A woman wearing a dark hijab and a light-colored, patterned cardigan is seen from behind, holding a smartphone to take a picture of a sunset. The scene is set on a grassy hill overlooking a valley with mountains in the distance. The sky is filled with soft, golden light from the setting sun, creating a hazy and peaceful atmosphere. The overall color palette is dominated by warm tones of orange, yellow, and brown.

Women IN ISLAM

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Women IN ISLAM

Dr Irfan Jehangir



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Women In Islam

The status of women in Islam is one of the crucial topics and dominant themes in the modern era, which people have been studying. Islam regards men and women as being of the same essence created from a single soul. A woman has a completely independent personality in Islam. In this paper, I will provide an overview of the status of women in Islam in general and then I will focus on the issue of equality.

The stereotypes present in the minds of people confuse Islam with cultural practices and fail to recognize that Islam has empowered women with the most progressive rights since the 7th century. In Islam, women are not inferior or unequal to men. This brochure presents the actual teachings of Islam regarding the rights, roles, and responsibilities of women, with a special focus on gender equality in Islam.

At a time when female children were buried alive in Arabia and women were considered transferable property, Islam honoured women in society by elevating them and protecting them with unprecedented rights. Islam gave women the right to education, to marry someone of their choice, to retain their identity after marriage, to divorce, to work, to own and sell property, to seek protection by the law, to vote, and to participate in civic and political engagement.

In 610 C.E., God began to reveal the message of Islam to Prophet Muhammad, peace be upon him (pbuh), in Mecca. Muhammad (pbuh) called people towards the belief in one God and encouraged them to be just and merciful to one another. In reforming the pagan Arab society, he particularly transformed

their mindset regarding the treatment of women. Islam abolished the practice of killing female children and raised the stature of women in society to one of dignity, esteem, and privilege.

The following verse of the Holy Quran emphasises the equality of the two sexes without confusing them as being the same.

Do not covet the advantage which God has given some of you over others. To men belongs a share of what they have earned, and to women a share of what they have earned. And ask God for His grace. (4:32)

Islam considers both men and women equally human and grants them equal human rights. Though their tasks and functions may sometimes differ, they both have opportunities for achieving perfection and closeness to God. The following verses from the Qur'an and sayings of the Prophet support this argument. For example, God says:

O mankind! Indeed We created you from a male and a female, and made you nations and tribes that you may identify with one another. Indeed the noblest of you in the sight of God is the most God-fearing among you. Indeed God is All-knowing, All-aware. (49:13)

O mankind! Be wary of your Lord who created you from a single soul, and created its mate from it, and, from the two of them, scattered numerous men and women. (4:1)

Also Prophet Muhammed (pbuh) said:

All people are equal, as the teeth of a comb. There is no claim of merit of an Arab over a non-Arab, or a white over a black person,

or a male over a female. Only Allah-fearing people merit a preference with God. (Ahmad b. Hanbal, Al-Musnad, vol. 6, p. 411)

The following evidence in the Qur'an for the equality of men and women is its specification of legal rights which are guaranteed for every individual from cradle to grave. The Qur'an proclaims the right of both women and men in enjoying full legal rights. She may buy, sell, earn a living and manage her own money and property. In Islam the woman has a legally independent personality and her obligations are independent from those of her father, husband or brother.

Thus, the woman in Islam enjoys all rights and is treated equal to man in this respect.

In addition to these rights, the Qur'an grants the woman a share in the inheritance of the family (4:7-11) and warns against depriving her of that inheritance (4:19), specifies that the dowry (mahr) of her marriage should belong to her alone and never be taken by her husband (2:229; 4:19-21 & 25) unless presented by the woman herself as a free gift (4:44).

As with any privilege, these rights of women carry corresponding responsibilities. If she commits a civil offence, the Qur'an tells us, a woman's penalty is no less or no more than that of a man in a similar case (e.g. 24:2). If she is wronged or harmed, she is entitled to compensation just like a man.

It is clear that the Qur'an not only recommends, but it also insistent upon, the equality of women and men as an essential characteristic in the Qur'anic perspective.

Equalities or Similarities

This argument is based on the ground that human dignity being common to man and woman, they both must enjoy the same rights. In this connection, the point worth considering is whether on the basis of human dignity they both should have equal rights without any discrimination, or they both should have the same rights irrespective of their different roles in life. No doubt, human dignity being common to them, they both should have equal rights.

What about the similarity of their rights?

If we think deeply and consider very carefully, the first question, which comes to mind, is whether equality of rights really means their similarity also. In fact, they are two different concepts. Equality means a condition of being equal in degree and value, whereas similarity means uniformity. It is possible that a father may distribute his wealth among his three children equally, but not uniformly. Suppose his wealth consists of several items such as a commercial store, some agricultural land and some property, which has been leased out.

Taking into consideration their respective tastes and aptitudes, he gives the store to one, the agricultural land to another and the leased property to the third. He takes care that what he gives to each of them should be of fair value and at the same time should suit their aptitude. Thus he distributes his wealth equally, but not uniformly.

Quantity is different from quality, and equality is different from uniformity.

Islam does not believe in uniformity between man and woman. But at the same time it does not give preferential treatment to men, in the matter of rights. It has observed the principle of equality between man and woman, but it is opposed to the uniformity of their rights.

No doubt, Islam has not in all cases accorded similar rights to man and woman. But it has not also prescribed similar duties and similar punishments for the two sexes. However, the total value of the rights accorded to women is not less than that of the rights accorded to men. We propose to prove this point. Here the question arises as to “What is the reason behind certain cases of dissimilar rights? Would it not have been better, had their rights been similar, as well as equal”? There are two points and two reasons that their rights are not similar to each other’s.

First: The Islamic view of the position of woman from the angle of her nature.

Second: The effect of the physical disparity between man and woman.

One may argue that physical disparity as a reason to make them dissimilar in the matter of rights does not seem plausible, because physical disparity has no concern with the matter of rights. From the Islamic point of view they are both human beings and, as such, enjoy equal rights. The point which is worth considering is that man and woman are dissimilar in many respects. Their very nature does not want them to be similar.

This position demands that they should not be similar in respect to many rights, obligations, duties and retributions. For instance an attempt is being made at present to make their rights and

obligations uniform, but how can we ignore their natural and innate differences.

Throughout history and all over the world there are clear examples of injustice to woman. We must say that it is essential that the position of woman should be reviewed, and the abundant rights, which Islam has granted her, should be understood and implemented. Rights throughout history which have been denied to her should be restored to her. What we claim is that non-similarity of rights between man and woman, within such limits as are required by the disparity between their natures, is more in keeping with justice. It meets the requirement of natural rights better, ensures domestic happiness better and pushes society forward on the path of progress better by being in complete harmony with our true nature.

According to the Islamic perspective, it is proven that equity demands that in each case the law should have a particular form. That very form will be the legal form irrespective of any other argument to the contrary, for according to the basic teachings of Islam the law must, in no case, infringe natural justice and basic rights. The Muslim scholars, by expounding the principle of equity, laid the foundation of the philosophy of rights, though due to some unhappy historical events they could not continue the good work started by them.

It was the Muslims who, for the first time, paid attention to the question of human rights and the principle of equity, and set them forth as original and self-existing principles unaffected by any contractual law. The Muslims were the pioneers in the field of the inherent natural rights. But it was so destined that they could not continue their work and ultimately, after eight centuries, it was further developed by European intellectuals

and philosophers, who appropriated the credit for it.

Islam attaches great importance to equality, liberty and human dignity and respects human rights. Every human being is a member of the same family. The rights and responsibilities of a woman are equal to those of a man but they are not necessarily identical with them. Equality and similarity are two quite different things. This difference is understandable because man and woman are not identical but they are created equals. With this distinction in mind, there is no problem. It is almost impossible to find even two identical men or women.

- Islam recognises a woman as a full and equal partner of a man in the procreation of humankind. He is the father; she is the mother, and both are essential for life. Her role is no less vital than his.
- She is equal to man in bearing personal and common responsibilities and in receiving rewards for her deeds. She is acknowledged as an independent personality, in possession of human qualities and worthy of spiritual aspirations.
- She is equal to man in the pursuit of education and knowledge. When Islam enjoins the seeking of knowledge upon Muslims, it makes no distinction between man and woman.
- Islam grants woman equal rights to sign contracts, and to earn and possess independently. Her life, her property, her honour are as sacred as those of man. If she commits any offence, her penalty is no less or more than of man in a similar case. If she is wronged or harmed, she gets due compensation equal to what a man in her position would get (the Qur'an 2:178; 4:45, 92 & 93).

- Apart from recognition of woman as an independent human being acknowledged as equally essential for the survival of humanity, Islam has given her a share of inheritance.
- Woman enjoys certain privileges of which man is deprived. She is exempt from some religious duties i.e. prayers and fasting, in her regular periods and at times of confinement. She is exempt from all financial liabilities. As a mother, she enjoys more recognition and higher honour in the sight of God (31:14-15; 46:15).

The Prophet acknowledged this honour when he declared that Paradise is under the feet of the mother. She is entitled to threefourths of the son's love and kindness with one-fourth left for his father. As a wife she is entitled to demand of her prospective husband a suitable dowry that will be her own. She is entitled to complete provision and total maintenance by the husband. She does not have to work or share with her husband the family expenses.

She is free to retain, after marriage, whatever she possessed before it, and the husband has no right whatsoever to any of her belongings. As a daughter or sister, she is entitled to security and provision by the father and brother respectively. That is her privilege. If she wishes to work or be self-supporting and participate in handling the family responsibilities, she is quite free to do so, provided her integrity and honour are safeguarded.

Examples from the time of Prophet pbh:

Women in Politics and Social Services.

Among the early Muslims, women were active participants in the cohesive functioning of the society. Women expressed their opinions freely and their advice was actively sought. Women nursed the wounded during battles, and some even participated on the battlefield. Women traded openly in the marketplace, so much so that the second caliph, Umar, appointed a woman, Shaffa bint Abdullah, as the supervisor of the bazaar.

In Islamic history, women participated in government, public affairs, lawmaking, scholarship, and teaching. To continue to uphold this tradition, women are encouraged to actively participate in improving, serving, and leading the different aspects of the community.

Legitimate Mixing Between Men and Women

Some words which have existed in the language for a long time have acquired new significance and even weight. Among these is the term “mixing (or mingling)”, which refers to mixing of men and women in one place. During the Age of the Prophet (blessings and peace he upon him), the Age of the Companions which succeeded it, and the age of their followers, Muslim men and women met at different gatherings, religious or otherwise, and this was not forbidden at all. Under the right circumstances and for good reasons, it was legitimate and natural for them to meet. Nor was it called “mixing” then.

In our age, however, the word has become very common. Nor do I know when it came into use with the new connotations unsavoury for Muslim men and women, since mixing one thing with another suggests a dissolution, the way sugar or salt is dissolved in water, a metaphor that would have unpleasant suggestions if applied to male-female relations. Anyway, the purpose is to point out that not every kind of socialisation is prohibited as some may imagine and as other hard-liners argue. On the other hand, not all forms of mixing are acceptable as propagators of Westernization claim.

A careful Muslim should refer to these legal opinions if he or she wants to learn about the rules of the Islamic teachings (shar'a). Here, nevertheless, I would like to make the point that it is our duty to adhere to the best guidance which is that of the Prophet Mohammed (blessings and peace be upon him), his righteous successors and enlightened Companions whose pious paths he recommends sticking to, avoiding the two extreme routes of Western permissiveness and severe Eastern asceticism.

By examining this guidance of the Prophet (blessings and peace be upon him), we find that the woman was not caged or isolated as happened later during the age of Muslim abatement. The women attended the major congregational prayers on Fridays at the Prophet's mosque, including the night (Al-Esha) and dawn (Al-Fajr) prayers. The Prophet (blessings and peace be upon him) would direct them to form rows behind the men rows, and the more to the back the better so that they would not see the sensitive parts of men's bodies that might have shown due to the fact that only a few were familiar with trousers and underwear, and there was no partition between the men and women.

Moreover, in the early stages of congregating for prayer, men and

women would go through the same entrance where crowding would occur. The Prophet (blessings and peace be upon him) said, “If only we left this entrance to the women”. [Transmitted by Abu Dawud on the authority of Ibn Umar (462) (463).] So they allocated the entrance for them from that time on and it became known as the “woman’s Entrance.” As for the Friday congregation, women during the Prophet’s Era attended the prayer and listened to the sermon to the extent that one of them could learn the Surah because the Prophet (blessings and peace be upon him) recited it frequently from his position on the sermon pulpit. They also attended the two Bairam (a religious celebration) congregations and took part in these big Islamic celebrations that involved all people, old and young, male and female, in the open outskirts where they would chant the name of Allah. Um`Ateyya, a witness of the Prophet’s Era, said, “We were frequently instructed to go out for the Bairams.”

In another version she said, “The Messenger of Allah (blessings and peace be upon him) instructed us, the maids, and the ones in their menses to go out. The women menstruating would stay away from prayer and witness the good (of the day) and Muslim’s prayer (to Allah). So I said, `O Messenger of Allah, there may be one of us who does not have a jilbab (dress).” He replied, `Let her sister (in Islam) give her one. [Sahih Muslim “The Prayers of the Two Eids” (890).]

This is one of the aspects of Muslim life that are ignored by Muslims in most of their countries. Some, however, such as the devotional retreat in the last ten days of Ramadan and the attendance of the Bairam congregation by women, are in the process of coming back to life through the efforts of the youth of the modern Islamic awakening.

Women always attended the teaching sessions of the Prophet (blessings and peace be upon him). They would address aisha with the questions they found awkward or too bold to ask. The Prophet's wife, aisha (may Allah be pleased with her), praised the women of the Ansar whose shyness did not prevent them from seeking knowledge of the religion and asking questions about major issues such as impurity (full sex or ejaculation preventing one from performing some forms of worship), night ejaculation, washing from impurity, menstruation and other such matters.

This, however, was not enough for them compared to the men's completely enfolding the Prophet (blessings and peace be upon him); so they demanded a special day of teaching be allocated to them without vying with a crowd of men, and said openly, "Messenger of Allah, the men have taken complete possession of your company, so devote one of your days to us." The Prophet (blessings and peace be upon him) promised to give them a day and he preached and gave them instruction. [Transmitted by Bukhari in *The World (Al-Alam)* 1/34 on the authority of Abu Said.] This kind of female activism was also revealed during battles when women served in the army with the mujahedeen (warriors who struggle to keep Islam alive) in a way that suited them and brought out the best of their abilities, such as attending the wounded, giving medical aid, nursing the injured fighters, in addition to cooking, procuring water and the like. Um `Ateyya asserted, "I went on seven military expeditions with the Prophet (greetings and peace be upon him); I would guard the fighters, provisions, make their food, treat the injured and nurse the ill ones". [Transmitted by Muslim (1812).]

Anas, one of the Prophet's Companions, narrates, "On the Day of Uhud, `aisha and Um Salim, their sleeves rolled up, would carry water in skin bags on their backs and empty the contents into the

soldiers open mouths”. [Transmitted by Muslim (1811).] The fact that `aisha was still in her teens renders incorrect the claim that female participation in military expeditions and battles was confined to old women. Realistically speaking, this defies logic as such work would be unduly onerous for the aged when considering the physical and psychological exigencies of war.

In the same line, Imam Ahmad recalls, `six believing women were in the army that besieged Khaibar, their task being to hand arrows to the fighters, prepare food, procure water, treat the wounded, spin yarn and help in (the promotion of) the cause of Allah. Eventually, the Prophet (blessings and peace be upon him) allocated shares in the spoils to them. [Transmitted by Ahmad 51271,7/371; And Abu Dawud (2729).]

It is also established that some of the Companion’s wives took up arms in some expeditions and battles. The deeds of Um `Imarah Nasba bint Ka`b on the Day of Uhud are well known and were of such effect as to make the Prophet say, “Her manner excelled that of such and such people.” On the day of the Battle of Hunain, Um Salum, for her part, kept a dagger to stab any enemies who would come within her reach. This story is told again by her son Anas, “On the Day of Hunain, Um Salum had a dagger; when she was seen by her husband, Abu Talha, he told the Prophet, `Messenger of Allah, Um Salum is keeping a dagger with her.” When the Prophet asked her about it she answered, `It is to stab the abdomen of any of the Pagans who might come near me,” at which the Prophet laughed. [Transmitted by Muslim (1809).]

But the women of the Prophet’s and Companion’s Eras had ambitions that went beyond the participation in the expeditions into adjacent areas. They were also keen to take part in the Muslim conquests of distant lands to help disseminate the

message of Islam. Anas narrated, “One day, the Prophet (blessings and peace be upon him) took his siesta in the house of Urn Hiram. When he woke up, he laughed. So she asked, ‘What makes you laugh, Prophet of Allah?’” The Prophet said, ‘I have seen some people from my nation, who were out to fight for the sake of Allah, riding the sea. There were kings seated on their thrones.’” So she replied, ‘O Messenger of Allah, pray to Allah that I may be one of them.’” He did. [Sahih Muslim (1912)] During the reign of `Uthman (the third caliph), Um Hiram set sail with her husband, Ubada ibn As-Samit, to Cyprus, where she was killed while she was on horseback (in a battle) and was buried there, according to biographers and chroniclers. A whole section is devoted to highlighting woman’s roles in the battles and military expeditions.

In the sphere of social life, the Muslim woman played her part, preaching of good deeds, enjoining what is right and forbidding evil, in conformity with Allah’s statement: “The believers, men and women are “Auliy,”(helpers, supporters, friends, protectors) of one another, they enjoin (on the people) what is right Al- Ma`ruf (i.e. Islamic Monotheism and all that Islam orders one to do), and forbid (people) from Al-Munkar (i.e. polytheism and disbelief of all kinds, and all that Islam has forbidden). [Surah 9:71]

A well-known story depicts a woman reasoning with `Umar (may Allah be pleased with him) in the mosque over the issue of the amount of bridal money paid to the bride. It also illustrates how `Umar (the third caliph), being convinced of her argument, reversed his opinion to that of hers in public. His comment on this was “everybody’s knowledge is better than mine”. [Tafsir Ibn Kathir 1/468] The story is cited by no less an authoritative register than Ibn Kathir’s Tafsir, where Ibn Kathir states its

ascription to `Umar is correct. In another version `Abdul-Raziq cites `Umar as saying about himself, “A woman debated with `Umar and outdid him in the debate. [Tafsir Ibn Kathir 7/180] Also during his caliphate, `Umar appointed a woman, Al-Shifa bint Abdullah as the market-place superintendent.

By examining the Qur’an’s discourse on woman’s affairs and by looking onto the lives of the Prophets, we hardly find such an iron curtain, as is drawn by some people, between men and women. Thus in the prime of his youth, Prophet Moses (peace be upon him) is depicted talking to the two daughters of the old man of Madyan. He asks them questions and gets their answers without any particular feeling of guilt or embarrassment and magnanimously helps them. One of them returns soon after with an invitation from her father for Moses to come to their house. One of them even suggests her father hire Moses, as he is a strong and honest man. This is how the Quran puts it:

“And when he arrived at the water of Midian (Madyan) he found there a group of men watering (their flocks), and beside them he found two women who were keeping back (their flocks). He said, “What is the matter with you?” They said, “We cannot water (our flocks) until the shepherds take (their flocks). And our father is a very old man.” So he watered (their flocks) for them, then he returned back to shade, and said: “My Lord? Truly, I am in need of whatever good you bestow upon me!” Then there came to him one of the two women, walking shyly. She said: “Verily, my father calls you that he may reward you for having watered (our flocks) for us.” So when he came to him and narrated the story, he said: “Fear you not. You have escaped from the people who are Zalimun (polytheists, disbelievers, and wrongdoers).” And said one of them (the two women): “O my father! Hire him! Verily, the best of men for you to hire is the strong, the trustworthy. [Surah

28:23- 26]

In the story of Mary, every time Zachariah comes to her chamber he finds much food, so he inquires about it: “ Every time he entered Al-Mihrab [A praying place or private room.] (to visit) her, he found her supplied with sustenance. He said: “O Mary! From where have you got this?” She said: “From Allah” Verily Allah provides sustenance to whom he wills, without limit. [Surah 3:37]

Another story is that of the Queen of Sheba, who is cited by the Qur’an as consulting her people about how they should respond to Solomon’s message to her: “ She said, “O chiefs! Advise me in (this) case of mine. I decide no case till you are present with me.” They said: “We have great strength, and great ability for war, but it is for you to command; so think over what you we command.” She said: “Verily! Kings, when they enter a town (country), they despoil it, and make the most honourable amongst its people low. And thus they do. [Surah 27:32- 34]

Later then she arrives in Solomon’s palace, she converses with Solomon as follows:

“ So when she came, it was said (to her): “Is your throne like this?” She said: “(It is) as though it were the very same.” And (Solomon said): “Knowledge was bestowed on us before her, and we were submitted to Allah (in Islam as Muslims before her).” And that which she used to worship besides Allah has prevented here (from Islam), for she was of a disbelieving people. It was said to her: “Enter As-Sarh” (a glass surface with water underneath it), but when she saw it, she thought it was a pool, and she (tucked up her clothes) uncovering her legs, Solomon said: “Verily, it is Sarh paved smooth with slab of glass.” She said: “My lord! Verily, I

have wronged myself, and I submit (in Islam, together with solomon), to Allah, the Lord of `Alamn (mankind, jinns, and all that exists). [Surah 27:42 to 44]

Nor is it right to say that the revealed codes of preceding nations do not apply to us, since their stories were only cited in the Qur'an for reflection and guidance. Hence the correctness of the claim that the revealed code of preceding nations which is given in the Qur'an and the Sunna (traditions of the Prophet Mohammed) is also a code for us as long as no code of ours renders it null. Allah said to his Messenger: "They are those whom Allah had guided. So follow their guidance". [Surah 6:90]

Moreover, the fact that in the early stage of Islam the initially revealed punishment for a woman who committed adultery was to confine her to a house until she died or until Allah made a way out for her: "And those of your woman who commit illegal sexual intercourse, take the evidence of four witnesses from amongst you against them; and if they testify, confine them (i.e. women) to houses until death comes to them or Allah ordains for them some (other) way. [Surah 4:15] meaning it is illogical from the point of view of the Qur'an, and Islam in general, to make house- confinement a characteristic of a decent and chaste Muslim woman, which would be to punish her without any perpetration. Later, of course, the punishment changed to flogging for adultery.

In summation, the encounter of men and women is not prohibited in itself. Quite the contrary, it is allowable or even required if done in pursuit of a noble cause like gaining knowledge or performing good acts in which the joint efforts of both men and women are necessary.

Pseudo-arguments for unrestricted mixing

This is the position of Islam on man-woman relations, and their common involvement on charitable and righteous lines is what we call legitimate mixing; yet “intellectual imperialism” has managed to create in our countries people who turn a deaf ear to the ruling of Allah and His Messenger. These people call on us to give the woman free rein to assert herself, promote her personality, enjoy her life and her femininity. They want her to mix with men freely, experience them closely where they would be together and alone, travel with them, go to cinemas or dance till midnight together. She is supposed to find the “right man” from all those she has known. In this way, it is said, life is supposed to be more secure and have greater stability in the face adversity.

These people who may well be thinking of themselves as unblemished seraphs, tell us not to worry about the man or woman as a result of this “decent” communication, innocent friendship and upright contact. The frequency of their contact will pacify desire. The two sexes will supposedly find satisfaction in the mere look, conversation or, in the extreme, dancing together, which is only a form of elevating artistic impression. Sensual pleasure would have no place. It is a clean vent for energy, nothing more. This is said to be what the advanced West did after they rid themselves of complexes and privation.

Pseudo-arguments disproved

In answer to this line of thinking, we must say that we are Muslims first and foremost. We do not sell our religion in imitation of the vagaries of Westerners or Easterners. Our religion forbids us from promiscuous mixing with its showiness and seductiveness: “ Then we have put you (O Mohammed, blessings and peace be upon him) on a plain way of (Our) commandment like the one We commanded Our messengers before you (i.e. legal ways and laws of the Islamic Monotheism). So follow you that (Islamic Monotheism and its laws), and follow not the desires of those who know not. Verily, they can avail you nothing against Allah (if He wants to punish you). [Surah 45:18]

In addition, the West itself, enamoured by these ideas, is suffering the consequences of dissipation and decaying morality that has corrupted its youth and doomed its civilisation to ruin and collapse. In the United States, in Sweden, and in other countries where sexual freedom is the norm, statistics show that feverish lust is not alleviated by freedom of talk and contact, nor by whatever may follow that. On the contrary, the more people taste, the thirstier they become.

It would be better if we studied the consequences of this freedom or what may as well be termed looseness and abandonment of virtues and traditions in modern civilised Western societies.

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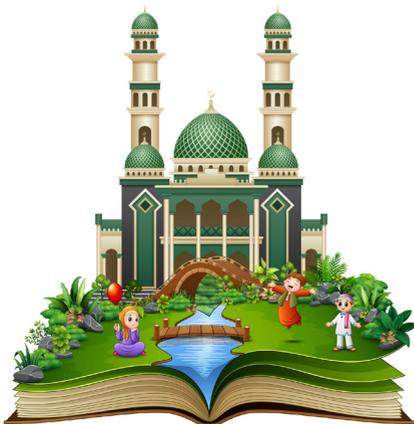
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