

كُنُوزٌ مِّنْ لَّدُنَّا قَدْرًا ۖ لِلْبَعْضِ فِيهَا حَقٌّ مُّبِينٌ ۚ الْمُنْكَرُ يُوْمِنُ بِاللَّهِ



مَجَلَّةُ
مُخْتَارَاتٍ

selections
Mukhtarat
From The Central Media Office of Hizb ut Tahrir

This issue highlights the global campaign held by the Women's Section, "The Family: Challenges & Islamic Solutions" featuring important topics ranging from family meltdowns, government roles in furthering foreign concepts. Also highlighting the importance of marriage, family, and how to achieve and maintain tranquility, and the vital role of the Khilafah in ensuring these.

ISSUE 50 Safar 1440 CE – October 2018 CE

THE
Family
CHALLENGES &
ISLAMIC SOLUTIONS



Opening Statement

Today, families all over the world suffer from various ills that affect both Muslim and non-Muslim families where social breakdown is a natural consequence. Roles are misconstrued, responsibilities are abandoned and values and codes of conduct are ignored. Men and women fall into a maze of bewilderment searching for solutions that will rectify their personal situation: how to be better spouses, how to find that much needed tranquility, and as parents how to raise their children, society's future generation. However the roles and obligations that are clearly defined by the Shariah of Allah ensuring the success of the social fabric of the Islamic system are ignored. Dictates and imported foreign ideals are thrown at Muslim families not to mention the backward un-Islamic norms and traditions adding to the weight of the hurdles sadly sometimes are given more consideration than the Islamic arbitrations and values.

Due to this downward spiral, the Women's Section of the Central Media Office of Hizb ut Tahrir launched a campaign titled "The Family: Challenges & Islamic Solutions" to address this situation in three stages: clarifying the reality and the causes of the crisis and the second stage is addressing the secular agenda against the Islamic social and family laws and lastly the third stage relates to how Islam and Islamic governance protect marriage and the family. The campaign culminated in an international attended by speakers from across the world speaking of these urgent matters and highlighting viable solutions based on Islam.

This Mukhtarat issue is dedicated to the global campaign held by the Women's Section of the Central Media Office of Hizb ut Tahrir, "The Family: Challenges & Islamic Solutions". This issue features important topics ranging from explaining the family meltdowns throughout various countries both in the West and throughout the Muslim lands, and the pivotal roles of government in furthering foreign concepts such as feminism, women labor in the workforce, undermining the role of motherhood and family. In addition this issue highlights the importance of marriage, family, and how to achieve and maintain tranquility, and the vital role of the Khilafah in ensuring the harmonious balance on a personal level and on a societal level in an Islamic society.

The Mukhtarat Magazine Team
Safar 1440 CE – October 2018 CE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

﴿وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ الَّذِينَ مِنْ قَبْلِهِمْ وَلَيُمَكِّنَنَّ لَهُمْ دِينَهُمُ الَّذِي ارْتَضَى لَهُمْ وَلَيُبَدِّلَنَّهُمْ مِنْ بَعْدِ خَوْفِهِمْ أَمْنًا يَعْبُدُونَنِي لَا يُشْرِكُونَ بِي شَيْئًا وَمَنْ كَفَرَ بَعْدَ ذَلِكَ فَأُولَئِكَ هُمُ الْفَاسِقُونَ﴾

Mukhtarat
from the Central Media Office of Hizb ut Tahrir

Table of Contents

Subject	Page	Subject	Page
Opening Statement	2	Press Release: International Campaign: “The Family: Challenges & Islamic Solutions” Launched by the Women’s Section in The Central Media Office of Hizb ut Tahrir	4
A Long Hand of the Ruling Regimes in the Muslim Countries to Corrupt and Secularize the Family!	5	The Attack by the Western Governments against Islamic Family Laws	7
How Islam and the Khilafah Value and Protect Motherhood	9	How Family Life and Motherhood was Protected under the Islamic Law of the Ottoman Khilafah	11
Marriage in Islam ﴿وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَيَجْعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً﴾ “And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy” [Ar-Rum :21]	14	﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾ “There has certainly been for you in the Messenger of Allah an excellent pattern” [Al-Ahzab: 21] The Righteous Husband Exemplified by the Messenger of Allah Muhammad (saw)	16
The Importance of Hayaa in Protecting Marriage and the Family Unit	20	Divorce is Halal Even if it is the Most Hated Halal	23
«يَا مَعْشَرَ الشَّبَابِ، مَنْ اسْتَطَاعَ مِنْكُمُ النِّبَاءَ فَلْيَتَزَوَّجْ» “O young People! Whoever among You Can Marry, Should Marry”	25	The Muslim Family and Sullen Dissociation	28
Violence Against Women and Children An Imported Epidemic from the Secular West	29	Causes of Family Breakdown amongst Muslim Communities in the West	32
How Feminism Fractured the Family PART 3 How Feminism Developed its Disdain for Marriage, Motherhood and the Traditional Family Unit Economic Dependence on the Husband & Viewing Domestic Roles and Motherhood as a Waste of Women’s Talents	34	Feminism is a Fool’s Paradise for Women in Search of Self-Worth and a Major Cause of Destruction of Family Life in Pakistan	37

www.hizb-ut-tahrir.info

Mukhtarat is an official publication from the Central Media Office of Hizb ut Tahrir. It is a collection of recently published material from Central Media Office of Hizb ut Tahrir website. The official opinions of Hizb ut-Tahrir are those carried in statements issued in the name of the various provincial offices (Wilayaat), the various media offices of Hizb ut Tahrir, and the statements of the official spokespersons and media representatives of Hizb ut Tahrir. Any other statements, even if published in official websites or magazines are the opinions of the authors of the articles and not those of Hizb ut Tahrir. Permission is given to copy, quote or publish anything issued by Hizb ut Tahrir or Hizb ut Tahrir’s websites, provided the quotation or copy remains faithful to the meaning, without selective quotation that distorts the meaning or that portrays a false interpretation, and provided the quote is attributed to its source.

Central
Media Office

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
 ﴿وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ
 الَّذِينَ مِن قَبْلِهِمْ وَلَيُمَكِّنَنَّ لَهُمْ دِينَهُمُ الَّذِي ارْتَضَى لَهُمْ وَلَيُبَدِّلَنَّهُم مِّن بَعْدِ خَوْفِهِمْ أَمْنًا
 يَعْبُدُونَنِي لَا يُشْرِكُونَ بِي شَيْئًا وَمَن كَفَرَ بَعْدَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ﴾



Issue No: 1440 AH / 003

Wednesday, 23rd Muharram 1440 AH

03/10/2018 CE

International Campaign: "The Family: Challenges & Islamic Solutions" Launched by the Women's Section in The Central Media Office of Hizb ut Tahrir

Press Release

On October 3rd, the Women's Section in the Central Media Office of Hizb ut Tahrir launched an important global campaign entitled, "The Family: Challenges & Islamic Solutions" which will culminate in an international women's conference at the end of October to be attended by speakers from across the world.

On October 3rd, the Women's Section in the Central Media Office of Hizb ut Tahrir launched an important global campaign entitled, "The Family: Challenges & Islamic Solutions" which will culminate in an international women's conference at the end of October to be attended by speakers from across the world.

Strong, unified family structures are at the heart of strong, stable, and successful societies. They are vital in providing physical, emotional, and material support and wellbeing to all their members and to ensure the effective care and righteous upbringing of children. However, today there is a crisis affecting the harmony and unity of marriage and family life in communities across the world, including within the Muslim lands. The import of western culture into the Muslim world, with its destructive liberal sexual freedoms, hedonistic individualistic lifestyles, materialistic capitalist ideals and divisive feminist concepts such as gender equality, through mediums such as the entertainment industry, education systems, social media, and feminist organisations have undermined and eroded the institution of marriage and caused an epidemic of family breakdown. This has been exacerbated by the presence of non-Islamic Arab, Asian, or African traditions within our Muslim communities which carry harmful views and practices that have caused discord in marital and family life. All this, alongside a loss of clarity in the understanding of the Islamic social laws, has led to detrimental expectations of marriage, generated confusion regarding the roles and rights of men and women in marital and family life, and resulted in a significant rise in extramarital relationships, domestic violence and divorce in Muslim communities across the world. This is alongside causing a delay in the age of marriage, the devaluing of motherhood and a fertility crisis due to couples choosing to have fewer children. This disintegration of family life in the Muslim lands has been facilitated by the corrupt rule of secular and other non-Islamic regimes in the region through their promotion and implementation of liberal, secular and capitalist values, policies, laws and systems which spread immoral ideas and lifestyles within their societies. Furthermore, these regimes, along with Western governments, international organisations such as the UN and feminist movements are engaged in a major struggle to further reform the Islamic family and social laws along secular and liberal lines as well as to strengthen liberal

and gender equality ideals within Muslim communities which have already sown social devastation within states. The state of the family unit within the Muslim Ummah is therefore worryingly following the same path towards destruction seen in the West where the family structure is in meltdown. This is despite the fact that the strength, unity and harmony of family life was once a characteristic feature of the Islamic Ummah.

Unhappy, fragmented and dysfunctional marriages and family lives cause huge emotional turmoil for all involved and can have a devastating impact on children, individuals and societies. It is therefore vital that serious attention be given to addressing this crisis in the family unit and saving it from destruction. In this important campaign and conference, we will highlight the dangers of the changing face of the family structure in today's world. We will identify the key factors harming the institution of marriage and harmony of family life, including the role of the media and governments in fueling this crisis. We will expose national and international agendas to secularise the Islamic family and social laws to distance Muslims further from their Deen. And crucially, we will showcase the Islamic social system and demonstrate how its unique view towards regulating gender relations, alongside its sound principles, values and laws, including its clear definition of the roles and rights of men and women within family life, can protect marriage, nurture tranquility and harmony within marital life, elevate motherhood to the great status it deserves and establish and preserve strong unified family units. The campaign and conference will also explain the vital role of Islamic governance under the Khilafah state (Caliphate) based upon the Prophethood in cultivating, promoting and protecting strong marriages and family units to illustrate how Islam is indeed the fortress of the family!

The campaign can be followed at: <http://www.hizb-ut-tahrir.info/en/index.php/dawah/cmo/16024.html>

Facebook page: www.facebook.com/WomenandShariah

Dr. Nazreen Nawaz
 Director of the Women's Section in
 The Central Media Office of Hizb ut Tahrir



A Long Hand of the Ruling Regimes in the Muslim Countries to Corrupt and Secularize the Family!

(Translated)

When we talk about the family, we are talking about the nucleus that makes up the society, and therefore, any corruption or malfunction that affects this nucleus will be reflected on the society and the state as a whole, let alone talking about the process of systematic corruption of this nucleus, and what if this corruption is done under the hearing of the state and its eyesight, rather, it has a long hand in it, which is tangible in the Muslim countries. The ruling regimes have spared no effort in the secularization and corruption of the family and the Muslim society to satisfy their masters, Americans and Europeans, and in order to achieve this they spent vast sums of money, and worked to implement this through several means and methods, among which:

1. The enactment and importation of laws and legislations that contravene the provisions of Islam in the area of the so-called "Personal Status": After the destruction of the Khilafah (Caliphate) and the absence of Islam as a governing system, many of the provisions became absent with it from the reality of life, and the Muslims remained with no applied legislations from their own religion except in aspects of worship and the laws of "Personal Status". But the enemies of Islam did not allow even these to remain, so they tried to detach from them the lives of Muslims. So, they made their agents in the Muslims countries to enact a system of laws and legislations contrary to Islam and its social system, and adopt the Western view. In Tunisia, for example, Bourguiba enacted the Personal Status Code in 1956, in which he swerved from the Shariah rulings and falsely claimed that it did not violate the Islamic law and that it is derived from its spirit and its provisions although it is based in most of its laws on the French law, and contains a series of laws that are contrary to the definite Shariah rulings. Examples of which are many such as: neglecting the difference of religion as a contravening of marriage in accordance with international human rights law, which stipulates that "Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family", and such as the prohibition of polygamy and the punishment of the husband who practices polygamy according to chapter 18, as well as the violation of the Islamic rule in adoption. And then came his grandchildren after him and completed the march of corruption in the social aspect, and they dared to Allah's rulings, enacting laws contrary to the explicit provisions of Islam, where new laws were enacted in the era of El-Sebsi allowing the marriage of a Muslim woman to a non-Muslim man. Recently, the president of the Commission for Individual Freedoms and Equality, in the Presidency of the Republic of Tunisia, Bouchra Belhaj Hamida, announced that the committee began to propose a law that would include naming both husband and wife as legal heads of the family, and abolition of the dowry in the marriage contract, where she considered it an insult to women, as well as the issue of equality between men and women in inheritance which is currently being raised.

In Egypt and Saudi Arabia, it is sought to determine a specific age for marriage. Also in Saudi Arabia, amendments have been made to the system of male guardianship "Wilayah" over women, and the examples in this context are many, but there is no room for them to mention.

2. Recreational activities and events (entertainment industry): entertainment programs have become one of the most common methods of introducing secularism and corruption to Muslim families. This comes under the pretext of alleviating the pressures of life, supporting and developing talents, as well as talking about achieving economic revenue and material profits for the people from these programs. Corruption programs and activities that clash with Islamic values and promote Western values are being established in the Muslim countries. They seek through which to spread vice and abomination among Muslims, which involves mixing between men and women and revealing of Awrahs and other evils under the guise of modernity and openness.

Saudi Arabia, for example, which is witnessing a systematic westernization and secularization campaign executed directly by the state to appease America, has announced a plan in the field of the Saudi economic transformation, which among its pillars was the "Culture and Entertainment" sector and investment in the tourism sector. Thus, according to the stated figures, the "National Vision" targets doubling family spending on culture and entertainment within the Kingdom from 2.9% to 6%. In this context, the Entertainment Authority was introduced in line with Vision 2030 presented by Mohammed bin Salman to legitimize and legalize all acts of corruption and decadence in Saudi Arabia. Thus, the Haram became Halal by the sheikhs of Al Saud after years of repression and deprivation, especially with regard to women, and the evil (Munkar) became good (Ma'aruf) by the Entertainment Authority under the slogan of openness. So, it organizes performances, festivals, artistic and musical concerts, and supervises the establishment of cinemas, opening of the Opera House, organizing women's fashion, allowing women to attend football matches, and holding mixed male and female concerts.

Many events and programs of corruption are also organized

in the Muslim countries with the support and approval of the State although they are not directly organized by it, such as talent programs (dance, singing and acting) which are broadcasted by the media, as well as the activities organized by non-governmental bodies and institutions.

3. The educational system and the curricula: the concept of family and the relationship between its members has been afflicted by what afflicted the rest of the concepts and ideas of corruption and attempt to secularize them under an educational policy that is not based on Islam, and seeks to destroy the Islamic culture in the hearts of Muslim children. This is clearly reflected in the constant changes conducted by the governing regimes on educational curricula in response to the orders of their masters, where we believe that these amendments make their focus the concepts of women rights and their equality with men, which is a broad title that has recently carried within it sub-themes such as women's self-realization, self-proving herself in the community and getting rid of man's hegemony. As a result, education and access to employment became a priority over marriage and the establishment of a family for many girls. Early marriage was also fought in these amendments within this framework. Also, among the topics addressed were women's reproductive health, the need for birth control and the reduction of family size and the number of its members. Within this frame, we find them divide families into nuclear (small size) and extended (large size), praising nuclear families and dispraising extended families, and consider large families as "traditional" families while families with few members as "modern". This is shown in the images they put for the family, especially in primary grades, comparing two pictures, one of which is old (the picture of the extended family) and another is modern (the picture of the small family).

To make matters worse, they replaced pictures of veiled mothers and grandmothers in pictures they put for the family, with other pictures showing non-veiled women dressed in western-style clothes and wearing cosmetics, as in the recent changes to school curricula in 2016 in Jordan and Palestine, as well as pictures of men whose beards were shaved that replaced pictures of bearded men. In this way it is linked in the minds of these children that the ideal family is a small-size family, and that seeing illegitimate offenses and revealing Awrahs in their family is normal; rather, it is urbanization!

In the context of children, the child's rights and freedom to choose his actions are emphasized, and even if the parents want to prevent their children from doing something, or if they are subjected to violence by them, they can resort to police or human rights organizations. This is an invitation to children to disobey their parents, and it is a fight to the concept of guardianship (Qiwamah) and care from the Shari' viewpoint.

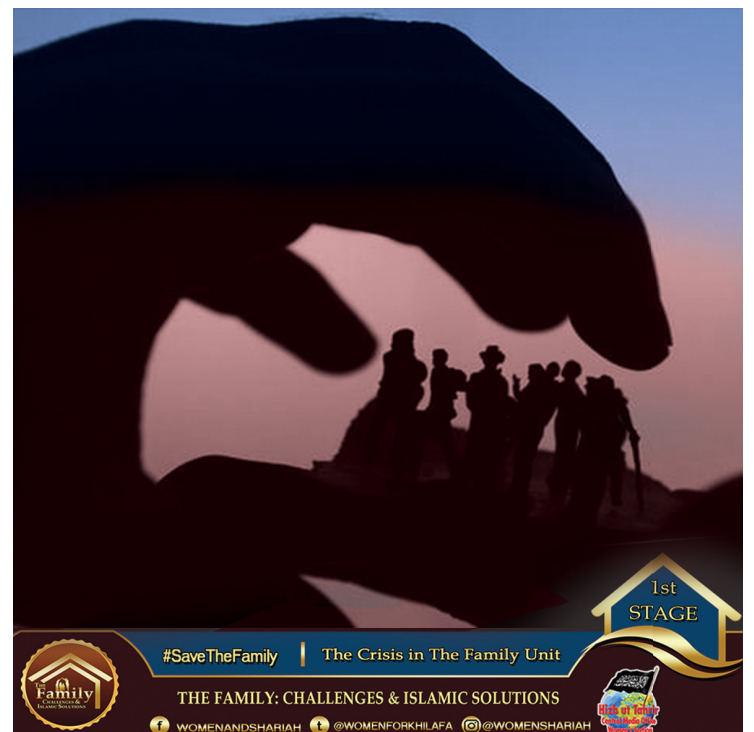
4. Support and facilitate the work of local and international human and women rights organizations that seek to corrupt the Muslim family, which carry out their activities under the guise of women 's rights and children 's rights, so they infiltrate schools and universities, disseminating poisonous ideas among its

students, and organizing destructive and harmful activities and events to the family and society. They enter homes and promote birth control programs to limit the family under the slogan of women's health and safety, fight polygamy and early marriage, and combat the concept of guardianship under the banner of women's rights, self-realization and autonomy, preventing men control and hegemony over her.

5. Ratify and accede to international conventions that target the social system in Islam, including the subject of marriage and family, such as CEDAW Convention, which terms call for the freedom to establish prohibited relations between young men and women under the pretext of personal freedom. It also calls for the absolute equality between men and women, the abolition of marriage in accordance with the provisions of the Islamic Shariah and the adoption of civil marriage, and calls for the abolition of the father's guardianship (Wilayah) over his children, especially females, and other matters that violate the provisions of Islam.

These were some of the methods and means used by the ruling regimes in the Muslim countries to corrupt the Muslim family in an attempt to secularize it; hence, to secularize the Muslim countries as a whole. This requires a serious stand by every sincere and keen Muslim for his Deen and Ummah to foil these schemes and evils. And requires them to work sincerely and earnestly to bring the state that governs us by the book of our Lord, nurtures our affairs, and preserves our societies and families. This state is the second Khilafah Rashidah (righteous Caliphate) State on the method of the Prophethood, which is the promise of our Lord Almighty, and the glad tiding of our Messenger (saw).

**Written for the
Central Media Office of Hizb ut Tahrir by
Bara'ah Manasrah**



The Attack by the Western Governments against Islamic Family Laws

The malicious West and its hatred towards Islam and Muslims has existed for centuries, manifest with their general attack towards the Deen of Islam, defaming it, fabricating lies against it together with the specific denouncing of some Islamic Ahkam, for example the Shariah regarding polygamy, early marriage, inheritance laws or divorce. Muslims today are also witnessing and experiencing this historical hatred by the West in secular liberal societies with their attacks to Islam and specifically family Islamic Shariah laws. The culprits are many, including right wing anti-Shariah groups and parties, mainstream media outlets, and opportunistic politicians, yet it is Western Governments, especially after signing up to the American-led war on Islam post 9/11 who attack family Islamic laws the hardest

Machinations of this war against Islam and family Islamic laws is usually triggered by something that a public Muslim personality or Islamic group representative may have said or done which then acts as a catalyst for saturated public condemnation and whipped up fear mongering campaigns led by various actors and commentators in the media. Eventual calls for government-led inquiries and commissions then follows, concluding with policy recommendations and eventual legislative changes that aim directly against family Islamic law, Muslim communities and their very presence as members of society. This can be clearly seen in circumstances surrounding recommendations of family Islamic law and arbitration in Ontario, Canada in 2003.

In 2003, a vociferous debate and public outcry followed the announcement made by retired Ontario lawyer, Syed Mumtaz Ali, of the establishment of the Islamic Institute of Civil Justice (IICJ), an organization that was to be available to the Muslim community of Ontario in conducting arbitrations according to Islamic family law alongside Canadian law. A political clash between integrative and assimilative ideologies concerning the presence of Muslims in Canada and the practice of Islamic family law was to take centre stage surrounding the proposal made by IICJ. The International Campaign Against Shariah Law in Canada in March 2004 reacted to the IICJ proposal by meeting with government officials to discuss their so-called concerns following the IICJ announcement. Arguments made against the use of Islamic arbitration in family law matters centred primarily around issues of gender equality.

Stale arguments and feigned concerns about family Islamic laws threatening women's equality dominated, despite the introduction of the Arbitration Act more than twenty years beforehand in 1991. The Arbitration Act of 1991 that had once allowed private matters to be settled through legally binding arbitration based on religious principles, decades later turned into a hysterical Islamophobic debate about the introduction of "shariah law" into Ontario, Canada. In June 2004 the then Ontario Premier Dalton McGuinty asked his Attorney General and Minister for Women's Issues, Marion Boyd to look at the issue of religious arbitration based on shariah more deeply. In

December 2004 the government released its findings in what was known as the Boyd Report, titled "Dispute Resolution in Family Law: Protecting Choice, Promoting Inclusion," which included 46 recommendations, including institutionalised oversight measures and education measures on the principles of both religious arbitration and Canadian legal principles. In 2005 various organizations, including the National Association of Women and the Law, responded to the recommendations outlined in the Boyd Report and lobbied the government not to institute the Boyd Report recommendations and to amend the Arbitration Act to preclude religious-based family law arbitration and to end the use of arbitration in family and inheritance matters. Ontario Premier McGuinty announced ceremoniously on September 11th that he would put forth an amendment to the Arbitration Act to ensure that there would be "one law for all Ontarians" effectively ending faith-based arbitration. The Ontario legislature passed amendments to the 1991 Arbitration Act in February 2006 known as the Family Statute Law Amendment Act 2005.

Arguments held by supporters of institutional regulation of family Islamic laws is based firstly upon the false arguments of injustices and unfairness inherent in Islamic Shariah towards women that must be monitored within Muslim communities and secondly the social engineering target of integrating Muslims into secular liberal societies through the legal recognition of a family Islamic law alongside secular liberal family laws. We can also observe similar accusations and targets against family Islamic law in Britain last year during the airing of a documentary on UK's Channel 4 in November titled, "The Truth about Muslim Marriage". This documentary sought to undermine the Islamic Nikah contract by arguing that it does not protect the rights of Muslim women in marriage and that Muslims should be obliged to have a civil marriage recognised under British law in order to ensure that the marital rights of women were safeguarded by the British legal system. Channel 4's program was aired during the 18 month long inquiry into the operation of shariah courts in the UK launched in May 2016 by the then Home Secretary Theresa May. May said at the time that, "A number of women have reportedly

been victims of what appear to be discriminatory decisions taken by sharia councils, and that is a significant concern. There is only one rule of law in our country, which provides rights and security for every citizen.”

In February this year, the UK’s Home Secretary Amber Rudd presented to Parliament the inquiries findings in a report titled, “The independent review into the application of sharia law in England and Wales”. The review recommended that Muslim couples should undergo a civil marriage as well as a religious ceremony in-order to give women protection under the law. The review also said nearly all those using shariah councils were women, and in the vast majority of cases, they were seeking an Islamic divorce. As a “significant number” of Muslim couples do not register their marriages under civil law, “some Muslim women have no option of obtaining a civil divorce”. It also said, “Cultural change is required within Muslim communities so that communities acknowledge women’s rights in civil law, especially in areas of marriage and divorce”. The report also recommended awareness campaigns and educational programmes to inform women of their rights and responsibilities.

What is evidently clear from governmental attacks upon family Islamic laws in Britain and Canada is the smokescreen they use to hide obvious inherent flaws existing within western secularism that lack resources to accommodate family Islamic laws in the 21st century. What we find instead are Western Governments attacking family Islamic laws and blaming the existence of Muslims in society for their adherence to their Islamic beliefs and practices. Britain’s secular family laws in particular are consequently failing non-Christians due to the lack of legal recognition of non-Christian beliefs. Muslim women are therefore disadvantaged due to UK civil marital rights not afforded to them after only performing the Islamic nikah.

Such disadvantages to women however, never existed when the Islamic system of the Khilafah (Caliphate) was implementing comprehensively Islamic Shariah laws. For it is this same Islamic Deen that the West has historically and maliciously attacked, especially Britain, that provided and called for non-Muslim citizens to conduct their marriage ceremonies according to their own religious beliefs without harassment, vilification or interference by the state, and recognised them as valid marriages under the law.

Muslim women furthermore have only experienced injustices, oppression, and disadvantages in matters related to family laws due to the application of non-Islamic laws, political beliefs and systems instead of the application of Islam comprehensively, whose judicial system would facilitate women in securing their Islamic marital rights. The Khilafah (Caliphate) upon the method of the Prophethood is absent from the Muslim lands today but during its centuries of rule, there are countless examples recorded within the judicial registries of the time when women independently brought and won cases related to the violation of their marital rights.

A study of the 17th century judicial records of the shariah

courts in Kayseri, Turkey gives a glimpse of women’s lives under the Islamic rule of the Uthmani Khilafah. It revealed that women use to present to the courts to defend their personal and property rights, and they represented themselves and handled their own cases for they had the same rights to initiate suits and take oaths. In fact women appeared as litigants in over 17% of the cases heard by the Kayseri courts during the period from 1600-1625. Records also showed that judicial judgements were made according to the Shariah. Studies of the Kayseri records and other parts of the Uthmani Khilafah also showed that women won a high proportion of their cases. The courts of the Uthmani Khilafah were therefore viewed as an arm of the state in protecting the wellbeing and rights of women. Women used them to settle issues related to marriage, divorce and inheritance. As well as to secure financial maintenance, property, business, and other economic rights. They also used them to raise issues about violence and other matters. The courts supported anyone who had faced violence at the hands of the husband or others. They severely admonished, imprisoned or physically punished those guilty of violence against women. Judges often made the husbands accept the condition that if he was violent towards his wife again then they would be divorced without the wife having to give up her marital financial rights. Girls or women could also complain against forced marriage and could complain to the judge and have their marriage annulled by the judge.

Muslim women have therefore only enjoyed their rights as citizens of the Islamic Khilafah State that implemented centuries before the secular western system, not only the Islamic social system that afforded them their marital rights but all of their rights within the economic, educational, and judicial systems of Islam.

﴿الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمُ الْإِسْلَامَ دِينًا﴾

“This day I have perfected for you your religion and completed My favor upon you and have approved for you Islam as religion.” [Al-Ma’ida:3]

It is therefore only the righteous Islamic Khilafah State that will guarantee the marital rights for Muslim and non-Muslim women and men and the relentless harassment by malicious western secular governments against Islam, family Islamic laws and Muslims will eventually be a cited historical example of one of many failings produced by an inadequate, irrelevant and oppressive Western secular liberal system.

**Written for the
Central Media Office of Hizb ut Tahrir by
Tsuroyya Amal Yasna
Member of the Central Media Office
of Hizb ut Tahrir**

How Islam and the Khilafah Value and Protect Motherhood

• Islam raised the status of motherhood, affording it a position of high-esteem within society, and ascribing immense value to the role of women as home-makers, and primary care-takers and nurturers of children. Numerous Islamic texts assigned great rewards to marriage and the bearing of many children, and described the preferential treatment that mothers deserve from their children.

﴿وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ حَمَلَتْهُ أُمُّهُ وَهْنًا عَلَىٰ وَهْنٍ وَفِصَالُهُ فِي عَامَيْنِ أَنِ اشْكُرْ لِي وَلِوَالِدَيْكَ إِلَيَّ الْمَصِيرُ﴾

"And we have enjoined on man (to be dutiful and good) to his parents. His mother bore him in weakness and hardship upon weakness and hardship, and his weaning is in two years. Be thankful to Me and your parents, unto Me is the final destination." [TMQ Luqman: 14]

جَاءَ رَجُلٌ إِلَى رَسُولِ اللَّهِ ﷺ، فَقَالَ: مَنْ أَحَقُّ النَّاسِ بِحُسْنِ صَحَابَتِي؟ قَالَ: «أُمُّكَ»، قَالَ: ثُمَّ مَنْ؟ قَالَ: «ثُمَّ أُمُّكَ»، قَالَ: ثُمَّ مَنْ؟ قَالَ: «ثُمَّ أَبُوكَ» (رواه البخاري ومسلم)

A man once came to the Prophet (saw) and said, 'O Messenger of God! Who among the people is the most worthy of my good companionship?' The Prophet (PBUH) said: "Your mother." The man said, 'Then who?' The Prophet said: "Then your mother." The man further asked, 'Then who?' The Prophet said: "Then your mother." The man asked again, 'Then who?' The Prophet said: "Then your father." (Reported by Bukhari and Muslim)

﴿تَزَوَّجُوا الْيَتَامَىٰ وَالْيَتَامَىٰ فَاتِي مَكَاتِرَ بَعْضِ الْأُمَّمِ﴾ (رواه أبو داود)

The Prophet (saw) said, "Marry those who are loving and fertile, for I will be proud of your great numbers before the other nations." (Reported by Abu Dawud)

• Islam's view of the high status and importance of motherhood is re-enforced by its prescription of specific roles, duties and rights for men and women in family life. It defines the primary role of women as homemakers and caretakers of the children, and the role of men as guardians and breadwinners for the family. This primary role of women does not take away their right to work if they wish. Rather it provides women with the privilege of Nafaqa - to be provided for always by their husband or male relatives who are obliged to financially maintain the female members of their family, lifting from women the burden of earning their own living.

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

"Men are the protectors and maintainers of women, because Allah has made one of them to excel the other, and because they spend (to support them) from their means." [TMQ An-Nisa: 34]

﴿كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالْأُمِيرُ رَاعٍ، وَالرَّجُلُ رَاعٍ عَلَىٰ أَهْلِ بَيْتِهِ، وَالْمَرْأَةُ رَاعِيَةٌ عَلَىٰ بَيْتِ زَوْجِهَا وَوَلَدِهِ...﴾ (رواه البخاري ومسلم)

The Prophet (saw) said, "Each of you is a guardian, and each is responsible for those under his care. A ruler is a guardian; a man is the guardian of his family; a woman is the guardian of her husband's house and children..." (Reported by Bukhari and Muslim)

﴿وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ﴾

"But the father of the child shall bear the cost of the mother's food and clothing." [TMQ Al-Baqara: 233]

• The Khilafah (Caliphate), based upon the method of the Prophethood, will guard Islam's defined roles of men and women in family life, and promote the important status of women as wives and mothers. This will include ensuring the financial

provision of women so that they are not pressured to earn a living and compromise their important duties to their children and family. For example, if a woman does not have any male relatives to support her, then under Islam, the state is obliged to provide for her. The Islamic laws, implemented under the Khilafah, therefore support mothers in fulfilling their vital duty of caring for and raising their children as well as looking after their homes. They also guarantee financial security for women and ensure that they are never abandoned to fend for themselves and their children, or left to suffer financial hardship.

﴿مَنْ تَرَكَ مَالًا فَلِأَهْلِهِ وَمَنْ تَرَكَ دَيْنًا أَوْ ضِيَاعًا فَآلِي وَعَلِي﴾ (رواه مسلم)

The Prophet (saw), "If somebody dies (among the Muslims) leaving some property, the property will go to his heirs; and if he leaves a debt or dependents, we will take care of them." (Reported by Muslim)

"The primary role of a woman is that of a mother and housewife." Article 112, Hizb ut Tahrir's Draft Constitution of Al-Khilafah

"The responsibility of the husband over his wife (qiwaamah) is one of taking care, and not ruling. She is obligated to obey her husband and he is obligated to meet the costs of her livelihood according to a fair standard of living (ma'roof)." Article 120, Hizb ut Tahrir's Draft Constitution of Al-Khilafah

"The State is to guarantee the living expenses of the one who has no money, no work and no relatives responsible for his financial maintenance. The State is responsible for housing and maintaining the disabled and handicapped people." Article 156, Hizb ut Tahrir's Draft Constitution of Al-Khilafah

Umar bin Al-Khattab, the second Khalifah of Islam, introduced the very first child benefit system in the world, providing an

allowance to parents to aid them in the financial maintenance of their children.

- The privilege of Nafaqa for women was rigidly maintained under Islamic rule.

جَاءَتْ هِنْدُ بِنْتُ عُثْبَةَ فَقَالَتْ: يَا رَسُولَ اللَّهِ، إِنَّ أَبَا سُفْيَانَ رَجُلٌ مَسِيكٌ، فَهَلْ عَلَيَّ حَرَجٌ أَنْ أُطْعِمَ مِنَ الَّذِي لَهُ عِيَالُنَا قَالَ: «لَا إِلَّا بِالْمَعْرُوفِ»

As leader of Madinah, the Prophet (saw) was once approached by Hind bint Utbah, the wife of one of the previous notables of the Quraysh, Abu Sufyan. She said to the Messenger (saw), "O Allah's Apostle! (My husband) Abu Sufyan is a miser. Is it sinful of me to feed my children from his property?" The Prophet (saw) said, "No. Take for your needs what is just and reasonable."

Writings from the law books of Islamic scholars during the Abbassid Khilafah, for example that of the 9th century Hanafi jurist Iraqi al-Khassaf, describe how women would file complaints to judges against husbands who did not provide them with enough money, or who had gone on a journey for several months and did not leave them with sufficient maintenance. They would ask the judge to appoint a guarantor (a kafil) who would be responsible for paying their Nafaqa. If their husband disappeared, they could go to the qadi and ask him to appoint an agent (wakil) to manage their husband's property and pay the maintenance.

Judicial records from the Uthmani Khilafah also show that men were legally bound to financially maintain their wives and children. If they refused to, then the wife could raise a complaint to the court and the judge would enforce payment. This included making available to them any of the husband's property to provide for them at the standard of living they were accustomed to. Abandoned wives could claim a living allowance for them and their children from any part of their husband's wealth or property. They could also request for the court to order a loan to be made on their husband's behalf, from which the wife would be supported and that he was responsible for. This is an example of one such case from the judicial records of the city of Kayseri at the time of the Uthmani Khilafah:

"Cennet Ana bint Sheik Mehmet Effendi sets forth a claim: I am the wife of Abdul-Fettah bin Abdul-Kadir of Gulluk mahalle (neighbourhood), who has been absent for a long time. I want maintenance allowance. Cennet Ana is asked to take an oath that her husband has allotted nothing for her. Then she is granted fifteen akce per day and permission to seek a loan." (Kayseri record 1034 AH)

- Islam's view of the great respect deserving of motherhood and its importance within family life and society was promoted under Islamic rule, shaping the mindset of the citizens of the state towards this vital role of women. This unrivalled status mothers enjoyed under Islam continued throughout the history of the Khilafah. In the Uthmani Khilafah for example, motherhood enhanced the position of women within the society and mothers were revered and treated with great care by their children. In turn, mothers showered their children with immense love and affection.

Abdullah Ibn Abbas (ra), a companion of the Prophet (saw) and great Islamic scholar, once said, "I know of no other deed that brings people closer to Allah than kind treatment and respect towards one's mother."

It was reported that Abdullah Ibn 'Umar (ra), a companion of the Prophet (saw) and great scholar of Islam, once saw a Yemeni man performing Tawaf around the Ka'bah while carrying his mother on his back. The man said to Abdullah Ibn Umar (ra), "I am like a tame camel for her! I have carried her more than she carried me. Do you think I have paid her back, O Ibn 'Umar?" Abdullah Ibn Umar (ra) replied, "No, not even one contraction!"

Zayn al-Abidin, another renowned scholar, was once asked, "You are the most kind person to his mother, yet we have never seen you eating with her from a single dish." He replied, "I fear that my hand would take the food that her eyes have already seen in the dish, and then I would be disobeying her."

"An equally beautiful feature in the character of the Turks is their reverence and respect for the author of their being... the mother is an oracle; she is consulted, confided in, listened to with respect and deference, honoured to her latest hour and remembered with affection and regret beyond the grave." From 'The City of the Sultan and Domestic Manners of the Turks in 1836' by Julia Pardoe, British Poet, Historian, and Traveller

- The Khilafah's education system and media as well as the general Islamic environment of its society will aid Muslim mothers in their great responsibility to raise their children to become strong Islamic personalities, devoted servants of Allah (swt), and hence upright citizens of the state who are a source of goodness for their communities.

Islam, therefore, has an unrivalled view of the importance of motherhood, accompanied by a host of laws and duties prescribed upon men and women to ensure that it is protected and supported. Under Islamic rule, this instilled within women a great sense of self-worth of their important duty as home-makers and nurturers of their children, which they undertook with the utmost seriousness and care. The Shariah laws also create strong and unified family units. Therefore, it is only the Khilafah, which implements Islam comprehensively, that will return the great status that motherhood deserves within a society, will ensure the rights and effective upbringing of children is secured, and will protect the sanctity and harmony of family life.

**Written for the
Central Media Office of Hizb ut Tahrir by
Dr. Nazreen Nawaz
Director of the Women's Section in
The Central Media Office of Hizb ut Tahrir**

How Family Life and Motherhood was Protected under the Islamic Law of the Ottoman Khilafah

"[...] The family is the most important institution demonstrating whether a society is civilized or not, or to which extent it is civilized." (Prof. Dr. Saffet Köse, *Genetiğiyle Oynanmış Kavramlar ve Aile Medeniyetinin Sonu*, p. 64)

Marriage is both a physical need and the basic foundation for spiritual development. Marriage contributes to the upbringing of good (khayr) generations by providing legitimate measures and purposes in order to put the carnal desires into an ideal format. With regards to that issue, Allah (swt) suggests us to pray in the following way:

﴿رَبَّنَا هَبْ لَنَا مِنْ أَزْوَاجِنَا وَذُرِّيَّاتِنَا قُرَّةَ أَعْيُنٍ وَاجْعَلْنَا لِلْمُتَّقِينَ إِمَامًا﴾

"...Our Lord, grant us from among our wives and offspring comfort to our eyes and make us an example for the righteous." [Al-Furqan 74]

Thus marriage in Islam (nikah) carries also the aspect of worship in it. So much that Rasulallah (saw) said

«النِّكَاحُ مِنْ سُنَّتِي فَمَنْ لَمْ يَفْعَلْ بِسُنَّتِي فَلَيْسَ مِنِّي»

"Marriage is part of my sunnah, and whoever does not follow my sunnah has nothing to do with me." [Bukhari, Muslim, Nesai, Darimi] Some books of Islamic Jurisprudence (Fiqh) even placed the chapter about marriage immediately after the chapter about the four Ibadat (salah, zakah, fasting, hajj) and before the chapter about muamelat (transactions). Thus, they emphasized that marriage has both the aspect of worship and the aspect of a legal procedure.

One of man's greatest weaknesses is lust. As such, it is of vital importance to take lust under control through the means of a special tool of discipline. Today, however, the free sexuality promoted by modern, liberal, capitalist life-styles leads to the destruction of the human nature as well as moral collapse. Chastity cannot be protected without marriage. This prevents the establishment of the family institution and thus the functioning of healthy families, whereas we see that all the styles and meanings used in the Qur'an aim at directing the societies view on the relations between men and women towards the purpose of marriage and not the sexual relation, whereby the pleasure element is fulfilled but restricted to the framework of marriage alone. At the same time, Qur'an and Sunnah have also defined the roles, duties and responsibilities within marriage. In case where these cannot be fulfilled, they have permitted divorce and the starting of new marriages. They also settled responsibilities occurring from the ending of a marriage in a way that ensures peace and confidence in society. While emphasizing the necessity of marriage for the continuation of the human race, they also determined a distinguished status for the woman, as the one who gives birth to the human, and gave importance to the protection of motherhood.

And that is why the Islamic state, its courts, its judges, society and individuals gave utmost importance to the protection of the family and the bedrock of civilisation throughout history. In this regard, Darina Martykánová from the Autonomous University of Madrid pointed out the following: "Marriage represented a social institution which was universally considered as fundamental to the family, the community, and to mankind in general. [...] Marriage was seen as extremely important for maintaining and reproducing the social order. Research on marriage patterns

indicates that there existed strong social pressure on single people to get married, and even the divorced or widowed were expected to remarry [...] People who remained celibate, both men and women, were seen as a potential threat to the social and moral order.

The people - men and women, Muslim and non-Muslim - gave great importance to this eminent Islamic institution, and they regarded it as their duty to rightly fulfil their responsibilities and duties within it. Thus, in order to be sure that they did everything correctly, without sinning, or in order to demand the protection of their rights, they frequently made use of the state's courts. PH. D. Fariba Zarinebaf-Shahr, head of the institute of Middle Eastern and Islamic history in the University of Chicago states: "Despite distance and great hazards, women came from as far as Egypt to petition, showing that the myth of 'royal justice' was widespread and strong enough, to convince many, even those from the farthest corners of the Empire, to undertake a laborious journey to Istanbul to present their grievances in person."

The marrying couple's offer and acceptance in the presence of two witnesses is sufficient for Islamic wedding. However, conducting marriages by a third person since the time of Rasulallah (saw) became a tradition. Moreover, it became institutionalised in this way, which indicates how serious Muslims took this duty. Hadith sources prove that Rasulallah (saw) conducted the marriage of one of the Ansar and also held a Khutbah. Thus the Khulafa-u Rashidoon maintained this tradition. Furthermore, Khalifah Ali (ra) commissioned his principal assistant with performing marriage ceremonies, as he himself was too busy with other duties. Other records show that marriages were recorded since the time of the four Khulafa-u Rashideen. Eventually Khalifah Omar (ra) established special councils to carry out census and

to record the names of the people. Also during the following Islamic states – Umayyads, Seljuks, Memluks - it was not possible for a couple to live under one roof without making the marriage public, despite there is no special style for carrying out marriage ceremonies. It is known that marriages were conducted by the Qadi or required the permission of the Qadi. This custom was maintained by the Uthmani Khilafah too. The purpose here was to ease the evidence of the marriage and to ensure its publicity. The “permissions for marriage” (Izinname) issued during the Uthmani period comprised that the marriage was conducted in the presence of witnesses, with the consent of both of the parties, through indicating the amount of dowry (Mahr) and the permission of the legal guardian (veli). Thus it was ensured that marriage was not only conducted according the principles of the Hanefi School, but also according other Islamic schools. (Ekrem Buğra Ekinci, Marriage with Izinname in Ottoman Law)

A court record from Istanbul in July 1618 CE reads as follows: "Kubad son of Salim demands the registration of his daughter Reshidiye's marriage to Ali bin Isa's son Bedevi, as well as her dowry of 2,000 Akçe to be given immediately (Mahr muajjal) and 200 Akçe delayed (Mahr muakhar)."

Another example is from court records of Alexandria in 1550 CE states: "40 silver nisfs were paid to the bride Farhana who declared she had received half, the other half determined as a delayed dowry."

In addition, Dhimmis (non-Muslim citizens), in particular Jews and Catholics, for whom divorce was difficult or impossible, preferred to set up marriage contracts according the laws of Islam.

A record from Istanbul in 1618 CE shows that, "Seltan, daughter of Abraham, of Jewish religion, conducted her marriage to Sabatay, also a Jew, at court and received fifty thousand Akçe for dowry."

Another example from Istanbul in 1676 CE states: "It is recorded that the marriage of Armenian woman Gül daughter of Samadis and Kızıl son of Kirkor was conducted according to Shariah principles and for six thousand Akçe dowry, which were payed immediately."

The recording of marriages had not only the purpose of making the marriage public. It also served to easily solve potential disputes occurring during the marriage. Considering that the institution of marriage enjoyed such protection, it was all too natural that especially women, Muslim and non-Muslim, easily and frequently applied to courts in order to ensure their rights in case of divorce, maintenance, child custody, violence or any other issue regarding marriage.

In the 17th century Solomon Schweigger, a Catholic priest who travelled through Turkey and translated the Qur'an for the first time into a modern European language, stated the following in his notes: "The Turks govern the world and their wives govern them. In no other country women do enjoy themselves as much."

In fact, like Solomon Schweigger, countless other male and female travellers made similar observations in the Muslim lands.

This is actually not surprising. Because Islam has specified in detail and in the best way the terms of a family life that will lead the human to peace and felicity, while it granted the woman a value that no other community across the world has given to her until today. Additionally, Islam showcased the most perfect model of a peaceful family nest in the person of Rasulallah (saw). Allah (swt) prescribed the view and the behaviour that a Muslim should display towards his parents in the Quran al-Kareem as follows:

﴿وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ إِحْسَانًا حَمَلَتْهُ أُمُّهُ كُرْهًا وَوَضَعَتْهُ كُرْهًا وَحَمْلُهُ وَفِصَالُهُ ثَلَاثُونَ شَهْرًا حَتَّىٰ إِذَا بَلَغَ أَشُدَّهُ وَبَلَغَ أَرْبَعِينَ سَنَةً قَالَ رَبِّ أَوْزِعْنِي أَنْ أَشْكُرَ نِعْمَتَكَ الَّتِي أَنْعَمْتَ عَلَيَّ وَعَلَىٰ وَالِدَيَّ وَأَنْ أَعْمَلَ صَالِحًا تَرْضَاهُ وَأَصْلِحْ لِي فِي ذُرِّيَّتِي إِنِّي تُبْتُ إِلَيْكَ وَإِنِّي مِنَ الْمُسْلِمِينَ﴾

"And We have enjoined upon man, to his parents, good treatment. His mother carried him with hardship and gave birth to him with hardship, and his gestation and weaning [period] is thirty months. [He grows] until, when he reaches maturity and reaches [the age of] forty years, he says, "My Lord, enable me to be grateful for Your favor which You have bestowed upon me and upon my parents and to work righteousness of which You will approve and make righteous for me my offspring. Indeed, I have repented to You, and indeed, I am of the Muslims." [Al-Ahqaf 15]

Rasulallah (saw) described this view towards the mother with these words:

عَنْ أَبِيهِ، طَلْحَةَ عَنْ مُعَاوِيَةَ بْنِ جَاهِمَةَ السُّلَمِيِّ، أَنَّ جَاهِمَةَ، جَاءَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ يَا رَسُولَ اللَّهِ أَرَدْتُ أَنْ أَعْرُزَ وَقَدْ جِئْتُ أَسْتَشِيرُكَ. فَقَالَ: "هَلْ لَكَ مِنْ أُمٍّ". قَالَ نَعَمْ. قَالَ: "فَالْزَمِهَا فَإِنَّ الْجَنَّةَ تَحْتَ رِجْلِهَا"

It was narrated from Mu'awiyah bin Jahimah As-Sulami, that Jahimah came to the Prophet (ﷺ) and said: "O Messenger of Allah! I want to go out and fight (in Jihad) and I have come to ask your advice." He said: "Do you have a mother?" He said: "Yes." He said: "Then stay with her, for Paradise is beneath her feet." (An-Nasai, Jihad, 12)

This hadith means that gaining the paradise is possible through winning the heart of the mother and treating her well, because the mother's sacrifice, the nurturing and first education she gives to the child shape the child's future personality. Thus, the well-being of the children and consequently of the entire society depends on the mother.

Here comes the essence: A state, that has the goal to rule by what Allah has revealed as a "source of life" for mankind, inarguably will and did use its authority in particular to uphold these values. That is why those Western travellers who visited the lands of the Khilafah during the reign of the Khilafah were baffled by the peace and well-being of the society. Julia Pardoe, an English poet, writer, historian and traveller, who visited Istanbul in the 19th century, expressed her observations about the Ottoman family in her Book "City of the Sultan" as follows:

"A central feature of Ottoman family culture was the reverence displayed by children toward their parents. Special love and adoration was reserved for the mother of the family. Husbands and wives could advise and reprimand, but the mother was "an oracle"; she was "consulted, confided in, listened to with respect

and deference, honored to her latest hour, and remembered with affection and regret beyond the grave."

She also described the respect and affection, which is the source of peace and love within the family as follows:

"Among both rich and poor, children were taught to show the utmost respect for parents. [...] Often, the children kissed the hem of their mother's gown and their father's robe. This sensitivity and politeness, remarked upon by numerous Western observers, continued in the relationship between a student and his teacher when he entered school. Pupils regarded their teachers as superior beings, almost as second fathers, who deserved unwavering respect and obedience. Though highly cultured and extremely polite, from the humblest to the most powerful, men and women maintained a strong sense of dignity. (Julia Pardoe)

Another important personality, who was regarded as an "Ottoman aristocrat", was the late author Münevver Ayaşlı Hanımefendi (1906-1999). Born into an Ottoman family, she describes her own experience as follows: "I don't believe that the beauty, purity and sincerity of Ottoman family life have existed anywhere else. Tho Ottoman Islamic life was life at the pinnacle of beauty. [...] *If you ask me what Ottoman life was, I would answer that it was a beautiful, flower-embellished poem.*"

Edmondo de Amicus, an Italian traveller who visited the lands of the Khilafah in the 19th century expresses one of his impressions as follows: "The Turk is kind and just toward his family. He is generally more respectful of marriage and family ties than are Europeans..." or La Baronne Durand de Fontmagne said: "Men behave like a very polite friend to their wives. Their respect toward their mothers is infinite."

However and without doubt, holding the family and the woman, especially the mother, in high esteem, putting her on a pedestal

is not a life-style that can be maintained by individual struggle alone. On the contrary, there is a need for the power of a state, which ensures that these values are taught, implemented and protected. Hence, the strict adherence to Islam, and the honoring and practicing of Islamic cultural values, traditions and customs throughout the Khilafah gave the success and importance to the family. Additionally, the support and protection of family values by Ottoman institutions like the neighborhood administrative system, guilds, courts, religious organizations and government all played a vital role in ensuring the harmony of the family unit within the state and that the rights of men, women and children alike within marriage and family life were guaranteed, such that Prof. Gaston Jezz, a Swiss family-law professor described the Muslim family under the Khilafah as "the strongest family hearth in the world."

So this is the unique Aqeedah of the Muslim. It sheds light on every aspect of life and organizes every sphere of life that fits best to the nature of the human in the most efficient and most successful way. This Aqeedah shapes every element of the society. It not only shapes the individuals of a society and the ideas and emotions which make up the relations between them, rather, it orders the implementation of the systems that emerge from its own upon the individuals in order to ensure the healthy functioning of these relationships. Today, not only the Muslims, but the whole mankind, and every kind of relation between human beings are in urgent need of the re-enlightenment through the ideas and systems of the Islamic Aqeedah.

**Written for the
Central Media Office of Hizb ut Tahrir
Zehra Malik**



Marriage in Islam

﴿وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً﴾

“And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy” [Ar-Rum :21]

(Translated)

Man is sociable by nature; that is, he cannot live alone. Allah (swt) has created man with a certain nature (fitra) that requires him to satisfy his organic needs and instincts. This is similar in both men and women. Allah made them live in a single society and made the survival of the human species depends on their meeting and the procreation instinct. The discussion here is about this instinct in human beings and not animals, so that we are elevated by what Allah gave us and distinguished us from the animals and others (creatures). Although this instinct can be satisfied in a wrong or abnormal way, it does not serve the purpose and objective, which is the survival of the human species. Allah (swt) has made procreation the method by which the earth is built and Allah is worshipped alone, and this only happens through one way, the legitimate (Shariah) marriage and by the method depicted by Allah (swt) in His Noble Book.

Islam has taken care of this meeting between men and women and surrounded it by a fence of Shariah rules. Islam encourages marriage and forbids celibacy (Tabatul), (Tabatul means: to leave marriage). Marriage achieves the multiplication of offspring and achieves the domination of man in the land and to boast (by the numbers) among nations on the Day of Resurrection. It is the nature that Allah put in His creation and it is the way of the Prophets and Messengers,

Allah (swt) says;

﴿وَلَقَدْ أَرْسَلْنَا رُسُلًا مِنْ قَبْلِكَ وَجَعَلْنَا لَهُمْ أَزْوَاجًا وَذُرِّيَّةً وَمَا كَانَ لِرَسُولٍ أَنْ يَأْتِيَ بِآيَةٍ إِلَّا بِإِذْنِ اللَّهِ لِكُلِّ أَجَلٍ كِتَابٌ﴾

“And We have already sent messengers before you and assigned to them wives and descendants. And it was not for a messenger to come with a sign except by permission of Allah. For every term is a decree” [Ar-Ra'ad: 38]

The Prophet (saw) said:

«يَا مَعْشَرَ الشَّبَابِ! مَنْ اسْتَطَاعَ مِنْكُمُ النِّبَاءَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَغْضَى لِلْبَصْرِ، وَأَحْصَنَ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ؛ فَإِنَّهُ لَهُ وَجَاءٌ»

“O young men, whoever among you is able to, let him get married. Whoever is not able to, he must fast, for it will be a shield for him.”

Among the important factors of the success of the marriage and the building of the family is choosing of the spouse by both men and women. There are several criteria to base the choice of the spouse on. The Prophet (saw) in his noble Hadith said regarding choosing the wife:

«تُنْكَحُ الْمَرْأَةُ لِأَرْبَعٍ: لِمَالِهَا وَلِحَسَبِهَا وَجَمَالِهَا وَلِدِينِهَا، فَأَقْضِرْ بِذَاتِ الدِّينِ، تَرِبَتْ يَدَاكَ»

“A woman is married for four (reasons): her wealth, noble ancestry, beauty and religion. Choose the religious woman lest your hand is stuck to dust (because of destitution).”

On the authority of Abu Huraira (ra) from the Prophet (saw) that he said:

«خَيْرُ النِّسَاءِ امْرَأَةٌ إِذَا نَظَرْتَ إِلَيْهَا سَرَّتْكَ، وَإِذَا أَمَرْتَهَا أَطَاعَتْكَ، وَإِذَا غَبَّتْ عَنْهَا حَفِظْتَكَ فِي نَفْسِهَا وَمَالِهَا.»

“The best of women is the one who pleases her husband whenever he looks at her, obeys him whenever he orders her, and when he is absent she protects his property and his honour (herself).”

The male spouse must adhere to the orders of Allah, refraining from His prohibitions; he must not oppress his wife. If he loves her, he will be kind to her, and if he did not love her, he would not oppress her or insult her. The Prophet (saw) said:

«إِذَا أَتَاكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ، إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ عَرِيشٌ...»

“Whoever comes to you and you're pleased with their deen and character (khuluq) marry them! If you don't, there will be corruption and great harm in the earth.”

Therefore we can see that the Deen is the basis of the choice for both spouses.

Therefore, marriage is a beautiful system that Allah based on affection, mercy, understanding and cooperation. Allah (swt) gave the wife rights and obliged the husband to respect them; the husband can not violate them. Also Allah gave the husband rights and obliged the woman to respect them and fulfill them. And made the bases of the relationship cooperation, love, tranquility, good relationship, and being kind to the other.

As stated in the book The Social System by Sheikh Taqi ud-Din An-Nabhani, may Allah have mercy on him, marriage "is the organization of the male-female relationships i.e., organization of the sexual association between the men and the women by a specific system. This specific system should organize the male-female relationships in a defined manner. Procreation should result according to the system only, and it should ensure the reproduction of the human species and through it, the family will come to exist and on its basis the organization of the private life will proceed."

The relationship between the spouses is that of companionship not a commercial partnership; this is because Allah (swt) made marriage a place of reassurance to the spouses, Allah (swt) says:

﴿هُوَ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَجَعَلَ مِنْهَا زَوْجَهَا لِيَسْكُنَ إِلَيْهَا﴾

“It is He who created you from one soul and created from it its

mate that he might dwell in security with her” [Al Araf : 189].

Dwelling in security (sakan) is reassurance; it is the origin of the marital life, so that each spouse get reassurance about the other, and this companionship between the spouses is that of bliss and tranquility. Shariah outlined the wife’s rights to the husband and the husband’s the rights to the wife. Allah (swt) says:

﴿وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ﴾

“And due to the wives is similar to what is expected of them” [Al-Baqarah: 228].

Allah (swt) encourages the good companionship between spouses. Allah (swt) says:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾

“And live with them in kindness” [An-Nisa’: 19].

This companionship brings peace to the soul and happiness in life. The Prophet (saw) encouraged men to look after the women in his farewell sermon. He (saw) said:

﴿فَاتَّقُوا اللَّهَ فِي النِّسَاءِ...﴾

“Fear Allah in women” And He (saw) said:

﴿خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِيهِ، وَأَنَا خَيْرُكُمْ لِأَهْلِي﴾

“The best of you are those who are the best to their wives, and I am the best of you to my wives.”

Allah (swt) has made the leadership of the house for the husband and he is in charge of the wife, looking after her and not controlling her. Allah (swt) says:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

“Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth” [An-Nisa’: 34]

He (saw) encouraged the woman to obey her husband in that which does not anger Allah (swt). He (saw) said:

﴿فَإِنَّهَا جَنَّتُكَ وَنَارُكَ﴾

“(the treatment of the wife to the husband) determines her fate, (she will be) in Heaven or Hellfire”

Allah forgave the woman who obeyed her husband and did not go out of the house to visit her ill father; Allah (swt) forgave her for her obedience to her husband.

This is marriage in Islam; it is applied by the individual motivated by fearing Allah (swt) and the adherence to the Shariah rules. This safeguards the woman as a wife, mother and daughter. Even if the marital life faced problems resorting to separation between the spouses through a divorce, it takes place within the Shariah rules, which secures both their rights and dignity, as well as taking into account the status of children and custody of the mother for them, and spending on them in a manner that does not lead to trouble or problems between them. The family can support the mother to raise the children. But women under secularism have no protection for their or their rights; if it is the husband’s benefit (or that there is no conflict of interest to be with the wife), he will take care of her as a wife, mother and daughter, and if there is no benefit in having the wife, she will be confused not knowing what to do, and her children

will be lost and scattered; she will become confused with no support or specific rights.

We spoke earlier about the Islamic marital life and its standards and rules, which we pray to Allah (swt) that Muslim women adhere to. ... Today, however, we live differently; we see that these criteria have changed. In choosing of a wife, for example, a working woman that brings money regardless of her work is better to marry than the woman who is committed to the Shariah rules. The view regarding starting up a family became full of erroneous concepts about marriage and the family. Women today want money, cars and trips, as if marriage is a financial transaction that must bear profit for women. This is the result of living under the secular capitalist system that revolves on benefit, and being distanced from a state that implements the laws of Islam in all areas of life, not only in marriage and family.

The goal of marriage is to build a family and raise children and raise a generation working for making Islam the highest; not a lost generation that only knows Islam by its name, and women do not know their real role as mothers and housewives. Here lies the issue; if the choice of a wife and marriage in general is conducted according to the standards of Islam, we will achieve what we are working for, and if the purpose of marriage is not clear, and the choice of spouse is not according to the right criteria, we will be like the West with disintegration of the family, loss of genealogies and a broken society.

I would like to take this opportunity to send a message to Muslim women everywhere:

O my sister! If you are a wife, know that you are the backbone of the family and therefore of the society, so raise your sons to be men and leaders, and raise your daughters and educate them that in origin the woman’s role is a mother and a housewife, and that she is an honour that must be protected; this is so that they may understand the purpose that is achieved from the correct understanding of this rule. And teach them that this role does not diminish their status or dignity, nor humiliates them nor take them backwards, but on the contrary it will put them in the forefront. Teach your daughters about the marital life and the rules related to it, and how to raise children so that they can build a generation aware of Islam and its concepts...

O Muslim Women! The time has come for us to commit ourselves to the words of our Lord and the words of our Messenger (saw) and to be good wives and mothers who build men and women, and, thus, win this world and the Hereafter, and reject the greedy secularism that cannot protect us with its baseless miserable thoughts, the product of a limited weak human mind. In Allah’s law is our glory, victory and tranquility that we seek, and building a family with a solid foundation; a rope from Allah (swt).

Written to the
Central Media Office of Hizb ut Tahrir by
Maria Al-Qibtiyah

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

“There has certainly been for you in the Messenger of Allah an excellent pattern” [Al-Ahzab: 21]

The Righteous Husband Exemplified by the Messenger of Allah Muhammad (saw)

(Translated)

Islam gives great attention to building the Muslim family and made this relationship strong and linked to the pleasure of Allah (swt) and following the Sunnah of the beloved Prophet (saw); the fruits of this relationship are committed people to the Deen. Whenever this relationship is built on Taqwa and Shariah rules, its fruits will be useful and hence the society will be cohesive and strong.

The Seerah of the noble Prophet (saw) is filled with many positions showing us how the Prophet dealt with his wives with affection, mercy, love and loyalty that we miss in many marital relations now. And his (saw) Sunnah shows us how he did what pleased them and brought happiness to them, even with simple things, but it filled the Prophet's house with love and peace.

He (saw) showed us his loyalty to the mother of the believers, Khadija, may Allah be pleased with her, his believing, loyal and patient wife, not only during her life time but after her death too. He mentioned what she did and her morals and the days and time in her life, may Allah be pleased with her. He (saw) was overcome with grief and sadness when she passed away, and from his loyalty to her he (saw) openly stated his love for her, even after her death, he would say about Khadija may Allah be pleased with her: «رَزَقَتْ» «I was given the riziq of loving her.” The Prophet (saw) did not shy away from showing his love to his wives, and when asked by Amr ibn al-Aas: “Which person is most loved to you, O Messenger of Allah”? He said: “Khadija”. And he (saw) contacted her friends after her death. And why wouldn't this be the case, when she chose him and loved him, and she was the first to trust and believe in him, and she was the one who strengthened him and strengthened his resolve, and was the balm for his pains and sorrows; she is the one who helped him with her money and consoled him with her affection; she is the mother of his children, the one who kept his covenant, and maintained his house and children, etc. For this great loyalty she received what came in the Hadith:

«بَشِّرُوا خَدِيجَةَ ببيت في الجنة من قصب، لا صخب فيه ولا نصب»

“Give glad-tidings for Khadija, of a house in Jannah from pearls, free of clamor and tiredness” (Narrated by Bukhari). It is a reed made of pearls and rubies. And the Messenger of Allah met and fulfilled her loyalty with greater loyalty than that. This should be followed by all who took Al- Mustafa (saw) as his example.

The woman, by nature, loves the one who pampers her. Our beloved Prophet Al-Mustapha (saw) understood this matter and took care of it in his dealings with his wives. So with Aisha, may Allah be pleased with her, he would say to her:

«يا عائش، يا عائش هذا جبريل يقرئك السلام.»

“O 'Aish, O 'Aish, Jibreel is giving you salam”. And he also

nicknamed her, «يا حميراء» “Humaira (of red complexion)” And the word ‘Humaira’ means the root word for Hamra (red), meaning a white woman with red complexion.

One of the acts of the Prophet (saw) to show his love for his wives was to drink from the place where they drank and eat from the place where they ate. The mother of the believers, Aisha (ra) said:

«كنت أشرب فأناوله النبي صلى الله عليه وآله وسلم فيضع فاه على موضع في، وأتعرق العرق فيضع فاه على موضع في»

“I drank and passed over (glass) to the Prophet (saw) and he drank from the same place I drank. And he ate my leftovers from the meat on the bone; he puts his mouth, where I put mine”. He ate the leftovers (meat on the bone) of Aisha (ra).

He (saw) did not forget his love and kindness to his wife at the time of hardship and wars, despite the responsibilities and hardship. Anas (ra) said:

«خرجنا إلى المدينة - قادمين من خيبر - فرأيت النبي صلى الله عليه وآله وسلم يُحَوِّي لها - أي: لصفية - وراءه بعباءة، ثم يجلس عند بغيره فيضع ركبته، وتضع صفيّة رجلها على ركبته حتى تتركب البعير»

“We returned to Medina- coming from Khyber - I saw the Prophet (peace be upon him and his family) making for her (Safiya) a kind of cushion with his cloak behind him (on his camel). He then sat beside his camel and put his knee for Safiya to put her foot on, in order to ride (on the camel)”.

And he (saw) cheered her up when she was sad. Safiya (ra) was with the Messenger of Allah (saw) in a journey, and that was her day, and she slowed down. She was received by the Messenger while she was crying, and saying: you made me ride a slow camel. He (saw) wiped her eyes and tears with her hands, and was calming her down.

The Prophet (saw) was so careful and worried over his wife even from the camel driver speeding up the camels they were riding.

It was narrated that Anas (ra) said that the Prophet (saw) was on a journey, and there was a boy named Angsha, who was leading the camels – of some of the mothers of the believers and Umm Salim. The camels were very fast, the Prophet (saw) said: «رويدك يا أنجشة سوقك بالقوارير» “Slow down (in leading the camels of the women) O Angsha.”

If he entered his family at night, he gave a quiet greeting so that he does not awaken those sleeping, but loud enough for those awake to hear. The Prophet (saw) disliked it when a man surprised his wife if he returned from traveling suddenly, so he (saw) sent her someone to inform her of his arrival.

The Prophet (saw) did not forget to humour and entertain his wives. Aisha (ra) said when they asked her how he (saw) was, she said:

«كان يدخل بساماً ضحاكاً»

“*He used to enter with a smile and he made us laugh.*” And she narrated that the Prophet (saw) invited her to see how the Ethiopian people danced with the spears in the mosque, she said: “The Prophet heard the voice and the sound of boys, so the Messenger (saw) got up and he saw some of the Ethiopian people dance, and the boys gathered around them. He (saw) said:

«يا عائشة، تعالي فانظري»

“*O Aisha, Come and see.*” Aisha (ra) came and put her chin on the shoulder of the Messenger of Allah (saw), he (saw) said,

«أما شبعت، وأما شبعت؟»

“*Are you not satisfied... are you not satisfied?*” She said: I kept on saying, “No”, to see how much I mean to him.”

The Prophet (saw) raced Aisha and he let her win, then he raced her and won and said humourously:

«هذه بتلك»

“*This time, I win.*”

On the authority of Aisha (ra) who said: The Messenger of Allah (saw) said to me:

«إِنِّي لَأَعْلَمُ إِذَا كُنْتُ عَنِّي رَاضِيَةً، وَإِذَا كُنْتُ عَلَيَّ غَضَبِي، قَالَتْ: فَقُلْتُ: مَنْ أَيْنَ تَعْرِفُ ذَلِكَ؟ فَقَالَ: أَمَا إِذَا كُنْتُ عَنِّي رَاضِيَةً فَإِنَّكَ تَقُولِينَ: لَا وَرَبِّ مُحَمَّدٍ، وَإِذَا كُنْتُ عَلَيَّ غَضَبِي قُلْتِ: لَا وَرَبِّ إِبْرَاهِيمَ، قَالَتْ: قُلْتُ: أَجَلٌ. أَي هَذَا الْأَمْرُ صَحِيحٌ. وَاللَّهِ يَا رَسُولَ اللَّهِ، مَا أَهْجُرُ إِلَّا اسْمَكَ»..

“*I know if you are satisfied with me, and if you are angry with me, she said: “I said: How do you know?” He said: “If you are satisfied with me, you say: ‘No, by the Lord of Muhammad. If you are angry with me, you say: ‘No, by the Lord of Ibrahim, she said, I said: yes that is true O Messenger of Allah, I only leave out your name.*”

The Prophet (saw) was angry with Aisha once, and he said to her,

«هل ترضين أن يحكم بيننا أبو عبيدة بن الجراح؟»

“*Do you accept Abu Ubaydah ibn al-Jarrah to judge between us?*” She said, “No, this is a man will not judge for me against you.” He said,

«هل ترضين بعمر؟»

“*Do you accept Omar?*”, she said: No, I’m scared of Omar. He (saw) said:

«هل ترضين بأبي بكر (أبيها)؟»

“*Do you accept Abu Bakr (her father)?*” She said yes, Abu Bakr came, and the Prophet (saw) asked him to judge between them. Abu Bakr was surprised and said: Me, O Messenger of Allah? Then the Messenger of Allah began to tell him the origin of the dispute. Aisha interrupted and said: ‘tell the truth, O Messenger of Allah’. Abu Bakr beat her face and blood came down from

her nose and said: ‘Who would tell the truth more than the Messenger of Allah?!’ The Prophet was upset and said: ‘we did not want this’, and he (saw) washed the blood from her face and satisfied her with his hand.

And if his wife was angry, he put his hand on her shoulder and said:

«اللهم اغفر لها ذنبها وأذهب غيظ قلبها، وأعدّها من الفتن»

“*O Allah forgive her sin and remove the anger from her heart, and protect her from the fitnah.*”

The Messenger (saw) did not hit anyone with his honorable pure hand, as Aisha said:

«مَا ضَرَبَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِيَدِهِ امْرَأَةً لَهُ قَطُّ وَلَا خَادِمًا»

“*The Prophet of Allah (saw) did not strike with his hand any of his women or servant.*”

The companions and the salaf (first Muslim generations) continued in this path in the issue of caring for the married life, its reform and being involved and practicing good intervention. Omar Ibn Al-Khattab (may Allah be pleased with him) was angry one day with his wife, so she argued with him, and he objected that she argues with him. His wife said: “Why do you object that I disagree with you? By Allah the Prophet’s wives argue with him and they do not talk to him till the night. So he paid his daughter Hafsa (ra) a special visit, and said: “O Hafsa, do you (wives of the Prophet) argue with him and stay away from him until the night. If they ask him for nafaqa and he does not have it, do they get angry and not speak to him (saw) until the evening”. She said: Yes, this happens, Omar (ra) said: “you are mistaken and lost, do you feel safe of Allah’s anger for the Prophet’s anger? If so then you will be in Hellfire!”

The Prophet (saw) also put great efforts in the reform between the spouses, such as what happened with Ali, may Allah be pleased with him and his wife Fatima, the daughter of the Prophet (saw), and they are from the best of the spouses on the face of the earth. She is the daughter of the first of the women in Jannah and he is the Prophet’s cousin and the fourth guided caliph, and the father of the masters of the youth of Paradise, Hassan and Hussein, may Allah be pleased with them. Was their life completely free of problems? No, it was not. Al-Bukhari (may Allah have mercy on him) narrated that Sahl Ibn Saad said:

«جاء رسول الله صلى الله عليه وسلم بيت فاطمة فلم يجد علياً في البيت»

“*The Messenger of Allah came to Fatima’s house and did not find Ali in the house.*” This is a time when the husband is supposed to be in the house, and its sleeping time. And since the husband is not present, this implies that something uncomfortable took place. He (saw) said,

«أين ابن عمك؟»

“*Where is your cousin?*” He (saw) did not say where is your husband, because he felt that there was something wrong, so he (saw) wanted to remind her of their relation so that her heart can change in favour of her husband and be filled with mercy, so she can focus on her relation first than being her husband, so this will be the beginning of the solution. She said: “We had an argument; he was angry with me and left”. So what did the

Prophet (saw) do with the husband? Did he take his daughter with him to his house and demanded that he comes and apologize because he made a mistake against his daughter? Did he take her without the permission of her husband? Was he negative and said: Let them deal with this between them? No, by Allah he did not do this, but he (saw) took care of it and sought reform, giving a lesson to parents after him, that the father of the wife is responsible even after the marriage of his daughter, and does what is in her interest. The Prophet (saw) came searching for him, and someone said, "He is there, lying near the wall." The Prophet (saw) came to him while his (`Ali's) back was covered with dust. The Prophet (saw) started removing the dust from his back, saying,

«قم أبا تراب، قم أبا تراب»

“*Get up, O Abu Turab!*” He (saw) came himself to look for the husband, and wiped off the dust; this gesture alone has many implications, and great meanings, and great effects; this nickname was most loved to Ali (ra). The Prophet reconciled Ali and Fatima.

And the Prophet (saw) ruled between them when they complained about the house work. He (saw) said that she does the housework inside the house, and Ali does all that is done outside the house, Ibn Habib said: The work inside the house is making the dough, the cooking, the beddings, the cleaning of the house, getting the water and the work of the whole house.

Problems between the righteous people and individuals and families are natural. The difference between us and the companions is that the problem was soon resolved, and the issue was quickly solved, and the issue of stubbornness and persistence and long abandonment did not exist, but today this is worse, the problem continues, and involves courts, defamation, and bad rumours in society, and people talk and violate teach others' honour.

The example of the honorable Prophet, with his busy life, is the example of the best husband in history; his busy schedule and preoccupations did not prevent him from giving his wives their due rights, even though he was the leader of the state, the carrier of the message, the commander of the army, and the teacher of the people. But none of this came between him and his wives, unlike many Muslims today who violate their wife's rights under the pretext of busy schedule and numerous obligations.

The Prophet (saw) sought to remind the wives and husbands of the common rights. From Al-Husayn Ibn Muhsin that his aunt had come to the Prophet for a favour, when the Prophet said to her,

«أذات زوج أنت؟»

“*Do you have a husband?*” She said: Yes, he said, he (saw) said:

«كيف أنت منه؟»

“*How are you with him?*” She said, “*I look after him, except for what I incapable of.*” He said,

«فانظري أين أنت منه فإنه جنتك ونارك»

“*Look after him. He (his treatment) is your Jannah and Hell.*” And the Prophet's saying that the husband is the Jannah and Hell

shows the great rights of the husband; a wife can enter Jannah for his pleasure and hellfire for his anger.

And we narrate the story of Umm Ad-Darda (ra) who explained Abu Darda's action: 'that he engaged in worship over himself and over his wife's right', until Salman warned him to take care of all the rights that ensued on him, the right of Allah, the right for himself and for his wife. She summarized the situation and said: Your brother Abu Ad-Darda has no need in this world! And the Prophet (saw) said, confirming what Salman said:

«إِنَّ لِرَبِّكَ عَلَيْكَ حَقًّا، وَلِنَفْسِكَ عَلَيْكَ حَقًّا، وَأَهِلِكَ عَلَيْكَ حَقًّا، فَأَعْطِ كُلَّ ذِي حَقٍّ حَقَّهُ»

“*Your Lord has a right over you, and your soul have a right and your wife has a right, so give each their due right*”. This was a great victory for Umm Ad-Darda. The negligence of the wife is a responsibility. He (saw) said:

«مَنْ سَقَى امْرَأَتَهُ الْمَاءَ أُجِرَ».

“*Whoever gives his wife water to drink, he will be rewarded*”. Al-Arbaad said: "I gave my wife water, and then I told her what the Messenger of Allah said." The Prophet encouraged this work to bond the woman and her husband by the bond of love, and he (saw) wants the husband to declare this love in ways that captures the heart of the wife and make her live in an atmosphere of joy, happiness and companionship.

And it is not only the drink of water that the Messenger (saw) has encouraged achieving peace, love and harmony. Let us hear what Saad Ibn Abi Waqqas says that the Messenger of Allah (saw) said:

«إِنَّكَ لَنْ تَنْفَقَ نَفَقَةً تَبْتَغِي بِهَا وَجْهَ اللَّهِ إِلَّا أُجِرْتَ عَلَيْهَا، حَتَّى فِي اللَّقْمَةِ تَرْفَعُهَا إِلَى فَمِ امْرَأَتِكَ»

“*Everything you spend for the sake of Allah gets you a reward, even when you feed your wife with your hand.*”

The Sunnah of the Prophet (saw) preceded the so-called "Etiquettes". Imagine a couple at the dining table feeding each other, and imagine how happy they are.

One of the important means in the cause of reform and the quest to improve the relationship is the advise to be patient, as did Abu Bakr, may Allah be pleased with him, with his daughter Asma, whose husband was busy, and so she complained to him from jealousy, he said: "O daughter be patient, if the woman has a good husband, and died before her, and she did not marry after him, they will be united in Paradise". If the wife has mistakes, then the path of the faithful is to ignore the errors and overcome them and not disclose and spread them, while reviewing the memory to search for the good and positive qualities. He (saw) said:

«لَا يَفْرَكُ مُؤْمِنٌ مُؤْمِنَةً - أَيْ: لَا يَبْغِضُ - إِنْ كَرِهَ مِنْهَا خَلْقًا، رَضِيَ مِنْهَا آخَرَ»

“*The mu'min (believing) husband should not despise his mu'min wife because if there is any quality he dislikes in her he will certainly be pleased another.*” [Muslim]

Good relationship is not only by stopping from harming the wife, but also to have patience with her anger and unreasonable behavior when there is harm expected from her,

and to understand her feelings and her feelings of jealousy. The husband's patience with the wife is one of the doors of Jannah, and we have the best example in the Prophet (saw).

«كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عِنْدَ بَعْضِ نِسَائِهِ، فَأَرْسَلَتْ إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ بِصَحْفَةٍ فِيهَا طَعَامٌ، فَضَرَبَتْ الَّتِي فِي بَيْتِهَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَدَ الْخَادِمِ، فَسَقَطَتِ الصَّحْفَةُ، فَأَنْفَلَقَتْ، فَجَمَعَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَقَّ الصَّحْفَةَ، ثُمَّ جَعَلَ يَجْمَعُ فِيهَا الطَّعَامَ الَّذِي كَانَ فِي الصَّحْفَةِ، وَيَقُولُ: غَارَتْ أُمَّكُمْ، ثُمَّ حَبَسَ الْخَادِمَ حَتَّى آتَى بِصَحْفَةٍ مِنْ عِنْدِ الَّتِي هُوَ فِي بَيْتِهَا، فَدَفَعَ الصَّحْفَةَ الصَّحِيحَةَ إِلَى الَّتِي كُسِرَتْ صَحْفَتُهَا، وَأَمْسَكَ الْمَكْسُورَةَ فِي بَيْتِ الَّتِي كَسَرَتْ»

Anas Bin Malik narrated: *“While the Prophet was in the house of one of his wives. One of the mothers of the believers sent a meal in a dish. The wife at whose house the Prophet was struck the hand of the servant, causing the dish to fall and break. The Prophet gathered the broken pieces of the dish and then started collecting on them the food which had been in the dish and said, “Your mother felt jealous.” Then he detained the servant till a (sound) dish was brought from the wife at whose house he was. He gave the sound dish to the wife whose dish had been broken, and kept the broken one at the house where it had been broken.”*

From the good relationship that Allah (swt) ordered is to look at the good qualities of the wife and like looking at the bad ones. There is no perfect human being, and there are husbands who focus on the bad only: some defects in the shape of the wife, in her morals, in her nature, but she is virtuous, chaste, honest, clean, and obedient. But he ignores the good, and highlights her mistakes. This is not good relationship, and is unfair and unjust.

Our beloved Messenger (saw) groomed and used perfume for his wives, Aisha (ra) said: as if I see the whiteness of the musk in the intersection of the Messenger of Allah's hair. And she was

asked: "What was the first thing the Prophet do when he enters his house?" She said: He started with Siwak. He does not want his wives to smell the smell of food he ate.

And it is necessary in the marital life to show fondness to the wife.

Once Ali (ra) came in and saw his wife Fatima (ra) using the miswak (tooth brush). He angrily took the miswak off her hand and held it up in front of his eyes. While looking at it, he said: “Fortunate are you oh stick of the Arrak (tree), how could you be in my wife's mouth! Aren't you afraid that I would see you? Had you been of the people of war, I would have killed you! None other than you, oh siwak, has been spared from me!”

This is our master Muhammad (saw) as a husband; these are some examples of his treatment and his morals with his wives; he (saw) was the best husband ever. This is the marital life that is the basis of the family's happiness in the life of our Messenger and his noble companions, so as Muslims we must abide by what the early Muslims have committed to, and they produced for us heroes who carried Islam and raised its banner. Allah willing, there will be heroes in the Ummah of Muhammad (saw) who will restore the glory of Islam by adhering to the commands of Allah and His Messenger. We invite you to a peaceful, merciful and faithful marital life following the Sunnah of the Prophet (saw) and the companions to enjoy it in this world and to be rewarded for it in the Hereafter.

Written for the
Central Media Office of Hizb ut Tahrir by
Maria Al Qibtiya



1st
STAGE

#SaveTheFamily

The Crisis in The Family Unit



THE FAMILY: CHALLENGES & ISLAMIC SOLUTIONS



WOMENANDSHARIAH



@WOMENFORKHILFA



@WOMENSHARIAH



The Importance of Hayaa in Protecting Marriage and the Family Unit

The Arabic word “Hayaa” is a difficult term to translate into English. It is most often translated as meaning: modesty, self-respect, shyness, shame, humility, honour and bashfulness.

Hayaa is an attribute which helps the believer stay away from actions which are disliked by Allah (swt). This is because “Hayaa” causes the believer to experience feelings of unease when coming into contact with actions that are considered to be immoral or indecent with regards to compromising our modesty or chastity. The believers experience these feelings because they are reminded of their relationship to their Creator, Al Baseer (The All Seeing).

This is why it is seen as a very important concept within Islam. In fact, it is described as one of the defining characteristics of Islam, which has a strong connection to one’s Iman, as mentioned in the following hadith: «إِنَّ الْحَيَاءَ وَالْإِيمَانَ قُرْنَا جَمِيعًا، فَإِذَا رُفِعَ أَحَدُهُمَا رُفِعَ الْآخَرُ» “Indeed hayaa (modesty) and Iman are Companions. When one of them is lifted, the other leaves as well.” (Al-Bayhaqi)

Hayaa together with our Iman helps us to remind ourselves of the limits set by our Creator (swt) on how we should behave. It helps us control our urges and desires, and so guides our behaviour in a way pleasing to Allah (swt). We guard our modesty and stay away from indecency when we have Hayaa because we are aware of our relationship with Allah, and hence wary of even approaching close to anything that could be considered as immoral. In other words having Hayaa will help the believers in upholding their duty towards Allah in the same way that it will help them commit to their duties and responsibility toward others, as we will understand that refraining from these actions would lead to displeasing Allah.

Not having Hayaa could therefore be detrimental to a Muslim. The Prophet (saw) has said about the one who has no Hayaa: «إِذَا لَمْ تَسْتَحْيِ فَاصْنَعْ مَا شِئْتَ» “If you feel no shame then do as you wish.” (Al-Bukhari 3484)

The scholar Al-Haafiz said the words, “then do as you wish” is meant as a threat, i.e., do as you wish and Allah will requite you.

Unfortunately, the reality is that Muslims are in danger of losing their understanding of this important quality because of the influences of secular liberal values which actually state the opposite of what is meant by the words of our Prophet (saw). They actually do send out the message: “you should do as you wish”. This message is having a great influence on our private life and with the dealings with others, in particular concerning male-female relationships where the liberal vision of this relationship differs profoundly from that of Islam.

This is one of the reasons why we are seeing the rate of divorce rising amongst the Muslim community because the Islamic concept that the close or intimate relationship between the sexes is only allowed within the framework of marriage is changing due to the prevalence of western liberal ideas amongst Muslims. This is the case within the Muslim world and within Muslim communities living in the West.

This view of life where “one can do as one pleases” is having an influence on key concepts related to hayaa in Islam. These are

changing rapidly and are having a negative impact on married life and hence the unity of the family unit.

1) The free mixing of men and women in the private and public life

Muslims are become less and less aware that in Islam, the basic principle of the interaction between men and women is segregation. This is because this idea differs with that which is promoted in western liberal societies, where the general mixing between the sexes is common and encouraged at every level of society.

From the billboard on the side of the roads to the advertisements we see and hear on radio and television, there are no restrictions put on the interaction between men and woman. That uneasy feeling which a Muslim should feel when interacting freely with somebody from the opposite sex will naturally decline when the general message around us, especially in the popular culture of society, is telling one that it’s perfectly acceptable for them to do so.

For this reason, it is important to remind ourselves what Allah has revealed on matters and how He obliges both men and woman to have Hayaa when interacting with one another.

﴿قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ﴾

“Tell the believing men to lower from their gaze and to protect their private parts; that is better for them. Allah knows the details of what they do. And tell the believing women to lower from their gaze and protect their private parts.” [An- Nur: 30]

﴿وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ﴾

“And they are not to show their charm except that which is apparent. And let them cover their chests and necks with their head covers (khimars)”. [An- Nur: 31]

Hence, we are obliged to guard ourselves from anything which may lead to compromising our modesty or chastity.

2) Prevalence of licentious material around us.

Much of what is on television, and in music or on the internet involves the promotion of indecent scenes and lewd immoral behaviour. Even so we often spend our time watching these

programs often surrounded by our families or listening to such songs. Nearly every popular series or movie will have a story line which depicts some kind of immoral relationship such as pre-marital or extra-marital relationships. These programs actually serve to normalize and desensitize our emotions toward concepts which are forbidden for us, such as nudity, extramarital relationships, homosexuality and vulgar behaviour etc.

For instance, watching pornography has also been proven to cause trouble within married life, yet it is freely available. A recent survey revealed that 80% of men in the US between the ages of 18 and 30 admit watching it on a regular basis. It is a problem which is also unfortunately affecting Muslims. Watching these sexualised degrading images of woman, turns them into objects whose sole purpose is to gratify men's desires. What effect will this have on the relationship between a husband and wife? These images pave the way for all kinds of lewd behaviour.

However, understanding the concept of hayaa and sharia principle that "the means to Haram is also Haram" aids the Muslim to shun watching, listening to or engaging in any action which could harm their sense of modesty.

Therefore, Hayaa is essential in helping us stay away from this kind of behaviour and will help us build inner accountability so that we will not be prone to sinning even in the comfort and privacy of our own homes due to our awareness of our relationship with Allah and the accountability we have towards Him.

3) Hayaa and the Islamic dress code

Hayaa is also an important concept to apply with regards to the dress code for the Muslim woman and the man, so that they avoid dressing in a way to attract anyone who is non-mahrem to them. For the Muslim woman, this means following the Islamic dress codes entirely and comprehensively, which includes avoiding the concept of tabarruj, which is beautifying herself in the presence of non-Mahrem men (those men to whom marriage is permissible) such as wearing any form of dress, jewellery or make-up which enhances her attractiveness.

Today, unfortunately, much of what is contained in the so-called "Islamic fashion industry" does not conform to the Islamic rules on dresscode or the Islamic concept of Hayaa, for they are aimed at beautifying the woman in public life. We see for example, many Muslim sisters wearing the khimar or even the jilbab but the form of the dress is tabarruj, or the way they walk, talk or interact with men is completely at odds with what the dress should represent of hayaa. Hence the khimar is often worn as a fashion statement and in a way that enhances the beauty of the woman rather than in a manner that reflects the understanding of what it should represent for the Muslim woman with regards to Hayah and guarding her modesty and chastity.

For the Muslim man, having Hayah means following the Islamic rules in the way they dress and behave, for instance the manner in which Muslim men and women speak to each other, ensuring that it is not in a free and open manner, socialising and joking with each other, and hence disregarding the limits that Allah (swt) has placed on their interaction. This type of

interaction doesn't find its origin within Islam and it is the concept of Hayaa which should protect us from socializing with the opposite sex in such a manner.

4) The trust between a husband and wife:

In the West, it is considered to be quite normal to speak with friends and others about ones most intimate details we share with our spouse. Islam on the other hand holds a very different opinion on this matter.

The Prophet, peace be upon him, said:

«إِنَّ مِنْ أَعْظَمِ الْأَمَانَةِ عِنْدَ اللَّهِ يَوْمَ الْقِيَامَةِ الرَّجُلُ يُفْضِي إِلَى امْرَأَتِهِ وَتُفْضِي إِلَيْهِ ثُمَّ يَنْشُرُ سِرَّهَا»

"On the Day of Judgment before Allah the greatest act of misappropriation will be that a man may love his wife and the wife may also be inclined towards her husband and then he may disclose his wife's secrets to others" (Muslim).

Sharing intimate details about our marriages to family members, friends and others besides being haram, leads to an array of problems such as dissatisfactions, envy, jealousy, gossip, etc. Therefore we should be aware of Allah's dislike of this kind of behaviour and have Hayaa when we speak about our spouse to others.

We should not only refrain from speaking about intimate details we should also be aware to protect our spouse from all kinds of harmful speech. We should keep their faults hidden and protect them from any kind of humiliation and ridicule.

Islam considers spouses to be garments of each other.

«هُنَّ لِبَاسٌ لَكُمْ وَأَنْتُمْ لِبَاسٌ لَهُنَّ»

"They (your wives) are your garments, and you are their garments" [2:187].

When contemplating the meaning of garment, it has the purpose of protecting one's body of all kinds of harmful elements. Therefore, we should protect our spouses from every kind of harm that is in our hands, starting with not discussing each other's faults to the outside world just for the sake of complaining to others.

In conclusion, Hayaa is a protecting characteristic Muslims need to have. It helps us remain on the right path by creating that uncomfortable feeling towards anything which compromises our modesty, oversteps the Limits of Allah in our interaction with the opposite sex, or leads to displeasing Allah (swt). This feeling is actually a strength which helps prevent the believers from indulging in indecency and obscenity. For this reason, it is vital to embody this quality such that it shapes all aspects of our life, including within the institution of marriage where we are in a most private relationship with another. To have Hayaa in all matters concerning our spouse is vital to strengthening the bond with each other based on mutual trust. Hayaa will also help us keep our urges and feelings of lust within the boundaries set by Allah.

We need to understand the difficulties of living in societies – in the West and the Muslim world - where Hayaa plays no role and where it isn't a quality which is held in high regard. In fact, within secular liberal states, the concept of modesty is often ridiculed, shunned, scorned upon, and labelled as backward. Therefore, the dangers will still remain even when we as an individual

do our utmost to sustain this quality. This is because Hayaa is a necessity for society at large to embody in order to help all its citizens to uphold moral and righteous behaviour. Only the Islamic system of governance, implemented under the Khilafah (Caliphate) based upon the method of the Prophethood, which truly values the importance of this concept and such elevated behaviour, can ensure that Hayaa and Taqwa become defining characteristics of the society.

Allah Almighty reminds us of the people who have lost their sense of Hayaa in the following verse:

﴿إِنَّ الَّذِينَ يُحِبُّونَ أَنْ تَشِيعَ الْفَاحِشَةُ فِي الَّذِينَ آمَنُوا لَهُمْ عَذَابٌ أَلِيمٌ فِي الدُّنْيَا وَالْآخِرَةِ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ﴾

“Indeed, those who like that immorality should be spread [or publicized] among those who have believed will have a painful punishment in this world and the Hereafter. And Allah knows and you do not know.” [24:19]

Written for the Central Media Office of Hizb ut Tahrir by
 Yasmin Malik
 Member of the Central Media Office of Hizb ut Tahrir



Divorce is Halal Even if it is the Most Hated Halal

(Translated)

Because it is a complete legislation, it has taken care of man and provided him with ways to enable him to satisfy his organic needs and instincts without causing misery for him and other human beings, and created adequate curative solutions to all the problems and difficulties he encounters. This is Islam, the Deen that the Creator approved it for His servants so that they may live in comfort, satisfied and pleasing their Lord. Like other instincts, Islam addressed the procreation instinct and the preservation of the human kind, and indicated the legitimate way to satisfy them, so it recognized marriage to be a sacred relationship between the spouses. A strong bond that unites them, Almighty said: ﴿وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ وَأَخَذْنَ مِنْكُمْ مِيثَاقًا غَلِيظًا﴾ "And how could you take it while you have gone in unto each other and they have taken from you a solemn covenant?". [An-Nisa:21]

This is the bond which everyone who believes in Allah should follow alone and not to follow other solutions that satisfy this instinct. This is why Islam enjoined us to make a good choice and stressed the concern that the good men should be for the good women: ﴿وَالطَّيِّبُونَ لِلطَّيِّبَاتِ﴾ "And men of purity are for women of purity" [An-Noor:26] so that this partnership is strong, durable and lasting throughout their lives.

But, mistakes in choosing can be made, either in choosing a husband or a wife, which spoil the relationship between them and pursuance of the marital life becomes impossible because they are different in their characters, or because of conflict in their interests, or a lack of harmony and love between them. Consequently, this life turns into an intolerable hell, and the inevitable solution imposes itself: divorce! Yes, Islam has legislated divorce and considered it - the most hated halal - but it is a necessary solution in some cases of marriage, in which the agreement is difficult between the two parties, rather, their living together is impossible.

To preserve this cell from other destructive dangers to it and to the whole society, Islam legislated divorce. And in order not to contaminate this relationship, and not to tarnish this deep bond upon the absence of harmony and agreement between the spouses, Islam legislated divorce. Because Allah knows who He created, and He knows what He innately disposed in His creation, He made for the spouses a Halal outlet to untie this bond so that they would not walk in paths that would take them down to desecrate that relationship and anger their Lord.

When Christianity dealt with this issue, it considered it unacceptable and did not allow for spouses to divorce, for it considers it a sacred bond. A man must be associated with one woman for life, and both spouses must be faithful to the sacred marriage vows. So, it principally prohibited divorce as a rule. But it found itself in front of situations where spouses could no longer together, which can push them to find other ways to live by, each meeting their own desires and needs as they want. So, illegitimate relations spread, family ties shaken, and society becomes corrupt. The Church relies on its first reference, the "Holy book", which states in many places that "any man who

divorces his wife, except for sexual immorality, causes her to commit adultery, and whoever marries a divorced woman commits adultery". However, in view of the difficulties it faced in deciding on troubled marital relations, it was forced to enact legislation and jurisprudence to make divorce acceptable. These included committing adultery by one of the parties, desecration of the sanctity of marriage, the insanity of one of the spouses and emotional trauma that cannot be cured and which pose a danger to the marriage life and later to the children, or if a spouse left the marital home without the permission or knowledge of the other and for a long period of time perhaps three years or more, and also when the marriage of one of the parties to the other was under duress and without his or her consent and satisfaction.

This is the position of the Church, which recognizes marriage as a sacred bond that must endure and not be dismantled. Nevertheless, in the face of the challenges encountered by many families, in which the cohabitation of the spouses was difficult, it has approved many cases of divorce.

Another position is promoted by the advocates of liberties and feminism, calling to live without this bond, so each party is to live as he/she pleases!! A position in which its holders seek to undermine the family and destroy its entity.

The existential writer, Simon de Beauvoir, considers marriage "the eternal imprisonment of a woman that cuts off her hopes and dreams." She considered the institution of marriage an institution for the oppression of women that should be demolished and abolished. Feminist philosophy also called for "freedom of bonding and freedom of separating at any time between two individuals; be they homo or heterosexuals." It establishes a life of confusion, futility, lineage mixing, and demolition of families and the entire community.

Islam is Allah's legislation, which is the best thing to organize human life. Who knows about the creation except their Creator, and who is better able to run their lives and regulate their actions but Him? He legitimized for them getting married to satisfy their instincts and to procreate and reproduce so their kind continues, and their life continues. And He encouraged them to make good choice to continue this marriage and to live a life of understanding

and harmony. But the intimacy of this relationship may be disturbed and the devil (Satan) works to differentiate between the spouses, bragging and happy for achieving it. The Messenger of Allah (saw) said:

«إِنَّ إبليس يضع عرشه على الماء ثم يبعث سراياه فأدناهم منه منزلة أعظمهم فتنة يجيء أحدهم فيقول فعلت كذا وكذا فيقول ما صنعت شيئا قال ثم يجيء أحدهم فيقول: ما تركته حتى فرقت بينه وبين امرأته قال فيدنيه منه ويقول: نعم أنت...»
"Iblis places his throne upon water; he then sends detachments (for creating dissension); the nearer to him in rank are those who are most notorious in creating dissension. One of them comes and says: "I did so and so." And he says: "You have done nothing." Then one amongst them comes and says: "I did not spare so and so until I sowed the seed of discord between a husband and a wife." The Satan goes near him and says: "You have done well.""

It is the work of the Satan. And although it is the most hated permissible thing to Allah, it remains halal and remains a solution after all attempts fail to resolve disputes and differences and when life between the spouses becomes impossible. So, dissolving the marriage becomes imperative, and it becomes the best solution because the continuity of life between the spouses has become worse and more serious than this dissolution.

Islam came and cleared societies of all impurities, corrupt ideas and erroneous relationships, and concentrated purity and serenity in its ideas and relations, so they became pure and clear. Those are its concepts, treatments and its solution to the spouse's relationship when it becomes impossible to continue, and divorce was only to settle this issue because the relationship had been devoid of tranquility, compassion and affection and had been replaced by hatred, hate and lack of harmony. Allah (swt) has singled out this issue in a whole Surah, At-Talaq (The Divorce), and also has elaborated it in Surat al-Baqarah. Thus, His rulings regarding it are explained and defined to the people, so that they can lead their lives in accordance with them--as their Lord wants--to preserve the society, which if one of its cells have been infected, it stands firm to the tremors that target it and want to undermine it. Indeed, this great Deen contains solutions by which the society repels harm from its entity and stabilizes its foundations. In Islam, all the goodness, no matter what seems to us of disadvantages and evil in things, for our judgements on them and their consequences are incomplete, for we do not see their secrets and only Allah knows them:

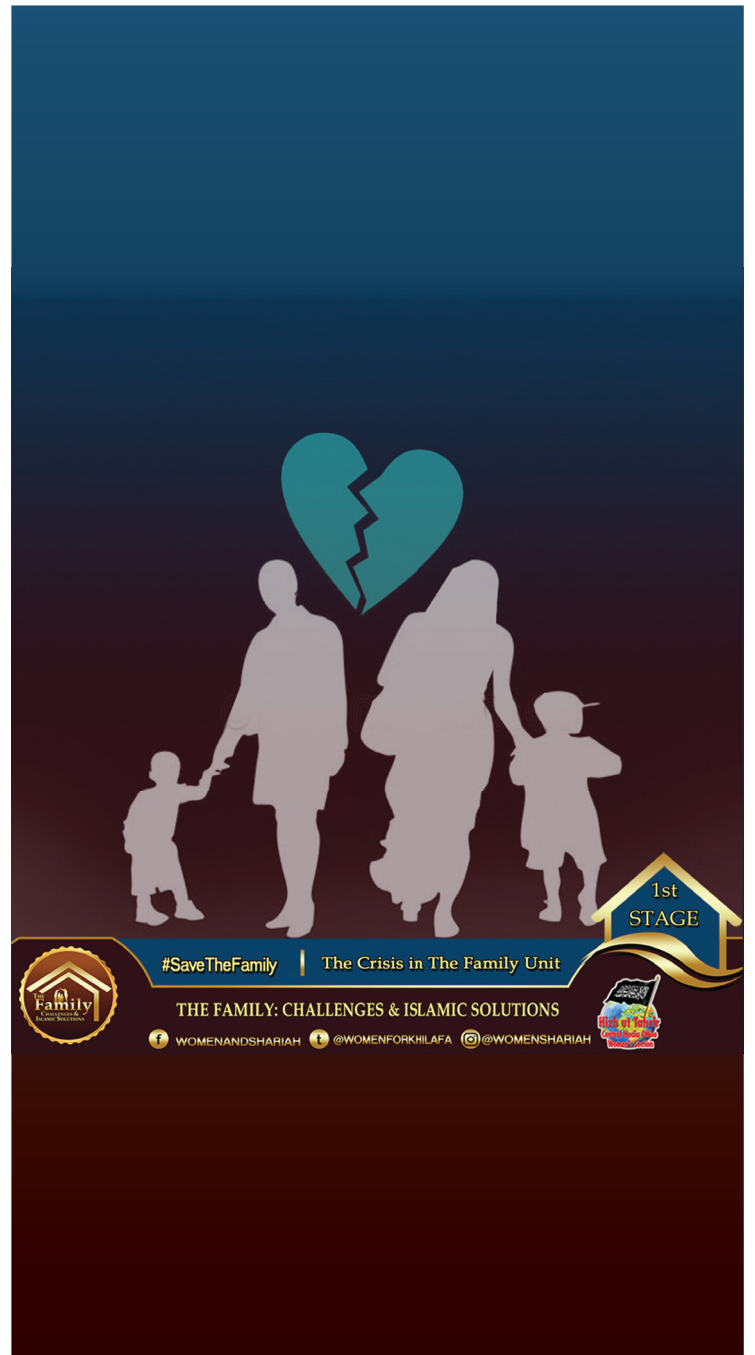
﴿وَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَهُوَ خَيْرٌ لَكُمْ وَعَسَى أَنْ تُحِبُّوا شَيْئًا وَهُوَ شَرٌّ لَكُمْ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ﴾

"But perhaps you hate a thing and it is good for you; and perhaps you love a thing and it is bad for you. And Allah Knows, while you know not." [Al-Baqara: 216]

Divorce, even if there are disadvantages in it, is good, by Allah's permission, for the spouses, for the children and for the family in general. It is better than their being together - after it has been impossible - for life will turn into hell and it will bring about evil and abuses. The marriage is an intimate and strong bond which Islam has urged to be built on solid firm pillars that make it withstand the difficulties and differences that could be

encountered by the spouses, which they treat with the provisions they have adopted and by what the relationship between them is built on, of love in Allah and the work to satisfy Him. This is what Allah has decreed for His servants so that the family can be harmonious and have ties of compassion, love and mercy. The society thus becomes a cohesive society that bonds its members with competition for attaining goodness and seeking the satisfaction of the Lord of the Earth and the Heavens. And if these relations are marred by some disturbance and deficiency, then the solutions are available which are explained by the law of Ar-Rahman.

Written for the
 Central Media Office of Hizb ut Tahrir by
 Zaina Al-Saamit



1st
 STAGE

#SaveTheFamily | The Crisis in The Family Unit

THE FAMILY: CHALLENGES & ISLAMIC SOLUTIONS

WOMENANDSHARIAH | WOMENFORKHILAF | @WOMENSHARIAH

«يَا مَعْشَرَ الشَّبَابِ، مَنْ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ» “O young People! Whoever among You Can Marry, Should Marry”

(Translated)

Allah (swt) created mankind and made marriage the manner to procreate; Allah (swt) called marriage in the Noble Quran the “solemn covenant” to indicate its importance. «وَأَخَذَنَّا مِنْكُم مِّيثَاقًا غَلِيظًا» “... and they have taken from you a solemn covenant?” [An-Nisa’: 21]

The Prophet (saw) disproved of the one who refuses to marry whatever the reason may be, even if this reason is Qiyam ul-Layl (staying up the night for worship) or fasting the day. The Prophet (saw) said: «...وَأَتَزَوَّجُ النِّسَاءَ، فَمَنْ رَغِبَ عَن سُنَّتِي فَلَيْسَ مِنِّي» “...and I marry wives, the one who does not act upon my Sunnah is not of me.”

Imam Ahmad (may Allah’s mercy be on him) said: “Celibacy is not from Islam, whosoever advises you to remain unmarried; has called you for other than Islam”.

The reluctance to marry is contrary to the Sunnah, and contrary to typical nature; and a door to the spread of corruption and vice, and abominations, may Allah forbid. Abstaining from marriage without a valid reason lessens the anxiety and discontent, because marriage brings tranquility, peace, affection and love.

«وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ»

“And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy. Indeed in that are signs for a people who give thought.” [ar-Rum: 21]

Marriage agrees with human nature and ensures the survival of the human species, the succession on earth, the increase of progeny, and the prosperity of the land; it achieves the promise of the Prophet (saw) of the increased in numbers multiplied reproduction (of the Ummah) in front of other nations on the Day of Resurrection.

But when we look at the Muslim world, we see a large number of unmarried young women and men, and a recent study indicates that one-third of the number of young unmarried women in the Arab countries reached the age of thirty. For example, the percentage of unmarried males in Egypt between the ages of 18 and 29 years was about 37.4 percent of the total married population, compared with 16.4 percent of females in the 2017 census, according to Egyptian census data. According to some statistics, Palestine scored the lowest percentage with 7%, Bahrain with 25%, Yemen 30%, Kuwait, Qatar and Libya 35%, Egypt and Morocco 40%, Saudi Arabia and Jordan 45%, Algeria 51%, Tunisia 65%, Iraq and Syria 70%, UAE 75%, while Lebanon recorded the highest percentage reaching 85%. (Albawaba)

These large percentages are not promising, leading to evils, sedition (fitnah) and deviation, affecting the family and society. And these young people think that they live a calm life away from family problems and that their lives are free of family worries and troubles, but they are wrong because if they are chaste, they

will live with unease, anxiety and suffer a bitter life and they will be deprived of the pleasure of marriage and the blessing of children which is of the greatest blessings that Allah bestowed to humans. If they are not chaste, they will turn to the Haram and sin, abandoning the Deen, upright values, and morality.

For this reason, the causes of delayed marriage or abstinence should be studied to remove the obstacles and facilitate it for young men and women. Otherwise, the Haram will be replaced by Halal, and corruption, fornication and sins will spread in the family and society, and the Ummah will be distanced further from the revival and returning back to Islam; its constitution, method and the state.

If we look at the reasons for the delay of marriage, we see that sometimes they differ from one country to another, but they are in common and are due to the non-application of the Shariah rulings, the most important of these reasons are:

The high cost of dowry (mahr) and the high cost of marriage in its empty manifestations, which makes marriage difficult or nearly impossible for many young men which delay marriage, or they turn to marry foreign women that do not cost them anything, which increases the number of unmarried women. This is contrary to what Allah has prescribed to the ease the costs of marriage. The Prophet (saw) said,

«أَعْظَمُ النِّسَاءِ بَرَكَهً أَيْسَرُهُنَّ مَثُونَةً»

“Women with the most Barakah are those with the easiest dowry.”

This is not to mention the many conditions and materialistic demands of the young women and her family, and concern with the materialistic aspect in the choice of husband and lack of attention to other important attributes such as Deen, morals and capability. The Legislator stressed two of great qualities to look for in the male spouse. The Prophet (saw) said:

«إِذَا أَتَاكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ إِلَّا تَفْعَلُوا تَكُنْ فِئْتَهُ فِي الْأَرْضِ وَفَسَادًا كَبِيرًا»

“Whoever comes to you and you’re pleased with their Deen

and character (khulq) marry them! If you don't, there will be corruption and great harm in the earth." [Tirmithi]

There is no doubt that Allah guaranteed to support His faithful slave to get married, the Prophet (saw) said:

«ثَلَاثَةٌ حَقَّ عَلَى اللَّهِ عَوْنُهُمْ: الْمُجَاهِدُ فِي سَبِيلِ اللَّهِ وَالْمُكَاتِبُ الَّذِي يُرِيدُ الْأَدَاءَ وَالنَّاسِحُ الَّذِي يُرِيدُ الْعَفَاةَ»

"There are three people whom Allah will surely help: a warrior in the cause of Allah, a slave who wants to free himself by a payable contract, and whoever seeks chastity by marriage." [Tirmithi]

It is so strange to find a man who gets his daughter married to someone who does not pray and does not fear his Lord, for his wealth and the abundance of his money and rejects the righteous man for his poverty!!

This problem is further exacerbated by the absence of the Islamic state that would look after the people, and by the capitalist system in which we live, such as the spread of unemployment, low income, widespread corruption and nepotism, which makes those seeking to get married incapable of starting a family life.

Among the most important factors that hinders marriage and delays it for many young men and women is the influence of corrupt media directed and influenced by the concepts of the West, its principles, social patterns, ideas and manifestations that are far from the provisions of Islam; that are transmitted to the children of Muslims through various series, films and programs. This is in addition to their weak religious deterrent and absence of deterrent laws and limits in the system leading to the decline of values and ethics, and openness without restrictions. Thus, some formed illicit relationships and chase after forbidden desires and deluded dreams and the mirage of fake love and the need for the couple to have a relationship before marriage so that they know each other!! This is one of the greatest fitnah, may Allah protect us, or their desire for freedom and not act responsibly or other rational convictions unjustifiable by Shariah and are not to be relied upon.

Because of the man-made rule capitalist laws in the Muslim countries, which are governed by benefit and interest, and where family relations and proper guardianship and family ties are dissolved, a number of young women feel threatened and insecure of the future. Therefore they will seek-according to them- to find a weapon to protect their future; that is education and work, even if it clashes with their marriage and motherhood. If the rules of Islam were applied, they would not feel this because Islam guarantees their protection, care and security in all their roles in life. We also must not forget the illusion of equality and economic empowerment, which makes women think of independence and pursue their self-achievement and personality by finding a prominent place in society, and thus the idea of class and cultural equivalence emerge between spouses serving as a criterion that women set in choosing the person to marry, it may not be found, leading to delay in marriage or not getting married. The family sometimes is the reason for the delay of their daughter's marriage or they practice "Al Adhl" (preventing daughters from getting married) to realize their

desires to benefit materially.

To solve a problem or minimize its effects we must eliminate its causes, we must begin to emphasize the importance of marriage and its necessity for young men and women, and we must show the dangers of abstaining from marriage or making it difficult. And then we must work to facilitate marriage through the following:

To reduce the costs of marriage, to reduce dowry, to lower the costs of marriage and its demands, and to accept those we are satisfied with their Deen and morals, even if they have less money, and by keeping in mind the words of Allah (swt):

﴿وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ﴾

"And marry the unmarried among you and the righteous among your male slaves and female slaves. If they should be poor, Allah will enrich them from His bounty, and Allah is all-Encompassing and Knowing" [An-Nur: 32]. And the saying of the Prophet (saw):

«إِنَّ مِنْ يَمْنِ الْمَرْأَةِ تَيْسِيرَ خَطْبَتِهَا، وَتَيْسِيرَ صَدَاقِهَا، وَتَيْسِيرَ رَحْمَتِهَا»

"It is from the Barakah of the woman: the ease of her engagement, the ease of her dowry, and the ease by which she conceives (have children)."

And the saying of Umar (ra) said: "Do not increase the dowry of women, had it given honour in the Dunya or been a worship (taqwa) for the Akhirah then the Messenger of Allah would have been more fitting of that than you (but He (saw) did not increase the dowry)." [Narrated by the five narrators and verified by Tirmidhi]

And we say to the one who prevents his daughter or sister from getting married, due to greed of her money or job, despite getting a proposal from the righteous man and their acceptance of the proposal: that this is forbidden by the Shariah. Allah (swt) says:

﴿فَلَا تَعْضَلُوهُنَّ أَنْ يَنْكِحْنَ أَزْوَاجَهُنَّ إِذَا تَرَاضَوْا بَيْنَهُنَّ بِالْمَعْرُوفِ﴾

"...do not prevent them from remarrying their [former] husbands if they agree among themselves on an acceptable basis" [Al-Baqara: 232].

As for the young people who are reluctant to marry because of the wrong ideas and concepts that are far from Islam, we say to them: Fear Allah and know that time passes and the desire ceases and only the guilt and sorrow remain, and tranquility and peace will only come by marrying the righteous woman or a righteous husband.

﴿وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ﴾

"And of His signs is that He created for you from yourselves mates that you may find tranquillity in them; and He placed between you affection and mercy. Indeed in that are signs for a people who give thought." [ar-Rum: 21]

And do not imitate what you see in serials and destructive programs full of corrupt concepts and behaviours that are far from our Deen, morals and values, which are exported to us to corrupt us, because they fear the mighty return of Islam as it was during the days of the existence of its strong secure state.

As for you, my daughter and sister, you should accept a husband that pleases Allah and His Messenger, and do not prefer the incompetent to the competent for money or name or status you want, or for your desired privilege, or for a wish in the Dunya, so that you attain Allah's blessing. Also, your study or job is not more important than your marriage and your motherhood, and there is no clash between them, if you are able to balance between them. Your first role in this life is to be a mother and a housewife, and earning a living is the task of the man (husband). He has to secure all your needs. This does not reduce your position and status, rather on the contrary, this is your role and by Allah it is a very important one, and from the most difficult tasks men cannot do, it is the building of a human being, your home and your family are not compensated for by a certificate or a job whatsoever.

We would also like to draw attention here to a Shariah ruling that its absence resulted in the increase in the number of unmarried women. This ruling was distorted by serials, films, petty writings of petty male and female writers; this is polygamy, which is a Shariah law from the laws of Allah and from the Sunnah of the Messenger (saw), which is a good solution for the increasing number of unmarried women, we need to clarify this

law. Also the polygamist must fear Allah and ensure fairness, what distorted the law of polygamy are the unjust polygamists. The majority of them are inclined towards some women (wives) and their children at the expense of other women (wives) and their children, this made women hate polygamy and many others fear for themselves and their daughters from it. Some have even preferred to remain unmarried than to marry a polygamist that will be unjust to her or to another wife because of her assuming it will be sinful.

And we conclude with the words of the Prophet (saw):

«يَا مَعْشَرَ الشَّبَابِ، مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَغْضُ لِلْبَصْرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ، فَإِنَّهُ لَهُ وَجَاءٌ»

“O young people! Whoever among you can marry, should marry, because it helps him lower his gaze and guard his modesty (i.e. his private parts from committing illicit sexual intercourse etc.), and whoever is not able to marry, should fast, as fasting diminishes his sexual power.”

Written for the
 Central Media Office of Hizb ut Tahrir by
 Muslimah Ash-Shami (Umm Suhaib)

أَنَا رَبُّكُمْ فَاتَّقُوا اللَّهَ الَّذِي تَخَافُونَ يَوْمًا تَتَذَكَّرُونَ فِيهِ لِكُلِّ أُمَّةٍ أَرْسُلْنَا رَسُولًا بِالذِّكْرِ وَالْحَقِّ وَالْحَقُّ بَيْنَ يَدَيْهِ وَمَنْ كَفَرَ بَعْدَ ذَلِكَ مِنْكُمْ سَاءَ مَا يَحْكُمُ اللَّهُ

وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً

And of His signs is that He created for you from yourselves mates that you may find tranquillity in them; and He placed between you affection and mercy.

The Muslim Family and Sullen Dissociation

The family system of a nation is closely linked to the ideology of that nation and the ideas emanating from it, which define the set of criteria, concepts and convictions of the people. So that the laws and rules are shaped harmoniously with what the society has believed in, creating the unique feature that distinguishes one nation from another. But the harmony between the systems and the creed, does not necessarily create balance and discipline within societies, and certainly does not mean the validity of the systems in caring for people's affairs. The correct system depends on the correct doctrine, and this is only with Islam.

Since the doctrine in the West is based on two basic ideas that are contradictory to the Islamic Aqeedah namely: separation of religion from life and the absolute freedoms of the individual, the view of the family was based on these ideas. Thus, the western legislator considered the guarantee of the individuality, the freedom and the contradiction of religion in the enactment of family laws, which explains the state of the breakdown of the value system within the family in Western society, and the resulting disintegration, chaos and crisis that has caused on the individual and on society. So that the concept of family became limited to a meeting between two human beings, irrespective of them being a woman and a man, a man and a man, or a woman and woman, whereas children can be added to the family by adoption or even by renting wombs (surrogacy)!

Yes!! These absolute freedoms with the eradication of religion have enabled the Western legislator to tamper with the institution of the family and make all the provisions related to it "personal status." And the laws of "Personal status" were consistent with this individual view and respectful for the roof of freedoms. Hence, same-sex marriage became legal, and gender, incest, single mothers, extramarital relations, children of incest, divorce, inheritance and custody, are all based on this excessive individualism, which sanctifies the individual and makes his or her own interest above the interest of the society (after me comes the flood).

It was indeed a flood that ravaged the Western society and hit its core until the moral, humanitarian and spiritual values were collapsed, and no consideration is given except to what achieves the individual's material benefit! So, laws themselves became one of the problems of family relations and increased the depth of the crisis, because they are based on a corrupt view point of man and life!!

Despite the corruption of the Western creed and the corruption of the systems emerging from it, the consensus on the laws, their acceptance, and even their desirability in many cases, despite their oddity and corruption reflects the state of harmony between the idea and its system. We find huge rallies in the streets of Europe and America demanding the protection of homosexuals and their rights, or enacting laws permitting infidelity, or demanding marriage legislation between humans and animals, as in Norway, for example, which is expected to allow this except for marrying

insects, marine animals and poultry!

Such corrupt and shameful laws show the extent of the corruption of the Western creed in its dealing with human beings, and the extent of its shortcomings and its incapability in understanding it first and then in addressing its problems. This has made lawmakers in the West resort to the lie of freedom, "do what you want to do and however you want", due to their helplessness to comprehend human problems and provide solutions, so, "Freedom" is a peg for impotence and failure!!

But the crisis of the family in the Muslims countries is of another kind, it is a crisis of the corrupt system disconnected from the doctrine of the people, that has been forcefully introduced and compulsorily applied on them, forming a state of overwhelming chaos, due to its failure, on the one hand, and principally its contradiction to the doctrine of the Ummah, its criteria and convictions on the other hand!!

Our Muslim family today is living a state of sullen dissociation, between a religion that it believes in, which is inherently inseparable from life, and legislation based on the separation of religion from life. This blending of opposites destroys and does not build, and makes the situation of the individual and the society a troubled and complicated double crisis!

Between Allah's rulings in marriage, divorce, provision, guardianship, inheritance, custody and lineage, and the hybrid rulings that are imposed on our necks, so they severed that which Allah has ordered to be joined and allowed the application of other than Allah's laws, in an arbitrary attempt to establish a new view for the family and for the roles of the wife, husband and children contrary in their origins and details to the view of the Great Islam!

Starting from the Personal Status magazine founded by Bourguiba in Tunisia in 1956, which sparked widespread controversy in the land of Az-Zaytouna for declaring war on Allah and His Messenger in its origins and clauses, which included prevention and criminalization of polygamy, abolishing the right to divorce by men and giving it to the court and abolishing his right to be obeyed, legalizing abortion and the recognition of adoption. And through the CEDAW Convention and the provisions of its articles that are contrary to the Islamic law, especially in the system of inheritance and the marriage of a Muslim woman to a Kafir, which most Arab

countries reluctantly have made reservations about them except Tunisia in the current reign of El-Sibsi who continued the proxy war for the deceased Bourguiba before him or the Maputo Protocol on the Rights of Women in Africa, or the United Nations plans on the rights of women, the family and children, and women's rights committees and feminist associations, and all those conventions and projects that seek to eradicate the Islamic understanding of the family, that are deep rooted in Muslims, which created the deep gap between the hopes of the family and its reality.

On viewing the reality of the family in our Islamic countries today, one cannot deny the deterioration of its status through the spread of the divorce phenomenon and its rising proportions day by day, the percentages of the unmarried individuals, the reluctance of young people to marry for fear of the family tie, the decline of family bonding, the conflict of roles within it, and the marginalization of the role of motherhood and marital relations, with the pressure of economic life and living conditions that contribute to the threat of its bonding, and above all, the state of schizophrenia between the creed and the laws.

The origin of a Muslim's personality as s/he lives in a society is to be a coordinated and consistent personality. This makes him/her a balanced and disciplined individual, whose behavior is shaped in accordance with the concepts he believed in. And in his pursue of linking his relations with himself, with man and with his Creator, his

adherence to the laws is self-motivated driven by his piety (Taqwa) of Allah Almighty, so the implementation of the provisions and his satisfaction by them become easy. The individual thus respects his role within the society, especially within the family to which he belongs to or he establishes as an impregnable fortress by the provisions of Allah and His Messenger, so that the family is strong, bonded, productive and fused with the Ummah that encompasses it and responsive to the state under which it is shaded.

In order for our Muslim families to achieve that revival, tranquility, harmony and balance and produce responsible and mature personalities, they must remove these corrupt regimes that destroy and do not build, and adopt their original system which is inspired by their doctrine and is rooted in them. And establish their just and righteous state that protects and guards them to revive the concept of unity in its correct sense, from one soul, to one family, to one state and to one Ummah.

﴿هُوَ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَجَعَلَ مِنْهَا زَوْجَهَا لِيَسْكُنَ إِلَيْهَا﴾

"It is He who created you from one soul and created from it its mate that he might dwell in security with her." [Al-A'raf: 189]

Written for the
Central Media Office of Hizb ut Tahrir by
Nisreen Buzhafiri

Violence Against Women and Children An Imported Epidemic from the Secular West

Extensive violence within marriage has become the norm for an ever-increasing number of women and children in the Muslim lands. In particular, the race in copying the Western life-style and rule, domestic violence casts an ever-increasing ever-darker shadow upon Muslim societies.

The disintegration of the family unit, and thus the integrity and harmony of the social life in the Muslim lands is the ineluctable consequence mainly of the promotion of man-made secular and liberal concepts and values invented by the Western capitalist ideology. This ideology postulates that the ideals to be sought by man are the sublime values that man lays down for himself. Based upon that, in particular the Western ideal of gender equality is one of the basic concepts that besmeared our societies and families with the same afflictions which plague the non-Islamic Western people. It corrupts relations in marital and social life through liberal freedoms and the pursuit of selfish desires; it undermines all elements of respect, wellbeing, dignity

for women, children, and the men of society. At the same time the intensive secularist condemnation of Islamic social laws leaves Muslim families under the choke of desperation.

And the assumption – as often claimed by modern intellectuals – that the painful ongoing decay in our societies is simply the fallout of unskilful policies; is utterly wrong! Rather it is the inevitable consequence of the capitalist ideology, which is unable to effectively address the vital issues of its own people. Hence to ensure its survival, it has no other option than to cover its own decay as well as vilifying and destroying the culture and lifestyles of other belief-systems. Thus and in particular the problem of violence in our societies, in particular domestic

violence, is the outcome of a long pre-planned insidious western project to colonise our lands, which materialised through the implementation of secular ruling systems, their regimes, official bodies, associations and feminist women's rights organizations, which are all instruments of colonialist powers utilized to subjugate the Muslim people. This article is going to evidence the magnitude of violence in families and against women and girls that is spreading in our Muslim lands.

Tunisia is the first country in the Arab world that introduced a modern Code of Personal Status (CPS) in January 1957 that replaced many Islamic social and family laws with those based upon secularism. This staunchly secular state was always presented by Western governments, feminists and institutions as a model of securing women's rights in the Muslim world. However, the promotion and implementation of secular liberal values, policies, and laws within its society have only led to an increase in oppression of its people and in particular violence against women. Today, the North African country currently has one of the highest rates of domestic violence in the world with research showing that nearly half of all women as victims of this crime at some point in their life. A study conducted by the Tunisian Democratic Women (ATFD, French acronym) revealed that 84% of women who are victims of violence are married, and 82% of cases happen in the matrimonial home.

The National Office for Family and Population has revealed that about 50% of Tunisian women have suffered some form of violence, and that 42% of them are university graduates. An aggregate sample of 3000 women, showed that 31% had been victims of physical violence, 28% suffered sexual violence and 7.1% were subject to economic violence (13th August 2014). This year, another study, published by the Center for Research, Study, Documentation and Information on Women (a Tunisian group in cooperation with the UN), found that 70 – 90 percent of women had been victims of sexual harassment, mostly on public transportation, from 2011 to 2015.

Another source of concern regarding the safety of women in the country is women trafficking. According to the International Organization for Migration (IOM), Tunisia is a source, destination and transit country for women who are "subjected to forced labor and sex trafficking."

All of this illustrates that any adaptations in laws have not only failed to protect the women in Tunisia, but in fact led to a worsening of oppression and an increase in violence. And still, the country is eager to implement further secular Western ideals and laws, like the establishment of full gender equality in its new constitution, and the "The Law on Eliminating Violence against Women" that is to come into force this year.

Turkey is another Muslim country that is given the mission to play a role model for women's rights and to be the pioneer in promoting and implementing capitalist values like secularism, democracy and gender-equality in the Muslim world. Turkey has actively participated in almost every international agreement regarding women. It ratified the UN's international treaty, the

Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1986, and established the General Directorate on the Status of Women (GDSW) as a national mechanism in 1990 which greatly contributed to the active participation of Turkey in the UN's Beijing Declaration and Platform for Action on women's rights' processes in 1995. It was the first country who signed the Convention on Preventing and Combating Violence against Women and Domestic Violence on May 11th 2011 and became the first country to ratify it on November 25th, 2011. Combating violence against women was recognized as a state policy and embraced by many organs of the state since 1995.

Yet all these actions and all efforts and initiatives to promote and implement gender equality within the country produced the *fastest increasing rates of violence against women in the world*. According to the Turkish Ministry of Justice, from 2003 (when the AKP came to power) until 2014, there was a 1,400 percent increase in the number of murders of women. And it is worth noting that the greatest changes in laws and regulations according to international agreements like CEDAW and the Beijing Declaration were made by the AKP government.

According to TUIK (Turkish Statistical Institute), four out of ten women face domestic violence, while Turkey's Ministry of Family and Social Policies reported that 86% of women in Turkey experienced physical or psychological violence from a partner or family member. Over 300 women died of domestic violence in 2015 alone. In 2014, dozens of women were killed by their abusive spouses even after applying for police protection. Currently Turkey runs approximately 100 official shelters that accommodate fewer than 3,000 women, with overburdened non-profit organizations struggling to care for the remaining 20,000-plus women who seek shelter each year. The report of a women's organization (Kadın Cinayetlerini Durduracağız Platformu) revealed 409 murders of women, 387 recorded cases of sexual abuse of children, and 332 recorded cases of sexual violence towards women in 2017. These numbers are rapidly increasing every year. Additionally, spine-chilling is one development regarding violence towards children. A new trend is arising in divorce cases, where fathers murder their own children in revenge for the divorce they reject. Thus, 20 children were murdered by their own fathers in 2017 alone.

Numbers and reports from other Muslim countries, ruled by secular and other non-Islamic regimes and systems, paint similar dark pictures: In **Afghanistan** 80% of Afghan women experience or have experienced at least one type of violence during their lives (UNFPA 2016). The Public Health Ministry registered 8,188 cases of gender-based violence of which 2,806 cases were physical violence, 3,470 psychological abuse, 1,207 lack of access to resources, 403 forced marriages, 166 sexual assaults and 136 sexual harassments against women. The Afghan Ministry of Women Affairs announced almost 4,000 recorded cases of violence against women in 2017.

Around 1.5 million women in **Egypt** are subjected to domestic

violence each year at a rate of more than 4,000 cases every day (National Council for Women in Egypt / 2016). In *Palestine*, about 37% of women who have been married have been subjected to a form of violence by their husbands (National Survey on Violence in Palestinian Society, 2011). *Indonesia* has similar statistics which briefly state that 245,548 cases of violence against wives occurred in 2016 alone (Komnas Perempuan, 2016). *Malaysia* follows with 10,282 reported domestic violence cases in January 2016 alone (WAO, 2016). According to the BBC's Persian service, 66.3 % of women in Iran experience violence in their lives (RUDAW, 2014).

This huge scourge of violence against women and domestic violence is in fact a phenomenon imported into our lands from the West which is suffering from an epidemic of such crimes itself due to its capitalist, secular and liberal value system. For example, in the *UK*, 1.2 million women reported domestic abuse in England and Wales in the year ending 2016, and 1 woman in 4 experiences domestic violence (Office for National Statistics). In 2014, a survey by the European Union Agency for Fundamental Rights (FRA), revealed that *one third of women in the European Union have experienced physical or sexual violence since the age of 15*, corresponding to 62 million people. The survey which covered 28 European countries also found that 1 in 10 women in the continent have suffered some form of sexual violence and 1 in 20 had been raped. 55% had experienced sexual harassment, often in the workplace, with 75% of women in qualified professions or top management jobs having been subjected to this form of violation against their dignity, dismantling the oft-repeated claim that employment is the path to elevating women's status. Interestingly, *countries with the highest number of incidence of violence were Denmark (52%), Finland (47%), and Sweden (46%)* – states which have been praised for their gender equality laws and labelled as the most gender egalitarian according to the UN Gender Equality Index, the World Economic Forum report of 2013, and the European Institute for Gender Equality.

And these are some statistics about violence in the *USA*, published in the Huffington Post on April 5th 2017: Every single day more than 570 people experience sexual violence in this country which is full of near-daily stories of sexual assaults on college campuses, and that is even ruled by a President who has been publicly accused of sexually assaulting more than 15 women. Almost 18 million women have been victims of rape since 1998. 1 in 6 American women survived an attempted or actual rape in their lifetime. The average number of victims of rape per year amounts to 321,500. In addition, domestic violence is extremely common in the *U.S.A.*, where about 5 million women experience intimate partner-related physical violence... and so forth... Every type of sexual assault, rape and other types of violence can be found at epidemic levels in this country, yet it claims to be the guardian of women's and human rights.

Worldwide women and girls make up 80% of the estimated 800,000 people trafficked across national borders annually, with 70% of them trafficked for sexual exploitation. Up to 7 in 10

women in the world report having experienced physical and or sexual violence at some point in their lifetime. Worldwide up to 50 % of sexual assaults are committed against girls under the age of 16. More than 100 Million girls are missed due to prenatal sex selection. And all this has unfolded under the watch of the capitalist secular liberal system that dominates international and national politics today and has shown itself to be absolutely clueless and incapable of stemming this tide of violence against women and girls. Furthermore, the host of gender-equality laws, acts and initiatives as well as programmes and legislation promoted internationally and implemented within western and Muslim states to tackle violence against women and girls have failed spectacularly to even dent the scale of this problem.

These examples of the Muslim and non-Muslim world show that the liberal secular values of capitalism, which encourage individuals to act upon their whims and desires and whose entertainment industries, have denigrated the status of women and promoted sexual freedoms which corrupt and harm the relationship between the genders within society and have directly fuelled the degrading, humiliating and violent behaviour towards women all across the world. Additionally, the lack of convincing and satisfying rules and laws to regulate the affairs and interaction between men and women as well as the lack of adequate punishment for any transgressions against the honour and dignity of women led to the ungovernable escalation of violence against women. As long as these corrupt values and views remain predominant in our societies, making a few policies or laws or setting up initiatives and women's organisations will consistently fail to address this problem. Rather they will simply continue the status quo, preserving the dominance and existence of the harmful colonialist-based belief-system and structures in our Muslim lands, increasing further crimes which violate the dignity and wellbeing of women, and accelerating the destruction of the social fabric of our Muslim societies.

The only remedy for this epidemic is to reject as a whole the defective secular liberal systems imposed upon us by Western capitalist colonialists and to shape the future of the Muslim lands upon the Islamic system alone.

﴿قُلْ أَتَعَلَّمُونَ اللَّهَ بِدِينِكُمْ وَاللَّهُ يَعْلَمُ مَا فِي السَّمَاوَاتِ وَمَا فِي الْأَرْضِ وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ﴾

“Say (to the people O’ Muhammad): ‘Do you wish to teach Allah about your Din (complete way of life) whereas Allah knows all that is contained in the Heavens and all that is upon the Earth; and surely Allah has complete knowledge of everything.’ [Al-Hujraat: 16]

Written for the
 Central Media Office of Hizb ut Tahrir by
 Zehra Malik

Causes of Family Breakdown amongst Muslim Communities in the West

Marriage is one of the most important relationships we will ever commit to in our life. It is a bond which influences and lies at the basis of many other significant relationships, for example the one we will have with our children and having grandchildren. Islam teaches us that marriage is also the only valid institution through which a man and a woman can enter an intimate relationship. When committing to such a relationship we have hopes of building a comforting relationship based on companionship, which will not only function as a building block to create a stable and righteous environment for the upbringing of children but also as a means to strengthen our relationship with our Creator (swt). «إِذَا تَزَوَّجَ الْعَبْدُ فَقَدْ اسْتَكْمَلَ نِصْفَ الدِّينِ فَلْيَتَّقِ اللَّهَ فِي النِّصْفِ الْبَاقِي» “Prophet Muhammad (SAW) has told us that when a person marries, he has completed half of his religion and so he should fear Allah regarding the remaining half” [Al-Tirmidhi Hadith 3096 Narrated by Anas ibn Malik]

Sadly, the reality today in the West is that a lot of marriages within the Islamic community are breaking up and ending in divorce, and marriages that do survive are actually a far cry from the hopes stated above. A study in 2000, conducted within the Muslim community in the US, placed divorce rates at 30 percent. New studies seem to show that this percentage is rising and that problems related to the breakdown of family life are increasing within the Muslim community living in the West.

For this reason, it is imperative that we understand the dangers that lie within liberal Western societies especially those that lead to divorce. This way we can guard ourselves as much as possible against these factors and hopefully reduce the number of marriages breaking down within the Muslim community.

The concept of marriage varies significantly when comparing the Western liberal perspective to the Islamic view on marriage. In the West, marriage is something that is optional with regards to a man and woman entering into a relationship with each other because liberalism makes no reference to morality with regards to intimacy. It's left up to the individual whether one wishes to marry before entering an intimate relationship or to have a pre-marital relationship, a one-night stand or even an extra-marital relationship. These open doors to all kinds of relationships are making the institution of marriage vulnerable and actually undesirable. This idea of following one's whims and doing as one pleases in order to seek happiness is also influencing the Muslim community. We therefore see an array of reasons why and when Muslims actually do enter a marriage (e.g. pressure from the family and community, after having a long term pre-marital relationship or when one has their life in “order”). These reasons don't always find their origin within Islam and could also affect the success of a marriage, especially when both partners have different reasons for getting married.

When the concept of Marriage becomes infected with non-Islamic concepts, naturally this will lead to many problems. For instance, Marriage in the West has become a commercialized

business, around which an enormous industry has bloomed. The huge focus on the “big day” itself has also had its influence on the Muslim community. When an extravagant venue, overflowing food, latest bridal clothing, gold jewellery and expensive vehicles become “necessities” of the big day, many young couples are forced to put their marriage on hold or to take out haram loans. Consequently, this turns the wedding day into an obstacle to adhere to the Islamic rulings. Additionally, great emphasis put on high dowries are making it even more difficult for young couples to start married life. Putting so much emphasis on the day itself and giving into materialism, is making us forget the words of our Prophet (saw) when he said:

«أَعْظَمُ النِّسَاءِ بَرَكَةً أَيْسَرُهُنَّ صِدَاقًا»

“The one (amongst you, women) who receives the least amount of mahr is the most blessed (barakah).” [Reported by al-Haakim on the authority of Aisha]

The sad thing is that young couples in the West are starting their married life with a huge debt, straining the marriage with financial problems before it has even started. The seeds of materialism often continue on into the marriage, where Muslim couples also need to keep up with the “Joneses” or in this case the “Ahmed's”. Being brought up in Western societies we also can get caught up in the rat race of consumerism often putting unnecessary strain on family life to uphold insignificant wants and to live up to expectations of a standard of living defined by others!

Furthermore, when couples aren't advised from an Islamic point of view on marriage, aspects linked to Western liberal values will creep into the minds of these couples. For example, we see that the sexualisation of women in Western society are influencing marriages negatively. When women are presented as objects of desire and distorted sexualized images are spread through the entertainment business and the pornography industry, we not only create a highly sexualized society, we also create non-realistic expectations about what a relationship between a man and woman looks like and entails and what constitutes a beautiful

woman and desirable man. Both men and women are affected by these images and ideas, often searching for these unrealistic expectations in a spouse, and turning away from them when they don't measure up to these shallow standards. Furthermore, a study presented by the American Sociological Association in 2016 suggests that divorce rates actually doubles when people start watching pornography. Sex and pornography addiction is a real problem in Western societies and just like drugs and alcohol this pandemic has unfortunately secretly infiltrated the Muslim community too, making Muslim couples vulnerable for divorce. Sadly, there is a rise within the Muslim community in premarital relationships and also an increase in divorce due to extramarital relationships.

There is also confusion on the roles and rights of both husband and wife due to different ideas related to the different cultures they are living in - the Western culture to which many youngsters are attracted and the Eastern culture (which is often seen as Islamic) that many of our elders are influenced by. Muslims will often have a mix of ideas influenced by both non-Islamic cultures. This mixing of ideas is also the cause of friction between couples. For example if one of the partners prefers the western way of thinking where freedom and so-called gender equality of women is promoted, it becomes a problem when the spouse upholds more Eastern cultural ideas on women, who are perceived to be slaves to their husband, where her sole duty is fulfilling her husband's every need. In reality, we see a mixture of ideas where the role of the breadwinner and housemaker are both given to women. So she ends up suffering the strains of financially maintaining the family and continues to shoulder the household responsibilities. This subsequently has led to a devaluation of motherhood, the woman's prime role in Islam. We need to educate ourselves that there is a third option: Islam - which has clearly outlined the role and the

rights of both partners in a marriage. The man is seen as the head of the household and therefore he is responsible for providing the financial maintenance and residence for his family. Whereas the main role of the wife is to be a homemaker and mother to her children. She may work outside the home but she should never see this as a must for her to do. Clearness on the rights and responsibilities of both men and women, as Islam provides, will actually be the key to creating harmony within the marriage.

In addition, when Muslim couples do encounter problems in marriage, we see that divorce is becoming much too easy an option to resolve their differences as is the case in the general societies of the West. In liberal societies, the view is often that marriages aren't necessarily meant to last; they should enhance our happiness and when this ceases to be the case, why should one stay in such a relationship? This is the way of thinking that results from the western liberal way of life where the individual's happiness is what should be prioritised over commitment or loyalty.

Finally, we must not forget that in Islam a wife is not a partner of her husband; rather, she is seen as his companion. Their living together is therefore not based on partnership but rather on companionship and they become complete companions of each other in all respects. Companionship is where one finds repose and tranquillity in the other. Allah has made marriage a source of tranquillity for both spouses.

﴿هُوَ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَجَعَلَ مِنْهَا زَوْجَهَا لِيَسْكُنَ إِلَيْهَا﴾

"It is He who created you from one soul and created from it its mate that he might dwell in comfort with her." [Al-A'raf: 189]

Written for the
Central Media Office of Hizb ut Tahrir by
Yasmin Malik
Member of the Central Media Office of Hizb ut Tahrir



How Feminism Fractured the Family

(Part-3):

How Feminism Developed its Disdain for Marriage, Motherhood and the Traditional Family Unit Economic Dependence on the Husband & Viewing Domestic Roles and Motherhood as a Waste of Women's Talents

Part 3 of this article will continue the discussion on how the feminist attack on marriage and the traditional family unit arose and contrast this with Islam's distinct views, values and laws related to women, marriage and family life.

(i) Economic Dependence on the Husband was Seen as Not Compatible with Women's Liberation:

Western feminism promoted the view that economic dependence on the husband was not compatible with respect for women or women's liberation. They believed that for women to elevate their status and achieve genuine equality to men within the society and to break away from their cycle of 'servitude' to men within marriage, they needed to earn their own living. Therefore, success and empowerment for the woman became linked to entering the workforce, pursuing a career and becoming financially independent.

These beliefs were again born from the injustice women faced within their marriage and society within Western secular states. For example, women were forced to stay in unhappy and abusive marriages because they could not often fend for themselves upon divorce. In addition, they would often be left in financial hardship if widowed. All this was because neither the state nor the community nor relatives had an obligation to provide for them after their marriage ended. Hence, feminists argued that due to the financial dependence on the husband, women were economically vulnerable and 'condemned to a life inescapably dependent on a man's income', as one writer described it. They, therefore, tried to convince women that the only way for them to 'escape' the 'oppressive institution and imprisonment of marriage' was to ensure they had their own form of income.

Unfortunately, many Muslims also became besotted with the idea that women's empowerment, respect and financial security were based upon financial independence. This was not only due to Western feminist thoughts infiltrating the Muslim lands as a result of political and cultural colonialism and secular Muslim regimes intensively promoting them within their societies but also due to the failure of the secular systems that ruled the Muslim World to provide effectively for women who were divorced or widowed. They abandoned them to fend for themselves and their children, even if that meant begging on streets or scavenging for food from

rubbish bins.

However, in contrast to the Western secular system, Islam never considered the man's role as the breadwinner as a privilege or a means for men to have control over women. Rather, it regards it as an important responsibility placed upon the shoulders of men, while also viewing the woman's economic dependence upon the man as a privilege for her. This is because financial maintenance by the man lifts from women the burden of having to provide for themselves, empowering them to fulfil their roles as mothers - looking after, nurturing and educating their children without the time-constraints, pressures and strain associated with having to manage a job at the same time.

Furthermore, within Islam, male relatives are obliged to provide for their female relatives to the best of their ability. However, if the woman has no provider, then the state is obliged to financially maintain her, protecting her from any financial hardship and ensuring for her a good standard of living. The Prophet (saw) said, «مَنْ تَرَكَ مَالًا فَلْأَهْلِيهِ وَمَنْ تَرَكَ دَيْنًا أَوْ ضَيَاعًا فَلْيَّيَّ وَعَلَيَّ» *"If somebody dies (among the Muslims) leaving some property, the property will go to his heirs; and if he leaves a debt or dependents, we will take care of them."*

Therefore, under the Islamic system of the Khilafah, women who are divorced, widowed or unmarried should always enjoy financial security, and have no fear of leaving an unrepairable or abusive marriage due to monetary concerns. In addition, the man is forbidden from using his duty to financially maintain his wife and family as a tool to control or manipulate his spouse - providing it or withholding it according to his wishes - for his wife has a right over his wealth and to take from it according to her needs, as demonstrated by the following hadith of the Prophet (saw):

عَنْ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - أَنَّ هِنْدَ (بِنْتَ عْتَبَةَ)، قَالَتْ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ، فَأَحْتَاجُ أَنْ أَخَذَ مِنْ مَالِهِ. قَالَ: «خُذِي مَا يَكْفِيكِ وَوَلَدَكَ بِالْمَعْرُوفِ»

Hind (bint `Utba) said to the Prophet (ﷺ) "Abu Sufyan is a miserly man and I need to take some money of his wealth." The

Prophet (ﷺ) said, "Take reasonably what is sufficient for you and your children " The judicial records of the Uthmani Khilafah state are also full of cases where women used the court system to secure their marital financial rights.

(ii) Domestic Roles and Motherhood Were Seen as a Waste of Women's Talents:

Many Western feminists promoted the idea that women's domestic duties and childrearing were a waste of their talents and that they were holding women back from achieving their real potential within society and public life as well as limiting their horizons. They believed that the role of the wife and mother was stifling and an obstacle to women fulfilling their true aspirations and ambitions in life. They claimed that women could not take their full role in society and secure equal rights as citizens of the state on par with men while they were 'held like a prisoner at home'. Mary Wollstonecraft for example, the 18th century pioneer of the Western feminist movement, wrote in her book, 'A Vindication of the Rights of Woman', "Females...denied all political privileges, and not allowed as married women, excepting in criminal cases, a civil existence, have their attention naturally drawn from that of the whole community to that of the minute parts." And feminists argued that full respect and self fulfilment were not compatible with full-time domestic responsibilities and childrearing, which they described as essentially reducing them to 'baby-making machines'. Christabel Pankhurst for example, the re-known early 20th century feminist and member of the suffragette movement, said of home-life responsibilities that they were an intolerable burden on married women, a waste of time and economic energies, and were unpaid and unrecognised.

Consequently, over time, many feminists began to shun motherhood and stay at home wives and mothers, encouraging women to be anything they wanted to be...that is except housewives and full-time mothers. The 20th century American feminist Betty Friedan, for example, one of the founders of modern-day Feminism, stated that, "women who 'adjust' as housewives, who grow up wanting to be 'just a housewife', are in as much danger as the millions who walked to their own death in the concentration camps...they are suffering a slow death of mind and spirit." Even, the UN's 1995 Beijing Platform Declaration condemned school curriculums for showing men and women in "traditional female and male roles." It stated that "traditional female and male roles... deny women opportunities for full and equal partnership in society."

This feminist contempt towards the woman's role as home-maker and mother arose due to various reasons. Firstly, under the Western secular system, domestic work was not valued compared to paid work and the role of providing for one's family, which was seen as an honourable duty. Hence, the position of breadwinner was placed over the status of being a wife and mother. Secondly, within Western states, women were historically confined to home duties with no role outside of the house. This was used as an excuse by some to deny women their educational, economic and political rights, for they claimed that women were in no need of such privileges if their only duty was as home-makers and child-rearers.

Hence, the successful woman became defined as the one who had a successful career or at least earned her own living rather than a woman who fulfilled her primary duty as a wife and mother well. Employment became viewed as that which gave the woman value rather than successfully raising a child which is one of the most valuable duties in a society. Consequently, feminists called for elimination of gender differentiation in roles, and for equal sharing of paid work, home duties, and child-rearing between men and women in family life. Susan Okin, for example, a well-known 20th century feminist, wrote in her book, 'Justice, Gender, and the Family', that female child-rearing "is immensely time-consuming and prevents those who do it single-handedly from the pursuit of many other social goods, such as education, earnings, or political office," and that "any just and fair solution to the urgent problem of women's and children's vulnerability must encourage and facilitate the equal sharing by men and women of paid and unpaid work, of productive and reproductive labour. We must work toward a future in which all will be likely to choose this mode of life." The irony was though that most women were pushed into low end, poorly paid, and exploitative jobs. Hence, as a result of this erroneous feminist view of success, women were not only burdened with the responsibilities of men with jobs that failed to raise their status in society, they also sacrificed their important duties as wives and mothers, all in the name of feeding the economy.

Islam, however, did not share the Western secular view towards motherhood, nor did it hold the view that women should only be confined to their home duties, but rather, that they should be active in the public life as they are active in their private life. Firstly, Islam gave immense value and importance to the role of being a wife and mother, raising its status in society and assigning great rewards in the Hereafter to fulfilling these duties well. The Prophet (saw) said, «مَهْنَةُ إِخْدَانٍ فِي بَيْتِهَا تُدْرِكُ عَمَلُ الْمُجَاهِدِينَ فِي سَبِيلِ اللَّهِ» *"The woman that does her domestic chores [cheerfully] attains the rank of those upholding Jihaad."*

جَاءَ رَجُلٌ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: مَنْ أَحَقُّ النَّاسِ بِحُسْنِ صَحَابَتِي؟ قَالَ: «أُمُّكَ»، قَالَ: ثُمَّ مَنْ؟ قَالَ: «ثُمَّ أُمُّكَ»، قَالَ: ثُمَّ مَنْ؟ قَالَ: «ثُمَّ أُمُّكَ»، قَالَ: ثُمَّ مَنْ؟ قَالَ: «ثُمَّ أُمُّكَ»

A man once came to the Prophet (saw) and said, 'O Messenger of God! Who among the people is the most worthy of my good companionship?' The Prophet (PBUH) said: "*Your mother.*" The man said, 'Then who?' The Prophet said: "*Then your mother.*" The man further asked, 'Then who?' The Prophet said: "*Then your mother.*" The man asked again, 'Then who?' The Prophet said: "*Then your father.*"

Abdullah Ibn Abbas (ra), a companion of the Prophet(saw) and great Islamic scholar, once said, "I know of no other deed that brings people closer to Allah than kind treatment and respect towards one's mother." And Julia Pardoe, a 19th century British Poet, Historian, and Traveller, wrote regarding the status of the mother under the Islamic system of the Uthmani Khilafah in her book 'The City of the Sultan and Domestic Manners of the Turks in 1836', "An equally beautiful feature in the character of the Turks is their reverence and respect for the author of their being...the mother is an oracle; she

is consulted, confided in, listened to with respect and deference, honoured to her latest hour and remembered with affection and regret beyond the grave.”

Secondly, although Islam defined the woman's primary role as a wife and mother, it never held women back from having an active public life nor did it differentiate between men and women in their educational, economic, judicial, and political rights. In fact, Islam obliged women to be involved in the politics of society by standing against injustice and corruption and by accounting their rulers. Allah (swt) says:

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ﴾

“The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong”...” [TMQ At-Taubah: 71]

And the Prophet (saw) said, addressing both men and women, «كَلَّا وَاللَّهِ لَتَأْمُرُنَّ بِالْمَعْرُوفِ وَلَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتَأْخُذْنَ عَلَىٰ يَدَيْ الظَّالِمِ وَتَأْطِرُنَّهُ عَلَىٰ الْحَقِّ أَطْرًا وَتَقْضِرُنَّهُ عَلَىٰ الْحَقِّ قَضْرًا»

“Nay, by Allah, you have to enjoin the Ma'ruf and forbid the Munkar, and to hold against the hand of the tyrant, and to force him on the truth truly and to limit him to the truth really...”

Hence, there are many examples of Muslim women who were extremely active in the politics of the Islamic society of the Prophet (saw) and the Khilafah state that followed his rule. One example was Al-Shifa bint Abdullah, a woman who the second Khalifah of Islam, Umar bin Al Khattab(ra) would consult on various political matters due to her intelligence and insight, often giving preference to her opinions over others. Furthermore, Islam obliged women to gain knowledge in the Deen while also encouraging them to excel in seeking education about worldly affairs. This is why the history of Islamic civilization under Islamic rule is filled with thousands of examples of female scholars and experts in Islam and many other fields of study. Alongside this, women enjoyed a very prosperous economic life under Islam, engaging in economic contracts and working if they so wished but with no social or economic pressure to enter employment, knowing that their husband, male relatives and the state were obliged to ensure their financial security. The Prophet (saw) said, «قَدْ أَيْنَ لَكُمْ أَنْ تَخْرُجْنَ لِحَوَائِجِكُنَّ» “O women! You have been allowed by Allah (swt) to go out for your needs.”

Judicial records from the Uthmani Khilafah reveal that women had a very active economic life. They show that women owned land, orchards, houses and other forms of property and that all revenues from these was exclusively theirs to manage. For example, records from 17th century Shariah courts of Kayseri, a city in Anatolia, Turkey, reveal that its women accumulated a large amount of the land and property in the city. 40% of the purchase or sale of property in Kayseri between 1605 to 1625 involved at least 1 woman. In another study on 18th century Aleppo court records, 63% of property sales involved women. The judicial registers of the Uthmani Khilafah also reveal that women engaged in trading, formed contracts, invested their wealth in various projects, ran their own businesses, and held managerial positions in businesses owned by others. Hence, marriage, home duties and motherhood

were not an obstacle to women in the history of Islam to having an active public life and excelling in many fields of life.

Feminism is a Flawed and Irrational Concept:

Hence, feminism developed its flawed view towards marriage, motherhood and the family unit as oppressive patriarchal structures due to the injustice that women were subjected to under the man-made Western secular system. Instead of focusing their attention on the root cause of women's oppression, the secular system and its values and beliefs made men and the traditional family structure the target of their anger and hatred. Consequently, many women developed an aversion towards marriage, not only because they saw it as an oppressive, misogynistic institution but also due to viewing men with suspicion and as their enemy, waiting to take their rights away. Unfortunately, this mode of thinking affected many Muslim women too, causing them to delay or avoid marriage and motherhood altogether. Many viewed the Islamic family laws with suspicion or even contempt, while others viewed their spouse as foes rather than as brothers in Islam and companions in life, resulting in conflict within marriage rather than the tranquility that should accompany marital life.

Furthermore, feminism is based upon a fundamentally flawed and irrational premise that denies reality for it denies gender differences. It ignored the biological nature of women as the child bearers of the human race, trying to push this aside as irrelevant, while it should be a central factor in defining the roles and rights within marriage and family life for the genders. It also rejected the central position that a mother has in a child's life. This is probably why the well-known French writer and feminist, Simone de Beauvoir, once stated, “No woman should be authorized to stay at home to raise her children... Women should not have that choice, precisely because if there is such a choice too many women will make that one.”

Alongside this, feminism and gender equality's failure to appreciate the real differences between men and women led them to judge the Islamic family laws as oppressive and discriminatory towards women due to the gender differences in rights and responsibilities. However, they failed to understand that those very differences accommodated for the distinction between the two sexes and complemented one another to create an effective, well-organised and harmonious family structure. This is alongside ensuring financial maintenance, protection and support for the woman and her children. Hence, when the Islamic family laws were abandoned by states and family units due to this 'Equalizing of Genders,' it was women and children that suffered the most.

Part 4 of this article will address the destructive impact that feminism and gender equality has had on marriage, motherhood and family life as well as on the lives of women, men and children, and on society overall.

Written for the Central Media Office of Hizb ut Tahrir by
 Dr. Nazreen Nawaz
 Director of the Women's Section in The Central Media Office
 of Hizb ut Tahrir

Feminism is a Fool's Paradise for Women in Search of Self-Worth and a Major Cause of Destruction of Family Life in Pakistan

Allah (swt) created man and woman not to run a gender competition in this world, but to help each other in reaching the required standards set by Allah (swt). Colonialism and its rule over the Muslim world brought the feminist women's rights struggle to the Muslim lands as the Western way of life was adopted. This shows how the style of ruling affects the thoughts and emotions of people. How women in a society are treated says a lot about it. One of the biggest changes that Islam brought to the people of Makkah with its emergence was giving worth to women. Sadly, now, when activists talk about women's rights they relate all the pagan values which are harming the status and treatment of women to Islam. In addition, Muslims representing Islam to the world are not setting good examples either.

Any woman suffering in Pakistan is automatically pronounced as a victim of Islamic values - be it the so-called battle of Malala Yousafzai for education or Mukhtaran Mai's fight for her rights against a gang rape. Both cases, which have been opportunistically manipulated and exploited by secularists and feminists alike, depicted women as being deprived of education in an Islamic Society and being victims of men's lust, and made these women the flagbearers of women's freedom according to Western standards, ignoring the fact that for almost the last 100 years Islam has not been practised as a system in Pakistan or any Muslim land for this region has been invaded physically and intellectually by the West. In the Subcontinent, Hindu culture has always been mixed with Islamic culture and as Hindus and Muslims lived in the same society, many practices and attitudes were adopted intentionally and unintentionally. Furthermore, foreign funded NGO's (non-governmental organisations) in Pakistan are actively working for liberating (or rather westernizing) Pakistani women. The West, for its own material benefits, originally entered these lands under the guise of being friendly helpful traders and quickly turned into spiritual and intellectual reformers. Feminism, as appropriated and defined by the West, has too often become a tool of cultural imperialism. The definitions, the terminology, the assumptions, even the issues, the forms of struggles and institutions are exported from West to East.

The capitalist system (that has become a religion for the ones living under it) cannot provide anyone with the due rights as deserved by the people and wonderfully defined by The Almighty (swt). Allah (swt) has given men authority over women but with this authority comes great responsibility.

﴿وَاللرِّجَالُ عَلَىٰ هُنَّ دَرَجَةٌ وَبُعُولَتُهُنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَٰلِكَ إِنْ أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَاللَّهُ عَزِيزٌ حَكِيمٌ﴾

“And they (women) have rights (over their husbands) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them. And Allah is All-Mighty, All-Wise” [al-Baqarah 2:228].

Furthermore, Rasool Allah (saw) commands his people to be kind to women. The Prophet (saw) said: «فَأَسْتَوْصُوا بِالنِّسَاءِ خَيْرًا»

“I urge you to treat women well.” [Narrated by al-Bukhaari, 331; Muslim, 1468]

The modern-day aims of feminism are in fact even a step ahead of gender equality. Here in Pakistan, for example, things have gotten worse and the demand from being equals has turned into a demand for being treated as superior. What we must remember is that all this is coming from a secularism affected society that believes in evolution in thoughts and laws. So according to this viewpoint, the roles of men and women can also evolve. In contrast, Islam, from the beginning, has described the limits in the areas of life as well as the rights and roles of men and women in marriage and the family unit in detail and in the most sound manner which protects family life beautifully and gives it utmost importance, and hence it does not require change. A perfect system does not need to evolve; only a flawed one which both creates problems and is unable to solve them effectively. Hence this flawed system goes through regular changes in a desperate attempt to try and solve the affairs of its people.

One of the consequences of feminism and the secular system from which it was born is that the divorce rate has been on the rise in Pakistan over the last decade. In Lahore city alone more than 100 divorces are registered in family courts in a day. The divorce rate is increasing not only in the upper class of society but also in the lower and middle classes. From February 2005 to January 2008, approximately 75,000 divorce cases were registered. From February 2008 to May 2011, 124,141 divorce cases were filed. Around 259,064 separations have taken place in the provincial metropolis over the last decade. In 2010, 40,410 separation cases were filed in the city's family courts. In the Punjab, the number of Khul' cases (divorce initiated by the woman) rose from 13,299 in 2012 to 18,901 in 2016.

The effect this rise in broken homes has had on individuals, especially on children, is heart-breaking. A number of NGOs working in Pakistan for women's rights facilitate women with all the legal requirements for getting away from a stressful marriage, but does this provide a solution? Do both the parties even know what they really want from life and their marriage and how they will cope with their lives after separation? The Quran on one hand gives a couple the right to be separated but

also advises them to first see in themselves if there is possibility for reconciliation.

Allah (swt) in the holy Quran mentions that:

﴿وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَأَنْعِنُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا﴾

“And if you fear dissension between the two, send an arbitrator from his people and an arbitrator from her people. If they both desire reconciliation, Allah will cause it between them. Indeed, Allah is ever Knowing and Acquainted [with all things].” [An-Nisaa: 35]

The main reason for this increase in the divorce rate is considered to be the growing financial independence of women as working women who are financially independent are less likely to stay in an unfulfilling marriage. The question is when and how the right for divorce is being used. Marriage is a very honourable institution that raises healthy members in a society and the right for divorce is provided by Allah (swt) to both partners in case of disturbance. Instead, this peaceful mutual relationship has been turned into a battlefield and divorce has become a lethal weapon of destruction which not only affects the partners but destroys the society.

A decision taken in the name of freedom has multiple effects and financial independence is not the only aspect. If a woman has children and gets separated from her husband and earns her own money and spends it on herself and her children's education and upbringing, then this in fact is an exploitation of women as Islam has put the responsibility of financially maintaining children on men. Furthermore, if a woman works while she is married and earns money, the man has no right over her money in Islam.

Islam has provided women with their rights from its beginning - rights which Western women fought for years to secure. Share in inheritance, right to vote, right for a good education, right on the husband's money and much more. Therefore, Muslim women, instead of blindly following the Western-imposed values, need to see what rights and roles Islam has enjoined upon them. Islam specifies that the primary role of a woman is the upbringing of the children and being a dutiful wife, but this should not restrict her from gaining knowledge, taking part in politics, getting employed or even doing her own business. The Muslim woman needs to understand that she was never deprived of any rights as her rights were defined in the Divine Law.

In addition, another leading cause of the rising divorce rate in Pakistan is extramarital affairs. The West has always targeted men's right to have more than one wife in Islam as an evil act, but has sky high rates of infidelity. In Pakistan, like other Muslim countries, family values are still not as fallen as in the West, as its people are still left with the remnants of the Islamic social system and we as individuals are still linked to the Quran and have inherited Islamic values from our parents, but the deterioration is alarming and bringing the same rotten affects to us as in the non-Muslim societies.

According to a 2005/2006- Aga Khan University study, anxiety and depressive disorders in Pakistan stands at 34 percent, and a


news report claims that depression affects 44 percent of the entire population. Its prevalence is higher in women at 57.5 percent, compared to 25 percent in men. A major reason for this mental and emotional turmoil is the high scale of family instability, tension and breakdown. Instead of men and women helping each other and together rising in status, many are spending their lives in racing for the power game.

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ﴾

“The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give charity and obey Allah and His Messenger. Allah will have mercy upon them, for Allah is Almighty and Wise.” [Surat Al-Tawba 9:71]

One wonders how today's Muslim reformists and feminists would have interpreted the experience of Hazrat Hajira, the wife of Prophet Ibrahim (AS), when the bond between the husband (Prophet Ibrahim (AS) and the wife (Hazrat Hajira) was not weakened by the hardships faced by Hajira. She had completed faith in her husband because she knew that her husband was obedient to Allah (swt) and when Allah is with you then there is nothing to fear. She definitely went through a tough time but stayed steadfast and relied on Allah (swt), and as a result she got honour in this world and a great reward in the Hereafter. And because of her reliance on the Almighty (swt) she was able to raise a praiseworthy son.

Written for the
 Central Media Office of Hizb ut Tahrir by
 Ikhlaj Jehan
 Member of the Central Media Office of Hizb ut Tahrir



1st
 STAGE

#SaveTheFamily | The Crisis in The Family Unit

THE FAMILY: CHALLENGES & ISLAMIC SOLUTIONS

WOMENANDSHARIAH | WOMENFORKHILAF | WOMENSHARIAH





مختارات
selections
Mukhtarat 50
From The Central Media Office of Hizb ut Tahrir

