td>Din</td>
<td>Religion</td>
</tr>
<tr>
<td>Dupatta</td>
<td>Chunni</td>
</tr>
<tr>
<td>Hadith</td>
<td>Traditions and practices of the Prophet (SAW)</td>
</tr>
<tr>
<td>Hauwa</td>
<td>Eve</td>
</tr>
<tr>
<td>Hisbah</td>
<td>Public vigilance, an institution of the Islamic State enjoined to observe and facilitate the fulfilment of right norms of public behaviour.</td>
</tr>
<tr>
<td>Iddat</td>
<td>The waiting period of a widowed or divorced woman during which she is not to re-marry.</td>
</tr>
<tr>
<td>Ijtihad</td>
<td>To form an opinion in legal matters to re-interpret the tradition</td>
</tr>
<tr>
<td>Jamat</td>
<td>Collection of people</td>
</tr>
<tr>
<td>Jehad</td>
<td>A holy-war</td>
</tr>
<tr>
<td>Khalifa</td>
<td>The Lieutenant or head of all Muslims</td>
</tr>
<tr>
<td>Khalifat</td>
<td>The vicegerency of man on earth or succession to the Prophet (SAW), translated into English as the Caliphate.</td>
</tr>
<tr>
<td>Khoja</td>
<td>A Muslim Religion sect</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Khula</td>
<td>Divorce a woman obtains at her own request.</td>
</tr>
<tr>
<td>Mahr Muazil</td>
<td>Women is entitled to the dower money only after divorce</td>
</tr>
<tr>
<td>Mahr Muwazil</td>
<td>Dower given at the time of marriage in cash or any other kind</td>
</tr>
<tr>
<td>Maroof</td>
<td>Good act.</td>
</tr>
<tr>
<td>Mufti</td>
<td>Canon lawyer</td>
</tr>
<tr>
<td>Munkar</td>
<td>Reprehensible deed</td>
</tr>
<tr>
<td>Nikah</td>
<td>Marriage</td>
</tr>
<tr>
<td>Nikhanama</td>
<td>Document in which the conditions of marriage contract laid down.</td>
</tr>
<tr>
<td>Purdah</td>
<td>Curtain, seclusion</td>
</tr>
<tr>
<td>Shariah</td>
<td>Totality of ordinances derived from the Quran and Sunnah or Islamic law.</td>
</tr>
<tr>
<td>Shia</td>
<td>A religion’s sect or followers of Hazrat Ali</td>
</tr>
<tr>
<td>Sunnah</td>
<td>The example of way of life of the Prophet (SAW), embracing what he said, did nor agree to.</td>
</tr>
<tr>
<td>Sunni</td>
<td>A religion’s sect of Islam</td>
</tr>
<tr>
<td>Surah</td>
<td>Any of the 114 Chapters of the Quran</td>
</tr>
<tr>
<td>Taqlid</td>
<td>To follow the traditional authority</td>
</tr>
<tr>
<td>Ummah Islamia</td>
<td>World Muslim Community</td>
</tr>
<tr>
<td>Ummah</td>
<td>Islamic community</td>
</tr>
<tr>
<td>Ulema</td>
<td>Islamic scholar</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Wali</td>
<td>A person who is authorised to act as guardian or bride/groom at the time of marriage</td>
</tr>
<tr>
<td>Zakat</td>
<td>A tax supposedly 40% of personal income, levied on Muslims for the relief of the poor, the purifying tax on wealth</td>
</tr>
<tr>
<td>Zilhij</td>
<td>Twelfth month of Islamic calendar</td>
</tr>
<tr>
<td>Zanan</td>
<td>Female feature</td>
</tr>
<tr>
<td>Zan-e-Rouz</td>
<td>Female today Bulletin</td>
</tr>
</tbody>
</table>
**TABLE OF CASES**

<table>
<thead>
<tr>
<th>Case Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abdul Qadir Vs. Salima (1886, 8 All. 149)</td>
</tr>
<tr>
<td>Abdul Rahman Kutty Vs. Aisha Bibi, (AIR 1960 Ker. 101)</td>
</tr>
<tr>
<td>Anis Begum Vs. Istafa Hussian (1933, All. P. 756)</td>
</tr>
<tr>
<td>Saburannissa V. Sheikh Sabdu (AIR 1934, Cal. 693)</td>
</tr>
<tr>
<td>Khair Din Vs. Hakim Bibi (AIR 1915 Lah. 342)</td>
</tr>
<tr>
<td>Khair Din Vs. Hakim Bibi (AIR 1915 Lah. 342)</td>
</tr>
<tr>
<td>Abubaker Vs. Marakhar (AIR 1970 Ker. 277)</td>
</tr>
<tr>
<td>Mohiuddin Vs. Khadijabibi (41 Bom. L.R. 1020)</td>
</tr>
<tr>
<td>Abdul Ahad Vs Mst. Shah Begum (AIR 1997 J. &amp; K 22)</td>
</tr>
<tr>
<td>Ayub Hasan Vs. Mst. Akhtari (AIR 1963 All. 525)</td>
</tr>
<tr>
<td>Munshi Vs. Alam Bibi (AIR 1932 Lah. 280)</td>
</tr>
<tr>
<td>Niffisun Nisa Vs. Mirza Mumtaz (AIR 1922 All. 1363).</td>
</tr>
<tr>
<td>Sibi Ahmad Vs. Amina Khatoon (AIR 1929 All. 18).</td>
</tr>
<tr>
<td>Mahbooban Bibi Vs. Md. Ammeruddin (AIR 1929 Pat. 207)</td>
</tr>
<tr>
<td>Szechter Vs. Szechter (196, 3 All. E.R.)</td>
</tr>
<tr>
<td>Kanoo Vs. Bhag Bhwi (1924 Lah. 385).</td>
</tr>
<tr>
<td>Abdul Karim Vs. Aima Bai (1936 ILR, Bom. 426).</td>
</tr>
<tr>
<td>Nizamuddin Vs. Hussain (AIR 1960 MP 212)</td>
</tr>
<tr>
<td>Azizunnissa Khatoon Vs Karimunnisa Khatoon (1895, 23 Cal. 130).</td>
</tr>
<tr>
<td>Tajbi Vs. Moula Khan (1917, 41 Bomb. 485).</td>
</tr>
</tbody>
</table>