Chapter II
HISTORICAL REVIEW
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CHAPTER II
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General Condition of Arabs:

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

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

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

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

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

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

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

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

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

A period of Moral Deprivity:

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

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

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

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

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

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

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

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

Exploitation of Women

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

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

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

Among all Eastern nations of ancient times polygamy was a recognised institution. Among the Hindus, Polygamy in both its aspects prevailed from the earliest times. Unrestricted polygamy was prevalent among Hindus in the same way as it was among the ancient Arabs, Babylonians, Assyrians and Persians. There was no restriction on the number of wives a man might have. High caste Brahmin, even in modern times, is privileged to marry as many women as he chooses. Polygamy existed among the Israelites before the time of Moses. They also did not impose any limit on the number of marriage which a Hebrew husband might have. The Persians, religion offered a premium on the plurality of wives". ²¹

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

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

A study of the Roman Empire and other European countries, during pre-Islamic period shows that polygamy flourished in a more or less pronounced form among all the religions during this period and continued to be practiced until it was condemned by the reformers of the modern society. They did not enjoy any human right, they did not have any legal right to safeguard their life and individuality. They were the slaves of the desires and whims of their husbands. Their children were characterized as bastard, they did not have any right of inheritance. They were treated as out-caste in the society. Until very recent times, polygamy was not considered anything as against social norms established by the society.
History tells us that among Christians, women were considered as an unavoidable evils. The father of the church wrote upon the enormities of women, their evil tendencies, their inconceivable malignity described them as 'the devils gateway', the unsealer of the forbidden tree, the deserter of the divine law, the destroyer of God's image, St. Chrysostom pronounced women to be a necessary evil, a natural temptation, a desirable clamity, a domestic peril, a deadly fascination, a painted ill.¹⁵

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

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

Reforms enforced by Islam

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Pārdah System in Islam

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

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

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

(S. 24, A.31)

A critical Appraisal of the reforms

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

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

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

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

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

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

Dower As a mark of Respect & Honour

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

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

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

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

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

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

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

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

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

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

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

In the following chapter an effort will be made to negate the charges against Islam and to justify the
rationality of the Islamic laws which favoured the enhancement of the social and individual status of women in human society.
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23. Ibid. P. 47.