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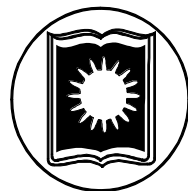
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Moral Precepts in Islam and Hinduism: A Comparative Study

Ph. D. Dissertation

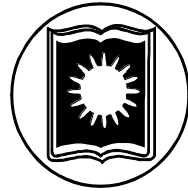
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**DEPARTMENT OF PHILOSOPHY
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January 2014

Moral Precepts in Islam and Hinduism: A Comparative Study



**This Dissertation Submitted to the Department of
Philosophy, University of Rajshahi for the Degree of
*Doctor of Philosophy.***

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BANGLADESH

Dedicated
To
My mother, a deep gesture of appreciation
and
My father, a source of inspiration

Declaration

I do hereby declare that the Ph. D. Dissertation entitled “Moral Precepts in Islam and Hinduism: A Comparative Study” has been prepared by me and that the whole work is the outcome of my own investigation except where due acknowledgement has been made. I further declare that the thesis, in part or in full, has not been earlier or concurrently submitted in any form to any other university for the award of any other academic degree.

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Certificate

I have the pleasure to certify that the work in this thesis entitled “Moral Precepts in Islam and Hinduism: A Comparative Study” has been carried out entirely by Sharmin Hamid, Assistant Professor, Department of Philosophy, University of Rajshahi, Bangladesh, under my direct supervision and guidance and that the manuscript of the thesis has been properly scrutinized and carefully checked by me. The thesis in question is a record of original work. To the best of my knowledge, this work was not submitted previously to anywhere in its original form or part thereof for the award of any other academic degree.

I do recommend Sharmin Hamid to submit this thesis for the award of Ph. D. Degree of Rajshahi University, Rajshahi, Bangladesh.

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Rajshahi
January, 2014

Sharmin Hamid

A Prelude to the Study

It is a very natural phenomenon that a particular religion is completely different from other because of its dogmatic nature. Nevertheless, it helps to come closer to each other because of its ethical part, since there is a close analogy among the major religions of the world in regard to their moral teachings. As a research fellow and teacher of the Department of Philosophy, I always keep interest in the comparative religious ethics. I adopted this topic “Moral Precepts in Islam and Hinduism: A Comparative Study” as my Ph. D. Thesis, because I thought that this topic is very fascinating as well as worthwhile in this present juncture. I think, a study of the practices of moral precepts in two religions like Islam and Hinduism are very essential for the entire mankind to establish human rights and our social development.

Statement of the Problem

Religion is a matter of belief. It is a feeling of dependence upon some Unseen Power or Powers which control our destiny, accompanied by a desire to come into friendly relations with Him or them. In other words, realization of God or gods, or manifestation of the divinity, which almost all human souls’ desire or hanker after, is the essence of religion. The ultimate definition of religion is ‘obedience to the laws of God’. The word ‘religion’ is derived from the Latin word ‘Re-ligare’, which means ‘to bind together’ or ‘re-unite’. Religion means a bond which unites human life with worldly and other worldly aspirations as well as with social, moral and spiritual values. Religion involves thought and activity as well as believes in values. The goal of religion is not simply to worship or to perform some rituals, but also to help individuals to attain their fulfilment as moral and social beings.

Nowadays there are many religions which may be divided mainly into two major groups. They are revealed and non-revealed religions. Religions which are associated with a definite Personality claimed to be its first originator or founder who conveys message from the Almighty to mankind and has a definite religious Text are called revealed religions. Among the revealed religions, Judaism, Christianity and Islam are foremost. Among these revealed religions, Judaism is the oldest and Islam is the latest. On the other

hand, religions which do not have any definite founder or if they have any founder, they do not claim themselves as the Messengers of any 'Supreme Divine Being' or do not have any definite religious Text, fall under the category of non-revealed religions. Among the non-revealed religions, Hinduism, Buddhism, Jainism and Sikhism are very important.

Of all the religions, Christianity has proved to be the most influential religion and has dominated a large number of populations in the world, especially in the western world. About one third of the total populations of the world are Christians. Islam is the second largest religion of the world. About one-fourth of the total world populations are Muslims who predominantly live in the Middle East and in some South and East Asian countries like Bangladesh, Pakistan, India, Malaysia and Indonesia. Other main religions which dominate equally a large population of the world are Hinduism and Buddhism. The followers of these religions largely live in India, Nepal, Sri Lanka and in East Asian countries.

Islam is not a new religion. It is the universal religion coming down from the dawn of human consciousness. Islam means surrendering oneself to Allah in order to gain peace and whoever surrenders himself or herself to Almighty Allah is a Muslim and his religion is Islam. However in special sense, Islam is an independent religion coming directly out of the revelatory experiences of Prophet Mohammad(sm.). Mohammad (sm.) who is the advocate of this religion was born in Arabia in 570 A. D. At that time, Arabia was a land of polytheism. Mohammad (sm.) preached a religion of strict monotheism against the polytheism. He propagated a rigorous disciplined life devoid of brute ritualism or idolatry. At the beginning of his journey, there were very few as his followers and then it spread swiftly. The Qur'an is the sacred revelatory Text of Islam. The teachings of Al-Qur'an were explained by the Prophet himself. The collection of the sayings, deeds, and approvals of Mohammad (sm.) is known as al- Hadith. The Qur'an is the complete code of life. It is a Holy Book that gives us the proper guideline of our living. We can solve our private, social, economical, national and international problems by following this Book. Moreover, the Hadith is a Book that also describes what is good and bad for us. Thus, the Holy Qur'an and the Hadith help us to make our lives peaceful and happy.

Hinduism is the oldest of all the living religions. There is no definite date of its origin and no specific founder of Hinduism. Hindu religion does not claim a particular belief or conviction as its sole faith. It is an amalgam of various kinds of beliefs and practices.

Moreover, Hindu religion has no book as its own exclusive Text. Nevertheless the Vedas, the Upanisads, the Purans, the Ramayana, the Mahabharata, the Bhagavad Gita and the Hindu Law books such as Manu Samhita etc. are some of the important religious Texts of Hinduism. All these books explain the service to humanity, perfect purity and brotherhood of man. Thus, Hindu religion also helps us the right way of living and it also helps us to make our lives peaceful.

Ethics is the philosophical study of morality. The word is commonly used interchangeably with 'morality' to mean the subject matter of ethics. It is a study which deals fundamentally with the rules of conduct from moral point of view. It is the normative science of the conduct of human beings living in societies; it is a science which judges this conduct to be right or wrong, to be good or bad. Since there is a close relationship between philosophy and religion, it can be said that religion is also related to ethics. This is because philosophy enquires into the nature of the universe, the nature of the human soul and its destiny. It also clarifies the nature of God, proofs for the existence of God, God and the Absolute, the relation of God to human personality and the relation between the infinite and the finite. Philosophy also explains the life after death, right and wrong, good and evil, beauty and ugliness, punishment and reward etc. In a nutshell, philosophy is the logical analysis regarding our lives and the universe. On the contrary, religion is also related to our lives. The subject matter of religion is very close to that of philosophy. The main principle of all the great religions of the world is to guide its followers towards a right way. It also provides a wonderful moral guideline for the mankind. Therefore, it can be seen that religion is closely related to philosophy. Moreover, as ethics is a branch of philosophy, it can be said that ethics is a study which deals fundamentally with the rules of human conduct from moral point of view. Thus, there is a close relationship between religion and ethics. From the above discussion, it can be said that religion and ethics are closely allied to philosophy.

In summary, Islam and Hinduism both show us a right path of living. Both deal with many ethical virtues and duties. Islam and Hinduism teach an ethics of perfect purity, the duties of humanity and brotherhood of man. Both religion regard ethical life as a means to liberation. Thus, Islam and Hinduism play an important role in our lives and help to make the nation as well as the world peaceful.

Review of Literature

Bangladesh has a rich tradition of communal harmony and can take pride for the peaceful co-existence of its different religious communities. The Muslims, the Hindus, the Christians and the Buddhists are its main religious communities of which the former two are the major religious groups. The Muslims form about 86% of our population followed by the Hindus who comprise about 12%. The Christians and the Buddhists are the remaining 2% of our population. In Bangladesh, there have been some studies on Islam and Hinduism, but no specific study on moral precepts in Islam and Hinduism have been conducted. A few literatures on different aspects of the moral status of religion are also scatteredly available in Bangladesh.

Ali¹ (2007) conducted a study on “*Moral Codes in Islam and Christianity: A Comparative Study*” in his Ph. D. Dissertation. The writer reviews the position of morality in Islam and Christianity in his study. He emphasizes that both religions advise and encourage their respective adherents to exercise and achieve all moral virtues. In this study, the author discusses the status of woman in Islam and Christianity, family ethics, social ethics and so on. The writer also shows that both religions put emphasis to ensure public security and to maintain law and order in the society as well as to approve reward and punishment at different degrees. The author also makes a comparison between these two religions and shows that there are some differences as well as some similarities between Islam and Christianity. The writer also finds that similarities are more emphatic and stronger than the differences between these two religions.

Islam² (2003) conducted a study in Bengali on “*The Influence of Miracles in the Origination and Development of Religion*”. The writer mainly discusses the definitions and characteristics of different religions. The author also emphasizes on the influence of miracles in the origination and development of Islam, Christianity, Hinduism and Buddhism.

¹ Md. Akhtar Ali, *Moral Code in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D. Thesis), Rajshahi: Department of Philosophy, University of Rajshahi, 2007.

² M. Aminul Islam, *The Influence of Miracles in the Origination and Development of Religion* (an Unpublished Ph. D. Thesis), Rajshahi: Department of Islamic Studies, University of Rajshahi, 2003.

Khatun³ (2006) also conducted a study in Bengali on “*The Status of Women in Islam: A Theoretical Study*”. The author explains civil, social, economical, and political rights of woman in Islam. The writer also finds out that Islam considers woman as fully honorable human beings.

It is evident from the above discussion that several studies have been conducted on Islam and Christianity, the status of woman in Islam and so on. It is clear from the aforesaid review that no study was undertaken exclusively on the moral precepts of Islam and Hinduism. Therefore, the present research is very essential to enrich the moral consciousness of our people and hence, will, I think, fill up a gap in the existing literature in the field.

Rationale of the Study

We live in an age of science. Modern life cannot be thought of without science. The blessings of science are felt in every sphere of modern life. It has relieved human sufferings. The blessings of science are too many to describe at one place. Nevertheless, science is not an unmixed blessing. It has brought misery in our societies. This is because science never discusses about morality. In our societies, there is a lack of ethical concept. As a result, various social and economic problems like the differences between the rich and the poor, ethnic clashes in the name of religion and so on prevail everywhere in the world and also in Bangladesh. In these circumstances, the implementation of law can help us, but most of the times it fails to solve these problems. This is because sometimes we use law for our own interests. Therefore, the implementation of law is not the only way to solve these problems. The only way we can avoid these problems is through our awareness about morality following the teachings of the Holy Qur’an, the Hadith and the Bhagavad Gita. This can only arise through a mass effect morality and public awareness strategy. Through intense ethical education, we can show proper respect for the society, the nation as well as the world. Therefore, I believe that general people will be benefitted to a large extent by this research work. Thus, necessity of such kind of ethical study is undeniable. The present study entitled “Moral Precepts in Islam and Hinduism: A

³Mst. Hafsa Khatun, *The Status of Women in Islam: A Theoretical Study* (an Unpublished Research Work), Rajshahi: Department of Islamic Studies, University of Rajshahi, 2006.

Comparative Study” is, I think, a unique and an in-depth research work. Thus, the study demands a much deserving significance for the following reasons:

- i) The study aims at mainly filling up the gap of the existing ethical literatures concerning these two religions and will fulfill the lack of knowledge of ethical concept of its followers and others.
- ii) The study will help the ethical policy makers and planners in their rational and moral decision making.
- iii) The study will be of very much helpful for further research activities in hypothesis formulation particularly in regard to highlighting the position of morality in religion.

The Objectives of the Study

The Qur'an, the Hadith and the Bhagavad Gita deal with many ethical virtues and duties as well as prescribe an ethical code of life to us. People of the world particularly, the people of two great communities, i.e., the Muslims and the Hindus, can live peacefully if they lead their lives according to the teachings of the above mentioned Holy Books. Nevertheless, there is a lack of ethical concept and knowledge in us. Therefore, the main objective of this study is to fulfill the lack of ethical concept and knowledge following the Qur'an, the Hadith, the Bhagavad Gita, and other Hindu Law Books. It is to be pointed out here that while making a comparative study between these two religions, special care is taken to look into the religious sentiments of its adherents and hence, no adverse or harsh criticism of any aspect of any side is assailed or entertained. The specific objectives of the study, hence, are:

- i) To sketch a brief outline of Islam and Hinduism;
- ii) To describe morality in Islam;
- iii) To explain the place of morality in Hinduism;
- iv) To construct a comparative study of morality between these two religions regarding family life;
- v) To make a comparative study of morality between Islam and Hinduism in terms of marriage and conjugal life;
- vi) To form a comparative study of morality between Islam and Hinduism in regard to the status and place of women;

vii) and to identify the social role of religion aiming at enriching our moral awareness.

Methodology of the Study

To conduct this study, the exploratory and comparative techniques are followed. The secondary sources of data have been used for this study. In this study the data have been collected from the various research institutes of Islam and Hinduism. The Holy Qur'an, the Holy Hadith and the Holy Bhagavad Gita remain as the main sources of literature. The other sources of this research are the related books, articles, published and unpublished dissertations as well as websites etc.

Chapter Schemes

There are seven chapters in my research study which run as follows. The first chapter of my research work is entitled as 'Islam and Hinduism: A Brief Introduction'. In this chapter, I have discussed the preliminary concepts of Islam and Hinduism as religions; later on, my areas of discussion stood on the relation of ethics to religion. There are eleven sub-sections in this chapter which I have broadly divided into five major sections. In first section, I have interpreted Islam as a religion, the meaning of Islam and the misconception about, and basic principles of Islam as a religion. In second section, I have analyzed Hinduism as a religion, definition of Hinduism, opinions of some scholars regarding its definition and main features of Hinduism as a religion. In third section, an attempt is made to show the development of morality and its classification into secular and theological ethics. In fourth section, in order to show the relation of morality to religion, I have made an attempt to explain the controversies concerning the relation of morality to religion, similarities and dissimilarities between ethics and religion. The fifth section is the concluding remarks. Here, I have tried to explore some findings of this chapter.

The second chapter is 'Moral Teachings in Islam: A Glimpse'. In this chapter, there are six sub-sections which I have also broadly discussed into two sections. In first half, I have briefly tried to clarify what the Islamic ethics means, the sources of the moral teachings in Islam and the facets of Islamic ethics. In the second half, my areas of discussion stood on the basic moral teachings of Islamic ethics. Thereafter, I have tried to move towards the concluding remarks where I delved into the main findings of this chapter. It would be

better to consider this chapter as introduction to the rest part of this work, rather to consider it as a complete exposition of the moral teachings in Islam. This limitation has been cited in the introduction of the chapter.

The next chapter of this dissertation is entitled as ‘The Moral Precepts in Hinduism: A Brief Account’. Here, I have attempted to explain what Hindu ethics is, the sources of Hindu ethics and the facets of Hindu ethics. Later on, my areas of interpretation concentrated on the basic teachings of Hindu ethics. The end of the chapter conveys the concluding remarks i.e., the main findings of this chapter. Furthermore, it would also be better to regard this chapter as introduction to the rest part of this work, rather to regard it as a complete exposition of the moral precepts in Hinduism. This limitation has been remarked in the introduction of the chapter.

The fourth chapter is ‘Family Ethics in Islam and Hinduism’. There are ten sub-sections in this chapter and I have broadly divided into four main sections. In the first section, an attempt has been made to explain what family ethics is. Later on, family life in Islam, nature of a Muslim family and intra-familial relationship have also been discussed in this section. In the second half, I have analyzed the family life in Hinduism, nature of a Hindu family and intra-familial relationship. The most important part of this chapter is the third section. Here, I have tried to show some similarities and dissimilarities in terms of family ethics in Islam and Hinduism. The last part is the concluding remarks where all the findings of this chapter have been interpreted briefly.

In addition to this, both Islam and Hinduism think that family life should be constituted only through the institution of marriage. Thus, ethical issues related to conjugal affairs play a vital role in both religions. For this reason, my next area of discussion stood on the ‘Views on Conjugal Ethics in Islam and Hinduism’ which is the fifth chapter of this Dissertation. In this chapter, fifteen sub-sections are included and have been broadly divided into four main groups. In the first group, I have attempted to explain the marriage in Islam, the purposes of Muslim Marriage, the conditions of valid Muslim marriage, form as well as dissolution of Muslim marriages and Islamic views on some contemporary issues related to conjugal ethics. In the second group, an attempt has been made to discuss marriage in Hinduism and its purposes, the conditions of valid Hindu marriage, form as well as dissolution of Hindu marriages and Hindu views on some contemporary issues related to conjugal ethics. My next focus was on the comparison

where some similarities as well as dissimilarities have been discussed. The fourth section of this chapter is the concluding remarks where I have delved into the findings in terms of conjugal ethics in Islam and Hinduism.

The sixth chapter of my research work is entitled as ‘The Status of Women in Two Religions’. This chapter is dealt with the ethical issues related to women affairs. There are thirteen sub-sections in this chapter which I have tried to discuss under four major sections. In first section, I have attempted to discuss women in different religions, women in the Qur’an, right and privileges of Muslim women, misconception about women in Islam and an observation in terms of the women’s status in Islam. In next section, I have also explained women in Hinduism, rights and privileges of Hindu women, the custom of *Sati Daho*, female infanticide and observation in regard to the status of women in Hinduism. The third section of this chapter is comparison. Here, an attempt has been made to find out similarities as well as dissimilarities. In this section, I have tried to explain the main findings of this chapter, dissimilarities regarding the status of women in Islam and Hinduism. The fourth part is the concluding remarks.

Finally, an attempt has been made to explain the findings of all previous chapters under the chapter ‘Conclusion’. In this chapter, I have also attempted to make a comparison between the fundamental concepts of these two religions. In addition to this, an attempt has also been made to offer some comments on the basis of the overall discussion, analysis and comparison.

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Chapter One

Islam and Hinduism: A Brief Introduction

1.1. Introduction

In our society various social and economic problems like the differences between the rich and the poor, racial conflict, disparity between men and women, child labor, dishonesty in business and so on prevail. In these circumstances, science is really helpless. This is because although we get unlimited benefit from science, it sometimes brings misery in our lives. The main reason behind it is that science never discusses about morality. It only describes what is, but never prescribes what ought to be. Therefore, we can solve or minimize these problems only by augmenting knowledge of ethical education as well as through our awareness about morality. It can be mentioned here that as the Holy Qur'an, the Hadith and the Bhagavad Gita are the great sources of morality, the study of these Holy Books will be mostly helpful to understand and tackle these problems. The main purpose of this study is to overcome or at least minimize these problems through a strong, united and broad-based ethical movement following the teachings of Islam and Hinduism. Hence, the Holy Books of these two religions such as the Holy Qur'an, the Hadith, the Bhagavad Gita as well as other Hindu Law Books i.e., Manu Samhita can play a vital role in this regard. In this chapter, an attempt will be made to discuss the preliminary concept of Islam and Hinduism. Later on, an attempt will also be made to show the relation of ethics to religion.

1.2. Islam as a Religion

Islam is one of the major religions of the world. It is a religion of peace, tolerance and good will. It has swayed the minds and hearts of a large section of mankind. Islam emerged in the 7th century C. E. in the city of Makkah, a flourishing and cosmopolitan commercial center on the coastal place of Arabia. It is not a religion of egoism that preaches hatred and animosity to others; nor does it require its followers to believe only in their own particular Prophet imputing perfidy and falsehood to those of other religions. Islam enjoys respect and veneration for all prophets.¹ It is the religion of truth. Islam is the embodiment of the code of life which Allah has revealed for the guidance of mankind.

¹ See, Prof. Sheikh Youssef El-Digwy, *Islam: the Ideal Religion* (Lahore: Orientalia, 1954), p. 1.

It is the only religion acceptable to Allah and heralds submission to Allah's will and guidance. The Holy Qur'an mentions in this connection: "The Religion before God is Islam...."² Again the Holy Qur'an says: "If anyone desires a religion other than Islam (submission to God), never will it be accepted of him; and in the Hereafter he will be in the ranks of those who have lost (all spiritual good)."³ Therefore, there is only one true religion on earth, i.e., the religion of Allah to which human beings belong at all times and places.

1.3. The Meaning of Islam

The word 'Islam' derives from the root '*Slm*' or 'Salam'. It is an Arabic word which means submission, to surrender, acceptance, obedience and commitment. As a religion, 'Islam' denotes complete submission and obedience to Allah⁴ as well as to accept and obey the Tradition of the Prophet of Islam. In this regard the following Hadith is very much appropriate:

Gabriel one day came in the form of an Arab and sat near the Prophet and said: 'O Messenger of God, what is Islam?' The Prophet replied: 'Islam is to believe in God and His Prophet, to say the prescribed prayers, to give alms, to observe the fast of Ramadan and to make the pilgrimage to Mecca.' Gabriel replied that he had spoken truth and then asked the Prophet what Iman was? He replied that it was to believe in God, angels, books, prophets, the last day, and predestination.⁵

The other literal meaning of the word 'Islam' is 'peace' and this signifies that one can achieve real peace of body and mind only through submission and obedience to Allah. Such a life of obedience brings peace of the heart and establishes real peace in society at large. Therefore, the inner meaning of the word 'Islam' is 'submission to Allah'. Islam, not Muhammadanism, is the name of the religion of over one billion people all over the

² Al-Qur'an, 3: 19. (All quotations from the Holy Qur'an have been taken in this work from Abdullah Yusuf Ali (translator & commentator), *The Meaning of the Glorious Qur'an*, Vols. 1 & 2, Egypt & Lebanon: Dar al Kitab al Masri & Dar al Kitab Allubnani, 1934).

³ *Ibid.*, 3: 85.

⁴ 'Allah' is the Arabic name of God Almighty. Allah means the One and Only God, the Creator, the Controller and the Originator of the universe. He created us; to Him we all will return after death and He will bring us back to life. He has 99 names mentioned in the Islamic Holy Book Al-Qur'an. In a word, it can be said that the message of Allah is this: I am God, your Lord, so worship Me. He did not force people to believe in Him or worship Him. He gave them the free choice to do so, but He will reward those who obey Him with everlasting life in paradise and will punish the disobedient with permanent suffering in Hell.

⁵ James Hastings (ed.), *Encyclopedia of Religion and Ethics* (New York: T & T Clark, 1959), Vol. 7, p. 437; also see, *Sahih al Bukhari*, Vol. 1, Book. 2, Hadith no. 47 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011.)

world. It is not the religion of Arabs, or any single race or nation, rather an international religion that calls for the unity of Allah and the brotherhood of the human race. Therefore, an attempt has been made to understand the meaning of Islam from two points of view i.e., the broader and the narrower which run as follows:

1.3.1. The Broader Point of View

From the broader point of view, 'Islam' is used to denote the name of religion of all divine messengers and their followers. Islam is thus the generic term applicable to every revealed religion as long as that religion is not altered by men. According to the Holy Qur'an, Allah has ordained for you that religion which he has already commanded to Noah, Abraham, Moses and Jesus.⁶ This ideal is manifested in the quoted verse of the Holy Qur'an:

Say: 'we believe in God, and in what has been revealed to us and what was revealed to Abraham, Isma'il; Isaac, Jacob, and the Tribes, and in (the Books) given to Moses, Jesus, and the Prophets, from their Lord: we make no distinction between one and another among them, and to God do we bow our will (in Islam)'.⁷

It further states: "It is He Who sent down to thee (step by step), in truth, the Book, confirming what went before it; and He sent down the Law (of Moses) and the Gospel (of Jesus) before this, as a guide to mankind, and He sent down the criterion (of judgment between right and wrong)."⁸ Thus, all Prophets⁹ including Noah, Abraham, Moses, Jesus and Mohammad (sm.) are sent by Allah to reorient people to right path to Allah by calling them to Islam. From the above discussion, it can be said that Islam, in the broad sense, is the religion of all prophets of Allah from Adam (as.) to Mohammad (sm.), the last Prophet. All messengers of Allah in this sense were the messengers of Islam, because their call or invitation to people was 'to submit to Allah (God) in worship and obedience, and to associate nothing with Him'.¹⁰

1.3.2. The Narrower Point of View

Apart from the broader sense, there is a narrower view of Islam. Islam does not disbelieve in the reality and authenticity of other Prophets such as Abraham, Moses and Jesus, but

⁶ See, Al-Qur'an, 42: 13.

⁷ *Ibid.*, 3: 84; also see, 2: 136

⁸ *Ibid.*, 3: 3

⁹ Prophets are Allah's chosen slaves to convey His same message to different people over the ages.

¹⁰ See, Al-Qur'an, 4: 36.

Mohammad is taken as the last and seal of the Prophets. In this sense, Islam can be defined as a religion revealed to Prophet Mohammad (sm.) who lived in Arabia between 570 and 643 A. D. He came to re-institute the religion of Adam, Noah, Abraham, Moses and Jesus. Mohammad (sm.) did not claim to have invented a new religion, but to have brought a new revelation that returned the people of the peninsula to the true belief in Allah.¹¹ He is not the founder of Islam, but last of the prophets and the messengers of Allah.¹² In fact, the overall behavior of the Prophet is regarded by the Muslims as *Sunnah* or the ‘perfect model’, and its cognitive internationalization by Muslims may become so acute and keen as to make their consciousness identical with the moral law itself.¹³ Syed Latif Hussain Kazmi says in this connection:

We find in Muhammad’s (sm.) personality both the moral law and religious values, which are indeed God’s commands. He forcefully and devotedly tried to translate Allah’s Words (the Qur’an) into action and his own conduct is a ‘perfect example’ to be followed by the mankind as he has been presented to be mercy for all the realms of Being by the Qur’an. He explains theoretically and demonstrates practically, the meaning of mercy, justice, kindness, goodness and tolerance to mankind and to other non-humans living creatures of God.¹⁴

There are several extracts that could be considered as the beginning of Islam, when Mohammad (sm.) received the call to be Allah’s messenger. At the age of forty in the revelation through Gabriel,¹⁵ Mohammad (sm.) got a call from Allah for prophecy. Gabriel commanded him to recite the following: “Proclaim! (or Read), in the name of thy Lord and Cherisher, who created— created man, out of a (mere) colt of congealed blood: proclaim! And thy Lord is Most Bountiful,— He Who taught (the use of) the pen,— taught man that which he knew not.”¹⁶ When Mohammad (sm.) recited it, Gabriel departed. At that time he was filled with terror. His wife Khadijah ® consoled him and Gabriel again appeared to remind him that he was the Prophet of Allah. In this way Mohammad (sm.), the Caravan leader, became the messenger of Allah. About the last Prophet, the Qur’an explicitly states: “But no, by thy Lord, they can have no (real) Faith, until they make thee judge in all disputes between them, and find in their souls no resistance against thy

¹¹ See, John L. Esposito, *Islam: the Straight Path* (New York: Oxford University Press, 1998), p. 12.

¹² For details please see, Syed Latif Hussain Kazmi, “The Place of Tolerance in Islam”, *Aligarh Journal of Islamic Philosophy* (India: Department of Philosophy, Aligarh Muslim University, 2006), p. 53. In this quotation, the word ‘sm’ is given by the researcher.

¹³ Vide, Fazalur Rehman, *Islam* (London: Weidenfeld & Nicolson, 1966), pp. 11-19.

¹⁴ Syed Latif Hussain Kazmi, “The Place of Tolerance in Islam”, *Aligarh Journal of Islamic Philosophy*, *op. cit.*, p. 53. In this quotation, the word ‘sm’ is given by the researcher.

¹⁵ Gabriel is God’s angel.

¹⁶ Al-Qur’an, 96: 1-5.

decisions, but accept them with the fullest conviction.”¹⁷ At first Khadijah ® believes in his message. Later on when Abu Bakr, the first Caliph, joined the movement started by Mohammad, it was greatly strengthened.¹⁸ From the above discussions, it can be said that Islam was not a new religion at all. It is an independent religion coming directly out of the revelatory experiences which got a proper shape through Prophet Mohammad (sm.). Actually Islam was first originated in Adam (as.) and later on revealed to Hazrat Mohammad (sm.). John L. Esposito expresses his opinion regarding the narrower sense of Islam in the following way:

Muhammad was not the founder of Islam; he did not start a new religion. Like his prophetic predecessors, he came as a religious reformer. Muhammad maintained that he did not bring a new message from a new God but called people back to the one, true God and to a way of life that most of his contemporaries had forgotten or deviated from. Worship of Allah was not the evolutionary emergence of monotheism from polytheism but a return to a forgotten past, to the faith of the first monotheist, Abraham¹⁹

The fundamental mission of the messengers of Allah has been to teach true belief about the one Allah and to establish justice among men. The unity of this belief springs from the one Allah who creates a union to the prophets and of their followers, who together form a unique spiritual nation ‘Muslim’. The Holy Qur’an of Almighty Allah states in this connection: “Verily, this Brotherhood of yours is a single Brotherhood, and I am your Lord and Cherisher: therefore serve Me (and no other).”²⁰ Islam is the perfect religion. The Holy Qur’an further says in this connection: “...This day have I perfected your religion for you, completed my favour upon you, and have chosen for you Islam as your religion....”²¹ Those who believe in Islam are called Muslims. In other word, Muslims are those who surrender to the will of Allah in every aspect of their lives and enjoy the resulting peace. The Qur’an further states in this regard that those who do not make their decisions in accordance with that revealed by Allah, they in fact are the disbelievers.²² In addition to this, the faith of a Muslim consists of two parts– (i) there is no god but Allah; and (ii) Muhammad (sm.) is His Messenger. According to Syedur Rahman, those who

¹⁷ *Ibid.*, 4: 65.

¹⁸ For more details please see, Kedar Nath Tiwari, *Comparative Religion* (Delhi: Motilal Banarsidass, 1992), p. 154.

¹⁹ John L. Esposito, *Islam: The Straight Path*, *op. cit.*, p. 12.

²⁰ Al-Qur’an, 21: 92.

²¹ *Ibid.*, 5: 4.

²² Vide, *ibid.*, 5: 44.

believe in the first part only are Muslims in a sense, but belief in both the parts makes them perfect Muslims.²³

1.4. Misconception about Islam

Many people have a misconception that Islam is a new religion that was formulated 1400 years ago, and that Prophet Mohammad (sm.) was the founder of Islam. However, this misconception about Islam is absolutely wrong. This is because Islam is not the name of some unique religion presented for the first time by the Prophet of Islam Hazrat Mohammad (sm.) who on that account may be called the founder of Islam.²⁴ The Qur'an states that Islam— the complete submission of man before his one and only unique Creator— is the one and only faith and way of life that was consistently revealed by Allah to mankind from the very beginning. The Prophets of Allah such as Noah, Solomon, David, Abraham, Moses, Isaac and Jesus (sm.) appeared at different times and places. They propagated the same faith and conveyed the same message of *Tawhid* (Oneness of Allah), *Risaalat* (Prophethood) and *Aakhirat* (the Hereafter). These Prophets were not founders of different religions to be named after them. They were each reiterating the message and faith of their predecessors. Moreover, Allah revived through Mohammad (sm.) the same genuine faith which had been conveyed by all His Prophets. This original message was earlier corrupted and split into various religions by the people who indulged in interpolations and admixture. These alien elements were eliminated by Allah, and the pure and original form of Islam was transmitted to mankind through Prophet Mohammad (sm.) Since there was no messenger after Muhammad (sm.), the Glorious Qur'an revealed to him was preserved word for word so that it should be a source of guidance for all times.

Thus, the religion of all the Prophets was 'total submission to Allah's Will' and one word for that in the Arabic language is 'Islam'. Abraham and Jesus were both Muslims, as Allah testifies in Al-Qur'an 3: 67²⁵ and 3: 52²⁶ respectively. Syedur Rahman also

²³ For details please see, Syedur Rahman, *An Introduction to Islamic Philosophy* (Dhaka: Mullick Brothers, 1963), p. 20 .

²⁴ <http://www.islamandhinduism.com>, Retrieved on-12, May 2012.

²⁵ See, Abraham was not a Jew, nor yet a Christian; but He was an upright man who had surrendered (to Allah), and he was not of the idolaters.

²⁶ When Jesus found unbelief on their part He said: 'who will be my helpers to (the work of) God?' said the disciples: 'we are God's helpers: we believe in God, and do thou bear witness that we are Muslims'.

expresses his opinion regarding the misname of Islam in the following way: “The religion taught by the Quran and Prophet Muhammad is *Islam* and not *Muhammadanism*, as it is often misnamed by the Westerners on the analogy of Christianity... Those who profess Islam are *Muslims* and not *Muhammadans*.”²⁷ Syed Latif Hussain Kazmi says:

To stipulate Islam as ‘Muhammadanism’ or to consider it as Semitic Religion is to misunderstand its basic character and content. It is not derived after the name of Prophet Muhammad (sm.) as is the case with other great religions like Christianity, Buddhism, etc. Islam is the universal religion of mankind.²⁸

From the above interpretation it becomes clear that the religion of Islam cannot be termed as ‘Muhammadanism’. Islam is the one and only religion revealed by Almighty Allah.

1.5. Basic Principles of Islam as a religion

Islam has got certain distinctive features of its own. Some of the basic principles which the Holy Qur’an and Prophet Muhammad (sm.) have given are as follows:

- i) One of the important and fundamental principles of Islam is the concept of *Tawhid* i.e., belief in the existence and oneness of Allah. Islam emphatically states that Allah, the Most High and Exalted, the Creator and Sustainer of all that exists, is far above possessing any of the creaturely attributes which have been ascribed to Him. He is not bound by any of the limitations of human beings or of anything else He has created. Islam further proclaims that Allah has no bodily form, no physical attributes or characteristics. Rather His attributes are those of one who is above any sort of limitations, such as having a beginning or an end or physical dimensions or needs such as requiring food, rest or procreating. This is because He is the One who has given such dimensions and attributes to His creatures. The Holy Qur’an says in this connection:

God is He, than whom there is no other god; Who knows (all things) both secret and open; He, Most Gracious, Most Merciful. God is He, than Whom there is no other god; the Sovereign, the Holy One, the Source of Peace (and Perfection), the Guardian of Faith, the Preserver of Safety, the Exalted in Might, the Irresistible, the Supreme: glory to God! (High is He) Above the partners they attribute to Him. He is God, the Creator, the Evolver, the Bestower of Forms (or colours). To Him belong the Most Beautiful Names: Whatever is in the heavens and on earth, doth declare His Praises and Glory: and He is the Exalted in Might, the Wise.²⁹

²⁷ Syedur Rahman, *An Introduction to Islamic Philosophy*, op. cit., p. 20.

²⁸ Syed Latif Hussain Kazmi, “The Place of Tolerance in Islam”, *Aligarh Journal of Islamic Philosophy*, op. cit., p. 53. In this quotation, the word ‘sm’ is given by the researcher.

²⁹ Al-Qur’an, 59: 22-24.

According to Islam, although Allah is concerned about mankind and knows people intimately, He is and remains transcendent. The Holy Qur'an says in this regard: "No vision can grasp Him, But His grasp is over all vision: He is above all comprehension, yet is acquainted with all things."³⁰ Therefore, it is impossible to know Allah directly. Furthermore, Islam is absolutely a monotheistic religion, because it declares that the transcendent Allah is not a trinity³¹ and He has not begotten sons,³² nor daughters or consorts.³³ In addition to this, unlike the religion of pre-Islamic Arabia, Allah has no partners or associate deities³⁴ Throughout the Qur'an, Allah reminds His mankind that He alone exists and is to be worshipped. For this reason, when Muslims worship five times each day, they declare Islam's radical monotheism: 'I witness that there is no god but God (Allah)'. Hence, the absolute monotheistic character of Islam is preserved in the doctrine of the unity and sovereignty of Allah who is the transcendent, all powerful and All-knowing Creator, Sustainer, Ordained as well as Judge of the universe.

- ii) Another foremost character of Islam is that it has admitted in the reality and authenticity of the previous Prophets sent by Allah. Some of them are Adam, Noah, Abraham, Moses, Jesus and Mohammad (sm.) who are regarded as messengers of Allah to carry message of Allah to people. The Holy Qur'an says in this regard:

Say ye: "we believe in God, and the revelation given to us, and to Abraham, Ismail, Isaac, Jacob, and the Tribes, and that given to Moses and Jesus, and that given to (all) Prophets from their Lord: We make no difference between one and another of them: and we bow to God (in Islam)."³⁵

From the above interpretation, it is seen that Allah selects some of His slaves and prepares them through ideal education to be His messengers to mankind. Some of these apostles are mentioned in the Qur'an and other are not mentioned; but we should believe in all of them.

- iii) Belief in the existence of beings called Angels is another characteristic trait of Islam.³⁶ The teachings of Almighty Allah make it clear that men are not the only

³⁰ *Ibid.*, 6: 103.

³¹ See, *ibid.*, 5: 76.

³² Vide, *ibid.*, 2: 216.

³³ For details please see, *ibid.*, 6: 100-101.

³⁴ See, *ibid.*, 6: 22-24.

³⁵ *Ibid.*, 2: 136; also see, 3: 84-85.

³⁶ See, *ibid.*, 2: 285.

intelligent beings created by Him. Another order of intelligent beings is angels, who act as Allah's agents. They are absolutely obedient to Allah's commands and are engaged in worship as well as service to Him. For example, Almighty Allah chose to convey His revelation to the Prophet of Islam through the agency of an angel. The name of this honored angelic messenger is Gibriel. Therefore, belief in angel is considered as an inseparable part of Islamic faith.

- iv) One of the fundamental characteristic features of Islam is the belief in the revealed scriptures. Islam believes in many sacred Texts such as the Torah of the Moses, the Gospel of the Jesus and the Qur'an of Mohammad (sm.). According to the Holy Qur'an, He has revealed to you (O Muhammad) the scripture with truth, confirming that which was revealed before it even as He revealed the Torah and the Gospel, before as a guide to mankind and has revealed the criterion of judging between right and wrong.³⁷ However, Islam takes the Qur'an as the most sacred Text. The Holy Qur'an of Almighty Allah claims to be a Book of Hidayah, i.e., Guidance for man. It is a Book that is available to all mankind– indeed it addresses itself, by and large, to the totality of mankind.³⁸
- v) Belief in eschatology i.e., life after death, the Day of Judgement, bodily resurrection and Heaven as well as Hell is another basic principle of Islam.³⁹ According to Islam, the present life in this earth is very short and death is an absolute certainty. A man's life in this earth ends with his death, after which another life begins. The *Qiyamat-e-Sughra* or lesser judgement takes place immediately after death. The Holy Qur'an informs man of the reality of another life of a very different nature from the life of this world. The explicit Quranic declaration in this regard is as follows: "Verily We shall give life to the dead, and We record that which they send before and that which they leave behind, and of all things have We taken account in a clear Book (of evidence)."⁴⁰ Therefore, there is a life after death and this is called hereafter. On the Day of Resurrection,

³⁷ Vide, *ibid.*, 3: 3.

³⁸ See, Masood Ali Khan and Shaikh Azhar Iqbal (eds.), *Encyclopedia of Islam*, Vol. 4 (New Delhi: Commonwealth Publishers, 2005), p. 211.

³⁹ See, Md. Akhtar Ali, "The Concept of Salvation in Islam", *Dharshan O Pragati* (Philosophy & Progress), Bengali Journal of the Govinda Dev Centre for Philosophical Studies, Dhaka University, 11th year, Vol. 9, June-December, 1994, pp. 68-82.

⁴⁰ Al-Qur'an, 36: 12.

all human beings will be raised from their graves and rejoined with their souls. Those who were alive on earth at that time will die and be joined to this assembly. They will be presented in the court of Allah. The entire record of deeds and misdeeds of every individual will be presented before Him for judgement. Almighty Allah will finally adjudge the record of every person. Everyone's good and bad deeds shall be weighed. One who excels in goodness will be accorded a good reward; but one whose evils and wrongs outweigh his good deeds, will be punished. The reward and punishment will be administered with full justice. Those who emerge successful in this judgement will go to paradise and doors of eternal bliss will be opened to them; but those who will be condemned and deserve punishment will be sent to hell, the abode of fire and torture.

In Islam, heaven and hell are described very graphically. In the Qur'an, heaven is painted as a rose-bed of pleasure and hell, on the other hand, as an unending abyss of terrible pain and suffering. Seven heavens are mentioned in the Qur'an which really represent seven stages of celestial bliss. Likewise, seven hells are also described. There is also a bridge called '*Alsirat*' which one has to pass in order to go to the heaven or hell. Those who are awarded hell, the passage of the bridge becomes like a sword's edge so that they will be unable to cross it. However, those who are rewarded with heaven, the bridge becomes so wide that they easily cross over bridge and go to the heaven. Thus, concept of the explicit eschatology plays a significant role in our lives.

- vi) Another essential feature of Islam is the concept of the soul i.e., *Ruh*⁴¹, *Nafs*⁴², *Kalb*⁴³ and so on. According to Islam, man is a combination of the body and the soul and between these two, soul plays a more vital role than the bodies. Soul is considered as the centre of all human desires, intentions as well as wills. The relation between soul and body can be compared to as saying soul is the lord or ruler and body, on the contrary, is just co-worker or servant of the soul. The one

⁴¹ See, *ibid.*, 38: 72.

⁴² For details please see, *ibid.*, 3: 185.

⁴³ Vide, *ibid.*, 26: 194, 200.

and only duty of a body is to carry out the dictations of the soul and not to go against the will of the soul.⁴⁴

In Islam, it is believed that Almighty Allah has created all human souls before the creation of the world and preserved all souls in the heavenly world. Then Allah is sending them into this world in accordance with His will. The Holy Qur'an says in this connection: "When thy Lord drew forth from the children of Adam— from their loins— their descendants, and made them testify concerning themselves (saying): 'Am I not your Lord (who cherishes and sustains you)?'— They said: 'Yea! We do testify!'—"⁴⁵ Thus, human souls were created at a time by Allah and have started to come to this earth from the time of Adam as well as will continue to come up to the end of the world. Moreover, the soul of Adam (the first man), according to Islam, has been inspired by Allah from his own being, nevertheless, the human soul is completely different from Him. The following verse of the Holy Qur'an is considered to support in this connection: "And there is none like unto Him."⁴⁶ Therefore, it becomes clear that human soul is not a part of Almighty Allah but a special creation of Allah.

In Islam, the soul is a spiritual substance. This is because the human soul is a command of Allah and a command cannot be a spatial and concrete thing. Now a thing that has no spatial dimension cannot be a material thing. Therefore, the soul is a spiritual substance. The following quotation of Azizunnahar Islam is considered to support in this connection: "It is like a soft body, inside our physical body. But it is not physical, it is a spiritual body. It is free from all qualities of a thing contained in space."⁴⁷

On the other hand, soul is also considered as a material entity.⁴⁸ This is because some Muslim theologians like Ibn Qayyum al Zawzia describe the soul as a soft

⁴⁴ See, Md. Akhtar Ali, *Moral Code in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D. Thesis), Rajshahi: Department of Philosophy, University of Rajshahi, 2007, p. 33; also see, Imam Al Gazzali, *Ihya Ulum-Id-Din*, translated into English by Al-Haj Maulana Fazul-Ul-Karim (New Delhi: Kitab Bhavan, 1982), Book. 3, pp. 1-10.

⁴⁵ Al-Qur'an, 7: 172.

⁴⁶ *Ibid.*, 112: 4.

⁴⁷ Quoted in, Md. Akhtar Ali, "The Concept of Soul in Judaism and Islam" *Philosophy and Progress*, Vols. 31-32, June-December, 2002, Dev Centre for Philosophical Studies, University of Dhaka, p. 75.

⁴⁸ See, *loc. cit.*

body in his book '*Al-Ruh*'. He argues that once the angel, responsible for taking the *ruh*, was asked by someone about *ruh*. Then the angel expressed his ignorance about it. Then he again asked, was he able to give some hints as to its mode of existence as well as nature. He says: '... he feels some weight when it comes to his possession'. Thus, from the story it is clear that the soul is a material entity because, weight is possible only for a material entity. This implies that the above discussion is one kind of hypothesis. This is because as soul is a command of Allah, so it is divine in nature. It is not visible, touchable or perishable i.e. unknown and unknowable. Therefore, in true sense, the soul can be defined as the centre of human morality.

vii) Another prominent feature of Islam is that Islam as a religion is the continuation and perfection of divine revelation.⁴⁹ As Islam was first originated in Adam (as.), so it is not a new religion. It is a continuation of all the previous divine revelations. This is because the Prophet of Allah such as Noah, Solomon, David, Abraham, Moses, Isaac and Jesus conveyed the same message ordained by the Almighty. However, this original message of Islam was earlier corrupted. So, Allah sent Hazrat Mohammad (sm.) to reorient people to the right path of Him by calling them to Islam. The teachings of Islam never claim its absolute novelty; rather it always affirms its root in the previous revelations. Therefore, it can be said that Islam is the perfect continuation of the Divine Revelation which was first originated in Adam (as.) and later on revealed to Hazrat Mohammad (sm.).

In addition to this, Islam is also called the latest religion. The reason behind this is that the pure and original form of Islam was transmitted to the Muslims through the Prophet of Islam. As there was and would be no messenger after Mohammad (sm.), the Holy Qur'an was revealed to him so that it should be a source of guidance for all people. Thus, Islam is regarded as the latest religion.

viii) Another indispensable principle of Islam is that it enjoins the Muslims to maintain a high moral character by achieving virtues as well as avoiding vices. According to Islam, the worth of an individual does not depend on his or her own

⁴⁹ Vide, Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D Thesis), *op. cit.*, pp. 25-26.

class, race, sex, occupation, social status and so on; but depends on one's righteousness i.e., virtue.⁵⁰ The Holy Qur'an and the Tradition of the Prophet Mohammad (sm.) give a detailed list regarding moral virtues i.e., responsibility, integrity, forgiveness, sincerity, honesty, kindness, truthfulness, patience, humanity, helpfulness, generosity, hospitality, gentleness, self-sacrifice, justice, mercy, prudence moderation, keeping the commitment and so forth.⁵¹ By following the above mentioned virtues, a Muslim can become a perfect Muslim. On the contrary, the teachings of Islam also give a list concerning major vices i.e., *shirk* (to associate anyone with Almighty Allah), hypocrisy, boasting, jealousy, greed, lying, pride, anger, injustice, impatience, unkindness, blasphemy, slander, ungratefulness, despair, cowardliness, misery, quarrelsomeness and so on.⁵² Islamic teachings emphatically condemn these vices and univocally warn the Muslims not to practise these vices. Moreover, Islam also thinks that it is not only a duty of a true Muslim to follow these virtues and ignore these vices. It is also a duty to encourage others to lead a moral life by maintaining these virtues and discourage them by discarding these vices. Hence, virtues take a significant place in Islamic morality.

- ix) The most significant feature of Islam is the belief in the basic equality of all human beings. Islam admits that all men are equal and does not recognize any caste system or any hierarchical order among individuals in terms of their origin or essence. The Holy Qur'an states in this connection: "O mankind! reverence your Guardian-Lord, Who created you from a single Person, created of like nature, His mate, and from them twain scattered (like seeds) countless men and women;"⁵³ Moreover, Islam does not affirm barriers and distinctions based on color, language, blood, race or territory. There is no superiority or preference for

⁵⁰ For more details see, Al-Qur'an, 49: 13.

⁵¹ See, Dwight M. Donaldson, *Studies in Muslim Ethics*, (London: S.P.C.K, 1963); p. 14-21; also see, Dr. N. K. Singh and Mr. A. R. Agwan (eds.), *Encyclopedia of the Holy Qur'an*, Vol. 3 (New Delhi: Global Vision Publishing House, 2006), pp. 1585-1588; also vide, M. M. Sharif, *A History of Muslim Philosophy*, Vol.1 (Delhi: Low Price Publications, 1993), p. 155-165.

⁵² Vide, Fazl-I-Ahmad Kuraishi, *Islam: The Religion of Humanity* (Pakistan: Kitab Manzil, 1956), p. 247; also see, Dr. N. K. Singh & Mr. A. R. Agwan (eds.), *Encyclopedia of the Holy Qur'an*, Vol. 2, *op. cit.*, pp. 345-347.

⁵³ Al-Qur'an, 4: 1.

any particular nation black or white, north or south, west or east– all are equal.⁵⁴ In an Islamic society, all human beings enjoy equal right to fulfill their fundamental needs and no individual is allowed to create any obstacle in this regard. For example, the right to life, dignity, work, education, freedom of choice, freedom of opinion, freedom of religious belief and so forth are recognized for all people.⁵⁵ Everybody should get due share and equal opportunity in this society. Thus, according to Islam, there are no differences between rich and poor, black or white, male or female and even master as well as slave. In addition to this, although Islam does not admit any kind of hierarchical order among men, but recognizes honorable position for the righteous people. The Holy Qur'an states in this regard:

O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise (each other)). Verily the most honoured of you in the sight of God is (he who is) the most righteous of you. And God has full knowledge and is well acquainted (with all things).⁵⁶

In this connection, the Prophet of Islam is reported to have said that all people are equal, as equal as the teeth of a comb. There is no claim of merit of an Arab over a non-Arab or of a white person over a black person or of a male over a female. Only God-fearing people merit a preference to Allah.⁵⁷ Therefore, in the sight of Allah, all human beings enjoy equal status.

- x) The teachings of Islam are simple and intelligible. It is a religion which is free from superstitions and irrational beliefs. All the teachings of Islam are simple and straightforward. Islam awakens in man the faculty of reason and encourages him to use his intellect. It wants to see things in the light of reality. The Qur'an advises man to pray: "...O my Lord! advance me in knowledge."⁵⁸ It also asserts that

⁵⁴ See, Dr. Ravindra Kumar, *Religion and World Peace* (Meerut, India: Sara Publications, 1998), p. 50.

⁵⁵ Vide, Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D Thesis), *op. cit.*, p. 245; also see, Habib Fekih, "Social Thought" in A. Bouhdiba, Al-Dawalibi, M. Ma'ruf (eds.), *The Different Aspects of Islamic Culture: The Individual and Society in Islam* (Paris: UNESCO Publishing, 1998), p. 114.

⁵⁶ Al-Qur'an, 49: 13.

⁵⁷ For details please see, Hadith of Ahmad Ibn Hanbal, Quoted in, Donna Lee Bowen, "Islamic Law and the Position of Women" in Stephen P. Heyneman (ed.), *Islam and Social Policy* (Nashville, USA: Vanderbilt University Press, 2004), p. 51.

⁵⁸ Al-Qur'an, 20: 114.

those who have no knowledge are not equal to those who have.⁵⁹ The Prophet was also of the view that he who leaves his home in search of knowledge walks in the path of Allah.⁶⁰ In this way, Islam brings man out of the world of superstition and darkness and inspires him into this world of knowledge and light.

- xi) Islam is a practical religion and does not indulge in empty and futile theorizing. Righteous conduct is obligatory for the followers of Islam. The Qur'an says: "For those who believe and work righteousness, is (every) blessedness, and a beautiful place of (final) return."⁶¹ The Prophet Muhammad (sm.) also said that Almighty Allah does not accept belief, if it is not expressed in deeds, and does not accept deeds, if they do not conform to belief.⁶²
- xii) Another unique characteristic feature of Islam is that it is a complete code of life, because it is not a religion in the common distorted meaning of the word, confining its scope to the private life of man. Islamic teachings provide guidance for all walks of life— individual and social, material and moral, economic and political, legal and cultural, national and international.⁶³ It clearly states that the main objectives of Islam are purification of the soul and the reform as well as the reconstruction of the society. Islam shows that it is an all embracing way of life and does not leave out any field of human existence to become a playground for satanic forces.
- xiii) Another foremost character of Islam is that it establishes a harmony and balance between the individual and society. It subscribes to the fundamental rights of the individual and does not permit any one to temper with other. The Qur'an quotes that each has earned only that which he has deserved.⁶⁴ Therefore, Islam does not subscribe to the view that man has to lose his individuality in the society. On the other hand, it also awakens a sense of social responsibility in man and enjoins the individual to subscribe to the social good. Prayer, in Islam, which is offered in

⁵⁹ See, *ibid.*, 39: 9.

⁶⁰ Quoted in, Masood Ali Khan and Shaikh Azhar Iqbal (eds.), *Encyclopedia of Islam*, Vol. 5, *op. cit.*, p. 169.

⁶¹ Al-Qur'an, 13: 29.

⁶² Quoted in, Masood Ali Khan and Shaikh Azhar Iqbal (eds.), *Encyclopedia of Islam*, Vol. 5, *op. cit.*, p. 169.

⁶³ See, *ibid.*, p.171.

⁶⁴ Vide, Al-Qur'an, 2: 286.

congregation and paying *Zakat* include social disciplines and good among the Muslims. The Holy Qur'an cites in this regard: "(They are) those who, if we establish them in the land, establish regular prayer and give regular charity, enjoin the right and forbid wrong: with God rests the end (and decision) of (all) affairs."⁶⁵ The Qur'an also refers to *Zakat* in the following way: The *alm* seeker and the destitute have their due rights in their wealth.⁶⁶ The Holy Prophet said regarding the relationship between the individual and the society which runs as follows: "Live together, do not turn against each other, make things easy for others and do not put obstacles in each other's way."⁶⁷ The prophet further said: "He is not a believer who takes his fill while his neighbor starves."⁶⁸ In this way, Islam organizes human beings in a society and a state.

xiv) Islam proclaims the idea of the entire humanity being one family of Allah. This message of Islam is for the entire human race. According to Hazrat Mohammad (sm.), all creatures of Allah form the family of Allah and he is the best loved of Allah who loved best His creatures.⁶⁹ The Holy Prophet was further advised us to respect Allah and to be affectionate to the family of Allah.⁷⁰ Moreover, Islam is international in its outlook and approach. It does not admit barriers and distinctions among human beings. The Holy Qur'an is addressed to the entire human race transcending all barriers of race, region or time. It contains Divine Guidance for mankind for all the times and in all phases of life— material and spiritual. It admits that all human beings are members of one family having Adam and Eve as their parents.

xv) Islam admits that freedom of will is guaranteed for all nations and individuals. Allah created human beings and appointed for each human being a fixed period of life which he is to spend upon the earth. Allah has prescribed a certain code of life as the correct one for him, but has at the same time conferred on man freedom of will as to whether or not he adopts this code as the actual basis of his

⁶⁵ *Ibid.*, 22: 41.

⁶⁶ Vide, *ibid.*, 51: 19.

⁶⁷ Quoted in, Masood Ali Khan and Shaikh Azhar Iqbal (eds.), *Encyclopedia of Islam*, Vol. 5, *op. cit.*, p. 173.

⁶⁸ Quoted in, *loc. cit.*

⁶⁹ Quoted in, *loc. cit.*

⁷⁰ Quoted in, *loc. cit.*

life. According to Saiyed Abdul Hai, Allah is the supreme intelligence governing the universe and He alone is the real source of power, but He has given man the will to choose, decide and resolve to do good or evil.⁷¹

From the above discussion, it can be said that Islam is a way to self-discipline by co-ordination, synthesis and harmony of the conflicting tendencies in the individual life and by adjusting the self to its environment according to the guidance of the Qur'an and the *Sunnah*. It is a religion of which the fundamental principle is oneness of Allah.⁷² Islam is the religion of truth and the right path for mankind. Islam is a bond which unites human life with worldly and other worldly aspirations as well as with social, moral and spiritual values.

1.6. Hinduism as a Religion

The term 'Hinduism' is derived from the Persian word 'Hindu' which means 'dark'. The use of the word 'Hindu' is itself complex. The word Hindu has geographical significance and was used originally for those inhabitants who lived around the river Sindhu or the region watered by the river Indus. According to some historians, the word was first used by the Muslims who came to India through the north western passes of the Himalayas.⁷³ The word was never used in Indian literature or scriptures before the advent of Muslims in India.⁷⁴ Swami Dharma Theertha holds that the word 'Hindu' and 'Hinduism' do not occur in the Hindu *Sastras* as well as Sacred Writings.⁷⁵ In this regard Jawaharlal Nehru also thinks that the earliest reference to the word 'Hindu' can be traced to a *Tantrik* book of the eight century C. E., where the word means a people and not the followers of a particular religion. The use of the word 'Hindu' in connection with a particular religion is of very late occurrence.⁷⁶

In the Muslim ruled empires of medieval India, the word 'Hindu' was used for many non-Muslim Indian communities. Vasudha Narayanan says in this context:

⁷¹ For details please see, Saiyed Abdul Hai, *Muslim Philosophy* (Dhaka: Islamic Foundation Bangladesh, 1982), p. 30.

⁷² Vide, Syedur Rahman, *An Introduction to Islamic Culture and Philosophy*, op. cit., p. 19.

⁷³ See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, (Saudi Arabia: Abul Qasim Publishing House, 1997), p. 17.

⁷⁴ Vide, James Hastings (ed.), *Encyclopedia of Religion and Ethics*, Vol. 6, op. cit., p. 699.

⁷⁵ [http:// www. islamandhinduism.com](http://www.islamandhinduism.com), Retrieved on-12, May 2012.

⁷⁶ For details please see, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., pp.17-18.

...the term 'Hindu' may even include those who belong to traditions usually thought of as theologically distinct from Hinduism. It is generally applied to anyone who lives in India and accepts the Hindu tradition— which is not defined— in any of its forms or developments. This therefore embraces Buddhists, Jains and Sikhs. The term also applies to anyone else who is not a Muslim, Christian, Parsi (Zoroastrian), or Jew.⁷⁷

Furthermore, the *Brahmins* cordially welcomed the meaning of 'Hindu' i.e., Indian non-Muslims only. It brought all the non-Muslim Indians under a single umbrella and thus provided them with a rare opportunity to expand their social, religious and political influences over them in the name of religion.⁷⁸ The British rulers maintained it with one modification. They included the converted Christians by the term 'Hindu'.⁷⁹ Therefore, in short, it can be noted here that Hindu is a geographical definition used for the people living around the river Indus. In addition, it also refers to those living in India and people who are non-Muslims. Although the term 'Hindu' is found in Hindu literature earlier, it was only after the late eighteenth century that it became popular as a name for the dominant religion of the Indian people.⁸⁰

1.7. Definition of Hinduism

Hinduism is one of the oldest religions of the world and it is very difficult to define it explicitly. *The Encyclopedia of Religion and Ethics* defines this religion in the following way:

In tracing the evolution of religion in India, no problem is more difficult than that of framing a definition of Hinduism as we observe it at the present day. Many of the tests which have been proposed from time to time are obviously inadequate... The difficulty of framing a definition of Hinduism arises from the fact that under the general title 'Hindu' are included classes whose belief, ritual and mode of life are strangely diverse,...⁸¹

The word 'Hinduism' was first used in English language in the nineteenth century by the English people to the multiplicity of the beliefs and faith of the people of the Indus land.⁸² The people who believe in Hinduism are divided into thousands of communities and tribes, each having its own religious beliefs, rituals, modes of worship and so on. Finding it difficult to get the names of the religions of these communities, the British writers gave

⁷⁷ Vasudha Narayanan, *Understanding Hinduism* (United Kingdom and Ireland: Duncan Baird Publishers Ltd., 2004), p. 07.

⁷⁸ Vide, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 18.

⁷⁹ See, loc. cit.

⁸⁰ For more details see, Vasudha Narayanan, *Understanding Hinduism*, op. cit., p. 6.

⁸¹ James Hastings (ed.), *Encyclopedia of Religion and Ethics*, Vol. 6, op. cit., p. 698.

⁸² See, Jacob E. Safra & Jorge Aguilar Cauz (eds.), *The New Encyclopaedia Britannica*, Vol. 20 (Chicago: Encyclopedia Britannica. Inc. 2007), p. 519.

them the word 'Hinduism' to be used as a common name for all religions about 1830.⁸³ Therefore, the people who are known as Hindu got a common element at least in word and they got advantage to be identified as a distinct and single community.

The Hindu has nothing common in their religious affairs. They ordinarily identify themselves with reference to their caste, community, language and geography. Hindu religion has no single founder, creed, teacher or prophet acknowledged by all Hindus as central to the religion, and no single Holy Book is universally acclaimed as being of primary importance.⁸⁴ For that reason, 'Hinduism' cannot give any precise idea as to what it means. Several attempts were made to define 'Hinduism', but could not succeed. Therefore, some Hindu scholars thought that Hinduism should be referred to as a '*Sanatana Dharma*' which means 'eternal faith'.⁸⁵ *Sanatana Dharma* applies more philosophical interpretations of the religion than its colorful local manifestations. In early Texts, it meant the ideal religious obligations of human beings, but it did not express the idea of a community of faith.⁸⁶ Moreover, it is also called the '*Vedic Dharma*', as the Veda is the foremost religious Text of the Hindus.⁸⁷ According to Swami Vivekananda, the followers of this religion are referred to as Vedantist.⁸⁸ However, the above mentioned words of the religion of Hindu are also untenable, since it does not imply anything precise for all the people called Hindu.

Every religion of the world is associated with a definite personality claimed to be its first originator and has a definite text which is regarded as its basic religious text. However, Hinduism never claims that a particular personality is the prophet and a particular text is the religious text. Kedar Nath Tiwari expresses his opinion in this regard in the following way: "...Hinduism has none as its definite founder and no book as its one exclusive text, but also that it has got no well defined, rigid and dogmatic principles of faith or

⁸³ Vide, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, *op. cit.*, p. 18; also see, <http://www.islamandhinduism.com>, Retrieved on- 12, May 2012.

⁸⁴ For details please see, Vasudha Narayanan, *Understanding Hinduism*, *op. cit.*, pp. 7-9; also vide, Kedar Nath Tiwari, *Comparative Religion*, *op. cit.*, p. 9.

⁸⁵ See, Ajijunnahar Islam, "The Influence of Hinduism on Buddhism, Jainism and Sikhism: A Review" (Bengali version), *Darshan, A Journal of The Bangladesh Philosophical Association*, Vol. XIV, No.1-2, June-December, 1996, p. 76; also see, V. Krishnamurthy, *Essentials of Hinduism* (New Delhi: Narosa Publishing House, 1989), p. 2.

⁸⁶ Vide, Vasudha Narayanan, *Understanding Hinduism*, *op. cit.*, pp. 6-7.

⁸⁷ <http://www.islamandhinduism.com>, Retrieved on- 12, May 2012.

⁸⁸ See, *loc. cit.*

practice.”⁸⁹ Hinduism is regarded as a spontaneous growth assisted at various stages of civilization from various sides rather than a creation or construction of anybody. Sir Charles Eliot says in this regard: “Hinduism has not been made, but has grown. It is jungle, not a building.”⁹⁰ K. M. Sen also spells out in the following way:

Hinduism is more like a tree that has grown gradually than like a building that has been created by some great architect at some definite point in time. It contains within itself the influences of many cultures and the body of Hindu thought thus offers as much variety as the Indian nation itself.⁹¹

1.8. Opinions of Some Scholars regarding the Definition of Hinduism

From the above discussions, it can be said that although Hinduism is regarded as a word without any content, opinions of some scholars have been cited here with a view to enabling the reader to form some idea about the religion. Jawaharlal Nehru provides the following definition in this connection:

‘Hinduism’, as a faith, is vague, amorphous, many-sided, all things to all men. It is hardly possible to define it or indeed to say definitely whether it is a religion or not, in the usual sense of the word. In its present form and even in the past, it embraces many beliefs and practices, from the highest to the lowest, often opposed to or contradicting each other.⁹²

Dr. Radhakrishnan draws an observation regarding Hinduism in the following way: “(Hinduism is) ... a name without any content.... Its content, if any, has altered from age to age, from community to community. It meant one thing in the Vedic period, another in the Brahmanical, a third in the Buddhist⁹³ – one to Saivite, another to Vaishnavite and Sakta.”⁹⁴ According to Ardersir Sorabjee, the Hindus’ religion is a standing travesty of ancient Hinduism, consisting as it does of rank idolatry mixed with superstition and fetishism of most degrading type. They believe in the worship of their innumerable *devas* or good spirits and the propitiation of an equally large number of demons and evil spirits both of which they assume have their resting places on earth in their idols of stone and marble, gold and silver.⁹⁵ M. K. Gandhi holds that ‘Hinduism does not rest on the

⁸⁹ Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 9.

⁹⁰ *Ibid.*, p. 8.

⁹¹ K. M. Sen, *Hinduism* (London: Penguin Books, 1961), pp. 4-15.

⁹² Jawaharlal Nehru, *The Discovery of India* (22th Impression, New Delhi: Jawaharlal Nehru Memorial Fund, Teen Murti House, 2002), p. 75.

⁹³ Buddhism founded by Gautama Buddha is a religion different from Hinduism but the Brahmins made Buddha an incarnation of Hindu god Vishnu in order to make Buddhism a part of Hinduism.

⁹⁴ Quoted in, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 29.

⁹⁵ Quoted in, *ibid.*, p. 31.

authority of one book or one prophet, nor does it possess a common creed like the *Kalma* of Islam— acceptable to all. That renders a common definition of Hinduism a bit difficult.’⁹⁶

In summary, the more Hinduism is considered, the more difficulties will be arisen. It is more unstructured than most of the other religions. It has no archbishops, chief rabbies, or grand muftis. A Hindu may have any religious belief or none, he may be an atheist or an agnostic and still be an accepted Hindu. Each Hindu decides for himself which manifestations of God are most important to him, what scriptures to accept as authentic, which Holy man to follow. It is public opinion working through the caste system which determines whether someone shall or shall not be regarded as a Hindu.

1.9. Main Features of Hinduism as a Religion

Hinduism is a bundle of many things. Vast differences of beliefs and practices can also be found in it. In spite of the differences of beliefs and practices, there are certain beliefs which a good majority of Hindus seem to hold and also there are some particular practices which are more or less common amongst the Hindus. Such beliefs and practices may form the basic features of Hinduism which distinguish it from other religions. Some of these features of Hinduism are discussed below:

- i) Hinduism is a complex religion where various beliefs and practices can be found among its followers. According to Swami Dharma Theertha, Hinduism has within itself all types of religions such as theism, atheism, polytheism, Adwaitism, Dwaitism, Saivism, Vaishnavism and so on. It contains nature worship, ancestor worship, animal worship, idol worship, demon worship, symbol worship, self worship, and the highest god worship.⁹⁷
- ii) Belief in sacred Text is another important feature of Hinduism. The sacred books of Hinduism include the Vedas, the Upanishad, the Mahabharata, the Ramayana, the Bhagvad Gita and the Puranas. Among these Texts the Vedas is the most

⁹⁶ Quoted in, *ibid.*, p. 29.

⁹⁷ Quoted in, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, *op. cit.*, pp. 28-29.

authentic.⁹⁸ These revered sacred Texts are also marks of sacred practices. Hinduism also believes in the authority of the Veda. The Veda is recognized as an absolute authority in Hinduism. The Vedas are four in number– the Rig-Veda, the Yajir-Veda, the Sama-Veda and the Atharva-Veda. The Rig-Veda is a collection of 1,028 hymns which were used when the Aryan sacrifices were offered. The Yajir-Veda consists of formulas for use by the priest. The Sama-Veda is a rearranged version of some of the hymns of the Rig-Veda. The Atharva-Veda consists of materials like spells, charms and chants. The only people who are allowed to read and listen to the scripture are the Aryan Hindus. However, Hindus who are non-Aryan i.e., low caste have no access to the scripture because they are considered impure by birth. Since the *Brahmins* are the sole custodians of the Veda, they hardly are benefitted from it because it is written in *Sanskrit*, a dead language. For this reason, its context has long been practically unknown to most Hindus. Nevertheless, the main motto of a Hindu is to respect the Veda as a sacred text and to maintain the teaching of the Veda is not a duty of a Hindu. Therefore, belief in the authority of the Veda and other scriptures is an important character of Hinduism.

- iii) Another important characteristic feature of Hinduism is the immortality of soul. The bodily aspect of man is only external and superficial and the soul in man is immortal. It survives man's bodily death. In addition, Hinduism believes in the transmigration of the soul from one body to another i.e., rebirth. However, this transmigration of the soul from one body to another is not desirable in Hinduism. It is a sign of soul's bondage which begets further suffering. Liberation from this cycle of birth and rebirth is the real goal of man.⁹⁹ Moreover, Hinduism also believes in the law of *Karma* and if one wants to be liberated from the chain of *Samsara*, he will have to be free from *Karmas*, i.e. attached egoistic actions.
- iv) Another main feature of Hinduism is *Moksha*. The Hindu believes that release from the cycle of birth and rebirth is possible and this is called *Moksha*. According to Hinduism, *Moksha* is possible by adopting any of the three paths-

⁹⁸ Vide, Kedar Nath Tiwari, *Comparative Religion*, op. cit., pp. 8-9; also see, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., pp. 47-48.

⁹⁹ See, *ibid.*, p. 12.

the path of knowledge, the path of disinterested actions and the path of devotion to God.¹⁰⁰ Through *Moksha*, soul becomes free from all worldly sufferings and attains its original pure spiritual nature.

- v) Lack of a common system is another important feature of Hinduism. Hinduism is not a revealed religion and therefore, has neither a founder nor definite teachings or common system of doctrines. It has no organization, no dogma or no universally accepted creeds. There is no authority with recognized jurisdiction.¹⁰¹ For these reasons, a man who believes in Hinduism has got the proper freedom to neglect any one of the prescribed duties of his group. This view has been stated in the Encyclopedia of Religion and Ethics in the following way:

...Hinduism has never prepared a body of canonical Scriptures or a common prayer book; it has never held a General Council or Convocation; never defined the relations of the laity and clergy; never regulated the canonization of saints of their worship; never established a single centre of religious life,..., never prescribed a course of training for its priests.¹⁰²

According to S. V. Kelkar, in fact there is no system of doctrines, no teacher, or school of teaching, no single god that is accepted by all the Hindus.¹⁰³ Therefore, nobody is regarded to have forsaken his or her religion, even if he or she deviates to any extent from the usually accepted doctrines or practices.¹⁰⁴ Thus, it can be said that lack of a common system is regarded as a main characteristic phenomenon of Hindu religion.

- vi) The most significant feature of Hinduism is caste system. Caste is a highly organized social grouping. Manu, a *Brahmin*, gave in his book details about the caste system.¹⁰⁵ The division of the people into various castes is said to be eternal so that no act of virtue or vice in this earthly life is enough to make any change in

¹⁰⁰ Vide, *loc. cit.*

¹⁰¹ See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, *op. cit.*, p. 19.

¹⁰² James Hastings (ed.), *Encyclopedia of Religion & Ethics*, Vol. 6, *op. cit.*, p. 712.

¹⁰³ Quoted in, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, *op. cit.*, p. 20.

¹⁰⁴ See, *loc. cit.*

¹⁰⁵ Vide, *Manu-Samhita* (Hereafter abbreviated as Manu), 1: 87-91 (This and all quotations from the *Manu-Samhita* have been taken from Dr. Manabendu Bandopadhyay (editor and translator), *Manu Samhita* (in Bengali), (1st Edition, Calcutta: Shadesh, 2004).

the caste of a man or woman.¹⁰⁶ According to Hinduism, a Hindu is born in a caste and he dies as a member of that caste. In this regard Murtahin Billah Fazlie draws his observation in the following way:

Castes are not equal in status but arranged in a vertical order in which one caste is at the top and is the highest (the *Brahman*), another at the bottom and is the lowest (the *Dalit*) and in between them there are the *Kshatriya*, the *Vashya* and the *Sudra* in a descending order. This inequality in status is said to be an outcome of a person's deeds (good or bad) accomplished in his previous life.¹⁰⁷

The great distinctions of caste are to be maintained not only in the earthly life, but also after death. According to Markandaya Purana, the virtuous *Brahmin*, after death, goes to the abode of Brahma, the good *Kshatriya* to that of Indra, the worthy *Vashya* to that of the Maruts as well as the dutiful *Sudra* to that of the Gandharvas. Apparently, the untouchable (*Dalit*) does not deserve any place in any heaven and it may be because of his unsociability.¹⁰⁸ Caste differences find their expression largely in connection with marriages and eating together. Swami Dharma Theertha says in this connection:

...the Hindu social order is simply a menace to freedom, unity and peace. The three thousands and odd castes and the larger number of sub-castes, into which the Hindus are irretrievably divided, keep nearly, ninety-five percent of the Hindus in perpetual disgrace and permanently condemned to an inferior social status.¹⁰⁹

Thus, caste system is an important feature of Hinduism.

vii) Hinduism also believes in superiority of the *Brahmin*. The *Brahmins* occupy the highest position in the hierarchy of the caste system. This is because they have sprung from the mouth of god Brahma¹¹⁰ and they are the rightful possessors of the Veda. Swami Dharma Theertha says in this regard: "Probably no other class of persons in any society ever combined in themselves all these advantages so exclusively as the *Brahmans*."¹¹¹ This is because from the days immemorial, the *Brahmins* have been the owners of wealth and power, the custodians of religious

¹⁰⁶ For details please see, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 156.

¹⁰⁷ *Ibid.*, pp. 20-21.

¹⁰⁸ Vide, *ibid.*, p. 159.

¹⁰⁹ Quoted in, *ibid.*, p. 21.

¹¹⁰ For details please see, Manu, 1: 87.

¹¹¹ Quoted in, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 163.

and secular learning, unrivalled politicians and administrators as well as the priests.¹¹² The following quotation is very high-sounding in respect of the worldly status of the *Brahmins*. “A *Brahmin* is born to fulfill *Dharma*. Whatever exists in the world is the property of the *Brahmin*. On account of the excellence of his origin, he is entitled to all. The *Brahmin* eats but his own food, wears but his own clothes. All mortals subsist through the benevolence of the *Brahmins*.”¹¹³ The *Brahmin* is the deity on earth by his divine status. The holiness and divine status of the *Brahmins* may be seen in the following quotation: “If a man sells his cow, he will go to hell; if he gives her to a Brahman, he will go to heaven.”¹¹⁴ According to Hinduism, a *Brahmin* whether he is ignorant or learned, still he is a great deity. In Hindu society, the *Brahmins* are the most powerful persons. Regarding their power, W. J. Wilkins expresses his view in the following way: “The whole world is under the power of the gods. The gods are under the power of the mantras. The mantras are under the power of the *Brahmans*. The *Brahman* is, therefore, our god.”¹¹⁵ Thus, superiority of the *Brahmin* is considered as an important feature in Hinduism.

- viii) The most important characteristic idea of Hinduism is inferiority of the *Sudras*. It is well known that Hindu society has been divided into four broad classes i.e., the *Brahmins*, the *Kshatriyas*, the *Vaisyas* and the *Sudras*. The *Sudras* occupy the lowest position in the hierarchy of the caste system. The reason behind this is that they have sprung from the leg of the god Brahma.¹¹⁶ Duties of the *Sudra* are well defined and the most important duty of a *Sudra* is to render service to all the classes i.e., the *Brahmins*, the *Kshatriyas* and the *Vaisyas*. A *Brahmin* is forbidden to give advice or even food to a *Sudra*. Moreover, a *Brahmin* must not give spiritual counsel to him. In addition, there are differences in the meaning of the first name of each class. While the first part of a *Brahmin*'s name should indicate holiness, that of a *Kshatriya*'s power, that of a *Vashya*'s wealth and that

¹¹² See, *loc. cit.*

¹¹³ Quoted in, *ibid.*, p. 164.

¹¹⁴ *Ibid.*, p. 165

¹¹⁵ Quoted in, Murtahin Billah Jasir Fazlie, *Hinduism and Islam* (in Bengali) (Dhaka: Ajmain Publications, 2012), p. 79.

¹¹⁶ See, *Manu*, 1: 87.

of a *Sudra*'s must indicate contempt.¹¹⁷ Furthermore, the *Sudras* never enjoy the teachings of the Veda. This is because the Veda is never to be read in the presence of a *Sudra* and he has no right even to listen to the Veda. If a *Sudra* overheard a recitation of the Veda, molten lac or tin was to be poured into his mouth; if he repeated recitation of the Vedas, his tongue should be cut; if he remembered Vedic hymns, his body was to be torn into pieces.¹¹⁸ Furthermore, a *Sudra* is debarred from marrying a woman of the higher castes. Therefore, it can be said that the status of a *Sudra* is very precarious in Hindu community. Thus, inferiority of the *Sudra* is one of the most significant features of Hinduism.

- ix) Polytheism is a significant characteristic trait of Hinduism. Hindu people believe in many gods and goddesses. Some of them are human i.e., Krishna, Rama, some animals e.g., fish, monkey, rat, snake and some others are natural phenomena that is dawn, fire, sun and so on. In Hinduism, there are about 330 million gods and goddesses.¹¹⁹ The most important aspect regarding Hindu gods is that god takes the form of human being as well as other animals and appears in this earth in that form. Moreover, god has wives and children.
- x) Another important aspect about Hindu gods is that the status of their godhood is not fixed. It is seen that some gods are worshipped for a time and then abandoned. After a while, new gods and goddesses are adopted. For example, the Vedic gods like *Agni* (fire), *Surya* (Sun), *Usha* (dawn) are completely rejected and the gods and goddesses mentioned in the Puranas are worshipped by modern Hindus.¹²⁰ Likewise, Rama who is currently receiving increasing acceptance among the Hindus in India because of the wide propagation of the officials and other media. However, he was never worshipped as a deity until the eleventh century.¹²¹
- xi) Another important feature of Hinduism is that Hindu scriptures are full of sexual allusion, sexual symbolism, passages of frank eroticism and stories relating to

¹¹⁷ Vide, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 168.

¹¹⁸ See, *ibid.*, p. 169.

¹¹⁹ For more details see, *ibid.*, p. 22.

¹²⁰ See, *loc. cit.*

¹²¹ Vide, *ibid.*, p. 23.

venal love. Some religious sects even introduced ritual intercourse as part of their cult as well as a potent aid to salvation.¹²² The rituals, festivals and ceremonies are characterized by the display of obscene portraits, sex and sex-worship. Moreover, the temples, places of pilgrimage and other Holy shrines are full of sculptures with all sorts of sexual postures.¹²³

- xii) Reverence for the cow is another foremost characteristic aspect of Hinduism. According to the Arthashastra of Kautilya,¹²⁴ the killing of cattle is a crime worthy of death. M. K. Gandhi holds that ‘cow protection is an article of faith in Hinduism. If some were to ask me what the most important outward manifestation of Hinduism was, I would suggest that it was the idea of cow-protection. Furthermore, if a person does not believe in the reverence of cow, he can’t possibly be a Hindu.’¹²⁵ Considering the divine status of the cow, the Hindus regard its urine and dung as purifier.¹²⁶ However, it is said that the cattle used to be slaughtered by the ancient Hindus to enjoy its beef, entertain the guests and offer it as sacrifice to their deities. There are clear evidences in the Rig-Veda, the most sacred Hindu Scripture, that the cow used to be scarified by the Hindus for religious purposes. In this regard, M. K. Gandhi expresses his opinion in the following way: “I know there are scholars who tell us that cow-sacrifice is mentioned in the Vedas. I...read a sentence in our Sanskrit text-book to the effect that Brahmins of old (period) used to eat beef.”¹²⁷ Nevertheless, according to a Hindu, the killing of a cow is a serious crime. Considering the divine status of the cow, some special provisions have been made in the constitution of India for its protection. Moreover, slaughtering the cow has been banned in several provinces of India.

From the above observation, it is regarded that Hinduism is a vast as well as a complex religion. It is the right path for the Hindus to lead a successful life with worldly accomplishments and spiritual perfectionism.

¹²² See, *loc. cit.*

¹²³ Vide, *loc. cit.*

¹²⁴ Kautilya was the Brahman minister of Chandragupta, the Indian emperor of the 4th century B.C.

¹²⁵ Quoted in, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study, op. cit.*, p. 26.

¹²⁶ See, *loc. cit.*

¹²⁷ Quoted in, *loc. cit.*

1.10. The Development of Morality and its Classification into Secular and Theological Ethics

Ethics is a branch of philosophy. It is a philosophical thinking about morality and moral problems.¹²⁸ Ethics is a study which deals fundamentally with the rules of conduct from moral point of view. It is a combination of ethical principles with other principles i.e., ecological, economic, medical, political, religious, legal and social principles. It is noted here that there are two broad divisions of ethics i. e., (a) secular ethics and (b) religious or theological ethics. Both types of ethics discuss some basic questions regarding human life. To discuss the development of morality, it is needed to sketch a brief outline of these two broad divisions of ethics which are as follows:

a) Secular Ethics

The history of the development of secular ethics can be conveniently divided into four periods, each with its own special characteristics, such as, the Greek ethics, the medieval ethics, the modern ethics and the contemporary ethics. The Greek period of ethics continued from 500 B. C. to A. D. 300. The Greek ethics began with some Greek philosophers like Heracleitus and Democritus, but it took a proper shape by the Sophists, Socrates, Plato and Aristotle. The Sophists raised morality by saying that ‘man is the measure of all things’. According to them, there is no established criterion in regard to morality. Man himself can differentiate between good and bad actions. Thus morality, according to the Sophists, is subjective. Later on, the development of morality is extended through Socrates, the founder of western philosopher who said: “Virtue is knowledge.”¹²⁹ According to him, knowledge is a necessary condition for living a thoroughly good life. Therefore, the source of goodness is knowledge. There is a famous phrase in this connection i.e., ‘Know thyself’ which suggests that knowledge of human nature is important for the good life.¹³⁰ Subsequently, this saying of Socrates gives a positive idea of morality in Plato and Aristotle, his two great

¹²⁸ For details please see, Dr. Jadunath Sinha, *A Manual of Ethics* (Calcutta: The Central Book Agency, 1957), pp.1-4; also see, W. K. Frankena, *Ethics* (New Delhi: Prentice-Hall of India Pvt. Ltd., 2nd Edition, 1995), p. 4; also vide, William Lillie, *An Introduction to Ethics* (London (reprinted): University Paperback Edition, 1971), pp.1-2; also vide, N. C. Padhi & S. C. Panigrahi, *Basic Principles of Ethics* (Bhubaneswar: Utkal Sambad Prakashhan (P) Ltd., 1992), p.11.

¹²⁹ Quoted in, William Lillie, *An Introduction to Ethics*, op. cit., p. 93.

¹³⁰ See, *ibid.*, p. 94.

followers. For Plato, the ideal world is the real world and this world is the copy of the ideal world. According to him, the most fundamental of these realities is 'the idea of the good'.¹³¹ Aristotle accepted the ethical position of Socrates and Plato in general, but he was more interested in the concrete details of moral life than in the abstract underlying principles.¹³² There are two other groups with the Cyrenaics and the Cynics of the Greek period. In later age, the Cyrenaics and the Cynics were followed by the Epicureans and the Stoics respectively. According to the Cyrenaics and the Epicureans, a good action is one which gives pleasure and this view is called hedonism, regarded as one of the greatest ethical theories in the development of morality. On the contrary, the Cynics and the Stoics think that the good life consisted in being independent of human desires and goodness has no connection with pleasure.¹³³ In modern time, the Epicureans are led by the Utilitarians and the Stoics by Kant. These are the major gradual stages in the development of Greek ethics.

The medieval period of ethics lasted from 400 B. C. to A. D. 1400. The main characteristic of medieval ethics is the influence of religion, particularly Christianity. In this age, the standard of right and wrong had been given finally beyond dispute in the revelation of God's law in the Bible as it was interpreted by the Church. Moreover, to raise doubts or to ask questions against the Church authorities was very dangerous, because the Church had the power to punish. This helped to change the Greek outlook which had identified the good man with the good citizen and had regarded ethics as a part of politics.¹³⁴

In the fifteenth and sixteenth centuries, the Church lost the authority. The main reasons behind this were an outburst of individualism, development of human understanding, emphasizing human freedom and human accomplishment.¹³⁵ The modern period of ethics which originated from this stream of individualism, may

¹³¹ Vide, *loc. cit.*

¹³² See, *loc. cit.*, also see, Raj Kishore Patra, *Media Ethics and Human Rights (Problems and Promises): A Philosophical Exposition from Indian Perspective* (an Unpublished Ph. D. Thesis) (Santiniketan, India: Department of Philosophy and Religion, Visva-Bharati, 2010), p. 8.

¹³³ Vide, Dr. M. Abdul Hamid, *An Outline of Contemporary Ethics* (in Bengali) (Dkaka: Chainika, 2003), p. 33.

¹³⁴ See, Wiliam Lillie, *An Introduction to Ethics*, *op. cit.*, p. 95.

¹³⁵ See, *loc. cit.*

be dated from A. D. 1700 to A. D. 1900. Various views were found in this period which are discussed under the following heads:

- i. Some thinkers like Thomas Hobbes held that the difference between right and wrong was merely subjective, depending upon the attitude of the individual making the moral judgement.¹³⁶
- ii. Some thinkers conceived that the difference between right and wrong was known by direct insight or intuition. An influential kind of intuitionism was affirmed by S. Clarke (1675-1729), Henry More (1614-1687) and R. Cudworth (1617-1688) which was known as rational intuitionism. Another form of intuitionism was found in the seventeenth century by Shaftesbury (1671-1713) and Hutcheson (1694-1747) which was named as moral sense theory. Bishop Butler (1692-1752) made a juncture between these two theories. Another metaphysical influence played a vital role in the development of modern ethics. The advocate of this theory was Benedict Spinoza (1632-1677). Subsequently, the moral sense theory of Shaftesbury and Hutcheson influenced Hume (1711-1776) very much. Hume introduced first the doctrine of 'Is-Ought Gap' which is the main topic of contemporary ethics. According to him, morality depends on the individual and therefore, it is subjective. However, Thomas Reid (1710-1796) and Richard Price (1723-1791) opposed Hume's view. According to them, morality depends on the object and so, it is objective. In addition to this, another school emphasized the view that moral law is a law of reason. This view is adopted by Immanuel Kant (1724-1804) and is called Ethical Rationalism.
- iii. Some thinkers alleged that the difference between right and wrong depends on the result of our actions and particularly on their power of satisfying our desires as well as causing pleasure to ourselves and others.¹³⁷ This view has been found in the Greek school of the Cyrenaics as well as the Epicurians, and in the modern period, it has been supported by the great school of English Utilitarians, including Jeremy Bentham (1748-1832), J. S. Mill (1806-1873) and H. Sidgwick (1838-

¹³⁶ Vide, *loc. cit.*

¹³⁷ See, *ibid.*, p. 97.

1900). The theory of pleasure as the moral standard was developed on evolutionary lines by Herbert Spencer (1820-1903).

- iv. At the end of nineteenth century, the theory of idealism was developed again on evolutionary lines by Hegel (1770-1831), T. H. Green (1836-1882), F. H. Bradley (1846-1924) and so on. These are the major gradual developments of morality in modern ethics.

Moreover, the contemporary period of ethics began in the twentieth century and it will continue till onwards. G. E. Moore (1873-1958) was the foremost advocate of this ethics. He observed that there was no consensus among the ethicists of modern period in regard to determining the goodness and badness. Even the moral thinkers of that period did not give any particular standard of morality by which we can follow our lives.¹³⁸ In this circumstance, G. E. Moore said that the function of ethics is not to evaluate our moral actions, but to analyze the ethical words and to show the relation between ethical words as well as moral judgements. This theory is known as non-naturalism and from this theory other moral theories such as emotivism, prescriptivism, multifunctionism and descriptivism originate. In addition to this, most recent development of ethics is practical ethics which is related to our daily problems. Practical ethics is a combination of ethical principles with other principles e.g., ecological, social, political, medical and so forth. A variety of moral issues are related to practical ethics i.e., journalistic ethics, environmental ethics, business ethics, professional ethics, labor ethics, administrative ethics, judicial ethics, parliamentary ethics, Government ethics, medical ethics etc.¹³⁹ Furthermore, medical ethics which is a part of practical ethics discusses various problems i.e., abortion, organ transplantation, euthanasia, suicide, birth control, cloning, ethics related to genetics, duties of doctors, doctors-patients relation, private practice, qualities of the drug production companies, education of medical discipline and so on. Therefore, it can be said that this is how the contemporary ethics marks a gradual process of developments.

¹³⁸ Vide, Dr. M. Abdul Hamid, *An Outline of Contemporary Ethics*, op. cit., p. 36.

¹³⁹ For details please see, Dr. M. Abdul Hamid, "Medical Ethics: Bangladesh Context" (in Bengali), *A Collection of Philosophical Writings* (Ananya, Dhaka: 2011), p. 129.

b) Religious or Theological Ethics

According to religious or theological ethics, moral status of an action depends on the commandment and will of God or divine revelation. Whatever He commands or desires will be regarded as morally good or right and whatever He does not command or desire will be considered as wrong. It is noted here that sometimes God's command perceptibly seems immoral in ordinary human consideration. For example, God's command to Abraham to sacrifice his innocent son¹⁴⁰ is not consistent with our ordinary moral knowledge or common sense. This is because according to morality, it is a great sin to kill an innocent. However, in the eye of religious ethics, it is considered as a great merit, because God commanded it to Abraham directly and he advanced to carry out God's command unquestionably.¹⁴¹ Therefore, it can be said that an action is regarded as morally good according to the religious or theological ethics, because God commands it, but it is considered as morally evil, because God prohibits it.

From the above interpretation, it can be noted here that secular ethics tries to solve our ethical problems by reason, experience and intuition; whereas theological or religious ethics attempts to give a solution regarding our ethical problems in the light of religious beliefs and traditions.¹⁴² In this dissertation, secular ethics is not the subject matter of my study. Here, the objective is to make a comparative study between Islam and Hinduism from religious or theological point of view.

1.11. Relation between Religion and Morality

As there is a close relationship between philosophy and religion, it can be said that religion is also related to ethics. This is because the main purpose of the ethical teachings is that it wants to guide our lives in a moral way. On the contrary, religion is also related to our lives because the foremost principle of all the great religions of the world is to guide its followers towards a right way. It also provides a wonderful moral guideline for the mankind. To understand the relation between religion and morality, an attempt will be made to discuss this relationship under the following heads:

¹⁴⁰ See, Al-Qur'an, 37: 100-111.

¹⁴¹ Vide, Md. Akhtar Ali, *Moral Code in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D. Thesis), *op. cit.*, p. 03.

¹⁴² See, *loc. cit.*

1.11.1. Controversies regarding the Relation of Morality to Religion

There are some controversies regarding the relation of morality to religion. Some people believe that morality arises out of religion, other people, on the other hand, do not think so. The controversies between ethics and religion may be considered under different heads which run as follows:

a) Religion Precedes Ethics

Descartes, Locke, Paley and others think that religion precedes morality;¹⁴³ the later arises from the former. What is commanded by God is right and what is forbidden by God is wrong. The Divine Law is the moral standard. It is God's will or veto which decides good or bad. According to this view, God's laws are the ethical criterion. God creates ethics of his own desire but He is not bound by any ethical law. Thus, ethics is derived from religion.

b) Religion Succeeds Ethics

According to Kant, religion is based upon ethics and the existence of God is due to existence of ethics. Kant holds that happiness with virtue is the highest good. However in the ultimate analysis, virtuous are not always accompanied by happiness. It is seen quite often that good people suffer a lot than the bad. Thus, Kant imagines God who arranges for pleasure with virtue and pain with vice in the hereafter. It is God who enjoys pleasure with virtue because virtue depends upon our volitions, pleasure depends upon the concord of external conditions. Therefore, according to Kant, God is a postulate of ethics.¹⁴⁴

c) Similarities and Dissimilarities between Ethics and Religion

From the above controversies, it is inferred that there are some similarities and dissimilarities between religion and ethics. The first dissimilarity between them is that religion includes a wider range of duties than morality. Worship, prayer, and the observance of rites and sacraments are very important for religious duties, but morality has only an indirect concern with such duties in so far as they affect a

¹⁴³ <http://www.publishyourarticles.net>, Retrieved on- 1, August 2012.

¹⁴⁴ <http://www.publishyourarticles.net>, Retrieved on- 1, August 2012.

man's conduct in relation to his fellow men.¹⁴⁵ Secondly, religion derives its authority from an unverifiable supernatural source; on the contrary, ethics derives its authority from the implied or explicit consensus of the people. Thirdly, religion is more related to an emotional experience than morality.¹⁴⁶ Fourthly, morality is concerned only with human conduct, while religion is concerned with man's whole personality.¹⁴⁷ Fifthly, morality emphasizes on the relation of the individual to the society, while religion emphasizes on the relation of the individual to God.¹⁴⁸

Apart from these dissimilarities, there are some similarities between them. The foremost similarity is that religion and ethics have common subjects. Both discuss freedom of the will, immortality of the soul, and the existence of God, right and wrong, good and evil, beauty and ugliness, punishment and reward etc. In a nutshell, religion and ethics have a common approach towards our lives and the universe. Secondly, religion and ethics both depend on morality.

d) Religion and Ethics are Interdependent

The true view seems to be that neither morality precedes religion nor religion precedes morality, but they are dependent on each other.¹⁴⁹ This is because religion is the ideal basis of ethics and ethics is the manifestation of religion in our social relations. In human development, both ethics and religion develop side by side and influence each other. It is possible that in some circumstances religion may be unethical; in that case, it would be inappropriate to call it a true religion. A true religion is faith in the realization of God and the state of God's realization cannot be unethical. Thus, religion must be ethical, because without being ethical it cannot satisfy our volitional aspect. Secondly, religion and ethics are interdependent on each other because, both are indispensable for the complete and integral development of the relations among the individual, society and God. Ethics acts upon religion and helps to make it pure and refined. Religion reacts upon ethics and motivates it.

¹⁴⁵ See, *loc. cit.*

¹⁴⁶ See, *loc. cit.*

¹⁴⁷ Vide, *ibid.*, p. 306.

¹⁴⁸ For details please see, Dr. Jadunath Sinha, *A Manual of Ethics, op. cit.*, p. 32.

¹⁴⁹ See, *loc. cit.*

1.12. Concluding Remarks

By summarizing the above discussion, it can be said that there is no conflict between religion and ethics; rather both are interrelated. Therefore, ethics without religion as well as religion without ethics cannot show us the right path of living. In our societies, there prevail many immoral activities i.e., killing, disappointment, anarchy etc. In this circumstance, neither religion nor ethics can solve this problem with a single hand. Hence, both religion and ethics are necessary in order to get rid of these unwanted situations. Both religion and ethics help us to build a united society. Therefore, it is very essential to tie religion and ethics with a single rope as early as possible.

Chapter Two

The Moral Teachings in Islam: A Glimpse

2.1. Introduction

Islam is a universal religion of peace which is to be attained by its adherents through surrendering to Allah. It aims at attaining peace for all individuals living in this world. In other words, the terminology of world peace denotes a concept which covers individuals, societies and nations. Thus, peace, according to Islam, can be obtained only when man adopts the right course of actions under the guidance of God i.e., in Islamic terminology, 'Allah'. The world is comprised of nations, and nations are made up of social groups and these social groups are nothing but combination of individuals. Therefore, peace at the grass-root level is essential for the world peace. Moreover, human being is neither only a material being nor a spiritual being rather a combination of both. For the sake of one's spiritual and material requirements, some guidance and principles of Islam are to be needed. Here lies the importance of Islamic ethics which is a great source of Islamic guidance, rules as well as principles. Thus, one can be successful in both spiritual and material lives only by following the Islamic ethics. In the previous chapter, an attempt has been made to give a brief outline of Islam and Hinduism. The present chapter deals with the moral teachings in Islam. As Islam is a vast religion, it is very difficult to depict a proper sketch of Islamic ethics. Therefore, a brief outline of Islamic ethics is discussed below:

2.2. Islamic Ethics

Islam is a religion which means to surrender to Allah and to obey the Traditions of Prophet Muhammad (sm.). Islam is a religion of love, mercy and tolerance. According to John L. Esposito, Islam– the offspring of Arabia and the Arabian Prophet– is not only a system of belief and cult. It is also a system of state, society, law, thought and art– a civilization with religion as its unifying and eventually dominating factor.¹ Islam also prescribes us some ethical responsibilities or duties. Responsibilities or duties are generally expressed in terms of duties to Allah as well as duties to society which include a harmonious interaction between Allah and human beings resulting in righteousness.

¹ See, John L. Esposito, *Islam: The Straight Path* (New York: Oxford University Press, 1988), p. 55.

When an individual has a developed sense of such responsibilities, he is a moral being and considered to be a provider of greater service to society. This is the concept of morality in Islam. Thus, Islamic ethics is the law of duties or responsibilities rather than of rights. The sense of duty reminds us of our responsibilities towards our fellow-beings. The sense of duty to Allah and to our fellow-men keeps us away from evil-doing and directs us to the right path– the path of eternal peace and prosperity.²

Islamic ethics is very much associated with the Arabic word ‘*Akhlaq*’.³ Islamic ethics embraces all aspects of human life. It includes its own personal, social, civil, ethical, criminal, mercantile, constitutional and international aspects. Shah Abdul Hannan spells out as follows: “Islamic ethics has been defined as the body of rules of conduct revealed by Allah to His Prophet Muhammad (sm.) whereby the people are directed to lead their life in this world.”⁴ The moral framework of Islam is an element of equal significance in the life of a Muslim, entailing reward or punishment in this world and the world hereafter according to its observances. The teachings of Islamic ethics strengthen the Muslim’s resolve to adhere strictly to Islamic principles and rules of conduct for polite society. They consolidate the bonds of understanding and unify sentiment as well as common feeling among Muslims.⁵

The word *Akhlaq* which is very much related to Islamic ethics is based on Islamic Law or the *Shariah*. Thus, it can be stated here that the foundation of Islamic ethics is the Islamic law or the *Shariah*. Further, Islamic law or the *Shariah* is based on the command of Allah revealed to the Prophet Mohammad. The word ‘*Shariah*’ is derived from the word ‘path’ or road. Hence, the inner meaning of this word is the path which leads to Allah as well as His law which guides Muslims to run their spiritual, moral, social and physical lives in accordance with Islamic principles.⁶ Thus, Islamic ethics is the way or path guiding the Muslims. It also binds Muslims into a single community. A Muslim is expected to live according to the Islamic principles both in the private and social life.

² Vide, Dr. (Mufti) M. Mukarram Ahmed, (editor-in chief), *Encyclopaedia of Islam (Introduction to Islam)* (New Delhi, India: Anmol Publications Pvt. Ltd., 2005), Vol. 1, pp. 381-382.

³ See, Muhammad Legenhausen, *Contemporary Topics of Islamic Thought* (Iran: Al-Hoda International Publishers & Distributors, 2000), p. 124.

⁴ Shah Abdul Hannan, *Social Laws of Islam* (Dhaka: Bangladesh Institute of Islamic Thought (BIIT), 1997), p. 1.

⁵ For details please see, Kenneth W. Morgan (ed.), *Islam: The Straight Path* (Delhi: Motilal Banarsidass Publishers Pvt. Ltd., 1993), p. 131.

⁶ Vide, Dr. (Mufti) M. Mukarram Ahmed (editor in chief), *Encyclopaedia of Islam (An Introduction to Islam)*, *op. cit.*, Vol. I, p. 139.

Islamic ethics is very much practical. It has no interest with the theoretical discourse only i.e., to set up some moral principles and values, rather it attempts to establish these principles and values in the life of human beings.⁷ Islamic ethics exhorts mankind to accept its beliefs and code of laws regardless of race, colour, sex, rank or any other differences. According to Islamic ethics, all people are equal before Allah and must bear their own responsibilities to accept the revelations of the Qur'an. The Qur'an states in this connection: "O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes that ye may know each other. (Not that ye may despise each other). Verily the most honoured of you in the sight of God is the most righteous of you...."⁸ The Qur'an further says: "O mankind! do your duty to your Lord, and fear (The coming of) a Day when no father can avail aught for his son, nor a son avail aught for his father...."⁹ Islamic ethics invites men of all levels to live up to the highest point of ethical and spiritual progress.¹⁰ The Qur'an also describes: "Nor can Goodness and Evil be equal. Repel (Evil) with what is better:..."¹¹ The Holy Qur'an and the *Sunnah* of Prophet Hazrat Mohammad (sm.) encouraged people of all levels to accept and practise the Islamic norms and values, i.e., Islamic ethics. In the opinion of Syed Ameer Ali, Islamic ethics is not a mere creed. It is a life to be lived in present, a religion of right doing, right thinking and right speaking, founded on divine love, universal charity and equality of man in the right of the Lord.¹²

From the above discussions, it can be noted here that like all other religious ethics, Islamic ethics guides man or woman as to how he/she should conduct his/her life, deal with his/her neighbors, how he/she should eat and sleep, buy and sell and how he/she should pray and perform other acts of worship. It also insists on human beings by saying that they should be moderate in all things, sparing themselves from misery and not lowering their status in life. Moreover, Islamic ethics warns us against cowardice and extravagance. Further, it condemns spendthrift and miserly economy, but it praises

⁷ See, Md. Akhter Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D. Thesis) (Bangladesh: Rajshahi University, 2007), p. 28.

⁸ Al-Qur'an, 49: 13. (All quotations from the Holy Qur'an have been taken in this work from Abdullah Yusuf Ali (translator & commentator), *The Meaning of the Glorious Qur'an*, Vols. 1 & 2, Egypt & Lebanon: Dar al Kitab al Masri & Dar al Kitab Allubnani, 1934).

⁹ *Ibid.*, 31: 33.

¹⁰ Vide, Kenneth W. Morgan (ed.), *Islam: The Straight Path*, op. cit., p. 132

¹¹ Al-Qur'an: 41: 34.

¹² See, Syed Ameer Ali, *The Spirit of Islam* (London: Methue and Co. Ltd., 1946), p. 194.

hospitality. In addition, it constantly urges: “Those who, when they spend, are not extravagant and not niggardly, but hold a just (balance) between those (extremes);”¹³ Therefore, Islamic ethics invites the people to guide their lives by these ethical principles. It helps mankind to distinguish between the straight road and that which will lead them astray. It also provides human beings with the knowledge of right and wrong as well as endows us with freewill which helps us to decide which path should be followed.

2.3. The Sources of the Moral Teachings in Islam

The moral teachings of Islam cover all affairs regarding our lives. Islamic morality is a guarantee for the greatest development of spiritual, physical, moral and political attainments.¹⁴ Islamic ethics guides the people to obey Allah’s commands and to refrain from actions which are prohibited. Therefore, the basic source of Islamic teaching is Divine Revelation which has been given to mankind by the Prophet Muhammad (sm.) in two forms i.e., one is the direct words of Allah (SWT), the Qur’an and the other is the *Sunnah* or the teachings of the Prophet (sm.).¹⁵ To understand the essence of moral teachings of Islam, a brief explanation of the sources of Islamic ethics is needed at first. Here are four sources of Islamic teachings or Islamic morality which can be summarized as the Qur’an, the *Sunnah*, *Quiyas* and *Ijma*. These sources of Islamic morality are discussed below:

2.3.1. The Qur’an

The Qur’an is regarded to be the very words of Allah and thus it is the first source of spiritual authority for the Muslim community.¹⁶ It is the last and complete edition of Divine Guidance and is the only Book of Allah which has not been distorted. The central concern of the Qur’an is human beings and their well-being. The Holy Qur’an, in a simple and forceful manner, emphasizes the individuality and uniqueness of man.¹⁷ It

¹³ Al-Qur’an, 25: 67.

¹⁴ For more details, Fazl-I-Ahmad Kuraishi, *Islam: The Religion of Humanity* (Pakistan: Kitab Manzil, 1956), p. 247.

¹⁵ Vide, Shah Abdul Hannan, *Social Laws of Islam*, *op. cit.*, p. 1.

¹⁶ See, Serinity Young (ed.), *An Anthology of Sacred Texts By And About Women* (London: An Imprint of Harper Collins Publishers, 1993), p. 95

¹⁷ Vide, Sir Mohammad Iqbal, *The Reconstruction of Religious Thought in Islam* (Lahore: Ashraf Press, 1944), p. 72; also see, Al-Qur’an, 2: 30 & 33: 72.

contains a set of moral and judicial injunctions which are the basis of Islamic law and which concern the life of human beings in every detail. M. M. Sharif writes as follows:

The Qur'an is a book essentially religious, not philosophical, but it deals with all those problems which religion and philosophy have in common. Both have to say something about problems related to the significance of such expressions as God, the world, the individual soul, and the inter-relations of these; good and evil, free-will, and life after death. While dealing with these problems it also throws light on such conception as appearance and reality, existence and attributes, human origin and destiny, truth and error, space and time, permanence and change, eternity and immortality.¹⁸

Moreover, the Qur'an is not a Holy Scripture for the Muslims only, but it is undoubtedly a beacon of light for the entire mankind.¹⁹ Allah is the Creator and Sustainer of the entire mankind²⁰ and the Prophet of Islam was sent as Mercy to all the realms of being.²¹ Thus, the messages of the Holy Book help the Muslims to understand the universal human brotherhood. Its main motto is to awaken in man the higher consciousness of his relation to Allah and the universe. The Qur'an has an important practical aspect. Sir Mohammed Iqbal expresses his opinion relating to the practical aspect of the Holy Qur'an in this way: "The Qur'an is a book which emphasises deed rather than idea."²² It is a book containing all the fundamental directives and instructions of Allah. Herein are to be found not only the directives relating to individual conduct but also the principles relating to all the aspects of social and cultural life of human being.²³ It legislates concerning worship and enjoining fixed hours for prayer. It also prescribes fasting, the giving of *alms* and pilgrimage. Moreover, it attends to minimum details for the refinement of the individual for peaceful and congenial relations among human beings. It calls for lowering the voice when talking and modesty in walking. It advises to accumulate wealth in a few hands and to avoid dispute and quarrels. A fair plan is also provided for the distribution of wealth left behind by a deceased person.²⁴

The Holy Qur'an commands to respect human dignity. It also prohibits injustice even to an enemy. Furthermore, it also exhorts to protect the rights and properties of others. In

¹⁸ M. M. Sharif, *A History of Muslim Philosophy* (Delhi: Low Price Publications, 1993), Vol. 1, p. 136.

¹⁹ See, Al-Qur'an, 30: 58; also see, 17: 9.

²⁰ Vide, *ibid.*, 1: 2 (Praise be to Allah, the Cherisher and Sustainer of the Worlds.).

²¹ See, Syed Latif Hussain Kazmi, "The Place of Tolerance in Islam," *Aligarh Journal of Islamic Philosophy* (India: Department of Philosophy, Aligarh Muslim University, 2006), No. 12. p. 83.

²² Sir Mohammed Iqbal, *The Reconstruction of Religious Thought in Islam*, *op. cit.*, p. 5.

²³ Vide, Shah Abdul Hannan, *Social Laws of Islam*, *op. cit.*, pp. 1-2.

²⁴ See, Dr. (Mufti) M. Mukarram Ahmed (editor in chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 108.

addition, it lays down the regulations for family life— marriage and divorce. According to Islamic teachings, parents are instructed to inculcate in their children Islamic virtues and good manners. Children have to treat their parents with reverence, obedience as well as tenderness.²⁵ Besides, the Holy Qur'an gives clear directions concerning financial dealings, contracts and pledges, holy war, fighters and non-fighters, the administration of community life, sources of legislation and the penalties for disobedience.²⁶ According to the Qur'an, a ruler is to be aware of his duties and responsibilities. He is to be obeyed for the smooth running of the state and for peace and tranquillity.²⁷ Furthermore, the Holy Qur'an gives us knowledge about the origin of man, the structure of the earth and the heavens. It also recalls the beliefs and criticizes the conduct of different nations as well as analyses metaphysical problems and refers to many other things. We find beliefs, precepts, orders, criticisms, warnings, promises, arguments, evidence, historical illustrations and many other things in the Holy Qur'an. Indeed, the main objective of this Holy Scripture is not to give lessons in metaphysics, philosophy, history, science or any other subjects, but to remove misunderstandings about reality— to acquaint man with result of actions which conflict with its underlying principles.²⁸

The Qur'an contains many specific passages calling upon the people to follow its teachings and be guided by its legislation. The Holy Qur'an says: "By no means shall ye attain righteousness unless ye give (freely) of that which ye love; and whatever ye give, of a truth God knoweth it well."²⁹ It further states: "We have sent down to thee the Book in truth, that thou mightiest judge between men, as guided by God: so be not (used) as an advocate by those who betray their trust;"³⁰ The Qur'an also enjoins in this connection: "...do not transgress them if any do transgress the limits ordained by God, such persons wrong (themselves as well as others)."³¹ It further ordains: "Serve God, and join not any partners with Him; and do good— to parents, kinsfolk, orphans, those in need, neighbours

²⁵ See, *loc. cit.*

²⁶ For details see, Kenneth W. Morgan (ed.), *Islam: The Straight Path*, *op. cit.*, p. 134; also see, Masood Ali Khan & Shaikh Azhar Iqbal (eds.), *Encyclopaedia of Islam*, *op. cit.*, Vol. 19, p. 29.

²⁷ Vide, Dr. (Mufti) M. Mukarram Ahmed (editor in chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 108.

²⁸ See, *ibid.*, p. 114.

²⁹ Al-Qur'an, 3: 92.

³⁰ *Ibid.*, 4: 105.

³¹ *Ibid.*, 2: 229.

who are near, neighbours who are strangers, the companion by your side, the way-farer (ye meet), and what your right hands possess:....”³²

All the above verses of the Holy Qur’an contain the moral teachings and guidance for its followers. According to Fazlur Rehman, human fulfilment or self-realization is attainable only through surrendering to the value system prescribed by Allah. The Absolute Supremacy and Majesty of Allah are most strikingly emphasized by the Qur’an.³³

In summary, it can be said that the teaching of the Qur’an is everlasting and perpetual. It does not change with the passage of time. The Holy Qur’an commands the Muslim to live by the Qur’an. From the first rituals of birth to the principal events of life and death, marriage, inheritance, business contracts– all are based on the Qur’an. A person can live and die decently if he gets inspiration from the Qur’an. Indeed, the Qur’an is addressed to the entire mankind, above all barriers and limitations of race, religion and time. It contains directives for the heart of the state and a common person, for the rich and the poor, for peace and for war, for spiritual and material prosperity. Its laws guide human beings to perfection.³⁴

2.3.2. The Holy Tradition (*Sunnah*)

Another primary source of Islamic teachings is the *Sunnah*.³⁵ *Sunnah* is an Arabic word which literally means a manner of acting, a rule of conduct or a mode of life. Therefore, *Sunnah* indicates a rule deduced from the sayings or conduct of the Prophet (sm.). According to Shah Abdul Hannan, the word ‘*Sunnah*’ means ‘method’ and it was applied by Prophet Mohammad (sm.) as a legal term to represent what he said, did and agreed to.³⁶ In other words, Hazrat Mohammad (sm.) commands human beings to follow Quranic teachings and recite it in their prayers. He also gave other orders. According to the Qur’an, those orders are also based on Divine revelation but did not form part of the

³² *Ibid.*, 4: 36.

³³ Vide, Fazlur Rehman, *Islam* (London: Weidenfeld & Nicolson, 1966), p. 35.

³⁴ See, Dr. (Mufti) M. Mukarram Ahmed (editor in chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 108.

³⁵ Tradition in Arabic means *Sunnah* or Hadith. There is a difference between these two. *Sunnah* is the doings of the Holy Prophet (sm.); Hadith, on the contrary, indicates the sayings of him. See, *ibid.*, p. 117.

³⁶ For further details see, Shah Abdul Hannan, *Social Laws of Islam*, *op. cit.*, P. 2.

Book. These are called the *Sunnah*.³⁷ The Quranic principles, values as well as teachings are interpreted by the normative model behaviour of Mohammad i.e., the *Sunnah*.³⁸ It is an attempt by the Holy Prophet to teach the real meaning of the Qur'an, its inner implications and aims. Its authority is derived from the text of the Qur'an. The importance of the *Sunnah* is rooted in such Quranic instructions as: "He who obeys the Apostle, obeys God: ..." ³⁹ The Qur'an further commands: "But no, by thy Lord, they can have no (real) faith, until they make thee judge in all disputes between them, and find in their souls no resistance against thy decisions, but accept them with the fullest conviction."⁴⁰ A number of Quranic verses frequently stress on this.⁴¹ As a source of Islamic ethics, the *Sunnah* is always subordinate to the principles and fundamental laws of the Holy Qur'an. The first and foremost objective of the *Sunnah* is that it expounds specific aspects of the general principles of the Qur'an.

The Prophet was not only the messenger of Allah but also the supreme judge of the Islamic community. In Qur'an, there are many statements which needed further clarification. This explanation was provided by the Prophet (sm.) who himself participated in the formation of the *Shariah*. There are two aspects of the *Sunnah* i.e., legislation given by the Prophet on matters that are not specifically detailed in the Qur'an and traditions based on the actions and sayings of Mohammad (sm.) as a human being.⁴² The first aspect i.e., the legislation given by the messenger of Allah is illustrated by the rules stating the form of prayer, the alms giving, pilgrimage rites and giving in detail the limits of legitimacy in marriage and so on. For example, the Qur'an commands us to pay *Zakat*, but there is no explicit discussion relating to paying *Zakat*. The Qur'an does not give any explanation on the amount on which the duty of *Zakat* applies or the percentage which has to be paid. All these details were learnt from the Prophet's deeds and words. Moreover, the second aspect i.e., Traditions based on the actions and sayings of Mohammad (sm.) deals with the affairs left to man's discretion, affairs for which Allah

³⁷ Vide, Masood Ali Khan & Shaikh Azhar Iqbal (eds.), *Encyclopaedia of Islam*, op. cit., Vol. 19, p. 269.

³⁸ See, John L. Esposito, *Islam: The Straight Path*, op. cit., p. 80.

³⁹ Al-Qur'an 4: 80.

⁴⁰ *Ibid.*, 4: 65.

⁴¹ See, *ibid.*, 59: 7, 4: 59, 3: 32, 5: 92, 64: 12; also see, Dr. (Mufti) M. Mukarram Ahmed (editor-in- chief), *Encyclopaedia of Islam (Introduction to Islam)*, op. cit., Vol. 1, p. 117; also vide, John L. Esposito, *Islam: The Straight Path*, op. cit., p. 80; also see, Kenneth W. Morgan (ed.), *Islam: The Straight Path*, op. cit., p. 136.

⁴² See, Kenneth W. Morgan (ed.), *Islam: The Straight Path*, op. cit., p. 139; also vide, Masood Ali Khan & Shaikh Azhar Iqbal (eds.), *Encyclopaedia of Islam*, op. cit., Vol. 19, p. 30.

has given no definite command as to their legitimacy or illegitimacy, such as the etiquette pertaining to eating, drinking and sleeping as well as matters to be dealt on the basis of experience or expert knowledge like agriculture, industry, medicine, military discipline and tactics.⁴³ Many books of traditions were compiled by the followers of the Prophet (sm.) at later age. Regarding some authoritative collections of Hadith, John L. Esposito says:

Six collections came to be accepted as authoritative: those of Ismail al Bukhari (d. 870), Muslim ibn al-Hajjaj (d. 875), Abu Dawud (d. 888), al-Nisai (d. 915), al Tirmidhi (d. 892), and Ibn Maja (d. 896). Among these, the collections of al-Bukhari and Muslim have enjoyed an especially high status as authoritative sources.⁴⁴

The Prophet is the perfect model of an ethical behaviour, the best ruler, judge and leader of human beings. He is the founder of the most perfect Islamic society. In the words of Seyyed Hossain Nasr, his central mission was to guide mankind towards right path, to purify them outwardly and inwardly and to prepare them for both the worlds.⁴⁵ Moreover, the Prophet is the pioneer of tolerance who always follows the *Tawhidic* principles entailing love of and service to humanity. His love, sympathy and grace are for all the human beings. Syed Ameer Ali comments in this regard:

Modesty and kindness, patience, self-denial, and generosity pervaded his conduct, and riveted the affections of all around him. With the bereaved and afflicted he sympathised tenderly....He shared his food even in times of scarcity with others, and was sedulously solicitous for the personal comfort of every one about him.⁴⁶

Therefore, after the Qur'an, the Tradition is the most valuable source of Islamic teachings. It is reported by Abdullah bin Masud that the Holy Prophet (sm.) had said: "Only two things carry importance. One is speech and the other is the method of action. So the words of Allah are the best of speech and the best method in the deeds of the Holy Prophet (PBUH)."⁴⁷ Both these fountainheads of Islamic morality guide us to walk on the straight path of Islam. However, after the Prophet's death, his fellow men sometime faced new issues for which they needed the guidance of explicit legislation. If his disciples failed

⁴³ Vide, *loc. cit.*

⁴⁴ John L. Esposito, *Islam: The Straight Path*, *op. cit.*, p. 81; also see, Maurice Gaudet-Demombynes, *Muslim Institutions* (London: George Allen & Unwin Ltd., 1950), p. 66.

⁴⁵ See, Seyyed Hossain Nasr, *Ideals and Realities of Islam* (London: George Allen & Unwin, 1985), pp. 73-75.

⁴⁶ Syed Ameer Ali, *The Spirit of Islam*, *op. cit.*, p. 120.

⁴⁷ Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 117.

to find the solution either in the Qur'an or in the *Sunnah*, they depended, in those circumstances, on two other secondary sources of Islamic teachings i.e., *Ijma* and *Qiyas*.

2.3.3. *Ijma* (Consensus of Islamic Scholars)

Ijma as a third source of Islamic teachings means agreeing upon or uniting in opinion. It is derived from a saying of the Mohammad (sm.) i.e., the Muslims will never agree on a wrong matter.⁴⁸ *Ijma* has been defined as the consensus of the jurists of a certain period over a religious matter.⁴⁹ In other words, it means the consensus of the Islamic community on some particular matter. It can operate only where the Qur'an and the Hadith have not clarified a certain aspect of the law. As the primary sources of Islamic morality, the Qur'an and the *Sunnah* were supreme, but there was no bar to make laws according to the needs of the people as long as they did not go against the spirit of the revealed law and the *Sunnah*.⁵⁰ These laws were to be made in consultation i.e., the *Ijma*. There is one Hadith relating to *Ijma* which runs as follows:

If anything comes to you for decision, decide according to the Book of Allah. If anything comes to you which is not in the Book of Allah, then look to the *Sunnah* of the Prophet (PBUH). If anything comes to you which is not in the *Sunnah* of the Prophet (PBUH) then look to what people unanimously agree upon.⁵¹

Therefore, after Hazrat Mohammad's (sm.) death, the adoption of a law through consultation and a consensus of the opinions of the leaders of Islam became a new source of Islamic ethics covering all matters which are not clearly mentioned either in the Qur'an or in the *Sunnah*.

2.3.4. *Qiyas* (Analogical Reasoning)

Qiyas is the fourth important source of Islamic morality. It means judging or comparing with a thing. *Qiyas* has been defined as using human reasoning to compare an existing situation with one for which legislation already exists.⁵² The Islamic scholars sometimes face such a problem that there is no specific provision in the Qur'an or in the *Sunnah*. In

⁴⁸ Vide, John L. Esposito, *Islam: The Straight Path*, op. cit., p. 82, also see, Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 3.

⁴⁹ For details see, Shah Abdul Hannan, *Social Laws in Islam*, op. cit., p. 3.

⁵⁰ See, Dr. (Mufti), M. Mukarram Ahmed (editor in chief), *Encyclopaedia of Islam (Introduction to Islam)*, op. cit., Vol. 1, p. 124.

⁵¹ *Loc. cit.*

⁵² See, Dr. (Mufti), M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, op. Cit., Vol. 1, p. 123.

such circumstances, the jurists have derived law through deduction on the basis of the provisions of the Qur'an and the *Sunnah* on some similar situations. For instance, the Qur'an has banned wine. It means that by reasoning it has also banned all forms of alcoholic drinks, whose effect is like wine or something that causes intoxication. Prophet Mohammad's great sayings in this connection are as follows: "Judge upon the Book of Allah. If you do not find in it what you need, upon the *Sunnah* of the Prophet (PBUH) and if you do not find in that also, then use your personal opinion."⁵³ Therefore, *Qiyas* is regarded as the most important source of Islamic morality.

2.3.5. *Ijtihad* (Process of Reasoning)

Qiyas is a kind of *Ijtihad*. It means to make a personal intellectual effort for some legal procedure. *Ijtihad* has been defined as the process of reasoning based on the Qur'an and the Tradition of the Prophet. In defining this issue Mahfuz-ul-Haq says as follows: "The process of striving for understanding the sources of the law and to derive the rules of law from them is called *Ijtihad*."⁵⁴ The Muslims are to find solution by using their own independent judgement i.e., *Ijtihad*. The Prophet of Islam always advises us to judge upon the Qur'an and if we fail, depend on the *Sunnah*. Moreover, if we find nothing therein, the Prophet exhorts us to form own reasoning.⁵⁵ The main objective of *Ijtihad* is to safeguard the principles of Islam in an ever changing and developing human society and to solve the problems which have not been directly discussed by the Qur'an and the *Sunnah*.

Apart from the above sources, *Istihsan* is another source of Islamic teaching. It means juristic preference from different interpretations and *Masalaha* i.e., moral consideration. In addition to the fountainheads of Islamic morality, the practices of the *Khulafa-e-Rashidin* i.e., the first four rulers of Islam, the decisions of the judges and the customs of the people are also considered as the sources of Islamic teaching in matters which are not spelled out in the Qur'an and the *Sunnah*.⁵⁶

⁵³ *Loc. cit.*

⁵⁴ Mahfuz-ul Haq, *Socio-Religious Tradition of Islam* (Faridpur: Biswa Zaker Manzil, 1980), p. 22.

⁵⁵ Vide, Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 121.

⁵⁶ Vide, Shah Abdul Hannan, *Social Laws of Islam*, *op. cit.*, p. 4.

2.4. Facet of Islamic Ethics

The real objective of man, according to the Qur'an, is the assimilation of divine attributes. Moreover, Islamic ethics is very much related to the divine attributes. There are some facets of Islamic morality which can be summarized as good character, intention, truth, patience, tolerance, simplicity, piety, thanks giving and so on, which can also be called divine attributes. These facets of Islamic ethics are discussed below:

a) Good Character

The first and foremost facet of Islamic ethics is good character. It is the sum of personal virtues which implies right and agreeable behaviour in daily social interaction. This standard of ethics is so simple and natural that any human being can learnt it easily. Good character means good manners and pleasing words as well as speaking gently to others, avoidance of creating problems for others, dealing with others in a sympathetic and cooperative manner and so on. There is one Hadith in this connection which runs as follows:

Narrated by Hakim Bin Nizam: that he said, "O Allah's Apostle! That do you think about my good deeds which I used to do during the period of ignorance (before embracing Islam) like keeping good relation with my kith Kin, manumitting of staves and giving alms etc; Shall I receive the reward for that?" Allah's Apostle said, "You have embraced Islam with all those good deeds which you did."⁵⁷

The Qur'an also makes a view regarding good character in the following way:

And remember we took a Covenant from the Children of Israel (to this effect): Worship none but God; treat with kindness your parents and kindred, and orphans and those in need; speak fair to the people; be steadfast in prayer; and practise regular charity. Then did ye turn back, except a few among you, and ye backslide (even now).⁵⁸

Therefore, a person of good character is indubitably a person of the high moral character. Hence, this facet of Islamic ethics i.e., good character is an important virtue of a Muslim's character.

⁵⁷ *Sahih Al Bukhari*, Vol. 8, Book. 73, Hadith no. 21 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011.); also see, *Sahih Muslim*, rendered into English by Abdul Hamid Siddiqi (New Delhi: Kitab Bhavan, 1978), Vol. 2, p. 78, Hadith No. 2181.

⁵⁸ Al-Qur'an, 2: 83.

b) The Intention

Another important aspect of Islamic ethics is intention. It is a positive spur to worldly attainment. Intention means actions which perform solely for Allah's pleasure. Allah accepts only those actions which are performed with proper intention. On the other hand, He rejects those that are performed with ill intention. The Qur'an says: "God will not call you to account for thoughtlessness in your oaths, but for the intention in your hearts; and He is Oft-forgiving, most Forbearing."⁵⁹ An act done with right intention is a pure act and an act performed without right intention is an impure act. Right intention is the moral purposiveness which underlies all actions done for Allah's pleasure. A man with right intention is a man of utmost moral character. Therefore, this facet of Islamic ethics helps us to become a good human being.

c) The Truth

Speaking the truth is one of the foremost facets of Islamic ethics. It is a virtue which enables the individual to proceed towards worldly goals. Allah has created this world by His own will. The world is based wholly on truth. Everything in this universe is its real form. The sun, the moon, rivers, mountains, stars and planets are all based on truth. They appear just as they really are. There is nothing in this world which is based on falsehood. A true Muslim has exactly the same character as the character of nature. Falsehood leads people away from Allah, to invent lies against Him and to worship other gods besides Him. Therefore, speaking the truth is not only a matter of policy for a Muslim, but is his religion. Further, a Muslim speaks the truth because he knows that speaking falsehood is the negation of his own personality and it can be harmful to him. Truth is the moral quality of all believers. The Holy Qur'an lays great stress on truth. It states: "That God may reward the men of Truth for their truth, and punish the Hypocrites..."⁶⁰

⁵⁹ *Ibid.*, 2: 225.

⁶⁰ *Ibid.*, 33: 24.

d) The Patience (*Sabr*)

Patience is one of the noble humanitarian virtues of Islamic morality. The Arabic word '*Sabr*' is translated as patience.⁶¹ It means the exercise of restraint in trying to handle situations. It is a virtue which enables the individual to proceed towards worthy goals. Patience is the practical solution to the problems faced in the outside world. Thus, it helps human beings to build positive characteristics. Impatience, on the contrary, gives mankind free rein to negative thoughts and feelings, resulting in the development of a negative personality. However, one who remains patient is so morally bolstered by his own positive thoughts and feelings that he develops a positive personality. The only way to deal with the irksome side of daily living is to exercise patience. For this reason, Islamic ethics attaches the most importance to patience.

e) The Tolerance

Another utmost facet of Islamic morality is tolerance. It is a noble Islamic virtue. Tolerance is a worthy humane virtue which has been described in different terms in the *Shariah*. For example, gentle behaviour, showing concern for others, being soft-hearted, being compassionate and so on are cited.⁶² A tolerant man looks upon people with love and compassion. He does not expect anything from anybody. When people differ from him or do not behave well towards him, he continues, nevertheless, to make concessions to them and continues to be tolerant towards them. Moreover, tolerance is an Islamic virtue which means unswerving respect for others. He always considers the case of people sympathetically. In addition to this, tolerance implies consideration for others. There are differences among people in our societies arising from religion, culture, tradition and personal tastes as well as friction. In this situation, the tolerant man adopts the ways of concession and large heartedness without any compromise of principle. Further, a tolerant person judges himself in the light of the ideal but in the matter of his

⁶¹ It means perseverance, constancy, steadfastness, firmness of purpose, self-restraint, endurance of sorrow, pain and other evils. But it is never used in the sense of despair and disappointment. For Islam is not passivity but active striving with the hope for the better. Therefore, '*Sabr*' means patience, perseverance and firmness of purpose which bear good fruits.

⁶² See, Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. I, p. 414.

fellow men he should show tolerance and broadmindedness.⁶³ In this way, Islamic ethics wants to produce this fine human quality of gentlemanliness by preaching tolerance.

f) The Simplicity

Simplicity is another leading virtue of Islamic ethics. Simplicity means ‘simple living and high thinking.’⁶⁴ A true Muslim always tries to find Allah and accordingly he rises above outward, superficial things and finds sources of interest in the world of piety. Such a person becomes a simplicity loving person. Moreover, a believer wants to achieve feeling of the divine reality without having taste for outward and material things. Such a person enjoys simplicity. A simplicity loving person is able to utilize his time in the best way without wasting it on irrelevant matters. He never let his attention be diverted to things which are inessential so far as his goal is concerned. In this way, he is able to devote himself whole heartedly to the achievement of higher goal. Thus, this facet of Islamic ethics helps mankind to guide them properly.

g) The Piety

Piety is another noble humanitarian and Islamic virtue. *Taqwa* or piety means leading life of caution and restraint in this world. It is explained as follows:

Umar Farooq, the second caliph once asked a companion of the Prophet what *taqwa* was? He replied, ‘O leader of the believers, have you ever crossed a path which has thorny shrubs on both sides?’ But the companion instead of replying asked another question, ‘what did you do such an occasion?’ Umar Farooq replied, ‘I gathered my clothes close to me and moved ahead cautiously.’ The companion said, ‘Now I know what is meant by *taqwa*.’⁶⁵

In this world, various kinds of thorns have been scattered for the purpose of testing man, such as negativity and false issues, and as such, many unpleasant occurrences disturb us and lead us away from the path of virtue. A Muslim travels the path of life by avoiding entangled in these unpleasant slaves. Thus, he is able to continue his journey unhampered. Furthermore, guided by this virtue i.e. piety, man can continue to walk along the right path until he meets his Lord. The Qur’an lays great emphasis on piety. It is the hallmark of the believers, and the noblest in the eye of Allah is the person who is most pious.

⁶³ For details please see, *ibid.*, p. 415.

⁶⁴ See, *loc. cit.*

⁶⁵ Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 416.

h) Thanksgiving

The most essential factor of Islamic morality is thanksgiving. Allah has created the mankind and the universe. He has made everything comfortable for us in this world. This blessing of Allah is undeniable. Accordingly thanksgiving for man is to acknowledge Allah's blessing. Human beings relish these blessings at every moment. Therefore, it is incumbent for man to thank Allah for His blessings at all times. The Holy Qur'an narrates: "...and when your Lord proclaimed: If ye give thanks, I will give you more; but if ye are thankless, lo! my punishment is dire."⁶⁶ His heart should be eternally brimming with gratitude for these divine blessings. Acknowledgment should arise in the heart then. Taking the form of words and letter, it comes to the lips of the grateful person.

i) Justice

Islamic ethics attaches very much importance to justice. It is a divine attribute and the Holy Qur'an emphasizes that we should adopt it as a moral ideal. Allah commands us to be just towards each other⁶⁷ and while judging between man and man He judges justly.⁶⁸ This is because 'He loves those who judge equitably.'⁶⁹ Justice demands that people should be true in words and deeds as well as fulfill all their obligations. According to M. M. Sharif, all believers should stand firmly for justice even if it goes against themselves, their parents, their kith and kin, without any distinction between the rich and the poor.⁷⁰ Allah's revelation itself is an embodiment of truth and justice as well as it is revealed to balance between right and wrong so that people can stand forth for justice. The Qur'an says in this connection:

O ye who believe! Stand out firmly for justice, as witnesses to God, even as against yourselves, or your parents, or your kin, and whether it be (against) rich or poor: for God can best protect both. Follow not the lusts (of your hearts), lest ye swerve, and if ye distort (justice) or decline to do justice, verily God is well-acquainted with all that ye do.⁷¹

⁶⁶ Al-Qur'an, 14: 7.

⁶⁷ See, *ibid.*, 2: 29; 16: 90; 42: 15.

⁶⁸ Vide, *ibid.*, 4: 58.

⁶⁹ For details please see, *ibid.*, 4: 45.

⁷⁰ Vide, M. M. Sharif, *A History of Muslim Philosophy, op. cit.*, Vol. 1, p. 162.

⁷¹ Al-Qur'an, 4: 135.

Therefore, this facet of morality is a virtue which helps us to build a high moral character.

j) Love

Islamic morality also puts emphasis on love. The real essence of this word is that human being should be kind and loving to parents. Islamic ethics also exhorts to love mother who bore us and gave birth to us in travail. This obligation of loving kindness is further broadened to include kindred, orphans, those in need, neighbors and the way-farers. The Holy Prophet Mohammad (sm.) who is a beloved person to believers and all creatures always dealt gently with people. The Holy Qur'an says in this regard: "...If ye do love God, follow me: God will love you and forgive you your sins:"⁷² Moreover, the Qur'an further states: "...For God loves those who turn to Him constantly and He loves those who keep themselves pure and clean."⁷³ In addition, the Holy Qur'an also describes: "...for God loveth those who do good."⁷⁴ The important characteristic of the Muslims is that they are compassionate and loving to one another. Therefore, this facet of morality helps to spread peace in the society.

k) Freedom of Will

Another foremost condition of Islamic morality is freedom of will.⁷⁵ Allah has given man the gift of freewill and this gift is for the purpose of putting man to the test. This freedom has opened doors of two kinds for man— one leading to success

⁷² *Ibid.*, 3: 31.

⁷³ *Ibid.*, 2: 222.

⁷⁴ *Ibid.*, 2: 195.

⁷⁵ The Mu'tazilas and the As'ariyas, the leading philosophical schools of the Muslim Philosophy, also express their views on this topic. According to Mu'tazilas, man has got '*Qadr*' or power over his action (See, Al-Qur'an, 10: 44; 22: 10; 21; 47). If an individual is not allowed freedom of choice or independence of action, but God punishes him for that action over which he has no control, then we make Him unjust and unkind. Therefore, we must confess freedom to man in order to maintain justice and kindness of Allah. The Ash'ariyas, on the other hand, maintains that man is not free to choose his course of action. They think that man cannot create anything. Allah is the only creator. Nor does man's power produce any effect on his action at all. Allah creates in man power (*qadar*) and choice (*ikhliyar*). Then He creates in him his actions corresponding to the power and choice thus created. So, the action of the creature is created by God as to initiative and as to production, but it is acquired by the creature (Vide, Sharmin Hamid, "The Mu'tazilas and the Ash'ariyas in Muslim Philosophy: A Review" (in Bengali), *Anwesan*, Vol. ix, Rajshahi: Philosophical Association of the Department of Philosophy, 2007, pp.73-87; also see, Saiyed Abdul Hai, *Muslim Philosophy* (Dhaka: Islamic Foundation Bangladesh, 1982), pp. 81-130; also see, Dr. M. Abdul Hamid & Dr. Abdul Hai Dhali, *Muslim Dorshon Porichiti* (in Bengali), Dhaka: Ananya, 2001), pp. 42-61).

and the other to failure. On receiving freedom, an individual becomes modest and humble, and bowing to the will of Allah on all occasions, he makes the right use of his freedom. Thus, he becomes successful in the test of freedom. He will be handsomely rewarded by Allah. If a man, on the contrary, is arrogant and insolent, he will fail to pass the test and becomes unsuccessful in the test of freedom. Man has given the power to distinguish between good and evil and, therefore, he alone is responsible for what he does. However, according to Islam, his freedom is limited by the free causality of Allah and man's responsibility is proportionate to his powers. He has been shown the path of righteousness and it is up to him to accept or to reject it. The Holy Qur'an says in this connection: "Whatever good, (O man!) happens to thee, is from God; but whatever evil happens to thee, is from thy (own) soul...."⁷⁶ Therefore, this aspect of morality helps to build the highest moral character of a man.

1) Peace

One of the important facets of Islamic ethics is peace. Islam invites all to peace and instructs its followers to maintain peace with all. In this connection the Holy Qur'an explicitly states: "But if the enemy incline towards peace, do thou (also) incline towards peace, and trust in God: for He is the One that heareth and knoweth (all things)."⁷⁷ The basic elements in building a culture of peace are compassion, forgiveness and respect for all. These three elements of peace are also regarded as the basic pillar to form a peaceful society. Therefore, we can be benefitted materially, spiritually as well as morally by following this virtue of Islamic ethics.

In estimation of the above discussion, it can be mentioned here that these facets of Islamic ethics are the moral qualities of all believers. It is the primary duty of the believers to participate actively in the struggle for the establishment of a peaceful society based on harmony, morality, peace, justice and so forth. These facets of morality help mankind to walk on the path of humility. Besides, it also helps them to hold forgiveness. Those who follow these principles are on the right path under

⁷⁶ Al-Qur'an, 4: 79.

⁷⁷ *Ibid.*, 8: 61.

the guidance of the Lord. In addition to this, success in the present world and the world after death is destined only for those people who adopt these facets of Islamic ethics.

2.5. Basic Moral Teachings in Islam

Like other religions, Islam also prescribes mankind some moral teachings which are regarded as ‘the way of life’ for the Muslims. In addition to this, by following this moral teaching a Muslim can become a perfect human being. Now an attempt is made to discuss the basic moral teachings in Islam which run as follows:

2.5.1 Theological Foundation of Islamic Morality

Islam suggests human beings some obligatory practices on which Islamic morality are mostly dependent. These essential practices are to be known as the five ‘pillars’. These five Islamic disciplines teach mankind definite ways of sincere devotion and prayer to Allah. These essential five duties of Islam are known as the five pillars of Islam which run as follows:

a) *Iman* (Faith)

The first and foremost duty of a Muslim is faith. It is closely related to the Arabic word ‘*Iman*’. According to the Holy Prophet Hazrat Mohammad (sm.), *iman* is to believe in Allah, angels, holy books, prophets, the last day and the life after death.⁷⁸ The Prophet of Islam further said: “Islam is to believe in God and His Prophet, prayer, to say the prescribed prayers, to give alms, to observe the fast of *Ramadan* and to make the pilgrimage to Mecca.”⁷⁹ *Iman* or faith has been expressed through declaration verse of Islam i.e., ‘*La Ilaha Ilal-Lahu Muhammadar Rasuluy-lah*’. The meaning of this verse of Islam runs as follows: ‘there is no god but Allah and Muhammad is His Apostle’. A Muslim can enter into the fold of Islam only through this belief. Kedar Nath Tiwari expresses his opinion in this regard in the following way:

⁷⁸ Vide, James Hastings (ed.), *Encyclopaedia of Religion & Ethics* (New York: T & T Clark, 1959), Vol. 7, p. 437.

⁷⁹ *Sahih al Bukhari*, Vol. 1, Book. 2, Hadith no. 47 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011.).

This repetition is intended not merely as a recital of words quite unmindfully but as a reaffirmation of the whole hearted conviction that Allah is the only supreme God and that this important message has been brought to the people of the world by the revered Mohammad.⁸⁰

For this reason, Islam prescribes it to be the basic duty of every Muslim. The first basic belief of Islam is the belief in Allah. The Arabic word Allah is a shortened form of *al-ilah*, 'The God'.⁸¹ Islam affirms an unshakable and uncompromising faith in the oneness or unity of Allah. A Muslim must believe in the existence and oneness of Allah. The Qur'an in this regard states as follows: "Say: He is God, the One and only; God, the Eternal, Absolute; He begetteth not, nor is He begotten; and there is none like unto Him."⁸² From the above statement of the Qur'an, it affirms that Islam believes in monotheism, not in polytheism. The association of anything else with Allah is forbidden and according to Islam, it is the unforgivable sin. The Qur'an also states: "God forgiveth not that partners should be set up with Him; but He forgiveth anything else, to whom He pleaseth; to set up partners with God is to devise a sin most heinous indeed."⁸³ Therefore, belief in Allah helps man to turn his thought from the fruitless attempt to know the essence of Allah. Instead, it is to guide him to know His creative ability and activities which reveal His qualities.

The second basic article of faith is belief in Angels. Angels act as Allah's agents and serve Him in many ways. They are sent to protect the mankind, to administer Allah's punishments, to carry His messages and so on. They maintain a record of man's conduct for the last judgment. They are created of light and there is no distinction of sex among the angels. The Holy Qur'an quotes in this connection: "He doth send down His angels with inspiration of His Command, to such of His servants as He pleaseth, (saying): 'Warn (Man) that there is no god but I: so do your duty unto Me.'" ⁸⁴ Thus, belief in Angels is regarded as an important article of belief in Islam.

⁸⁰ Kedar Nath Tiwari, *Comparative Religion* (Delhi: Motilal Banarsidas, 1992), p. 165.

⁸¹ H. A. R. Gibb, *Mohammedanism: An Historical Survey* (London: Oxford University Press, 1953), pp. 53-54.

⁸² Al-Qur'an, 112: 1-4.

⁸³ *Ibid.*, 4: 48.

⁸⁴ *Ibid.*, 16: 2.

Belief in the reality of Allah's guidance to mankind in the form of revealed books or scriptures is another basic article of belief in Islam. Islam believes in the authoritativeness of many scriptures such as the Torah of Moses, the Gospel of Jesus, the Holy Qur'an of Mohammad (sm.) and so on. However, it takes the Qur'an as the greatest and the most sacred. The Qur'an says in this connection:

It is He who sent down to Thee (step by step), in truth, the Book, confirming what went before it; and He sent down the law (of Moses) and the Gospel (of Jesus) before this, as a guide to mankind, and He sent down the criterion (Of judgment between right and wrong).⁸⁵

It is the Book on which the entire structure of Islam in its fundamentals is based. The basic principles of the Qur'an is not to give in detail the code of laws regulating human actions, but to outline the general principles which guide people to perfection to a life of harmony, to an inner harmony, between man's appetites and his spiritual desires, to a harmony between man and the natural world, and to a harmony between individuals and the society in which men live.

Islam believes in the authenticity of Prophets who are regarded as carrying the message of Allah to people. It admits that there have been Prophets like Noah, Abraham, Moses and Jesus even before Mohammad (sm.), but Mohammad is the last and the greatest among all prophets. According to Islam, all the apostles are builders of one house. The earlier apostles laid the foundation for the later ones who built upon their foundation. People who believe in all the Prophets of Almighty Allah will receive their reward. The Holy Qur'an cites in this context: "To those who believe in God and His apostles and make no distinction between any of the apostles, we shall soon give their (due) rewards: for God is Oft-forgiving, most Merciful."⁸⁶ On the other hand, to believe in some apostles and to reject others is a fallacy from the Islamic point of view. The Qur'an describes:

Those who deny God and His apostles, and (those who) wish to separate God from His apostles, saying: 'we believe in some but reject others': and (those who) wish to take a course midway,—They are in truth (equally) Unbelievers; and We have prepared for Unbelievers a humiliating punishment.⁸⁷

⁸⁵ *Ibid.*, 3: 3.

⁸⁶ *Ibid.*, 4: 152.

⁸⁷ *Ibid.*, 4: 150-151.

Therefore, belief in apostles is an important principle of faith in Islam. The fifth article of faith in Islam is belief in the last day. The last day means the world of judgment for what man has done. A Muslim has to believe in the Day of Judgment and the other world, which is the only eternal life and is the life of reward and punishment. The Holy Qur'an says in this connection:

One day We shall call together all human beings with their (respective) Imams: those who are given their record in their right hand will read it (with pleasure), and they will not be dealt with unjustly in the least. But those who were blind in this world, will be blind in the Hereafter, and most astray from the Path.⁸⁸

Therefore, the belief in the judgment of the last day is the strongest motive for man to seek perfection as well as progress in this world in order that he may be accepted and favoured by Almighty Allah in the other World.⁸⁹

The final principle of faith in Islam is life after death. Every human being who is born in this world has to enter another world after death. In the present world man is granted life's opportunities as a matter of being tested by them. Man has been given a great number of things and opportunities in this world, whether or not he deserved them. However, in the world after death, whatever man receives will be purely on the basis of his deeds in this world. Al-Qur'an cites in this connection:

Be ye foremost (in seeking) forgiveness from your Lord, and a Garden (of Bliss), the width whereof is as the width of Heaven and earth, prepared for those who believe in God and His apostles: that is the Grace of God, which He bestows on whom He pleases: and God is the Lord of Grace abounding.⁹⁰

The next world is the most perfect and eternal world. All kinds of pleasures and happiness have been stored up for human beings. If an individual wants to secure a place in the blessing-filled world, he has to start work from this present world, not the world after death. The present world is the place for action, but the next world is the place for reaping the reward for one's deeds.⁹¹ The Qur'an further states: "To those who believe and do deeds of righteousness hath God promised forgiveness and a great reward."⁹² If a man does not complete his duty properly in

⁸⁸ *Ibid.*, 17: 71-72.

⁸⁹ See, Kenneth W. Morgan (ed.), *Islam: The Straight Path*, *op. cit.*, p. 108.

⁹⁰ Al-Qur'an, 57: 21.

⁹¹ For details please see, Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 418.

⁹² Al-Qur'an, 5: 10.

this world, there would be no further scope for him to earn Allah's blessings and salvation.

It is obvious that faith in Islam is not only a theoretical issue, but also has a practical implication. This is because an individual who embraces the Islamic faith is not entitled to lead his life according to his will. He has to guide as well as to regulate his life according to the faith prescribed by Islam. Islam lays the great stress on the individual's accountability to Allah. A man's life, according to Islam, is a trial or an examination period during which he prepares himself either for reward or punishment for the next life which is ever lasting. It is obvious that man or woman who has lived his/her life in submission to Allah is an entirely different state from the one who has lived all his life in rebellion as well as in ingratitude to Almighty Allah. Those who do not believe in the Islamic faith become immoral and irresponsible, because for them, the short life on this earth is everlasting. However, those, who have a firm belief in the Islamic faith, follow the straight path of Islam, do good deeds and abstain from all evil deeds. Hence, faith or *iman* in Islam helps us to refrain from evil deeds. It gives general principles which guide people to perfection. It also helps to fasten our minds by doing good works. Thus, the articles of Islamic faith help an individual to build up and nourish high moral values.

b) Daily Prayer

The observance to set prayers five times in a day— (at day break, at noon, at afternoon, at the close of day and at early night) is the second important pillar of Islam. The Arabic word for prayer is *Salat*, which literally means praying or the making of a supplication. The five times of worship correspond to the five periods of the day i.e., day break, noon, mid-afternoon, sunset and early night. The Holy Qur'an says: "O ye who believe! seek help with patient Perseverance and Prayer: for God is with those who patiently persevere."⁹³ We can go nearer to Allah very easily only through daily prayer. Prayer has not only a value for the individual, but for greater value in the organisation of the society. Saiyed Abdul Hai writes as follows: "It brings about not only the development of the individual but also a perfect development of the society, being a means for the unification of

⁹³ *Ibid.*, 2: 153.

humanity.’’⁹⁴ Islam prefers congregational prayer to individual prayer. Congregational prayer strengthens social ties and produces a strong sense of social obligation. It helps us to develop the sense of social obligation. It also helps us to develop the sense of discipline, and generates a feeling of equality and a spirit of solidarity. Allama Iqbal also expresses his view in the following way:

The spirit of all true prayer is social.... As we pay from the daily congregational prayer to the annual ceremony round the central mosque of Mecca, you can easily see how the Islamic institution of worship gradually enlarges the sphere of human association.⁹⁵

Therefore, prayer helps us to obliterate all evil deeds and thoughts of human mind. It destroys pride of good birth, wealth and power as well as it establishes a strong fraternal feeling amongst the Muslims— rich and poor, strong and weak.

c) **Fasting**

Another foremost pillar of Islam is fasting which is to be observed by a Muslim during the whole month of *Ramadan*. It involves refraining from any kind of food or drink and marital relations throughout the daylight hours. *Ramadan* is a word which comes from the word *Ramdz* which literally means ‘to burn’. Thus, the essence of the month of *Ramadan* is to burn the evil propensities and bring them under the control of the higher ones. It is believed that this fasting remits all kinds of sin committed during the whole year.⁹⁶ Moreover, fasting makes us disciplined, steadfast and resilient like a soldier who foregoes the satisfaction of his normal needs at the order of his commander.⁹⁷ In addition to this, it helps us to make our bodies healthy and to obey Allah’s orders as well. Besides, by fasting, the rich can actually experience what pangs of hunger mean for the poor who are unable to fill their bellies adequately almost round the year. Thus, it compels the rich to feel for the poor. In this way, fasting helps us to develop the idea of abstinence, the idea of morality as well as the idea of the realisation of the higher self.⁹⁸

⁹⁴ Saiyed Abdul Hai, *Muslim Philosophy*, op. cit., p. 261.

⁹⁵ Sir Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam*, op. cit., p. 9; also vide, Saiyed Abdul Hai, *Muslim Philosophy*, op. cit., pp. 262-263.

⁹⁶ See, Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 167.

⁹⁷ Vide, Suzanne Haneef, *What Everyone Should Know About Islam & Muslim*, op. cit., p. 97.

⁹⁸ Vide, Saiyed Abdul Hai, *Muslim Philosophy*, op. cit., p. 263.

d) Alms-giving (*Zakat*)

The fourth important fundamental duties of Islam is poor-due or *Zakat*. It is an Arabic word which literally means purification. *Zakat* means that a Muslim who is in possession of a certain amount of wealth, or more, is required by religion to spend one fortieth of it at the end of every Arabic twelve months on the poor, the needy and the wayfarer and it is prescribed by Allah and the Prophet.⁹⁹ *Zakat* is to be distributed among "... the poor and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to Truth), for those in bondage and in debt; in the cause of God; and for the wayfarer:"¹⁰⁰ The importance of *Zakat* is vast. The Qur'an speaks of the obligation of *Zakat* in very moving words:

...And there are those who bury gold and silver and spend it not in the way of God: announce unto them a most grievous penalty— on the Day when heat will be produced out of that (wealth) in the fire of Hell, and with it will be branded their foreheads, their flanks and their backs.—‘This is the (treasure) which ye buried for yourselves: taste ye, then the (treasures) ye buried!’¹⁰¹

The poor has a right on the property of the rich. This is because it is obligatory for the rich to spend *Zakat* funds for the poor and disabled. In addition, the poor can develop their conditions with the help of the *Zakat* fund. Moreover, the payment of *Zakat* purifies one's remaining possessions and makes his ownership of them legal and permissible. Furthermore, it purifies man's heart from greed and selfishness. Suzanne Haneef expresses his view regarding the importance of *Zakat* in the following way:

...*zakat* was instituted fourteen hundred years ago. In spite of all the modern advances in economic systems, methods of distribution of wealth, and concern for the rights of human beings to have their basic needs met, no ideology or economic system has been able to develop any institution comparable to *zakat* for dealing with the problem of poverty while at the same time offering a solution to class rivalries and hatreds.¹⁰²

Therefore, it can be noted here that *Zakat* is bondage between the poor and the rich. It teaches the rich to love and honour others especially the poor instead of

⁹⁹ For details please see, H. M. M. Jubair Ahmed, *Moqsodul Momineen* (Dhaka: Doyel Printers, 2003), p. 243.

¹⁰⁰ Al-Qur'an, 9: 60.

¹⁰¹ *Ibid.*, 9: 34-35.

¹⁰² Suzanne Haneef, *What Everyone Should Know About Islam and Muslims*, *op. cit.*, p. 50.

heat and dishonour. As a result, *Zakat* helps a person to develop by physically, socially, economically and morally.

e) Pilgrimage (*Hajj*)

The fifth strong pillar of Islam is pilgrimage. For, every able bodied Muslim who can take journey, pilgrimage to Mecca once during life-time is regarded in Islam as an essential religious duty. Literally *Hajj* means going to a place for the sake of a visit. In Islamic terminology it means going to ‘*Baytu (A) ‘llah*’ (the house of Allah) to observe the necessary devotions. The Holy Qur’an gives a lot of importance on pilgrimage. The Holy Book univocally states: “... pilgrimage thereto is a duty men owe to God,— those who can afford the journey; but if any deny faith, God stands not in need of any of His creatures.”¹⁰³ *Hajj* is also for mankind, remarkable for the fact that it brings together from every part of the world such an immense diversity of human beings, who in spite of vast differences of culture and language, form one community and all the Muslims profess the same faith as well as all devotees worship their Almighty Allah. Moreover, according to Islam, all pilgrims are uniformly dressed whether they are rich or poor. This is a reminder to the devotees that all men are equal in the eye of Allah and on the Day of Judgment they will have to stand alike before Allah to render an account of their deeds in this world. Saiyed Abdul Hai expresses his opinion regarding the importance of *Hajj* in our lives in the following way: “To bring about an adjustment and coordination the Muslims from various parts of the world met once in a year at Makkah where measures were devised and steps taken to conciliate these differences and check the development of conflicting ideas on divergent lines.”¹⁰⁴ Therefore, *Hajj* helps to enhance the socialistic, democratic and moralistic principles of human beings.

2.5.2. Moral Teachings regarding the Rights of Fellow Beings

Another important moral teaching of Islam depends on human rights. Islamic morality guides man with regard to his dealings with other individuals of the society. The right of fellow beings means that whenever and wherever a believer meets another person, he

¹⁰³ Al-Qur’an, 3: 97.

¹⁰⁴ Saiyed Abdul Hai, *Muslim Philosophy, op. cit.*, p. 269.

should give him such treatment as is in accordance with Islamic teachings. He should refrain from such behaviour as it does not come up to the standard of Islam. For example, Islamic morality commands that never humiliating others, never usurping the wealth and property of others, never doing harm of others and so on. The fundamental relations between a man and other individuals are those of parents and child, husband and wife. It also includes relations between relatives, neighbours, the poor and the needy, orphans and non-Muslims. The Holy Qur'an says in this regard: "...Treat with kindness your parents and kindred, and orphans and those in need; speak fair to the people;...."¹⁰⁵ Therefore, every individual has duty towards other human beings which is discussed as follows:

a) Parents and Children

Islamic ethics gives immense importance to this relationship placing respect and kindness to parents next only to Allah and to the command to be grateful to Allah and your parents. Among worldly relations, the relations between parents and children have the highest status. The rights of children on their parents are that they should bring them up in the best possible manner, to cherish and nurture them, to protect them from all kinds of evil as well as to provide them the best education and training. Accordingly the right of parents on their children is vast. The Qur'an says in this regard:

...be kind to parents. Whether one or both of them attain old age in thy life, say not to them a word of contempt, nor repel them, but address them in terms of honour. And, out of kindness, lower to them the wing of humility, and say: 'My Lord! Bestow on them thy Mercy even as they cherished me in childhood'¹⁰⁶

Moreover, among parents, the mother undergoes more sufferings for the sake of her children and therefore, in the eye of Islamic morality the status of mother is higher than the father. The Holy Prophet (sm.) received very little of his mother's love, nevertheless when he visited her grave, he wept and prayed to Allah to have mercy on her soul. Hazrat Mohammad (sm.) said regarding the rights of parents on their children in the following way: "Heaven is beneath the feet of mothers."¹⁰⁷ He further said: "No father has given his child anything better than good manners.

¹⁰⁵ Al-Qur'an, 2: 83.

¹⁰⁶ *Ibid.*, 17: 23-24.

¹⁰⁷ Quoted in, Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 131.

He who is not affectionate to God's creatures and to his own children, Allah will not be affectionate to him."¹⁰⁸ Thus, Islamic teachings lay great emphasis on the relationship of parents as well as children and help us to build a moral characteristic.

b) Husband and Wife

One of the important features of Islamic ethics lies in the relationship between husband and wife. Among all, man is the best creation of Allah and He has given great importance to the relationship between husband and wife. Islamic ethics thinks that both husband and wife have equal rights over each other. Both are sources of support, comfort and protection to each other. Thus, they are expected to live together in peace and love. The Qur'an says "... He created for you mates from among yourselves, that ye may dwell in tranquillity with them, and He has put love and mercy between your (hearts): ..." ¹⁰⁹ The rights of wives on their husbands are that they are required to provide sustenance to their wives, clothe them and shelter them. They are required to love with their wives with kindness and equity. The duty of a wife, on the contrary, on her husband is that she is obedient and harmonious in her husband's presence and in his absence guards his reputation and property.¹¹⁰ A virtuous wife is bound to love her husband and prove to be a source of comfort to him. The Holy Qur'an says in this connection: "... Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what God would have them guard..."¹¹¹ Moreover, Islamic morality holds that both husband and wife have equal rights over each other. In this regard, the Holy Prophet declared: "O you people! You have rights over your wives and your wives have rights over you. Treat your wives with kindness and love; verily you have taken them on the security of Allah."¹¹² In this way, we can lead a happy, peaceful life by following Islamic teachings.

¹⁰⁸ *Loc. cit.*

¹⁰⁹ Al-Qur'an, 30: 21.

¹¹⁰ Vide, Dr. Mufti. M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 132.

¹¹¹ Al-Qur'an, 4: 34.

¹¹² Quoted in, Dr. (Mufti) M. Mukarram Ahmed, *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 132.

c) Kith and Kin

Among worldly relations, relatives play a vital role in our lives. Islamic ethics pays a great stress on the rights of kith and kin. It lays importance on relatives just after our parents. It also ordains us to do well with them and show respect as well as kindness to our relatives. The Holy Prophet said regarding the rights of relatives as follows: “Giving alms to relatives carries two rewards: one is the reward of alms and the other is the reward of helping relatives. Moreover, a person who does not respect the rights of his relatives will not enter paradise.”¹¹³ The Qur’an says: “Let not those among you who are endued with grace and amplitude of means resolve by oath against helping their kinsmen, those in want, and those who have left....”¹¹⁴ Therefore, it is proved here that we are benefitted materially, spiritually and morally to a large extent if we maintain proper duties towards our kinsfolk.

d) Neighbours

The moral teaching of Islam also depends on the rights of neighbours. There are many verses in the Qur’an which lay so much emphasis on the rights and obligation of neighbour.¹¹⁵ Furthermore, the status of neighbour is also so valuable to Prophet Mohammad (sm.) that some of his companions thought that neighbours might be included in the list of heirs.¹¹⁶ The Holy Prophet said in this connection: “That person is not a perfect Muslim who eats his fill and leaves his neighbour hungry. In addition, the most virtuous of you is he who gives the best treatment to his neighbours.”¹¹⁷ Therefore, the moral teaching of Islam is to become a perfect man by treating our neighbour generously.

e) Orphans and Needy

Islamic ethics also reminds us that we have some responsibilities towards the orphans, poor and needy. *Surah ‘Maun’* and *Surah ‘Nesa’* of the Holy Qur’an

¹¹³ *Ibid.*, p. 133.

¹¹⁴ Al-Qur’an, 24: 22.

¹¹⁵ For details please see, *Surah Nisa*.

¹¹⁶ Vide, Muhammad Abul Quasem, *The Ethics of Al-Ghazali: A Composite Ethics in Islam* (Petaling Jaya, Selangor: New Era Publications INC., 2005), p. 216.

¹¹⁷ Quoted in, Dr. (Mufti) M. Mukarram Ahmed, *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 133.

discuss about the rights of the orphan and the needy. Islamic morality teaches us to do well with the orphans and speak to them with reasonable speech. The Holy Qur'an says:

And give the woman (on marriage) their dower as a free gift; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer. To those weak of understanding make not over your property, which God hath made a means of support for you, but feed and clothe them therewith, and speak to them words of kindness and Justice. Make trial of orphans until they reach the age of marriage; if then ye find sound judgment in them, release their property to them; but consume it not wastefully, nor in haste against their growing up. If the guardian is well-off, let him claim no remuneration, but if he is poor, let him have for himself what is just and reasonable. When ye release their property to them, take witnesses in their presence: but all-sufficient is God in taking account.¹¹⁸

The Qur'an further says: "Those who unjustly eat up the property of orphans, eat up a fire into their own bodies: they will soon be enduring a blazing Fire!"¹¹⁹ The Holy Prophet is also reported to have said: "The best Muslim house is that in which is an orphan who is well-treated and the worst Muslim house is in which is an orphan ill-treated."¹²⁰ Thus, kindness to orphans is another foremost feature of Islamic teaching.

f) Wayfarer and Captive

Islamic ethics also advises us to show kindness to the wayfarer and captive. Kindness to the captive and wayfarer is one of the highest moral qualities preached by the Qur'an. The Holy Qur'an says in this connection: "They ask thee what they should spend (in charity). Say: whatever ye spend that is good, is for ... those in want and for wayfarers ..."¹²¹ The Qur'an further states: "And they feed, for the love of God, the indigent, the orphan, and the captive,—"¹²² In pre-Islamic period, captives were often starved, slain and were given food as wild animals. However, Islamic morality does not support this. It always ordains us to do well with them and properly to take care of them. Therefore, loving captive and wayfarer guides us to lead a moral life.

¹¹⁸ Al-Qur'an, 4: 4-6.

¹¹⁹ *Ibid.*, 4: 10.

¹²⁰ Quoted in, Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 134.

¹²¹ Al-Qur'an, 2: 215.

¹²² *Ibid.*, 76: 8.

g) Relations with Non-Muslims

According to Islamic ethics, non-Muslims should be treated very kindly and justly. They should live in peace and tranquillity under the protection of the Islamic state. It is true that Islamic morality does not deny existence of non-Muslims in a Muslim state. It also advises us to practise religious tolerance towards them. This is because Prophet Mohammad (sm.) did not use force to compel people of other religions to embrace Islam.¹²³ He used argument and logic to show others the guidance of Islam. It is true that Allah does not deny existence of other religions, but He recommends for Islam only. The Holy Qur'an says: "God forbids you not, with regard to those who fight you not for (your) faith nor drive you out of homes, from dealing kindly and justly with them: for God loveth those who are just."¹²⁴ Regarding the right of non-Muslims, Islamic ethics is very much liberal. The reason is that it wants to give them special consideration and status. The Holy Qur'an further states that it is possible for non-Muslims to attain the blessing and salvation if they believe in Allah, follow the right path and do good: "Those who believe (in the Qur'an), Those who follow the Jewish (scriptures), and the Sabians and the Christians,— any who believe in God and the Last Day, and work righteousness,— On them shall be no fear, Nor shall they grieve."¹²⁵ Furthermore, it orders to show immense good will and understanding towards them. Moreover, in Islamic state non-Muslims enjoy complete security and protection of their lives, property and religion. They are allowed to maintain and repair their places of worship and also to construct new ones. They also enjoy judicial autonomy. Besides, Islamic morality also wants to safeguard the rights of non-Muslims, even those rights are entirely opposed to the teachings of Islam. For instance, the consumption of alcohol is forbidden to Muslims, nevertheless the

¹²³ Vide, *ibid.*, 2: 256.

¹²⁴ *Ibid.*, 60: 8.

¹²⁵ *Ibid.*, 5: 72. However, a verse of the Qur'an is also found in the same Chapter (*Al-Maida*: 54) that instructs the Muslims not to take the Jews and the Christians as their friends and protectors. Such verses, no doubt, were revealed in a specific historical context in which some particular Jewish and Christian groups tried to destabilize the Prophet's mission at Medina or worked against the teachings of Islam and remained intolerant. Even presently, the Jewish and the Christian groups are vehemently suppressing and dominating the Islamic world. They are foisting their social, political and cultural supremacy upon Muslims and other developing countries across Asia and Africa. Among such aggressive and shameful examples include, for example, Hiroshima and Naga Saki (Japan), Afghanistan, Iraq, Palestine and other central Asian countries.

non-Muslim have the freedom to use alcohol. Hazrat Abu Bakr, the first Caliph of the *Khulafa-e-Rashidun*, said: “If a province or people receive you, make an agreement with them and keep your promise. Let them be governed by their laws and established customs; and take tribute from them as is agreed between you. Leave them in their religion and their land.”¹²⁶ Therefore, the teachings of Islam advocate a just and kind treatment for non-Muslims.

h) Rendering Aid to Women

Islamic teachings also suggest us to be moral human beings by rendering aid to women. The Qur'an and the Hadith of the Prophet give tremendous emphasis on the right of the women. The Holy Qur'an describes: “And why should ye not fight in the cause of God and of those who, being weak,..., Women and children...”¹²⁷ Islamic ethics does not make any discrimination between man and woman in respect of their rights and privileges. Thus, the gender of woman does not deprive her of anything. There is a charming story in the Qur'an which shows the equal rights of men and women. It runs as follows:

And when he arrived at the watering (place) in Madyan, he found there a group of men watering (their flocks), and besides 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 back (their flocks): and our father is a very old man’. So he watered (their flocks) for them; then he turned back to the shade, and said: ‘O my Lord! Truly am I in (desperate) need of any good that thou dost send me!’...¹²⁸

In Islam, the variations in colour, language, financial status or gender do not provide any basis for superiority or inferiority. The sole basis for superiority of a person over another is piety and righteousness.¹²⁹ Thus, in the eye of Islam, men and women are both equal. Furthermore, women in Islamic community have been given rights and privileges which they never enjoyed under any other religious or social system.

¹²⁶ Quoted in, Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 139.

¹²⁷ Al-Qur'an, 4: 75.

¹²⁸ *Ibid.*, 28: 23-24.

¹²⁹ See, *ibid.*, 49: 13.

2.5.3. Islamic Moral Teachings regarding Fundamental Human Rights

Islamic ethics gives great importance on fundamental human rights i.e., the right of life, right to private property, protection of property and honour, freedom of speech and work, right to basic needs, right to privacy and right to equality before law and so on. These fundamental human rights are not restricted by Islam by geographical boundaries, race or nation. However these rights are universal in nature and enjoyed by all people. According to the Islamic morality, these fundamental universal rights are to be observed and respected under all circumstances whether it is peace or war. The main purpose of universal human rights is the preservation of world peace and no concept of international peace can be valid unless it envisages freedom, equality and justice to all human beings. Those fundamental human rights are given below:

a) The Rights of Life

Islamic morality thinks that the life of a human being is very sacred and it is immoral to take life of a man without justification. The Qur'an¹³⁰ and the Hadith of Prophet Mohammad (sm.) have strictly forbidden killing human beings in the cause of murder, rebellion or disorder and so on. The Qur'an states in this connection: "Nor take life— which God has made sacred— except for just cause. And if anyone is slain wrongfully, we have given his heir authority (to demand *Qisas* or to forgive): but let him not exceed bounds in the matter of taking life; for he is helped (by the Law)."¹³¹ The Holy Qur'an also declares: "... if any one slew a person— unless it be for murder or for spreading mischief in the land— it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people."¹³² Thus, Islamic ethics teaches us that human life is very sacrosanct and we should take proper care of it so that we can leave in a peaceful world.

b) Protection of Property and Honour

Another important fundamental human rights suggested by the Islamic teaching is the protection of property and honour of the individual. There are many verses in

¹³⁰ For details please see, Al-Qur'an, 4: 29, 6: 151, 15: 32.

¹³¹ *Ibid.*, 17: 33.

¹³² *Ibid.*, 5: 35.

the Qur'an¹³³ which have prohibited all illegal methods of acquiring property. This is because social peace is disrupted because of greed and consequent effort to grab property of others. The Qur'an expresses in this connection: "... Eat not up your property among yourselves in vanities: but let there be amongst you traffic and trade by mutual good-will: ... if any do that in rancour and in justices,— soon shall we cast them into the fire: and easy it is for God."¹³⁴ In addition to this, the moral teaching in Islam has declared the honour of people as sacred. In the view of Qur'an, none is allowed to spoil the sanctity of any person's honour.¹³⁵ Moreover, the messenger of Allah also said in this respect that most surely, your life, your property and your honour are as sacred as this day of pilgrimage ... their lives and their properties are sacred to us except when they violate the sanctity of life and property of others, and Almighty Allah alone is the judge of intentions.¹³⁶ Hence, Islamic morality suggested us to protect property and honour in order to move peaceful our worldly life as well as life in hereafter.

c) Freedom of Conscience

In Islamic state, every human being enjoys the freedom of conscience. Every individual is free to believe and practise any faith or religious community. Islamic ethics does not believe in compulsion in faith. The tolerance of other religions has always lighted the path of the followers of Islam. The nobility and broad tolerance of Islam, which are accepted as real social virtues, are glorious heritage for mankind and we can build world peace on it. For these reasons, Islamic ethics puts great emphasis on freedom of conscience.

d) Freedom of Speech and Work

Islamic morality places no barrier on freedom of speech. The Prophet Hazrat Mohammad (sm.) encouraged free discussion and often sought the opinion of his companions at different matters. The Holy Prophet (sm.) is reported to have said: "My personal opinion pertaining to all worldly matters should be taken in that light and the people have the right to discuss their worldly affairs and to treat them

¹³³ See, *ibid.*, 2: 188.

¹³⁴ *Ibid.*, 4: 29-30.

¹³⁵ Vide, *ibid.*, 49: 11-12.

¹³⁶ Quoted in, Dr. Ravindra Kumar, *Religion and World Peace* (Meerut, India: Sara Publications, 1998), p. 43.

as directed by their experience and knowledge, in some cases it may be that they have more knowledge than myself; ...”¹³⁷

Furthermore, the moral teachings in Islam also recognise man’s freedom to work. It gives complete liberty to every individual to take up any lawful work and places no barrier on grounds of race, colour or creed with regard to profession. It regards all kinds of labour, physical or mental, as honourable and respectable.

e) Right to Equality before Law

Islamic ethics indicates tremendous importance on the right to equality before law. It confers equal rights on all human beings and does not respect of one’s race, caste, colour, nationality or sex with regard to equality before law. According to Islam, both men and women enjoy equal civil rights and the same civil and criminal law applies to them, except that in their personal and religious matters each is to be governed by the law of his own religious community.¹³⁸ The most important point is that it has no right to interfere in the personal or religious laws of non-Muslims nor can it apply Muslim personal law to them. In addition, in the eye of Islamic teachings, there is no difference between the ruling classes and the ordinary citizens, or between the rich or the poor or between the priestly class and the common man in respect of law. The same law applies to all citizens. In this regard the messenger of Allah said: “I swear by Allah that if Fatimah, daughter of Muhammad, should steal, I would have her hand cut off.”¹³⁹

f) Right to Private Property

Islamic ethics lays emphasis not only on earning one’s livelihood through lawful means¹⁴⁰ but also gives stress on sharing one’s earnings with the poor and the needy.¹⁴¹ At the same time it recognises the right to private property. Dr. Ravindra Kumar writes in this connection: “It allows him to earn as much wealth as he can through his knowledge, skill and effort but does not favour expenditure on

¹³⁷ Quoted in, *ibid.*, p. 44.

¹³⁸ See, *ibid.*, p. 46.

¹³⁹ Quoted in, *loc. cit.*

¹⁴⁰ Vide, Al-Qur’an, 2: 188.

¹⁴¹ See, *ibid.*, 51: 19.

luxuries or ostentatious way of life.”¹⁴² Therefore, Islamic morality condemns both prodigality and miserliness and recommends moderation in living.

g) Right to Privacy

Another fundamental right recognised by Islamic morality is the right to privacy. Islamic morality allows every individual to enjoy his life in privacy in his own house. There are numerous verses in the Qur'an¹⁴³ which support privacy in one's life. The Qur'an declares: “O ye who believe! Enter not houses other than your own, until ye have asked permission and saluted those in them: that is best for you, ...”¹⁴⁴ Moreover, it does not support to spy on one another and backbite others. This is because these negative qualities hamper privacy of an individual's life and Islamic morality is strictly against it.

2.5.4. International Relation

Islamic ethics wants to establish a world community with complete equality among people without distinction of race, class, language, colour or country. The main purpose of Islamic teaching is not to strive for the prosperity and advancement of the Muslims but to make valuable contributions to humanity on an international level in education, economics, politics and so on. Like other aspects of life, as suggested by Islamic ethics, international relations of a Muslim state are based on Divine guidance. The foremost principle regarding international relation is to believe in the unity of mankind. It also suggests us to respect other people's interests and maintain peaceful relations with the exchange of good will missions. Moreover, Islamic ethics does not allow an aggressive war and the torture of war prisoners. Furthermore, it does not accept the killing of women, children and aged people. It justifies only defensive measure.¹⁴⁵ In fact, Islamic teachings want to base international relations and international relations are based on good will among countries and respect for pacts, pledge and treaties etc. The purpose of international relations and treaties is to establish peace among people, irrespective of cast, colour, creed or race. According to Islamic ethics, respect for agreement, pledge and pact

¹⁴² Dr. Rabindra Kumar, *Religion and World Peace*, op. cit., p. 46.

¹⁴³ See, Al-Qur'an, 24: 28-29; 49: 12.

¹⁴⁴ *Ibid.*, 24: 27.

¹⁴⁵ See, Dr. (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, op. cit., Vol. 1, p. 137.

is a fundamental principle of Islam and it does not allow Muslims to violate it. It has laid such an importance on the sanctity of a pledge that it even overrides the obligation of Muslim brotherhood. The Qur'an says: "...but if they seek your aid in religion, it is your duty to help them, except against a people with whom ye have a treaty of mutual alliance...."¹⁴⁶ Moreover, Islamic morality enjoins Muslims to observe their treaty obligations and universally accept the code of morality. This is because they are not allowed to do help even their oppressed Muslim brethren living in a country with which they have a treaty. They are not allowed to break their promises unilaterally. Besides, it does not believe in compulsion of religious beliefs. Thus, Islamic ethics emphasises in strongest terms to maintain contract made with foreign powers whether friend or foe. It also thinks that keeping good relation between Muslim state and other states is the key to success of a Muslim country.

Moreover, the teachings of morality in Islam make every effort to establish and maintain peace with all countries which are willing to cooperate in achieving this objective. For this purpose, it also enjoins us to maintain friendly agreement with Muslim countries. According to Islamic ethics, if there is any dispute between two Muslim countries and one of them takes to aggression against the other, then other Muslim countries have a legal moral obligation to help the aggrieved against the aggressor and try to establish peace between them through negotiations, arbitrations and similar other methods. Furthermore, Islamic ethics also ordains us to keep friendly relationship with the countries without any treaty. Justice and equity are also the major criteria which teach us to maintain friendly agreement with all others whether there is a treaty or not. The fundamental principle that governs international relations in Islam is that both Muslim and non-Muslim are absolutely equal and that justice should regulate the relationship between them. Thus, Islamic ethics ensures justice, welfare and peace for all people.

2.5.5. Islamic Ethics regarding Profession and Earning

Islamic teaching has provided mankind with appropriate instructions and guidelines regarding profession and earning. It encourages all to work for earning livelihood. Taking public service or private service or employment is lawful according to Islam. However, employment in a firm engaged in manufacturing of prohibited goods or services is

¹⁴⁶ Al-Qur'an, 8: 72.

prohibited. For example, employment in a brewery or casino is unlawful. Moreover, it does not approve the profession of dancing or acting which encourages indecency. Islamic morality does not like anything which may lead to worship of any human being. Therefore, it does not allow the profession of statue making. In addition, Islamic ethics has also prohibited prostitution and any profession connected with production and sale of hard drinks and intoxicants. Furthermore, Islamic ethics does not permit the rich people to accept aid and assistance from others. Therefore, begging is absolutely prohibited except for a person in grave difficulties.

On the other hand, the moral teaching in Islam has discouraged all people from remaining unemployed without reason. It considers labour as very dignified and asked the Muslims to engage in agriculture, industry, service or any other profession except the prohibited one. The Qur'an says with regard to agriculture in the following way: "... man look at his Food (and how We provide it): for that we pour forth water in abundance, and we split the earth in fragments, and produce therein corn, and grapes and nutritious plants, and olives and dates,"¹⁴⁷ However, Islamic ethics has not permitted cultivation of plants, eating of which has been prohibited i.e., cultivating opium and cannabis. In fact, cultivation of any prohibited thing for sale to non-Muslims is also unlawful in Islam. Likewise, Islamic law has also encouraged industry. Therefore, Islamic ethics gives us the correct principles and instructions regarding profession and earning. We can get lots of advantages by following these principles.

2.5.6. Islamic Morality with regard to Business

Islam puts great stress on business and gives in detail laws of business. It also encourages business by saying this 'Allah has made business lawful for you.'¹⁴⁸ According to Islamic ethics, there are so many things which Islam does not permit as business. For example, transaction involving uncertainty is prohibited because it could lead to quarrel or litigation. It also forbids transaction involving unspecified quantity, acceptance of money for fish in the river or bird in the air as there is element of uncertainty. Likewise, it also prohibits sale of fruits till they are not ripened. However, it is permissible as to sell root vegetables while they are still on the ground. Moreover, Islamic ethics gives human

¹⁴⁷ *Ibid.*, 80: 24-28.

¹⁴⁸ See, *ibid.*, 2: 275.

beings the freedom of trade, but it does not allow making profit by withholding the commodity from the market so that it becomes scarce. In addition, it also prohibits fraud in business dealings. The Prophet of Islam said: “It is not permissible to sell an article without making everything clear nor is it permissible for anyone who knows (about its defects) to refrain from mentioning them.”¹⁴⁹ Besides, Islamic ethics condemns business transactions on interest and to give full measure and weight in justice. Thus, the teachings of morality in Islam permit and encourage business subject to the aforesaid principles and restrictions. If these principles are followed, the economy will be greatly purified from injurious practices.

2.5.7. Islamic Morality regarding Food and Drinks

Islamic morality also gives us detailed rules and regulations with regard to food and drinks. The Holy Qur’an ordains: “O ye people! Eat of what is on earth lawful and good; and do not follow the footsteps of the Evil One, for he is to you an avowed enemy.”¹⁵⁰ The Qur’an and the Hadith of Prophet Mohammad (sm.) prohibit some foods i.e., flesh of swine, meat of ass, carnivorous animals like tiger, foxes, dogs, leopard, birds which eat flesh and so on.¹⁵¹ As regards drinks, wine, alcoholic drinks and other intoxicants have been prohibited by Allah¹⁵² and the Prophet (sm.). On the contrary, the teachings of Islam also suggest us some lawful foods. Accordingly the meat of lawful animals will be lawful only if the animals are slaughtered in accordance with Islamic law. At the time of slaughtering the invoking of the name of Allah is very significant. The Qur’an states: “Eat not of (meats) on which God’s name hath not been pronounced: that would be impiety....”¹⁵³ It means that it indicates life is sacred and even animal life cannot be taken except for lawful purposes, and no purpose can be considered lawful unless it is sanctioned by Allah. According to Islamic morality, the dead fish of water is lawful. Moreover, it provides for exception regarding eating of the prohibited food items only in case of grave difficulties and prohibited food can be taken in a little quantity to save life if no lawful food is available.¹⁵⁴ In addition to this, the Prophet of Islam also gave

¹⁴⁹ Quoted in, Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 13.

¹⁵⁰ Al-Qur’an, 2: 168; also see, 7: 158; 7: 157.

¹⁵¹ See, *ibid.*, 5: 3.

¹⁵² Vide, *ibid.*, 5: 90.

¹⁵³ *Ibid.*, 6: 121.

¹⁵⁴ See, Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 36.

instructions about how much food we should eat. He said: “One third of the belly is for food. He who eats more than that spoils his good deeds.”¹⁵⁵

Therefore, the position of Islam in respect of unlawful foods and intoxicating drinks is very clear. Indeed, it is very harmful for our body and humanity is badly afflicted by forbidden foods and intoxicating drinks. Islam as a complete code of life has given necessary instructions of foods and drinks and these are only for the benefit of humanity and not to make life of people difficult. The above teachings of Islam in this regard can save humanity from an extremely harmful thing.

2.5.8. Islamic Ethics in respect of Sports and Entertainment

The teachings of Islam put great stress on sports and entertainment. It thinks that there is no harm if a person entertains himself to relax his friends. This is because the Prophet of Islam liked happiness and disliked grief. No sport which obstructs religious obligations is permissible in Islam i.e., racing, wrestling, archery, spear-play, horse-riding, hunting and so on. In addition, Islam also permits humour and jokes in proper proportion, but the Muslim is, however, forbidden to joke and laugh about other peoples' values and honour. Moreover, Islamic ethics permits singing, music and seeing movies under specific conditions. Dr. Yusuf Al- Qaradawi in his book *'The Lawful and Prohibited in Islam'* said: “Islam permits singing under the condition that it must not be in anyway obscene or harmful to Islamic morals. There is no harm in its being accompanied by music.”¹⁵⁶ As regards movies the following opinion on the basis of teachings of Islam is given: The content of movies must be free of sin and immorality indeed and it must not be free of Islamic beliefs and manners. Secondly, the enjoying of movies should not result in the neglect of religious responsibilities. On the contrary, Islamic morality does not support any kind of game like gambling, playing cards with money, playing backgammon while betting with money etc. Therefore, Islam is a practical religion and it does not ignore any genuine human requirement. Islamic law regarding sports and entertainment helps us to make our health sound. It also helps us to refresh our minds and helps us to prove our creativity. It does not want to make life of people difficult, but wants to make life easy, beautiful and comfortable.

¹⁵⁵ Quoted in, Imam Al Gazzali, *Ihya Ulum-Id-Din*, translated into English by Al-Haj Maulana Fazul-Ul-Karim (New Delhi: Kitab Bhavan, 1982), Book. 3, p. 85.

¹⁵⁶ Quoted in, Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 32.

2.5.9. Major Moral Virtues Concerning Individuals according to the Teachings of Islam

Virtue takes significant place in Islamic morality. This is because the worth of a human being is not resolved by his or her own class, race, colour, occupation, gender, social status, nationality or any other worldly acquaintance whatever he or she may have, but it is decided by his or her righteousness i.e. virtue. The Qur'an and the Hadith of Prophet Mohammad (sm.) encourage mankind to maintain a high moral character by achieving moral virtues. According to Islamic morality, there are many virtues like sincerity, responsibility, integrity, forgiveness, moderation, honesty, humility, kindness, truthfulness, trustworthiness, patience, mercy, modesty and gentleness, self-sacrifice, uprightness, fulfilment of engagements and treaties even with enemies, justice, giving just measure; and weight, love, goodness, beauty, repentance, self-respect, discipline, cleanliness, hospitality, helpfulness, love and hope, keeping the commitment which helps mankind to be a good mankind.¹⁵⁷ Now some of the major moral virtues of an individual according to Islamic ethics are discussed below:

a) God Consciousness (*Taqwa*)

The Arabic word which renders in English as good consciousness is *Taqwa*. It is a quality which is absolutely essential in the personality of a good Muslim. It is an attitude comprised of love and fear of Allah. This attitude produces such an intense love for Allah that he or she wants to do only what is pleasing to Him. At the same time, it refers such great fear of Allah that he tries to avoid doing anything which Allah dislikes. The practice of this virtue helps us to fulfill our responsibilities to Allah, to other human beings and to society. It also teaches us total dependence upon Allah.

b) Peacefulness

One of the important virtues recommended in Islam for the development of morals is peacefulness. This moral quality comprises in refraining from causing harm or

¹⁵⁷ Vide, Dr. N. K. Singh & Mr. A. R. Agwan (eds.), *Encyclopaedia of the Holy Qur'an* (New Delhi: Global Vision Publishing House, 2000), Vol. 3, pp. 1585-1588; also see, Dwight M. Donaldson, *Studies in Muslim Ethics* (S. P. C. K., London: 1963), pp. 14-21; also see, Suzanne Haneef, *What Everyone Should Know About Islam and Muslims*, op. cit., pp. 63-88.

injury of any kind to another person.¹⁵⁸ The doing of good in return for evil is the teaching of the Holy Qur'an as well as the Prophet of Islam. Evil is a vice that should be repelled and must not be encouraged, but peacefulness relates to doing goods to other of which sanction is the eternal bliss and spiritual felicity. Thus, this virtue helps mankind to live peaceful lives.

c) Forgiveness

To show clemency to others and pardon them is a very high level moral virtue of a good human being. Islamic ethics ordains mankind to practise this noble quality. It also exhorts us to overlook any human faults with gracious forgiveness.¹⁵⁹ According to Islamic morality, those who forgive when they are angry are counted among those who avoid great sins and abominations.¹⁶⁰ Moreover, Islamic morality orders us to forgive others in order to receive forgiveness from Allah.¹⁶¹ He loves those who forgive and make reconciliation and reward is due for him from Almighty Allah.¹⁶² Both the Qur'an and the Hadith advise us to adopt the quality of forgiveness in our behaviours. For example, once a man came to the Prophet and requested him to give him a fruitful advice by which he was able to manage all the affairs of his own life. The Prophet exhorted him to forgive people even at provocation.¹⁶³ Thus, forgiveness is one of the virtues which lead us to live peacefully and morally.

d) Compassion

One of the important virtues recommended for the development of morals in Islam is compassion. The teaching of Islam motivates us to be compassionate in our dealings with each other. There are many verses in the Qur'an and the Hadiath which lay great emphasis on compassion. According to Hazrat Mohammad (sm.), if we are compassionate to others, we will receive compassion from Allah. Thus, one who wants to receive Allah's grace will have to show compassion to others.

¹⁵⁸ Vide, Dr. Mohammad Abdel Monem El Gammal, *Morals and Transactions in Islam* (Al-Qahira: Dar as-Sab, 1975), pp. 98-100.

¹⁵⁹ See, Al-Qur'an, 15: 85.

¹⁶⁰ For details please see, *ibid.*, 42: 37.

¹⁶¹ See, *ibid.*, 24: 22.

¹⁶² Vide, *ibid.*, 42: 40.

¹⁶³ See, Dr (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopaedia of Islam (Introduction to Islam)*, *op. cit.*, Vol. 1, p. 382.

e) Respect for All

Respect for all is another foremost virtue prescribed by the Islamic teachings. This virtue is regarded as the fountainhead of peace in society. According to the Holy Qur'an and the Hadith, there are many differences among human beings regarding religion and culture but everybody has to respect the other. This is because in the eye of Islam, all human beings are absolutely equal irrespective of their social or political status. The following example is enough in this regard i.e., 'once Hazrat Mohammad (sm.) saw a funeral procession passing by a street in Medina. At that time he was seated. The Prophet stood up in respect when he saw the funeral. One of his companions informed him that it was the funeral of a Jew. The Prophet replied that at first he was a human being.'¹⁶⁴ Therefore, this virtue helps us to establish peace among human beings as well as in society.

f) Politeness or Gentleness

Another significant moral virtue concerning the teachings of Islam is politeness or gentleness. The teachings of Islam urge people to lead a polite life, to defame not one another, to avoid entertaining frequent suspicions. It also advises the Muslims to embrace the religion and to exercise the best qualities of conduct as well as good demeanour. Therefore, politeness also helps us to be a good Muslim.

g) Honesty, Truthfulness, Keeping Commitments and Fair Dealing

Honesty is a quality which is absolutely essential in the personality of a good Muslim and Islamic ethics puts great importance on this virtue. The Holy Qur'an always advises us to be a good human being by practising this noble quality. In the eye of the Islamic ethics, no dishonest man can be considered as a good Muslim and Allah never loves dishonest persons. The Holy Qur'an says in this connection: "Woe to those that deal in fraud,— those who, when they have to receive by measure from men, exact full measure, but when they have to give by measure or weight to men, give less than due. Do not think that they will be called

¹⁶⁴ See, *ibid.*, pp. 382-383.

to account?— On a Mighty Day,”¹⁶⁵ Thus, Islamic morality ordains us to perform honestly.¹⁶⁶

Another important virtue in Islam is truthfulness. The Holy Qur’an always orders us to be truthful.¹⁶⁷ This virtue includes absolute fidelity in all personal relationships and interactions in business dealings and transactions and in the administration of justice. Islamic morality always advises us to stand strictly on truth and avoid falsehood. The Qur’an says in this connection: “And cover not truth with falsehood, nor conceal the Truth when ye know (what it is).”¹⁶⁸

In addition, Islamic ethics also gives emphasis on the virtues of keeping commitments and fair-dealing.¹⁶⁹ It suggests us that Almighty Allah is always in favour of those who keep their commitments and are fair in dealing. The Holy Qur’an enjoins: “Give full measure when ye measure, and weight with a balance that is straight: that is the most fitting and the most advantageous in the final determination.”¹⁷⁰ Thus, these virtues of Islamic teaching help us to be a good human being.

g) Modesty, Humbleness and Humility

Modesty, humbleness and humility are the most basic and essential qualities of the Muslim and the Mu’min. According to Islamic morality, a true Muslim is always humble about his attainment and aware of his own limitation. He never seeks fame or power rather he desires pleasure and approval of Allah. The Holy Qur’an ordains mankind to be moderate in their behaviour. In this regard the Qur’an says: “Nor walk on the earth with insolence: for thou canst not rend the earth asunder, nor reach the mountains in height.”¹⁷¹ Moreover, the people who are modest and humble will receive reward from Almighty Allah. The Holy Qur’an further states: “And the servants of (God) most gracious are those who walk on the earth in

¹⁶⁵ Al-Qur’an, 83: 1-5.

¹⁶⁶ See, *ibid.*, 27: 37.

¹⁶⁷ Vide, *ibid.*, 9: 119.

¹⁶⁸ *Ibid.*, 2: 42.

¹⁶⁹ See, *ibid.*, 17: 34.

¹⁷⁰ *Ibid.*, 17: 35.

¹⁷¹ *Ibid.*, 17: 37.

humility, and when the ignorant addresses them, they say, ‘Peace!’;”¹⁷² Therefore, in order to be a true Muslim, this virtue is very essential.

h) Patience and Endurance

The most emphasized virtues according to Islamic ethics are patience and endurance. It is a divine attribute. The Holy Qur’an and the Hadith of the Prophet give a lot of importance on these virtues¹⁷³ and exhort each other to patience. It also enjoin mankind to endure unavoidable trouble and sufferings patiently and courageously. Almighty Allah has called patience the determining factor in man’s life. The Holy Qur’an says in this regard: “... But if ye persevere patiently, and guard against evil,— then that will be a determining factor in all affairs.”¹⁷⁴ The people who are patient and endurable are always praised in the Holy Qur’an in the following way: “... but give glad tidings to those who patiently persevere,— who say, when afflicted with calamity: ‘To God we belong, and to Him is our return’:—”¹⁷⁵ Thus, patience and endurance are the most important virtues to be a good Muslim.

i) Justice

Another important virtue of a good Muslim is justice. It is an English word which means ‘equity’ or ‘fairness and it is very close to the Arabic word ‘*Adl*’ or ‘*Insaf*’. The Holy Qur’an enjoins mankind to maintain justice even in adversity. According to Islamic morality, the virtue of justice demands that people should be uniform in their words and deeds, in judging between man and man rightly, in dealing with other to deal justly, to be faithful to fulfill the contracts which are made and also to fulfill the due obligations.¹⁷⁶ Therefore, it is very essential for a good Muslim to practise this virtue. In addition, the aim and object of Islam is to establish ever lasting peace, which is impossible without justice. The Holy Qur’an

¹⁷² *Ibid.*, 25: 63.

¹⁷³ For details please see, Imam Al Gazzali, *Ihya Ulum-Id-Din*, translated into English by Al-Haj Maulana Fazul-Ul-Karim (New Delhi: Kitab Bhavan, 1982), Book. 4, pp. 68-71.

¹⁷⁴ Al-Qur’an, 3: 186.

¹⁷⁵ *Ibid.*, 2: 155-156.

¹⁷⁶ See, M. M. Sharif, *A History of Muslim Philosophy*, *op. cit.*, pp. 162-163; also vide, Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an unpublished Ph. D. Thesis), *op. cit.*, p. 71.

says in this regard: “...And when ye judge between man and man, that ye judge with justice:”¹⁷⁷

j) Kindness, Helpfulness and Cooperation

The teachings of Islam also lay stress on the virtues like kindness, helpfulness and cooperation. The Muslim’s obligation is to live in cooperation, not competition with his fellow men and to be helpful, kind, just and compassionate toward everyone, regardless of whether they are of the same or a different faith, race, culture or status etc. The Islamic teachings describes: “... a person who does you a good and benefit, then return it i.e., do a good act to him; however if you have nothing to return him, then pray for him,”¹⁷⁸ The Holy Qur’an and the Hadith of Prophet Mohammad (sm.) exhort us to show kindness to parents, kith and kin, neighbours, slaves, needy, wayfarers, orphans, and even non-Muslims. The Prophet (sm.) strictly enjoined mankind to show kindness to others in order to receive Allah’s mercy. This is because Almighty Allah never shows mercy to us unless we show mercy to His creatures. Hence, in order to be a good Muslim one should exercise the virtues of kindness, helpfulness and cooperation.

k) Self-respect

Another important virtue of Islam is self-respect and it is an essential quality in a man. Self-respect is a virtue by which a person understands and learns to respect himself. It helps him to straighten his world view, concepts and character. A self-respected man always realizes that the only real distinction between man and man is due to his degree of *taqwa*, *iman* and knowledge rather than race, wealth, social status and so on. He also tries to refrain from such behaviour as gossiping, prying into people’s affairs and being suspicious of or interfering with others’ privacy. Furthermore, beggary is strongly condemned in Islam as it is a negation of self-respect. Even Islamic morality does not encourage asking for help in everyday matters. Thus, Muslims can present the highest example of good morality and manners by exercising the virtue of self-respect.

¹⁷⁷ Al-Qur’an, 4: 58.

¹⁷⁸ Syed Ameer Ali, *The Ethics of Islam* (Karachi: Umma Publishing House, 1970), p. 22.

l) Charitableness, Generosity and Hospitality

In order to be a good Muslim, the virtues of charitableness, generosity and hospitality are essential. In Islam charity does not consist merely of help to the needy rather it includes anything which is of good to others. According to the Prophet Mohammad (sm.), charity means removing thorns from the road. Furthermore, generosity means open-handedness in giving not only towards the poor but also towards one's family, relation, friends, neighbours, guests and even strangers. Thus, generosity is a highly valued quality among Muslims in every part of the world. Besides, Islamic ethics also emphasizes on hospitality. In defining this matter Kedar Nath Tiwari says as follows: "Hospitality is one of the greatest virtues that Islam teaches. It also preaches the ethics of the brotherhood of man and service of humanity."¹⁷⁹ Therefore, all these virtues help us to be a good Muslim.

m) Love of Knowledge

Another important virtue of a good Muslim is love of knowledge. According to the Prophet Mohammad (sm.), seeking knowledge is a duty on every Muslim and indeed the love of knowledge has been a characteristic of a Muslim from the earliest times. Man is by nature ignorant and it is the root cause of all physical, spiritual, moral, personal and national ills. Ignorance not only destroys one's spiritual and material life but also twists man out of shape. That is way, man is commanded to pursue and get knowledge. In the eye of Islam, ignorant man is worse than cattle and beasts.¹⁸⁰ Moreover, Islam also thinks that learned man and unlettered man cannot be equal.¹⁸¹ Without knowledge a man is likely to be mere imitation and he will lack the ability to manage the affairs of his society and the world or even of his own family in a correct and appropriate manner. Therefore, Islam enjoins us to achieve knowledge. This is because knowledge makes man perfect and it teaches man statesmanship, diplomacy, conquest and administration. In addition, learned man will receive lots of rewards from Almighty Allah.¹⁸²

¹⁷⁹ Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 168.

¹⁸⁰ For details please see, Al-Qur'an, 7: 179.

¹⁸¹ Vide, *ibid.*, 39: 9.

¹⁸² See, *ibid.*, 2: 269.

Thus, to be a good Muslim it is most essential to have the virtue of love for knowledge.

n) Sincerity

Sincerity is no less an important virtue in Islam. It has two principal dimensions—sincerity towards Allah and sincerity towards human beings. The first dimension which is sincerity towards Allah prompts mankind to wholeheartedness in worship, to absolute honesty regarding his motives and intentions and to weed out of hypocrisy, greed, selfishness, envy or the desire for reputation or power. Furthermore, the second dimension which is sincerity towards human beings leads mankind to behave in an open and straight-forward manner. A person who is sincere is not to be superficial, casual or careless, but he is expected to interact with everyone responsibly, sincerely and in a meaningful fashion. Therefore, to be a good Muslim, sincerity is the most emphasized quality in Islam.

2.5.10. Major Moral Vices Concerning Individuals according to the Teachings of Islam

Islam is an all-embracing mode of life. It not only prescribes beliefs, virtues and the rules of social behavior, but also advises us to refrain from all kinds of vices. Islam not only believes in the life of this world, but it also affirms belief in the life hereafter. To lead a successful life both spiritual and material, Islamic ethics encourages mankind to maintain high moral character by achieving moral virtues and avoiding vices. According to Islamic consideration, *Shirk* (to ascribe partnership to Allah and disbelief), hypocrisy, boasting, jealousy, lying, greed, anger, injustice, impatience, unkindness, blasphemy, slander, ungratefulness, misery, cowardliness, quarrelsomeness etc. are the major moral vices.¹⁸³ Some of the major vices according to Islamic ethics are discussed below:

a) *Shirk* and *Kufr*

The first and foremost vice in Islam is *Shirk*. It means to join others with Allah in worship or to consider others as capable of having the same attributes as Allah.¹⁸⁴

¹⁸³ See, M. M. Sharif, *A History of Muslim Philosophy*, op. cit., pp. 165-172; also see, Dwight M. Donaldson, *Studies in Muslim Philosophy*, op. cit., p. 17; also vide, Dr. N. K. Singh & Mr. A. R. Agwan (eds.), *Encyclopaedia of the Holy Qur'an*, op. cit., Vol. 2, pp. 345-347; also see, Fazl-I-Ahmad Kuraishi, *Islam: The Religion of Humanity*, op. cit., pp. 265-278 and pp. 368-373.

¹⁸⁴ Vide, Fazl-I-Ahmad Kuraishi, *Islam: The Religion of Humanity*, op. cit., p. 265.

Moreover, those who committed *Shirk* are called *Mushrik*. The Holy Qur'an strictly enjoins mankind to refrain from *Shirk*. This is because Almighty Allah never forgives the *Mushriks*. The Holy Qur'an univocally states: "God forgiveth not that partners should be set up with Him; but He forgiveth anything else, to whom He pleaseth; to set up partners with God is to devise a sin most heinous indeed."¹⁸⁵ Furthermore, another great vice according to the Qur'an and the Hadith of the Prophet (sm.) is *Kufr*. It means disbelief in *iman*, disbelief in rules and regulations of Islam, disbelief in *halal* or *haram* deeds and so on. Almighty Allah again forbids human beings to avoid *Kufr* and He does not love those who commit *Kufr* against Him. Therefore, *Shirk* and *Kurf* are anti-religion and Muslim should avoid them in order to be a good Muslim.

b) Boasting, Pride and Arrogance

Boasting, pride and arrogance are the great vices of human character and for this reason the Muslims are advised to reject them. The Holy Qur'an and the Hadith of Prophet Mohammad (sm.) vividly ordain mankind not to practise these vices. The Qur'an says regarding these vices in the following way: "And swell not thy cheek (for pride) at men, nor walk in insolence through the earth; for God loveth not any arrogant boaster."¹⁸⁶ According to Islamic ethics, it is forbidden to indulge in vain talk, to exhibit fierceness, to be arrogant against Allah, as arrogance blinds people to the truth, to swell one's cheek with pride. Therefore, in order to be a good Muslim it is obligatory to avoid these vices.

c) Hypocrisy

Another great vice of human character according to Islam is hypocrisy. Hypocrisy indicates a person who says with his tongue what is not in his heart.¹⁸⁷ The hypocrites expect people with one another in sin and rancor. In addition, they hold secret counsels among themselves for inequity, hostility and disobedience. Moreover, hypocrite's men and women ordain evil and forbid what is just.¹⁸⁸

¹⁸⁵ Al-Qur'an, 4: 48; also see, 4: 116.

¹⁸⁶ *Ibid.*, 31: 18.

¹⁸⁷ See, *ibid.*, 4: 81; 2: 167.

¹⁸⁸ For details please see, Al-Qur'an, 9: 67; also see, M. M. Sharif, *A History of Muslim Philosophy*, *op. cit.*, p. 170; also vide, Dr. N. K. Singh & Mr. A. R. Agwan (eds.), *Encyclopaedia of the Holy Qur'an*, *op. cit.*, Vol. 2, p. 347.

Hypocrites are liar and they will receive immense punishment from Almighty Allah.

d) Hatred and Unkindness

According to Islamic morality, another disvalue of an individual is hatred and unkindness. The Holy Qur'an and the Hadith of the Prophet (sm.) enjoin human beings not to speak any word of contempt to parents. It also advises to show kindness to orphans, poor, needy, way-farer, beggar etc. Moreover, Islamic ethics does not support hatred. It states that believers are not to revile even those whom the unbelievers call upon besides Allah.¹⁸⁹ Thus, these vices are also anti-Islamic and we should reject hatred and unkindness in order to be a good Muslim.

e) Anger

Anger is another foremost vice of an individual. The Holy Qur'an of Almighty Allah and the Hadith of Prophet Mohammad (sm.) advise us to withhold anger. This is because at the time of anger, any type of occurrence even murder can happen. Almighty Allah never likes and loves angry people. He loves those who restrain anger and pardon man.¹⁹⁰ Therefore, it is obligatory for a good Muslim to abstain from anger.

f) Lying, Blasphemy, Slander and Back-biting

There are some other main disvalues according to Islamic morality. Lying is a vice which is equivalent to *Kufr* and therefore, it does not help us to build a high moral character. Besides, the Holy Qur'an of Almighty Allah is strictly against blasphemy. The Holy Qur'an says in this regard in the following way: "Those who annoy God and His Apostle— God has cursed them in this world and in the Hereafter, and has prepared for them a humiliating punishment."¹⁹¹ Moreover, according to Islamic ethics, gossiping, back-biting, prying into others' affairs and suspicion are also prohibited. This is because these disvalues do not help mankind to be a good Muslim. Hence, these vices should also be avoided.

¹⁸⁹ See, Al-Qur'an, 6: 108; also see, M. M. Sharif, *A History of Muslim Philosophy*, op. cit., p. 171.

¹⁹⁰ See, Al-Qur'an, 3: 134.

¹⁹¹ *Ibid.*, 33: 57.

Apart from these, a Muslim is never supposed to lose sight of his relationship and responsibility to Allah. Moreover, undisciplined desires, over indulgence in physical appetites and luxuries, uncontrolled passions and harshness are considered detestable. Likewise, cheating and any type of dishonest dealing are strictly forbidden. In addition, Islamic morality does not support injustice and unfairness. It never permits to perpetrate injustice upon human being in any form. Killing except in self-defense or in a righteous war is one of the greatest sins according to the Islamic teaching. Furthermore, revenge and blood-feuding are prohibited and considered serious vice. Islamic morality also prohibits stealing and the Islamic Law recommends grave punishment for this sin. However, the punishment is to be applied only in cases of deliberate theft, not theft due to hunger or want. Besides, lack of responsibility, cruelty or harshness toward one's spouse or children is very condemnable as well as hard-heartedness and bad behaviors to others are detested. Moreover, tortures to animals of any kind of wanton destruction of nature are also prohibited.

In a nutshell, it can be said that doing what is prohibited constitutes disobedience to Allah and a great sin. Hence, Muslims are always advised to obey Islamic commands and injunctions in order to be a good Muslim.

In Islamic ethics, there is no place of egoism at all. This is because Islamic morality does not believe in egoism. According to egoistic hedonism,¹⁹² the pleasure of the individual is the moral standard. The individual ought to seek pleasure only for himself or herself and an individual does work only for the welfare of himself or herself. Therefore, this view of egoistic hedonism is completely against Islamic teachings. According to Islam, those who work for their own welfare or those who seek pleasure only for themselves, are not true Muslims. For this reason, in the eye of Islam egoism cannot be a moral standard. For, it can be said that there is a great difference between the moral standard of normative ethics and that of Islamic ethics. On the other hand, there is similarity between the moral standard of Islamic teaching and the perfectionism of Hegel.¹⁹³ According to this theory, self-realization or perfection is the highest good. It

¹⁹² Vide, Dr. Jadunath Sinha, *A Manual of Ethics* (Calcutta: The Central Book Agency, 1957), pp. 65-88.

¹⁹³ See, *ibid.*, pp. 158-175.

means perfection of character or rational control of feelings, impulses and desires in accordance with virtue or moral excellence.¹⁹⁴ Islamic ethics supports this view very much. This is because Islam thinks that man should work hard for the welfare of other human beings, not for himself and this is possible only through self-realization or perfection. A man with self-realization is always seeking happiness for others. Therefore, it can be said that Hegel's theory of perfectionism is very much related to the moral standard of Islam.

2.6. Concluding Remarks

The Holy Qur'an of Almighty Allah and the Hadith of Prophet Mohammad (sm.) are the great sources of guidance not only to the spiritual good of the Hereafter but also towards the spiritual, physical, personal and social good excellences attainable in this world. Islam is addressed to the entire humanity, regardless of all barriers and limitations of race, religion and time. It contains directives for the head of the state as well as a common person, for the rich as well as the poor, for peace as well as for war, for spiritual as well as material prosperity. Islamic ethics calls for lowering the voice when talking and modesty in walking. In addition, injustice even to an enemy is prohibited and the rights as well as properties of others are to be protected. Likewise, parents are instructed to inculcate in their children Islamic virtues and good manners. Children have to treat their parents with reverence, obedience and tenderness. In a nutshell, Islam guides mankind to perfection. It also helps to bring the Muslims all over the world close to one another.

¹⁹⁴ Vide, *ibid.*, p. 158.

Chapter Three

The Moral Precepts in Hinduism: A Brief Account

3.1. Introduction

Religion may broadly be divided into two groups— revealed and non-revealed. Among the non-revealed religions, Hinduism takes a very important place in this world. It believes in a Supreme Authority who is the father of all creations and all are his off springs. Hinduism not only gives absolute liberty in the world for thought, but also it enjoins a strict code of practice. The theist and the atheist, the sceptic and the agnostic may all be Hindus if they accept the Hindu system of culture and life. Hinduism is more a way of life than a form of thought. It insists not only on religious conformity to but also on spiritual and ethical outlooks in life.¹ Like all other religions, the foremost aim of Hinduism is to guide its followers towards a right way. Moral teachings or ethical knowledge of Hinduism can play a vital role in this regard and without the moral teachings of Hinduism it is impossible for a Hindu to lead a desirable life. In the previous chapter an attempt has been made to give a brief outline of Islamic ethics. The facets of Islamic morality, the sources of Islamic ethics and the moral teachings of Islam which are the guidelines of the Muslims as well as the whole humanity have been discussed in that chapter. The aim of the present chapter is to explore the ethical teachings of Hinduism in a very brief and general way. In this chapter all aspects of Hindu morality will not be discussed, because it is very difficult to touch all its aspects in details in a single chapter. Therefore, an attempt has been made to dwell on only some aspects of Hindu ethics which is very important to establish the Hindu ethical view. A brief outline of Hindu ethics is discussed below:

3.2. Hindu Ethics

Hindu religion is one of the most ancient religions. Hinduism deals with many ethical virtues and duties as well as regards ethical life as a means to liberation.² It is also a guideline for Hindu people. This is because it shows the Hindus the right path of living. It suggests them what is right?, What is wrong?, What is good?, What is evil?, and what ought to do?. Therefore, it can be said that Hindu ethics is an integral part of Hindu

¹ For details please see, S. Radhakrishnan, *The Hindu View of Life* (New Delhi: Harper Collins Publishers India Pvt. Ltd., 1993), p. 58.

² Vide, Kedar Nath Tiwari, *Comparative Religion* (Delhi: Motilal Banarsidass, 1992), p. 31.

religion. The ethics of Hinduism is an attempt to explain the ethical norms and values concerning with the human life in the light of Hinduism i.e., the Vedas, the Upanisads, the Purans, the Ramayana, the Mahabharata, the Bhagavad Gita and the other religious texts of Hinduism. It is an attempt to understand and justify the moral obligations that guide human behavior in relation to the will of God. Hindu ethics lays a great importance on a practical way of life according to the will of God rather than a theoretical norms and values. This is because it is a guideline for the Hindus as to how a good Hindu ought to live.

The ethics of Hinduism aims at unity of whole human world and worship of God. It ultimately calls upon its followers to practise in life all human values. It suggests human being to make welfare of all to be the ground of his all practices and actions. The ethical principles of Hinduism prescribe that one should consider one's interest akin to other's interest. One should not aspire to do to others what he does not cherish for himself. The Mahabharata clearly states in this context that what you do not cherish for yourself, you never want that unto others. What you wish for yourself for a long time, you wish that for others also.³ Thus, Hindu ethics plays a significant role in our lives. This is because Hinduism regards ethical life as a means to liberation. The ethics of Hinduism is very much essential for progress, prosperity, pleasure and peace.

3.3. Sources of Hindu Ethics

In every religion, there is at least one sacred text. For instance, the Holy text of the Muslims is the Qur'an, the Buddhists believe in the Tripitak, the sacred book of the Jewish people is Tawrat and for the Christians, it is Injeel. However, the sacred scriptures of the Hindus are many. The Holy Books of Hinduism include the Vedas, the Upanishads, the Mahabharata, the Ramayana, the Bhagavad Gita and the Puranas. Murtahin Billah Fazle expresses his opinion in this regard in the following way:

All these books are of mythical origin, their authors unknown, their period of compilation unknown, and their divinity not confirmed by any logically acceptable evidence. It is an admitted fact that these books have undergone changes, distortions and interpolations over time. There is hardly any Sanskrit composition which has not been tempered with, altered or added to by the priests.⁴

³ See, Dr. Ravindra Kumar, *Religion & World Peace* (Meerut, India: Sara publications, 1998), p. 34.

⁴ Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study* (Saudi Arabia: Abdul Qasim Publishing House, 1997), p. 47.

The best and the most appropriate method of understanding Hindu ethics is to know the authentic sources i.e. the sacred scriptures of Hinduism. In Hindu ethics, moral values are guided by the Hindu teachings. Therefore, to understand Hindu ethics, an attempt has been made to look at first into the sources of Hindu teachings. It is mentioned here that the Vedas, the Upanishads, the Itihaas, the Bhagavad Gita and the Puranas are generally accepted as the sources of Hindu teachings as well as the sources of Hindu ethics.

3.3.1. The Vedas

The most important source of Hindu ethics is the Vedas. The word Vedas is derived from 'vid' which means to know, knowledge par excellence or sacred wisdom.⁵ Therefore, the Vedas are the books of wisdom. The Hindu scriptures as well as the Vedas are revered by the Hindus themselves to have had a mythological origin which for all practical purposes means unknown and unknowable.⁶ Some Hindu Traditions consider the Vedas to be transhuman i.e., not authored by human beings. They are said to be eternal in nature and revealed in every cycle of time.⁷ However, this view is not correct. It is proved by the verses of the Rig-Veda.⁸ The Vedas were composed by different people during different periods.⁹ Shakuntala Rao Shastri writes as follows:

There can be no doubt that the Vedic mantras long remained scattered among the various groups of the Aryans settlers in India. They were composed by different persons during different periods and were preserved by the descendants and disciples of the original composers....., the hymns themselves bear unquestionable marks of human authorship. In the texts of many of the hymns, the names of the authors are mentioned.¹⁰

The Vedas are not the work of single person but a collection of different strata of thought of successive generations of thinkers of the past. The Vedas were ordinary composed orally and transmitted orally before being put in written form. The oral emphasis is indicated by the very use of the general title 'sruti' i.e. which was heard.

⁵ <http://www.islamandhinduism.com>, Retrieved on- 28, September 2012.

⁶ See F. M. Sandeela, *Islam, Christianity, Hinduism: A Comparative Study* (Karachi: Ashraf Publications, undated), p. 4.

⁷ Vide, Vasudha Narayanan, *Understanding Hinduism* (London: Duncan Baird Publishers Ltd., 2004), p. 38.

⁸ See, Rig-Veda, x: 16: 21; also see, Rig-Veda, i: 9: 63 (All quotations from the Rig-Veda have been taken in this work from Ramesh Chandra Datta (translator), *Rigveda Samhita* (in Bengali), (Calcutta: Haraf Prakashani, 1993, Vols. 1 & 2).

⁹ According to Rig-Veda, Goutom have composed the Vedic mantras.

¹⁰ Quoted in, Murtahin Billah Jasir Fazlie, *Hinduism and Islam* (in Bengali) (Dhaka: Ajmain Publications, 2012), p. 46

Moreover, the order of the sacred words must remain fixed, and committing them to memory is a disciplined process involving the use of many mnemonic devices to ensure accurate pronunciation, rhythm and diction. Thus, the Vedas are also called the '*smriti*' or 'remembered literature'. In addition to this, there is nothing to be certainly known regarding the date of the Vedas. They are, however, the oldest literary works of the world. It is believed that even centuries after, the art of writing was introduced in India, the Vedas were not committed to writing because those who could write them were threatened with the punishment of hell.¹¹

The subject matter of the Vedas is hymns, addressed to Hindu deities. There is practically nothing in them to provide guidance in the matter of ordinary life and society.¹² There are hymns in which not only gods or deified beings, and even a sacrificial post, weapons, etc. are considered as deity.¹³ The Vedas are the spiritual property of the *Brahmins* and, therefore only the Aryan Hindus have access to them. It is a great offence for the non-Aryan people i.e., the *Sudras*, the *Dalits*, the tribal people and the women of any caste to reefed or listen to the Vedas. The Vedas, the most sacred books of Hinduism, comprise four principal divisions i. e., the Rig-Veda, the Yajur-Veda, the Sama-Veda and the Atharva-Veda. The Vedas amount to 1131 hymns out of which about a dozen are available. According to Maha Bhasya of Patanjali, there are 21 versions of the Rig Veda, 9 types of Atharva-Veda, 101 branches of Yajur-Veda and 1000 of Sam Veda.¹⁴ Krishnadaipayan, who is a famous sage, collected the Vedas and gave a proper shape as well as divided the Vedas into four sections. Thus, he became known as Vedavayas. The Rig-Veda, the Yajur-Veda and the Sama-Veda are considered to be more ancient books and are known as '*Trai Viddya*' or the 'Triple Sciences'.

The Rig-Veda is the oldest and has been compiled in three long and different periods of time. It is a collection of many hymns which were used when the Aryan sacrifices were offered. J. E. Gense provides the following view in this connection:

¹¹ See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 49.

¹² Vide, F. M. Sandeela, *Islam, Christianity, and Hinduism: A Comparative Study*, op. cit., pp. 4-5.

¹³ For details please see, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 48.

¹⁴ <http://www.islamandhinduism.com>, Retrieved on- 28, September 2012.

The Rig-Veda is the most important of the four collections of books of wisdom of Ancient India. Its essential, and fundamental part is a Samhita, or collection of 1028 hymns addressed to various Indian deities. The hymns are of different authorship, and, according to the generally accepted view, the oldest of them date back to 1500 B. C. ...therefore, ...the Rig-Veda was composed during the Vedic period, which is generally believed to have extended from 2000 B. C. to 1400 B. C. But it is not likely that the collection of hymns was completed by that time.¹⁵

Hindu morality has its roots in the Rig-Veda. This is because the concept of 'Rta' which is the central notion of Hindu morality is derived from the Rig-Veda itself.¹⁶

Besides the Rig-Veda, another, among the various sources of Hindu ethics, is the Sama-Veda. It is a rearranged version of some of the hymns of the Rig-Veda. The Sama-Veda is regarded as a text-book for the priests who attend the soma sacrifice as well as contains a detailed account of the rites connected with this function.¹⁷

The Yajur-Veda is also considered as an important source of Hindu teachings. It consists of formula for use by the priest who performed the sacrificial actions. The Yajur-Veda is also considered for practical purposes but did not confine itself to the soma sacrifice; it comprised the whole sacrificial rite in its entirety.¹⁸

Another significant source of Hindu ethics is the Atharva-Veda. It has a large number of magic formulas. It is made up of verses, spells and incantations meant to bring down either a blessing or a curse. It contains charms against every kind of evil that may threaten man against enemies, demons and wizards, against harmful animals like snakes; against sickness and diseases. Other charms contained in it are supposed to obtain benefits, to ensure love and a happy family life, health, longevity as well as protection on journeys and even luck in gambling.¹⁹ Thus, it can be said that Hindu morality has its roots in the Vedas, because the Vedas are a treatise of rituals. The virtues like truth, charity, liberality and so on are very much emphasized in the Vedas. Therefore, the teachings of the Vedas influence human beings to lead a moral life.

¹⁵ J. E. Gense, *A History of India* (New York: Macmillan and Co., 1944), p. 5; also see, F. M. Sandeela, *Islam, Christianity, Hinduism: A Comparative Study*, op. cit., p. 5.

¹⁶ See, Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 32.

¹⁷ Vide, F. M. Sandeela, *Islam, Christianity, Hinduism: A Comparative Study*, op. cit., p. 5.

¹⁸ See, loc. cit.

¹⁹ Vide, *ibid.*, pp. 5-6.

3.3.2. The Upanishadas

One of the most important sources of Hindu teachings is the Upanishadas. The word 'Upanishad' is derived from 'Upa' which means 'near', 'ni' meaning 'down' and 'shad' means 'to sit'. Thus, Upanishads mean 'sitting down near'. A group of pupils sits near the teacher to learn from him the sacred doctrines. According to Samkara, 'Upanishad' is derived from the root word 'sad' which means 'to loosen' or 'to teach' or 'to destroy' and 'upa' and 'ni' are its prefixes. Therefore, the word Upanishad means 'Brahma knowledge' by which ignorance is loosened or destroyed.²⁰ The number of Upanishads exceeds 200, though the Indian tradition puts it at 108. There are 10 principal Upanishads. However, some think them to be more than 10, which others 18.²¹

The Upanishadas are the outcome of the new enquiries after the truth made by the *kshatriyas* who made these efforts in an attempt to prove their equality with the *Brahmins* in learning and religious culture. These sacred books speak of the Supreme Being, the all pervading soul, the Universal self from whom all the manifested universe has come forth.²² Regarding the teachings of the Upanishads, Khitimohan Sen explains as follows:

The Upanishadic teaching centres round the doctrine of the Brahman and the Atman. The meaning of Brahman is not easy to grasp. He is described as the one Divine Being 'hidden in all beings, watching over all works, dwelling in all beings, the witness, the perceiver, the only one, free from qualities. He is the one ruler of many who (seem to act, but really) do not act; he makes the one seed manifold'. The main message of the Upanishads is the identity of the Atman with the Brahman. The Supreme has manifested itself in every soul. Through the cycle of births man approaches his final end— the realization of his self.²³

However, the Upanishads could not purify Hinduism from paganism and idolatry. Philosophy rather became a very convenient and extremely useful tool to be used by the *Brahmin* priests who justified things in whatever way they liked and supported idolatry saying that god was everywhere and could be worshipped in a stone image as well as anywhere else. The *Brahmin* priests justified caste distinctions because, it is a divine law which no human being could alter. Murtahin Billah Fazlie expresses his opinion in this context: "Every....ceremony was supported by some metaphysical theory. Animal sacrifices and obscene festivals all had their place in spiritual culture because god could

²⁰ <http://www.islamandhinduism.com>, Retrieved on- 28, September 2012.

²¹ <http://www.islamandhinduism.com>, Retrieved on- 28, September 2012.

²² See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 51.

²³ K. M. Sen, *Hinduism* (London: Penguin Books, 1961), p. 53; also see, P. B. Chatterji, *Studies in Comparative Religion* (Calcutta: Das Gupta & Co. Pvt. Ltd. 1971), p. 350.

be approached in any way according to the faith of the worshipper.”²⁴ Swami Dharma Theertha spells out as follows: “There is no vile practice, no injustice, no superstition, no cruelty, no immorality which could not be and has not been justified and advocated on philosophical grounds.”²⁵ Nevertheless, it can be said that the Upanishads opened the way for intellectual freedom. Therefore, the Upanishad is considered as an important source of Hindu ethics. Furthermore, the Upanishads are generally regarded as a treatise of *Janna*. The virtues like modesty, humility etc. are very much emphasized in the Upanishads. In this context, Kedar Nath Tiwari says: “In the Upanishads, several references can be found, where the teacher after giving the lesson of *Janna* to his pupil instructs him to practise virtue, to speak the truth, to cultivate modesty, humility etc.,....”²⁶ Thus, Hindu morality has its roots in the Upanishads.

3.3.3. The Itihaas

The two Itihaas or epics of Hinduism are the Ramayana and the Mahabharata. Ramayana is an epic, which deals with the life story of Rama, who was born in Ayodhya. Once Rama was exiled by his father Dasaratha. In the forest, Sita, the wife of Rama, was kidnapped by Ravana who was the demon king of Lanka. After a battle, Rama killed Ravana and was reunited with Sita. They came back to Ayodhya and were crowned as well as Rama was held to be an ideal king. The above mentioned story influences the Hindus a lot. This is because Sita voluntarily went to captivity and yielded suffering in order to rescue other human beings and the world from evil.²⁷ Tahira Basharat says as follows: “All versions of the Ramayana are unanimous in reiterating her fidelity and devotion towards Rama even in times of extreme adversity.”²⁸ Thus, the epic Ramayana helps us to teach faithfulness and adoration even in times of extreme adversity. Therefore, the teachings of the Ramayana influence us to lead moral life.

In addition to this, another important source of Hindu ethics is the Mahabharata. It is considered to be the world’s longest poem and has about one hundred thousand verses. The main part of this epic deals with a feud between two families— the Pandavas and the

²⁴ Murtatin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 52.

²⁵ Quoted in, *loc. cit.*

²⁶ Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 32.

²⁷ See, Vasudha Narayanan, *Understanding Hinduism*, op. cit., p. 40.

²⁸ Tahira Basharat, “Sita, Mary and Khadija: Their Status in Hinduism, Christianity and Islam”, *Aligarh Journal of Islamic philosophy* (Aligarh, India: Department of Philosophy, Aligarh Muslim University, 2008), No. 14, p. 37.

Kauravas. The Kauravas wanted to cheat the Pandavas regarding their share of the kingdom and finally the Pandavas won the battle. It also contains the life story of Krishna. The Mahabharata is considered to be deeply infused with religious implications because it contains many passages in which religion is systematically treated. Therefore, the Mahabharata is considered as one of the sacred books.²⁹ The two *smriti* epics, the Ramayana and the Mahabharata are the best known works of the Hindu tradition. The content of these epics is ethical, spiritual, narrative, philosophic and cosmogony. Therefore, the teachings of the epics help us to develop our worldly and spiritual lives. Thus, it can be said that the Ramayana and the Mahabharata are the great sources of Hindu ethics.

3.3.4. The Bhagavad Gita

The foremost important source of Hindu ethics is the Bhagavad Gita. It is the Holiest book in the Hindu tradition. This book is also known as the Bible of modern Hinduism. P. B. Chatterji holds that the Gita constitutes one of the sacred scriptures of the Hindus. It is monotheistic in character and teaches a liberal code of ethics and religion.³⁰ The Bhagavad Gita is not a full text, but a part of the Mahabharata. It is the advice given by Krishna to Arjuna on the battlefield of kurkshetra. Arjuna, one of the sons of Pandu, asks his cousin Krishna whether it is correct to fight a war in which many lives, especially of one's own kin, are to be lost. Krishna, the eighth incarnation of Vishnu and the god-philosopher, advises him by saying that it is correct if one fights for *dharma* i.e., righteousness.³¹ The conversation in the field of battle between Krishna and Arjuna takes up about eighteen chapters and seven hundred verses and constitutes the great Bhagavad Gita.³² Therefore, it can be said that the Bhagavad Gita is in the form of a long dialogue between Arjun and Krishna, his chariot-driver, friend and adviser and through this dialogue, Arjuna's doubts were resolved by Krishna's teachings.

The Bhagavad Gita is the essence of the Vedas and a summation of the Upanishad. It has an answer to every problem a man may face in his life.³³ For this reason, the Gita is the

²⁹ For an account of these see, Murtahin Billah Fazlie, *Hinduism and Islam : A Comparative Study*, *op. cit.*, p. 53.

³⁰ See, P. B. Chatterji, *Studies in Comparative Study*, *op. cit.*, p. 352.

³¹ For details please see, Vashudha Narayanan, *Understanding Hinduism*, *op. cit.*, p.42.

³² See, *loc. cit.*

³³ Vide, Ed. Viswanathan, *Am I a Hindu?* (New Delhi: Rupa. Co, 2005), p. 87.

most popular of all the Hindu scriptures. It is one of the most widely read and revered works sacred to the Hindus. It is their devotional book and has been for centuries the principal source of religious inspiration for many thousands of Hindus. The main message of the Bhagavad Gita is that there are many ways to salvation of which all are valid and salvation is possible by following any kind of path. Krishna says in this connection: “As men approach me so do I accept them: men on all sides follow my path, O Partha (Arjuna).”³⁴ Furthermore, most of the Hindus think that the Bhagavad Gita represents the essence of Hinduism and its ethics is regarded as very sublime. It is considered as the spiritual reference book. According to the Bhagavad Gita, one may reach Vishnu or Krishna or God through devotion, knowledge or selfless action. Some interpreters think of these as three paths, which others consider them to be three aspects of the one path of the Supreme Being. In the Bhagavad Gita, Krishna also instructs Arjuna on the nature of the soul, God as well as how one can reach liberation. These are the main teachings of the Holiest book. Therefore, it can be said that the Bhagavad Gita is to be considered to the Hindus as the most important source of Hindu ethics.

3.3.5. The Puranas

The Puranas are also regarded as one of the most valuable sources of Hindu ethics. The word ‘Puranas’ means ‘ancient’. The Puranas are the most widely read scripture of Hinduism. These books are revealed books like the Vedas. The date of these books could not be determined but it is believed that none of them is older than the 8th century C. E. although some of the legends incorporated in them may have come from much earlier times.³⁵ The Puranas continued to be written up to the Mughal period.

The Puranas contain the history of the creation of the universe, history of the early Aryan Tribes and life stories of the divines and deities of the Hindus.³⁶ These books were written in praise of the three great Hindu gods i.e., Brahma, Vishnu and Siva. However, it is believed that when the Hindu conquest extended over the sub-continent, the writers extolled their favorite local deities at the expense of the others. It is therefore no surprise that in the Puranas, the status of some Vedic gods has been lowered and that of some later

³⁴ The Bhagavadgita, iv:11 (All quotations from the Bhagavadgita (Sanskrit Text with English translation) have been taken in this work from S. Radhakrishnan (translator), *The Bhagavadgita*, Bombay, India: Blackie and Son Ltd., 1974).

³⁵ See, Murtatin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., pp. 57-58.

³⁶ <http://www.islamandhinduism.com>, Retrieved on- 28, September 2012.

gods elevated.³⁷ There is no racial discrimination to read or listen to the Puranas. Murtahin Billah Fazlie says in this connection: “Unlike the Vedas, which are the preserve of the *Brahmans*, the *Puranas* are available even to the so-called low-caste (non-Aryan) Hindus and also to the women.”³⁸ Therefore, these books are the most popular Hindu literature to the Hindus. Moreover, the Hindus want to guide their lives following the life styles of the different deities. As the Puranas tell the stories of the different deities, so these books help us to a large extent in this context. Therefore, it can be said that the Puranas are also regarded as the foremost source of Hindu ethics.

3.3.6. The *Dharma-Sastras*

Another important source of Hindu moral teachings is the *Dharma-Sastra*. Among all the *Dharma-Sastras*, *Manu-Smriti* is the most influential as well as valuable. It is also known as *Manava Dharma-Sastra* or Manu’s Law.³⁹ It is consulted by orthodox Hindus when they are in doubt as to correct procedure. The main objective of this text is to codify Hindu religious law in all aspects of daily life.⁴⁰ It has twelve chapters which deal with creation, the sources of *Dharma* and the duties of a *Brahmacari*, the duties of a householder, the duties of women and dietary regulations, the duties of Kings, civil and criminal laws, domestic laws, the origin, development and rules of castes, general laws of morality, sins and expiation of sins, consequences of good and bad actions, nature of the soul and transmigration as well as the way to release. Hence, *Manu-Smriti* is regarded as the most precious source of Hindu teachings.

From the above discussions, it can be said that the Vedas, the Upanishads, the Mahabharata, the Ramayana, the Bhagavad Gita and the Puranas help the Hindus to live peacefully and morally. The purpose of these books is to guide humanity to the straight path. These books are the great sources of moral guidelines. This is because many stories regarding the life style of the different divines and deities like Brahma, Vishnu, Siva etc. are to be found in these sacred books. Moreover, the Hindus like to follow the life styles of the divines and the deities. In addition to this, the Bhagavad Gita is in the form of a

³⁷ Vide, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 58.

³⁸ *Loc. cit.*

³⁹ For details please see, Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism* (Oxford: One world Publications, 2006), p. 114.

⁴⁰ Vide, Serinity Young (ed.), *An Anthology of Sacred Texts By And About Women* (London: An Imprint of Harper Collins Publishers, 1993), p. 277.

dialogue between Arjuna and Rama. The Hindu people are also influenced by the advices of the Arjuna. Arjuna and Rama are the role models to the Hindus. The other books like the Vedas, the Upanishads and so on also provide for all areas of life, whether spiritual, intellectual, social and economical. A Hindu can make his life easy and comfortable by following the advices given by the various sacred books. Henceforth, the Vedas, the Upanishads, the Mahabharata, the Ramayana, the Bhagavad Gita and the Puranas are the great sources of the Hindu ethics. In the present discussion while giving an outline of the moral precepts in Hinduism, I will endeavor to focus more on the Bhagavad Gita as well as on some *Dharma-Sastras* like *Manu-Smriti*.

3.4. Facets of Hindu Ethics

According to Hinduism, the real object of a Hindu is to lead life peacefully and morally in order to get spiritual peace. Hindu ethics is very much helpful in this regard. Moreover, Hindu ethics depends on some facets of Hindu morality. There are some facets of Hindu ethics which can be summarized as caste system in Hindu society, freedom of faith, liberal and broad hearted outlooks which are the guidelines for a Hindu not only in this worldly life but also in life after death. These facets of Hindu ethics are discussed below:

a) Belief in One God

The teaching of Hinduism also depends on the belief in one God. The followers of this religion worship many gods and goddesses with vivid rituals but ultimately believe in one God. God has many names including that of Brahma and He is the supreme of all. He units all and keeps record of good and bad actions of each individual. He is the chief justice and sets punishment or reward in accordance with bad or good actions. God exhorts human beings that they should conduct themselves in good way and that there must remain total unity unto all his offspring. Thus, the followers of Hinduism must obey God's advice in order to establish peace in societies.

b) Caste System

The foremost facet of Hindu ethics is the caste system in Hinduism. Hindu society is divided into four castes. The castes or *varnas* are the *Brahmin* (teaching and priestly class), the *Kshatriya* (Warrior class), the *Vaisya* (Mercantile and

agricultural class) and the *Sudra* (Labouring class). Hinduism suggests different types of duty for different classes of people. This is because it believes that all people are not equally fit for the performance of every type of duty. S. C. Chatterjee says in his book '*Fundamentals of Hinduism*':

The dharma or the moral ideal is not the same for all persons. It should be as many as there are types of personality or classes of moral being. Herein lies the rationale of the Hindu code of varnasramadharma. This code takes into consideration the realities of man's life, the apparent variations of man's nature and the obvious necessity of prescribing the right thing for the right man.⁴¹

This caste system of Hinduism is known as the principle of prescription of duties according to capacities. Hence, it is regarded as one of the important facets of Hindu morality.

c) **Freedom of Faith**

Freedom of faith is another leading facet of Hindu teachings. A definite personality claimed to be the first originator or founder is associated with nearly every religion of the world. However, Hinduism has no one as its definite founder. Moreover, Hinduism does not believe in inflicting rigid rules of prayer, worship and so forth. A Hindu is generally advised to have his own chosen deity and in his house, he may have a sort of deity-room wherein are installed his religious images or sacred symbols. Though worshipping a particular deity, a Hindu is also told that the worship of a particular deity is but a means to the realization of one supreme spirit.⁴² A polytheist, a monotheist, a sceptic or even an atheist may be a Hindu, if he accepts the Hindu system of culture of life. Therefore, Hinduism never demands that a particular faith is the only faith. It has got no well defined, rigid and dogmatic principles of faith or practice. Kedar Nath Tiwari expresses his opinion regarding the distinguishing marks of being a Hindu in the following way: "One may have any kind of belief regarding God etc. and one may follow any kind of religious practice of his choice. That will not check any one from being called a Hindu."⁴³ Thus, it can be said that Hindu morality does not depend on any particular faith.

⁴¹ Quoted in, P. B. Chatterji, *Studies in Comparative Religion*, *op. cit.*, P. 361.

⁴² Vide, *ibid.*, p. 366.

⁴³ For details please see, Kedar Nath Tiwari, *Comparative Religion*, *op. cit.*, p. 10.

d) Liberal and Broad Hearted Outlooks

Another chief facet of Hindu ethics is liberal and broad hearted outlooks. According to Hinduism, there are three ways of salvation i.e., the way of knowledge, the way of action and the way of worship and prayer. It also believes that the adoption of any one of these paths in accordance with one's attitude or temperament leads one to his spiritual goal of *moksha* or salvation. Therefore Hinduism is in its very temperament against any rigid rules of religion. It is very liberal and broad hearted in its approach and outlook. Hence, liberality and broad heartedness are considered as the utmost facets of Hindu teaching and morality.

e) Peace for All

Another practice recommended for the development of morals in Hinduism is peace for all. It keeps peace at top and keeps all other forms of pleasure at bottom. The ethics of Hinduism prescribes a human being to make welfare of all to be the ground of his all practices and actions. It also suggests that we should consider our interest for the sake of others and one should not aspire to do to others what he does not cherish for himself. According to the Hindu morality, it is one's duty to act with the spirit of an all round welfare to achieve pleasure, prosperity and peace. It gives a message of '*vasudhaiva kutumbakam*' which means family concept in relation to the whole world. The aim of this message is to spread individual, familial, social, national and international peace. It orders mankind to adopt all eternal values, i.e. non-violence, compassion, sacrifice, non-attachment, equality etc. which are essential for world peace. A branch of Hindu Philosophy named *Vaisheshik* admits peace to be the grand aim of humanity and takes it to be basis of religion.⁴⁴ The teaching of this philosophy emphasizes that there should be action for pleasure of all on equality basis. Therefore, the essence of Hindu ethics is dedicated to world peace.

In summary, it can be said that the above mentioned facets of Hindu ethics help the Hindus to build the highest moral character. Those who follow these principles will become successful in both the worldly and other-worldly lives as well as they are under the true guidance of the Lord.

⁴⁴ See, Dr. Ravindra Kumar, *Religion and World Peace*, *op. cit.*, p. 34.

3.5. Basic Teachings of Hindu Ethics

All religions prescribe some moral teachings for their adherents. Hinduism also does that and most of the basic principles of Hindu ethics has been expressed in the Bhagavad Gita as well as the quintessence of Gita lies in the very part of *Niskama Karma*. To understand the ethics of Hindu religion, an attempt has been made to analyze Hindu ethical principles under the following heads:

3.5.1. The Four Supreme Ends of Life (*Purusartha*)

The four supreme ends of life take an important place in Hindu ethics. The ancient Hindus recognized four supreme ends: *Dharma* (Virtue), *Artha* (Wealth), *kama* (Happiness) and *Moksha* (Liberation).⁴⁵ Every man ought to pursue them in order to attain to his complete well-being. Virtue satisfies his rational, social and moral needs as well as consists in living on accord, appetites, impulses, desires and emotions by reason. Virtue is higher than happiness. Wealth satisfies his material, biological and economic needs. It arises from the gratification of desires. Moreover, selfless action or actions done for the benefit of others lead the way to liberation. According to Hindu teachings, there are three paths for liberation or *moksha*— the way of knowledge i.e., *Jnana Marga*, the way of action which means *Karma Marga* and the way of devotion i.e., *Bhakti Marga*. These paths are dependent on another and one implies the other. Nevertheless, the adoption of any one of these with sincerity and earnestly leads to his or her spiritual goal of liberation i.e., these three paths are the means to God-realization.⁴⁶ According to the Bhagavad Gita, a Hindu can attain liberation by following any of these three paths, i.e., (i) the way of knowledge, (ii) the way of selfless actions and (iii) the way of devotion to God.⁴⁷ The Bhagavad Gita clearly envisages as follows:

The path of knowledge is the path of inner realization, the realization of the immortality of the soul and of the identity of one's own inner being with all others; the path of action is the path of performing selfless, non-attached actions (*Niskama Karma*) and the path of devotion is the path of sincere worship and prayer of God.⁴⁸

Thus, the Gita looks upon liberation as the highest goal of life.

⁴⁵ See, Gavin Flood, *An Introduction to Hinduism* (Cambridge: Cambridge University Press, 1996), p.17.

⁴⁶ Surama Dasgupta, *Development of Moral Philosophy* (New Delhi: Munshiram Manohar Publishers Pvt. Ltd., 1994), pp. 110-111.

⁴⁷ Vide, Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 31.

⁴⁸ Loc. cit.

3.5.2. Various Forms of *Yoga*

Hinduism also prescribes the various forms of *yoga*⁴⁹ for the attainment of the inner realization of truth. *Yoga* is a Sanskrit word which literally means union i.e. union with god. It also means a path to union with the Godhead and applies to the different disciplines. According to Swami Probhavananda, the Bhagavad Gita considered a hand book of practical living as well as a guide to spiritual attainment. The practical life follows one of the paths towards the spiritual goal and these paths are known as *yoga*.⁵⁰ The *yoga* refers to the practice of various disciplines. Bhagavad Gita says: “He who does the work which he ought to do without seeking its fruit, he is the *samnyasin*, he is the yogin, not he who does not height the scared fire, and performs no rites.”⁵¹ The Gita further states: “He, O Arjuna, who sees with equality everything, in the image of his own self, whether in pleasure or in pain, he is considered a perfect yogi.”⁵² Moreover, man’s union with God is possible through the methods of *yoga*. Hinduism recognizes four main methods i.e., *yogas* to attainment. They are (i) *jnana yoga*, or the path of union through knowledge, (ii) *raja yoga*, or the path of realization through meditation and psychic control, (iii) *bhakti yoga*, or the path of realization through love and devotion; and (iv) *karma yoga*, or the path of union through work.⁵³ The *raja yoga* involves moral, mental and physical disciplines and meditations. It suggests us restraint from violence, falsehood and other negative practices. It also advises to abstain from positive practices like equanimity and asceticism. It also prescribes bodily postures for meditation and the practice of breath control as well as mental detachment from external stimuli.⁵⁴

Each of these *yogas* is an independent path to God and when the end is attained; all four seem to join together in one. According to Swami Probhavananda, supreme love, divine knowledge, true meditation as well as true and divine actions are at last identical and cannot be differentiated from one another. All the paths of *yoga* stand reconciled, blended and harmonized.⁵⁵ The Bhagavad Gita recommends that they must all be practised. It advises moderation in eating, drinking, sleeping and recreation. However, extremes must

⁴⁹ See, Dr. Shivendra Kumar Sinha, *Basics of Hinduism* (New Delhi: Unicorn Books, 2008), PP. 35-40.

⁵⁰ Vide, Swami Prabhavananda, *The Spiritual Heritage of India* (London: George Allen & Unwin Ltd., 1962), p. 123.

⁵¹ The Bhagavadgita, vi: 1.

⁵² *Ibid.*, vi: 32.

⁵³ See, Swami Prabhavananda, *The Spiritual Heritage of India*, *op. cit.*, p. 98.

⁵⁴ For further details see, Vasudha Narayanan, *Understanding Hinduism*, *op. cit.*, p. 61.

⁵⁵ Vide, Swami Prabhavananda, *The Spiritual Heritage of India*, *op. cit.*, pp. 98-124.

be avoided. The Bhagavad Gita always counsels us to be perfect *yogi*. It says in this connection: “The yogin is greater than the ascetic; he is considered to be greater than the man of knowledge, greater than the man of ritual works, therefore do thou become a yogin, O Arjuna.”⁵⁶ Thus, the paths of *yoga* help us to a large extent to develop our worldly life as well as spiritual life. For this reasons, the *yoga* is emphasized in the Bhagavad Gita.

3.5.3. *Niskama Karma*

Hinduism also advises human beings to take the path of *niskama karma* which is really the path of morality. The Bhagavad Gita gives immense importance upon this path of *niskama karma* as a means to liberation.⁵⁷ According to Hinduism, *karma* means the process whereby good and bad deeds performed by human beings in the present situation determine the quality of their lives both now and in future births.⁵⁸ The Hindus determine right or wrong, good or bad, justice or injustice of a work by this moral standard of *niskama karma*. In Hindu ethics, *karma* is such a power of morality which restrains man’s activities in order to determine the lower place or the higher place in the life after death. The Bhagavad Gita says in this regard: “He who restrains his organs of action but continues in his mind to brood over the objects of sense, whose nature is deluded is to be a hypocrite (a man of false conduct).”⁵⁹ The Gita further says: “But he who controls the sense by the mind, O Arjuna, and without attachment engages the organs of action in the path of work, he is superior.”⁶⁰ According to the *niskama karma*, actions should be completed without expecting any kind of fruit. In Hindu ethics, human being has the right to choose and complete the action according to his or her will. Therefore, it can be said that Hindu ethics supports the self-restraintism.

3.5.4. Four Classes of Hindu Society

Hindu society is divided into four broad classes– the *Brahmin*, the *Kshatriya*, the *Vaisya* and the *Sudra*. The morality of Hinduism also depends on this caste system. The Bhagavad Gita does not repudiate caste system, but it lays great stress on qualities (*Guna*)

⁵⁶ Bhagavadgita, vi: 46.

⁵⁷ See, Kedar Nath Tiwari, *Comparative Religion*, op. cit., pp. 31-32.

⁵⁸ See, Vasudha Narayanan, *Understanding Hinduism*, op. cit., p. 57.

⁵⁹ The Bhagavadgita, iii: 6.

⁶⁰ *Ibid.*, iii: 7.

and acts (*Karma*). Lord Krishna says in this regard: “The fourfold order was created by Me according to the divisions of quality and work.....”⁶¹ The status of a Hindu in the society is determined by the caste in which he is born. According to Swami Dharma Theertha, a person born in a caste carries the name of that caste as part of his surname.⁶² Duties of each class are different as described by the Holy Book Bhagavad Gita. The *Brahmin*’s duties are purely religious. He is busy in spiritual discovery. R. C. Zaehner who is a Spalding Professor of Eastern Religions and Ethics in the University of Oxford holds that a *Brahmin* must study and teach the Veda and the *Smritis* as well as he must sacrifice both for himself and for others.⁶³ From the Vedic period until today, the pure Hindu *Brahmin* never earned any money. His only occupation is teaching. His house is a simple house and his wife is a humble woman. A *Brahmin*’s wife never wears ornament except her wedding bracelet made of conch-shell. Her only duty is to serve her husband and the students who surround him.⁶⁴ According to the Bhagavad Gita, the *Brahmin* has the only right to become a priest. The Gita univocally says that the *Brahmin* bounds in the qualities of self-control, austerity, purity, sacrifice, forbearance, uprightness, wisdom, knowledge and faith in religion. He teaches his students the spiritual truths. The *Brahmin* is respected by all, not because he is called *Brahmin*, but because of the renunciation and sacrifice. When a *Brahmin* comes to any social function, he comes bare-footed and simple in dress, but all the assembled guests show respect to him by standing. He does not seek honors, but honors seek him. In a word, the duty of a *Brahmin* is to learn and teach the Vedas, meditate on God and look after the spiritual welfare of the community.

The second class of the people of Hindu community is the *kshatriya*. The essential qualities of a *kshatriya* as described by the Bhagavad Gita are heroism, vigour, steadiness, resourcefulness, not fleeing from the battle ground, generosity, leadership and so on.⁶⁵ The duty of an ordinary *kshatriya* is to take part in war, to kill or to be killed while facing the enemy. In Hindu social system, the third position belongs to the *Vaisya*. The *Vaisya* comprises the merchant, the agriculturist and the keeper of cattle. Moreover, at the bottom of the Hindu social system is the *Sudra*. The foremost duty of a *Sudra* is to serve the other

⁶¹ *Ibid.*, iv: 13.

⁶² Vide, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit. p. 157.

⁶³ Vide, R. C. Zaehner, *Hinduism* (London: Oxford University Press, 1962), p. 144

⁶⁴ See, Harendranath Maitra, *Hinduism: The World-Ideal* (New York: Dodd, Mead and Company, 1916), pp. 58-59.

⁶⁵ Vide, Kedar Nath Tiwari, *Comparative Religion*, op. cit., 9. 32.

three castes.⁶⁶ Therefore, the caste system insists that the law of social life should not be cold and cruel competition, but harmony and cooperation. According to Hinduism, society is not bent of rivalry among human beings. The castes are not allowed to compete with one another.⁶⁷ For this reason, the moral teachings of Hinduism are hidden in the caste system of Hindu social system.

3.5.5. Four Stages of Life

The foremost characteristic of Hindu ethics is the four stages of life. In Hinduism, life of each individual has been divided into four gradual stages (i) the stage of *Brahmacarya*, (ii) the stage of *Garhastha* (iii) the stage of *Vanaprastha* and the stage of *Sannyasa*.⁶⁸ These four stages of life are also called the four *Ashramas*. At the stage of *Brahmacharya*, an individual is to lead strictly the life of a student keeping completely apart from sensuous enjoyments.⁶⁹ At the age of eight, the boy enters the house of his *Guru*. In *ashrama* house there is observed no caste. According to Harendranath Maitra, 'all the children live together with the children of the *Guru* himself on absolute equality, whatever the rank of caste of their parents'.⁷⁰ In this *Ashrama*, the *Guru* teaches the disciples the knowledge of God, which is the first and foremost knowledge. The disciples also study grammar, rhetoric, history, philosophy, law and literature. In this stage, the vow of poverty, chastity and obedience is taken. However, the one fundamental note is that the *Guru* tries to establish harmony in all functions of life. In this state, the students get this training for the next stage of life. They learn to love his other caste-fellows, to share joy and sorrow with others. Therefore, it helps the Hindus very largely to lead great communistic life.

At the age of twenty-five or thirty, the disciple comes back home. This is the second stage of his life, in which he is called the *Garhasthya* or householder. In this *Ashrama*, he is to lead the life of a household by marrying and producing children.⁷¹ He performs his household duties not for himself, but for others. He goes to the daily business of his life, but he knows that his business and every function of this life are for the glorification of

⁶⁶ See, Mark Juergensmeyer, *The Oxford Handbook of Global Religions* (Oxford: Oxford Handbook in Religion and Theology, 2006), p. 54.

⁶⁷ For details see, S. Radhakrishnan, *The Hindu View of Life*, op. cit., p. 88.

⁶⁸ Vide, Shivendra Kumar Sinha, *Basics of Hinduism*, op. cit., pp. 45-46.

⁶⁹ For details see, Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 33.

⁷⁰ See, Harendranath Maitra, *Hinduism: The World-Ideal*, op. cit., p. 75.

⁷¹ Vide, Kedar Nath Tiwari, *Comparative Religion*, op. cit., p. 33.

God. At the stage of *Vanaprastha*, an individual goes out from his house in order to get the spiritual light through meditation. He begins his life when he enters into the house of his teacher and in meditation stage after stage, he comes to the highest stage of life. The Hindu realizes his God and humanity through meditation. The fourth stage of life is the stage of *Sanyas*, which means renunciation. This is his highest ideal. The three former stages are only the preliminaries. In this *Ashrama*, an individual renounces the world, but enters into an order of divine service. He does not live for his own family and home. He does not believe in any race or nation. He is beyond caste. He begins to realize himself as part and parcel of Humanity. He thinks that the world is his kin. In this stage, he has been able to kill his lower self. Regarding the *Vanaprastha* stage and the *Sanyas* stage, Kedar Nath Tiwari says that these are the stages of gradually renouncing the world completely and becoming a creature of a different world even in spite of living in this world.⁷² Therefore, Hindu morality has its roots in the four *Ashramas*.

3.5.6. Rebirth

Transmigration of souls or rebirth is a distinguished feature of Hinduism in which Hindu morality also depends on. R. C. Zaehner says in this connection: "What most sharply distinguishes Hinduism, like its offshoot Buddhism, from the religions of Semitic origin, is its unquestioning acceptance of the doctrine of rebirth, reincarnation, or the transmigration of souls."⁷³ According to Hindu ethics, the life of an individual does not end with his physical death. The life of a man begins after his or her death. The soul, after the death of the present body, should enter into some other new body in accordance with its past deeds. The Bhagavad Gita says in this connection: "Just as a person casts off worn-out garments and puts on others that are new, even so does the embodied soul cast off worn- out bodies and take on others that are new."⁷⁴ The idea of reincarnation in Hinduism is closely related to the idea of *karma*. Belief in *karma* indicates that a human being should essentially undergo the consequences of whatever actions he or she performs and as one sows, so he reaps i.e., some people will be born as *Brahmins* and other will be born as *kshatriyas*. Moreover, some will even be born as dog, cat or snake. All actions done with attachment cause the soul to migrate from one body to another. This

⁷² See, *loc. cit.*

⁷³ R. C. Zaehner, *Hinduism, op. cit.*, p. 75.

⁷⁴ The Bhagavadgita, ii: 22.

is called *samskaras*. Only action done without attachment i.e., *niskama karma*, does not generate any *samskaras* and in his case, no rebirth is possible.⁷⁵ S. Radhakrishnan expresses his view regarding this matter in the following way: “The law of *Karma* tells us that the individual life is not a term, but a series. Fresh opportunities will be opened to us until we reach the end of journey”⁷⁶ Therefore, reincarnation in Hindu faith is essentially found up with the moral teachings of Hinduism.

3.5.7. Major Moral Virtues Concerning Individuals according to the Teachings of Hinduism

According to Hindu morality, the followings are the major virtues of the Hindus as prescribed by the Holy Scriptures of Hinduism.

a) Truthfulness

Truthfulness is such a fundamental moral conception in Hinduism which is often regarded identical with morality itself. Maganlal A. Buch spells out as follows: “The Law is what is called the true, and if a man declares what is true, they say he declares the Law, and if a man declares what is true, they say he declares the Law; and if he declares the Law, they say he declares what is true. Thus, both are the same.”⁷⁷ Thus, truthfulness is a very high level moral virtue of a Hindu. He has been called upon at every step not to give up truthfulness at all under any circumstance in his work, thought or behavioral conduct. The Mahabharata states in this connection:

*“Satyam bruyat priyam bruyat.
Na bruyat satyampriyam
Priya cha na anant bruyat
Esha dharma sanatana”*

The meaning of the above quotation is to speak only the truth and that must be sweet. It should be full of grandeur and should give peace. It must be impressive to intellect of one who hears it. It should not be said with curtness to make it cause perplexity or something like fretfulness. It should not be deviatable from its intent

⁷⁵ Vide, Kedar Nath Tiwari, *Comparative Religion*, op. cit., pp. 25-26.

⁷⁶ Sarvepalli Radhakrishnan, *The Hindu View of Life*, op. cit., p. 102; also see, Pritibhushan Chatterji, *Studies in Comparative Religion* op. cit., p. 381.

⁷⁷ Maganlal A. Buch, *The Principles of Hindu Ethics* (Delhi, India: Bharatia Kala Prakashan, 2003), p. 55.

and thus should abstain from being instrumental to doomness. Never speak non-truthfully, bitterly or bluntly.⁷⁸ In addition to this, according to Hinduism, truthfulness is one of the fundamental essentials of moral life as pictured in the Vedas as well as the Ramayana. In view of the Rig Veda, truth supports the very foundation of the universe. It states: “Truth is the base that bears the earth; by Surya are the heavens sustained. By Law the Adityas stand secure and Soma holds his place in heaven.”⁷⁹ Moreover, regarding truthfulness, Rama says to Dasharatha: “I desire neither dominion, nor happiness, not the earth, not any object of enjoyment, nor heaven nor life. All I wish for is that you may not come by falsehood and abide by truth.”⁸⁰ Furthermore, the following sentences of Taittiriya Upanishad indicate instructions for human beings on which Hindu morality also depends on:

Speak the truth. Follow the path of righteousness. Do not neglect your recitation of your Veda (or Learning). Having brought the wealth dear to your teacher, do not cut your ties. Do not neglect truth. Do not neglect *Dharma*. Do not neglect the well-being (of your body). Do not neglect fortune and wealth. Do not neglect study and teaching of sacred texts. Do not neglect the rituals to our gods and ancestors.⁸¹

Hence, by following the above instructions given by the Taittiriya Upanishad, a Hindu becomes an ideal and perfect Hindu.

b) Faithfulness

Faithfulness is also a significant moral virtue to be a good Hindu. The role of a wife is most truly exemplified by Sita, wife of Rama, in the epic Ramayana. Her story is told in Ramayana and presented as a faithful wife of Lord Rama, an incarnation of Lord Vishnu who ruled India a million years ago. Sita is the most popular character to the Hindus because of her fidelity and devotion towards Rama even in times of extreme adversity. According to Ramayana, Sita is forced to prove her purity again and again and she successfully proved her purity by

⁷⁸ See, Dr. Ravindra Kumar, *Religion and World Peace*, op. cit., p. 37.

⁷⁹ Rig-Veda, x. 85. 1.

⁸⁰ Ramayana, ii: 34. 47-48.

⁸¹ See, Taittiriya Upanishad, 1/11/1-3, translated by the researcher (This quotation has been taken in this work from Swami Ghamvirananda (editor), Upanisad Granthabali (in Bengali) (Calcutta: The Indian Press Pvt. Ltd., 1995, vol. 1.).

passing unharmed through ring of fire.⁸² Moreover, this miracle is possible only because of her faithfulness towards her husband Rama. Thus, the story of Sita influences a lot of the Hindu people specially women. For this reason, faithfulness occupies an important place in Hindu morality.

c) **Brotherhood**

Hindu morality also teaches brotherhood among human beings. The Hindus have an ordered society which is a real brotherhood. The *Brahmin* looks to the interest of the *Kshatriya*, the *Kshatriya* to that of the *Brahmin* as well as the same is true between all the castes.⁸³ Moreover, the *Sudra* is also respected by all. When our *Sudra* servants came to our houses, our children call them brother or uncle. When a *Sudra* suffers mentally or physically, the *Brhmins* take care of him. They go to his house and do everything for him.⁸⁴ In national festivals and ceremonies, the Hindus not only give presents to their kinsmen and relatives, but all the people of the society also gather there. They invite us and we invite them. They came to our *pujas* and we go to theirs. Thus, brotherhood is an important and humanitarian virtue in Hinduism.

d) **Tolerance**

Another important virtue recommended for the development of morals in Hinduism is tolerance. In Hinduism, the *Ashrama* life teaches the ideal of toleration. His religion is tolerant. His social structure is tolerant and his political ideals are also tolerant.⁸⁵ Hence Hindu morality does not support aggressiveness and advises the Hindus to be tolerant.

e) **Humanity**

Another important virtue of Hindu ethics is humanity. It has two aspects– the internal aspect and the external aspect. Its external aspect is concerned with the active service of our species in all possible ways. Furthermore, its internal aspect

⁸² Vide, Gavin Flood, *An Introduction to Hinduism*, *op. cit.*, p. 39; also see, Tahira Basharat, “Sita, Mary and Khadija, Their Status in Hinduism. Christianity and Islam”, *Aligarh Journal of Islamic Philosophy*, *op. cit.*, p. 37.

⁸³ See, Harendranath Maitra, *Hinduism: The World Ideal*, *op. cit.*, p. 66.

⁸⁴ Vide, *loc. cit.*

⁸⁵ See, *ibid.*, p. 80.

is concerned with the feeling of kindness, the tenderness of soul. It means the former is *Dana*; the latter is *Daya*. The conception of *Daya* as well as *Dana* are hardly distinguished from each other i.e., *Dana* without *Daya* has very little meaning and vice- versa. Thus *Daya* and *Dana* are the main parts of humanity. Through the practices of these internal and external virtues, the Hindu realizes his God and humanity. The great sage Tulsidas makes his opinion regarding the above in the following way: “All duty, all faith has its root in this innate sentiment of humanity. It is threefold: it connotes pity for the lowly, affection for the equal, and devotion to the great.”⁸⁶ In addition to this, the poor, the diseased, the weak, the suffering and the humble are the special objects of the sentiment of humanity. In the words of Manu:

Satisfied old men, infants, weaklings, and sick folk lead him to the region of the firmament; he shall respect his brother as his own father, and consider his wife and children as parts and parcels of his own self. He shall look upon his slaves as his own shadow, and his daughter as the receptacle of the highest affection; worried by them, he must patiently bear such a worry.⁸⁷

Apart from this, Hindu ethics also ordains us to show humanity towards even beasts, birds as well as trees. It is remarked in the Rig-Veda: “Brain by the flowing, weal to kine, weal to the people, weal to steeds weal, O thou king (Soma) to growing plants.”⁸⁸ Even the sale of animals is not approved of. According to Hinduism, the goal is *Agni*, the sheep is *Varna*. The horse is *Surya*. Earth is the deity *Virat*. The cow and calf are *Soma*. The man who sells these can never obtain success.⁸⁹ Moreover, the ancient sages prescribed kindness to the vegetables kingdom. Manu says in this connection: “Variously enshrouded by the quality of *Tamas*, the effect of their own acts, they retain their consciousness inward, susceptible to pleasure and pain.”⁹⁰ Apart from this, Hindu ethics calls upon to conduct in accordance with eternal values i.e., non-violence, compassion, sacrifice, pity, love, non-attachment, truthfulness, cooperation, faithfulness, liberality. These values are permanent in human heart as well as these indicate the spirit of humanity. From the above discussion, it is noted that according to

⁸⁶ Quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 292.

⁸⁷ *Manu-Samhita* (Hereafter abbreviated as Manu), 4: 184-185 (This and all quotations from the *Manu-Samhita* have been taken from Dr. Manabendu Bandopadhyay (editor and translator), *Manu Samhita* (in Bengali), (1st Edition, Calcutta: Shadesh, 2004).

⁸⁸ Rig-Veda, ix. 11. 3.

⁸⁹ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 295.

⁹⁰ Manu, 1: 49.

Hinduism, humanity means one should devote one's eyes to the service of others, one should utter words that are agreeable and one should also follow as well as worship one's guests. It helps a Hindu to a large extent to be a social as well as a moral human being.

f) Hospitality

One of the traditional duties of a Hindu is offering a meal or shelter for the night to a stranger who asked for it. This duty is known as hospitality.⁹¹ It is an integral part of the duties of both house-holders as well as non house-holders. Hospitality to strangers is a universal practice. According to Hinduism, as the Brahmins are the lords over all other castes, as a husband is lord over his wife, so a guest is the lord of a householder. Manu also expresses his opinion in the following way: "Let not (a householder) eat that himself which his *Atithi* (guest) has not partaken of; hospitality to an *Atithi* brings on wealth, fame, and longevity, and ensures heaven to him who practises it."⁹² In Hinduism, kind treatment of a guest is considered as great merit. Maganlal A. Buch says in this regard: "By the daily recitation of the Vedas, by the Agnihotra, by sacrificing, and by austerity, a householder does not obtain such excellent place of abode (after death) as by honouring a guest."⁹³ In addition to this, according to Hinduism, hospitality is one of the fundamental essentials of moral life as pictured in the Taittiriya Upanishad i.e., consider your mother as god; consider your father as god; consider you teacher as god; think of your guests as gods.⁹⁴ That is why, hospitality occupies a very important place in Hindu ethics.

g) Charity

Another important virtue of Hindu teaching is charity. According to Hinduism, something should be given away daily with care and liberal spirit even from a limited income. This is called charity or *Dana*. Charity is so much emphasized in the Rig-Veda⁹⁵ that it is well considered as the central virtue of Hinduism.

⁹¹ For details please see, Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism*, op. cit., p. 83.

⁹² Manu, 3: 106.

⁹³ Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 259.

⁹⁴ Vide, Taittiriya Upanishad, 1/11/1-3. This quotation is translated by the researcher.

⁹⁵ For details please See, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 264.

According to Rig-Veda, they who give charity, high in heaven; they who give steeds dwell with the sun for ever; they who give gold are blest with life eternal; they who give robes prolong their lives.⁹⁶ Furthermore, Hinduism also ordains us that ‘give with faith, do not give without faith. Give in plenty, give with modesty, give with fear, give with full knowledge and compassion.’⁹⁷ Thus, by following the above instructions given by the Taittiriya Upanishad, a Hindu becomes an ideal and perfect Hindu. Moreover, acceptance of gifts is justified only under limited circumstances. According to Hindu moral teachings, only the *Brahmins* are entitled to accept anything in charity. However, in Hinduism, gifts from certain persons are unworthy of acceptance. Manu says in this connection: “He (a Brahmin) must not accept the gift of king, who is not the son of a Kshatriya, nor of him who lives by selling meat, nor of an oil-presser, nor of a wine-seller, nor of him, who lives upon the income of prostitution.”⁹⁸ Furthermore, gifts which are given to unfit persons at an improper place and time, without respect and with contempt are considered as dark. Manu spells out in this regard:

A virtuous man must not make an insignificant gift to a Brahmin, who is cat-natured, or carries a cloak of religion, or is not read in the Vedas. By giving well-gotten wealth to any of these three kinds of Brahmins, both the donor and the receiver of the gift come to grief in the next world.⁹⁹

In Hinduism, it is allowable to accept gifts for one’s higher ideals, for one’s most essential wants. According to Hindu moral precepts, acceptance of gifts is permissible for the adoration of the celestials and guests, for the maintenance of elders and servants as well as for the maintenance of one’s own self.¹⁰⁰ Thus, one can accept presents from all if the above mentioned situations arise. However, Hinduism always discourages to take presents as a charity. Manu said in this context: “Even if capable of accepting a gift, he must give up all attachment to gift-taking; gift-taking speedily extinguishes the energy of the supreme self, which is in a Brahmins”¹⁰¹ Therefore, non-acceptance of gifts remains the best thing in

⁹⁶ Vide, Rig-Veda, x. 107. 2.

⁹⁷ See, Taittiriya Upanishad, 1/11/1-3. This quotation is translated by the researcher.

⁹⁸ Manu, 4: 84.

⁹⁹ *Ibid.*, 4: 192-193.

¹⁰⁰ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 271.

¹⁰¹ Manu, 4: 186.

Hinduism. From the above discussion, it can be inferred that charity is very much emphasized in Hinduism.

h) Honesty

One of the noteworthy virtues of Hindu Ethics is honesty. It is the application of the principle of truthfulness to all the details of business. According to Hinduism, all kinds of crookedness mean death as well as all kinds of sincerity are called *Brahma*. This constitutes the subject of knowledge. Furthermore, Hinduism also ordains us to earn wealth by righteous ways i.e., by honesty. The wealth which is earned by righteous ways is true wealth and the wealth which is earned by unrighteous ways is *fi*. Hindu teachings also enjoin that the man possessed of wisdom would not seek wealth for the performance of religious rites by ways that are unrighteous and that involve an abandonment of morality. Wealth earned by such means can never prove beneficial.¹⁰² Therefore, the Hindus can lead peaceful lives by following the virtue of honesty.

i) Politeness

Another practice approved for the development of morals in Hindu Teachings is politeness. According to Hinduism, by practising politeness in speech, a person becomes an object of regard with all creatures and acquires great celebrity. On the other hand, the person who does not speak a good word and whose face is always furrowed with frowns, causes an object of hatred unto all creatures. The importance of being polite in speech becomes quite evident when Manu deprecates all quarrels with near relatives by saying that man's ultimate happiness lies in their satisfaction.¹⁰³ He further holds that to speak pleasant things and not to utter unpleasant truths; sweet lies are great virtues.¹⁰⁴ Hence, by practising politeness in speech, according to Hinduism, one can always obtain the love of all creatures.

¹⁰² See, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 69 .

¹⁰³ See, Manu, 4: 179-180.

¹⁰⁴ Vide, *ibid.*, 4: 138.

j) Purity

Purity is also an important moral virtue to be a good Hindu. According to Hindu ethics, purity of heart is the highest of all purities and it is the fundamental thing of a moral as well as spiritual life. Hindu's great faith is revealed in the most popular prayer of their's which is also an indication of purification. According to Maganlal A. Buch, the *Gayatri Mantra* is recited by Hindus every day. It is nothing but an appeal to God to send one pure thoughts.¹⁰⁵ Therefore, holiness is constituted by holy thoughts and sinfulness means wicked ideas. In addition to this, purification requires purification from malice and sin. For this reason, according to Hinduism, it is one of the fundamental essentials of moral life by which the Hindus are benefitted to a large extent.

k) Swearing

One of the significant virtues of Hinduism is swearing. It is an allowable and even a necessary practice under certain circumstances. Manu says in this connection: "The gods and great sages have sworn for determining the truth (in suspicious cases); Vasishtha swore in the court of king Paivana."¹⁰⁶ According to Hindu ethics, oaths or swearing must not be taken on any and every occasion. Manu says in this connection: "A wise man should never wantonly swear for a small thing; by unnecessarily swearing, a man is destroyed both in this world and the next."¹⁰⁷ Furthermore, Hindu ethics ordains us to swear by that which is dearest to him. Manu further says in this regard: "A Brahmin shall be caused to swear by truth; a Kshatriya by his weapons and riding animals; a Vaishya by his cattle and seed-grains; and a Shudra by the sin of all the crimes."¹⁰⁸ Thus, swearing is also considered as a noteworthy virtue of Hinduism.

Furthermore, Hindu morality has its roots in the lists of virtues which are observed in the texts of Hinduism like the Vedas, the Upanishads and the Bhagavad Gita. The virtues like truth, charity, liberality etc. are very much emphasized in the Vedas. Moreover, the Upanishads also instruct us to practise virtue i. e., to speak

¹⁰⁵ See, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., pp. 77-78.

¹⁰⁶ Manu, 8: 110.

¹⁰⁷ *Ibid.*, 8: 3.

¹⁰⁸ *Ibid.*, 8: 113.

the truth, to cultivate modesty, humility and so on. Besides, the Bhagavad Gita describes twenty seven virtues. The Blessed Lord said:

Fearlessness, purity of mind, wise, apportionment of knowledge and concentration, charity, self-control and sacrifice, study of the scriptures, austerity and uprightness. Non-violence, truth, freedom from anger, renunciation, tranquillity, aversion to fault finding, compassion to living beings, freedom from covetousness, gentleness, modesty and steadiness (absence of fickleness). Vigour, forgiveness, fortitude, purity, freedom from malice and excessive pride—these, O Pandava (Arjuna), are the endowments of him who is born with the divine nature.¹⁰⁹

The Gita advises us that the practice of these moral virtues accords pleasure and peace to mankind not only in this world but also in hereafter. In addition to this, Hindu ethics also depends on the general duties of the Hindus. Hindu philosopher, Manu named such ten good conducts or qualities as '*Dashkam Dharmalakshanam*'. These ten good conducts or qualities are the following: steadfastness (*Dhrti*), forgiveness (*Kshama*), application (*Dama*), non-stealing (*Asteya*), cleanliness (*Saucha*), restraint on the sense-organs (*Indriya-Nigraha*), learning (*Vidya*), wisdom (*Dhi*), truth (*Satya*) and freedom from anger (*Akrodha*). Thus, the above mentioned list is a combination of virtues and duties both. Later on, these ten virtues as well as duties were abbreviated into the following five only by Manu himself— Nonviolence (*Ahimsa*), Truth, Non-stealing, Cleanliness and Restraint of senses.¹¹⁰ In Hindu morality, virtues like *Ahimsa*, *Satya*, *Asteya*, *Brahmacharya* and *Aparigraha* are recognized to be the most basic virtues or duties. This is because *Ahimsa* refers to the positive virtues like love, kindness and compassion towards all beings as well as to *satya* which implies absence from telling a lie or speaking rough and unpalatable language. In addition to this, *Asteya* refers to reject of taking away any property without the consent of the owner. Moreover, *Brahmacharya* implies a life of purity, celibacy, non-adultery etc. and *Aparigraha* is a general attitude of non-attachment towards worldly objects. The Hindus should inculcate these virtues in all dealings of his life and these qualities really develop humanity gradually. The following list is given by Prashastapada which includes the above five and many more. They are moral earnestness or regard for *Dharma*, non-violence, seeking good of creatures, veracity, non-stealing, celibacy, purity of motive, restraint of anger, personal

¹⁰⁹ The Bhagavadgita, xvi: 1-3.

¹¹⁰ See, Kedar Nath Tiwari, *Comparative Religion, op. cit.*, p. 33.

cleanliness, non-catering of impure food, devotion to the recognized daily fasting, and moral alertness.¹¹¹ Kedar Nath Tiwari expresses his views regarding moral precepts in Hinduism in the following way: “In Vatsyayan’s list certain more philanthropic qualities are added which make Hindu ethics more socially oriented. These qualities are *Paritrana* (Saving or defending the distressed), *Dana* (Charity), *Paricharar* (Social service), *Daya* (Benevolence) etc.”¹¹² Thus, Hinduism emphasizes the virtues of love, kindness, honesty, charity, compassion, truth, liberality, celibacy, purity, self-restraint, non attachment etc. It also teaches mankind to cultivate these virtues in life.

3.5.8. Major Moral Vices Concerning Individuals according to the Teachings of Hinduism

The teachings of Hinduism also exhort mankind to avoid vices like aggressiveness, falsehood, stealing, fraud, violence, deception and backbiting. A brief account of these vices is given below.

a) Falsehood

Falsehood is strongly forbidden by the teachings of Hinduism. The Rig-Veda quotes: “The gods Aryaman, Varuna, Mitra are the chastisers of all guilt and falsehood.”¹¹³ It also states: “Oh Indu, overcome and drive the false afar.”¹¹⁴ It further says: “Burn up the fool who ruins truth with falsehood.”¹¹⁵ According to Hinduism, gods protect and strengthen the true people as well as punish the liar. Manu says in this connection:

He that speaketh a lie on account of an animal casteth from heaven five of his sires in the ascending order. He that speaketh a lie on account of a cow casteth from ten of his ancestors. A lie on account of a horse couseth the downfall of a hundred, and a lie on account of a human being, the downfall of a thousand of one’s sires in the ascending order. An untruth on account of gold ruineth the members of one’s race, both born and unborn, while an untruth for the sake of land ruineth everything. Therefore, never speak an untruth for the sake of land.¹¹⁶

Moreover, Hinduism also thinks that hell is the creation of the untrue and the faithless. In the Rig-Veda, it is stated that they who are full of sin, untrue,

¹¹¹ Vide, *ibid.*, p. 34.

¹¹² *Loc. cit.*

¹¹³ Rig-Veda, vii . 60. 12.

¹¹⁴ *Ibid.*, ix. 105. 6.

¹¹⁵ *Ibid.*, x. 87. 12.

¹¹⁶ Manu, 8: 98-99.

unfaithful, they have engendered this abysmal station.¹¹⁷ Hence, according to Hinduism, falsehood leads us to immoral life so we should refrain from it in order to live a moral life.

b) Hypocrisy

Hypocrisy is one of the demoniacal properties. It is mere misrepresentation of one's self. Sacrifices offered out of hypocrisy are condemned and religious hypocrisy is absolutely exposed in unmeasured terms by Manu who says:

He, who, though extremely covetous of wealth, carries a cloak of religion, is deceitful, arrogant, and envious, and cannot bear the praise of others, and hence tries to snub down all men, is called cat-natured, (i.e., he is like a cat which assumes meekness only to decoy his prey out of his safe hold and then pounce upon it.) with eyes cast down to conceal his ferocious purpose, he, who, to gain his own ends, roams about in deceit and falsehood, like a crane, is called *Baka-vrati*. Those Brahmins, who are cat-natured or crane natured, fall into the hell of extreme darkness through the effects of their (treacherous deeds). Avow or a penance practiced out of hypocrisy goes to the monsters; the Brahmins who do it are condemned by the *Brahm-Vadins*. A person, who tries to earn a livelihood by falsely wearing the badges or marks of an order he does not belong to, robs the sin of all that order, and is reborn in the womb of beasts.¹¹⁸

Therefore, the teachings of Hinduism ordain us to avoid hypocrisy, because the Hindus suffer much through this form of deceit.

c) Gambling

Another practice disapproved for the development of morals in Hinduism is gambling. It is a dishonest way of gaining wealth and the practice of it leads to many disastrous consequences. According to Hinduism, people who are fond of gambling realized the bitter result of it. It brings poverty and want into the house as well as all the consequent wretchedness. There are many hymns in the Rig-Veda, which are absolutely against gambling.¹¹⁹ Moreover, the numerous evils of gambling are exposed in the Mahabharata in the following way:

I would have shown the many evils (of dice) through which thou hast fallen into such distress and the son of Virasena was formerly deprived of his kingdom. O king, unthought of evils befall a man from dice.... Woman, dice, hunting, and drinking to which people become addicted in consequence of temptation, have been regarded as the four evils that deprive a man of prosperity.¹²⁰

Therefore, gambling is strongly condemned by Hinduism.

¹¹⁷ Quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p.55.

¹¹⁸ Manu, 4: 195-197; 199-200.

¹¹⁹ Vide, Rig-Veda, x. 34.13.

¹²⁰ Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 69.

d) Impurity

The teachings of Hinduism also ordain the Hindus to avoid vices like impurity. According to Hinduism, ritual impurity is usually caused by contact with what are considered impure substances i.e., generally contact with corpses, with a *Sudra*, with blood (especially menstrual blood) and birth among the relatives. This impurity is removed through religious practices such as bathing, repeating mantras as well as fasting according to a well established canon.¹²¹ Manus spells out as follows:

The Bandhus (near relations) of a male child become unclean on his death; likewise his Bandhus become unclean on the birth of a male child, Death uncleanliness continues for ten days among Sapindas or until the bones are collected, or for three days, or for an entire day and night.¹²²

The same is the period of birth-uncleanliness. Manus further says regarding death uncleanliness that during that time they shall eat their meals without any artificial salt, must bathe in each of the three days, forswear meat-diet, and must sleep separately on the ground.¹²³ Thus, personal uncleanliness results from various causes and by following some religious practices, a Hindu can gain the virtue of purity.

e) Aggressiveness

Another vice disapproved for the development of morals in Hinduism is aggressiveness. In the eye of Hinduism, aggressiveness is not a part and parcel of the Hindu religion. A Hindu does not like that the aggressive spirit should grow in his own land.

f) Malice or ill-Will

Hindu teachings also advise us to abstain from malice or ill-will. In the Rig-Veda, there are many hymns which severely condemn malice. It states: "Slay ye the wicked man whose thought is evil, of the demonkind."¹²⁴ Thus, to refrain from ill-will helps the Hindus to live moral life.

¹²¹ For further details please see, Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism*, op. cit., p.85.

¹²² Manus, 5: 58-59.

¹²³ Vide, *ibid.*, 5: 73; also see, 5: 80-82.

¹²⁴ Rig-Veda, vii. 94. 12.

Moreover, Hindu morality does not support attachment towards worldly objects. This is because attachment towards worldly objects is the root cause of all vices. The Bhagavad Gita says in this connection: “Ostentation, arrogance, excessive pride, anger, as also harshness and ignorance, these, O Partha (Arjuna), are the endowments, of him who is born with the demoniac nature.”¹²⁵ Thus, it is essential for a Hindu to abstain himself or herself from all these vices in order to be a good and perfect Hindu. Therefore, Hindu morality ultimately calls upon its followers to practise in life all the human values and at the same time to avoid all the disvalues. These are very necessary for progress, prosperity and pleasure as well as for summum bonum in Hindu lives.

3.5.9. To Refrain from Non-Welfaristic Conducts

The ethics of Hinduism also calls upon to be abstaining from such conducts which are non-welfaristic. The prohibitions for the establishment of welfare of mankind as laid down in the Bhagavad Gita are as follows– it forbids some acts like theft, adultery, fraud, falsehood, oppression, violence, wrongdoing, taking of interdicted food and so on. Therefore, these acts must be renounced. Besides these, worldly desires are also prohibited by the scripture such as sacrifices, charities, austerities, worship and other desire-born actions with a selfish motive or gaining objects of enjoyment, progeny, wealth etc. Henceforth, these should be avoided. In addition to this, the Bhagavad Gita also advises the Hindus to refrain from worldly achievements such as dignity, fame, honuor, social prestige, wealth and all objects gained by force. Moreover, for maintaining sound health, indolence in any form of desire for attaining worldly pleasures should be prohibited. The Gita also forbids demanding service from other for personal happiness, asking money from others and getting service from other for the satisfaction of self interest. All are an obstacle in the way of God’s realization. Therefore, all prohibitions of the Bhagavad Gita should be practised in life and by avoiding the prohibitions suggested by the Gita, the Hindus can make their lives easier and comfortable.

3.5.10. Social Cooperation and Unity

One of the most important teachings of Hinduism is social cooperation and unity. It believes that all human beings are the members of one family on this earth. According to

¹²⁵ The Bhagavadgita, xvi: 4.

Hindu morality, as God is the father of all creations and all are his off-springs, so all should worship him as well as all have to be cooperative to one another. This is the way to welfare. This also leads mankind to progress. In addition to this, Hindu morality calls upon to struggle those who oppose this spirit of social cooperation which is very essential ingredient of world peace. Therefore, social cooperation and unity are necessary in establishment of peace.

3.5.11. Respecting Each Other's Sentiments

Hindu morality also ordains us to respect each others' sentiments. According to Hindu ethics, an individual has a right to live in accordance with his or her will but this life must be based on mutual cooperation in order to establish peace in world. The teaching of Hinduism clearly stipulates that father and son behave along with respecting sentiments and faith of each other. For example, if father believes in Dwaitism in house and son believes in one God, both can reside together cordially and peacefully without any animosity. Not only that, if husband keeps faith in Shaiva and wife is the worshipper of lord Vishnu, both can spend whole life with love and cooperation. According to Hindu morality, it is not essential that a teacher and his disciples must have single faith or both keep faith in same god or gods. The famous saint of Maharashtra named Janardhan Swami was the devotee of lord Shiva. On the contrary, his great student Eknath was the worshipper of Lord Krishna. The Bhagavad Gita states in this connection: "I am the same in (alike to) all beings. None is hateful nor dear to me. But those who worship me with devotion they are in Me and I also in them."¹²⁶ Thus, this teaching of Hindu morality helps mankind to establish peace in the world.

3.5.12. To Strive for Good Works

Another practice suggested for the development of morals in Hinduism is to strive for good works. The teachings of Hinduism encourage its followers fighting specially in self-defense or against oppression. There are many scriptures of Hinduism which prescribe fighting in order to establish peace in world. For example, the Mahabharata is an epic and a sacred scripture of the Hindus, which mainly deals with a fight between the cousins, the Pandavas and the Kauravas. In the battlefield, Arjun prefers not to fight and to be killed rather than having his conscience bordered with the killing of his relatives. At this

¹²⁶ *Ibid.*, ix: 29.

moment, Krishna advises Arjun in the battlefield and this advice is contained in the Bhagavad Gita. There are several verses in the Bhagavad Gita where Krishna advises Arjun to fight and kill the enemies even though they are his relatives. It is mentioned in Bhagavad Gita: "...Therefore strive for yoga, yoga is skill in action."¹²⁷ Therefore, the teachings of Hinduism have prescribed its followers fighting, especially against bad works.

3.5.13. Moral Teachings of Indian Philosophy

Hindu religion is not simply a faith; rather it is mixed with philosophy in which Hindu morality depends on. In Hinduism, there are six systems of philosophy. These six principal systems are *Sankhya*, *Yoya*, *Ngaya*, *Vaisesika*, *Mimamsa* and *Vedanta*. In the opinion of Pritibhushan Chatterji, monism, dualism, pantheism and even agnosticism are noticed in these philosophical doctrines. As K. M. Sen points out:

Some claim that the world was created by God out of nothing. Others maintain that substances existed always and God only refashioned them to make an ordered universe. Others find the development of the world and of life as a process of evolution of nature under the influence of Purusa (selves) without any necessary presence of God. Still others find that the world is not quite real, being only an aspect of God, and there is no real creation at all.¹²⁸

Nevertheless, moral teachings are also presented in these philosophical schools. According to *Vaisheshik*, peace is the foremost aim of human beings and there should be pleasure of all on equality basis. The *Vaisheshik* takes peace as the basis of religion. Moreover, the *Yoga* is a branch of *Samkhya*. It is said in the Gita that *Samkhya* and *Yoga* are one. Whatever may be the meaning of the terms *Samkhya* and *Yoga*, intended in the Bhagavad Gita, it holds good to stand for the two disciplines.¹²⁹ In the philosophy of *Yoga* various courses of meditation are prescribed for the realization of the nature of the pure self.¹³⁰ There are various intellectual, moral and quasi-physical disciplines in this philosophy. According to the philosophy of *Yoya*, virtues like love and friendly attitude should be cultivated towards those who are in happiness. Compassion for the distressed, feeling of happiness at the spiritual exaltation of the pious men and indifference towards

¹²⁷ *Ibid.*, ii: 50.

¹²⁸ K. M. Sen, *Hinduism*, *op. cit.*, p. 84-85; also see, Pritibhushan Chatterji, *Studies in Comparative Religion*, *op. cit.*, p. 356.

¹²⁹ Vide, Sarvepalli Radhakrishnan, *History of Philosophy Eastern and Western* (London: George Allen & Unwin Ltd., 1957), Vol. 1, p. 256.

¹³⁰ Vide, *loc. cit.*

sinners are also some principal virtues. Apart from these, virtues like non-injury, truthfulness, non-stealing, sexual continence and non appropriation etc. are very much emphasized in this philosophy.¹³¹ Among these, non-injury is the most important and essential. All these disciplines are prescribed for the achievement of the control of the mind and the body. Furthermore, the *Mimamsa* is a philosophical justification of the *karmakanda* of the Vedas, i.e., of Vedic rituals and sacrifices but it is atheistic.¹³² It is rightly called *dharma-mimamsa*. It gives importance on moral duties of man that he owes to himself, to his family and relatives as well as to his community and nation. It is a system of philosophy investigating into the nature of dharma by enunciating several rules of interpretation of Vedic passages of doubt or ambiguity. In addition to this, according to the philosophy of *Vedanta*, human beings have to suppress their egotistic tendencies and perform their duties in a disciplined and disinterested way in order to gain enlightenment. This philosophy also gives emphasis on the moral virtues like attainment of calmness, temperance, renunciation, fortitude, the power of concentration of mind and faith etc.¹³³ According to Samkara, ethical activity does not directly contribute to spiritual freedom. It creates in us the desire to know. It is the indirect preparation for *moksa* i.e., liberation. Thus, moral virtues prepare mankind for the apprehension of truth by purifying affections and cleansing egoism. The teachings of these schools prescribed all these ethical virtues which would lead to perfection not only in this worldly life but also in life after death. It is noted here that there are some differences between the moral standard of the normative ethics and that of Hindu ethics described in the Bhagavad Gita. These differences are as follows:

- i) The concept of the doctrine of *niskama* karma of the Gita does not support the egoistic hedonism of the ancient Cyrenaics and Epicureans. According to these theories, what each man seeks, or ought to seek, is his own greatest pleasure.¹³⁴ However, this view of egoistic hedonism is explicitly against the Hindu teachings. This is because the Bhagavad Gita lays special importance to the performance of sacrifices, devotional acts as well as acts of prayer and worship.¹³⁵ In addition to this, the concept of the theory of *niskama* karma does not patronize hedonism too.

¹³¹ See, *ibid.*, p. 257.

¹³² For further details see, Prithibhusan Chatterji, *Studies in Comparative Religion*, op. cit., p. 356.

¹³³ Vide, S. Radhakrishnan, *History of Philosophy Eastern & Western*, op. cit., Vol. 1, p. 283.

¹³⁴ Vide, John S. Mackenzie, *A Manual of Ethics* (London: University Tutorial Press Ltd. 1961), p. 167.

¹³⁵ For an account of these see, Prithibhusan Chatterji, *Studies in Comparative Religion*, op. cit., p. 353.

The chief exponents of this theory are Jeremy Bentham, J. S. Mill and Henry Sidgwick. According to them, the ultimate aim of our lives is pleasure. Man should do that kinds of works by which he or she gets pleasure. On the other hand, works which do not give pleasure to man, should be avoided. However, this view is completely different from that of the teachings of the Bhagavad Gita. The Gita holds that it is our moral standard to perform our duties without expecting any kind of its fruits or consequences. Moreover, he who holds that worldly pleasure is the only ‘summum bonum’, will get reward as hell. The pleasure described in the Gita is the spiritual pleasure and it is possible only by abstaining from the worldly pleasure. Therefore, hedonism is opposed to the theory of *niskama karma*.

- ii) There are dissimilarities between the doctrine of *karma* and the theory of Kant’s rationalism.¹³⁶ According to the Bhagavad Gita, the ultimate aim of an individual is not the worldly pleasure, but the spiritual pleasure which can be achieved only through disinterested actions. Furthermore, some virtues like forgiveness, sacrifice, modesty, non-violence, love etc. are very much emphasized in the Gita. However, Kant’s rationalism does not support this view. According to Kant, as man is a rational animal, so he has emotions like pleasure, pain but man should not give priority of this emotion. Man should abstain from this emotion and has to lead a life guided by the pure reason. He further said: “we must do our duty out of pure respect for the law of reason, and not from any anticipation of pleasure”¹³⁷ Thus, Kant’s rationalism is opposed to the theory of *karma*.

Nevertheless, similarities are also observed in these theories. The Gita teaches us that everyone should perform his duties and social obligations without any consideration for its fruits or consequences. It is remarked in the Gita: “To action alone hast thou a right and never at all to its fruits; let not the fruits of action be they motive;”¹³⁸ The Gita further exhorts to perform actions in a disinterested fashion without being swayed by considerations of pleasure and pain. This is the ideal of *niskama karma* and this ideal is comparable to the Kantian ideal of ‘duty

¹³⁶ See, Dr. Jadunath Sinha, *A Manual of Ethics* (Calcutta: The Central Book Agency, 1957), pp. 142-150.

¹³⁷ J. S. Mackenzie, *A Manual of Ethics*, op. cit., p. 190.

¹³⁸ The Bhagavadgita, ii: 47.

for duty's sake'. According to Kant, action which is done only for duty's sake has the moral value. Therefore, there is no conflict between these two theories.

- iii) There are similarities between the doctrine of *karma* and the perfectionism of Hegel. This is because the teachings of the Bhagavad Gita ordain mankind that action should be done only for the welfare of others and it is possible only through self-realization or perfection. Thus, according to the Gita, self-realization is the ultimate good. Similarly, this view is very much supported by the theory of perfection of Hegel. According to him, the highest good is self-realization or perfection. Self-realization means the full development of personality by regulating all feelings, impulses and desires by reasons.¹³⁹ Hence perfectionism of Hegel is very much related to the moral standard of Hinduism described by the Bhagavad Gita.

By criticizing the theory of *Karma* it can be said that it is impossible for general people to do works without any expectation of fruits or consequences. This is because when we perform any kind of work, we perform it to get result and the expectation of the consequences of any work inspires us to do work. However in the Gita, action which is done for consequences is the bad action. Nevertheless, the moral teaching of Hinduism is valuable.

3.6. Concluding Remarks

The sacred text, Bhagavad Gita, is the great source of guidance for the Hindus. It calls upon its followers to practise in life all the moral values. The inculcation of virtues and practice of ethical duties have a definite contribution towards the attainment of *Moksha*. The teachings of Hinduism remind people of duties through non-violence. Hindu ethics is also dedicated to equality and to spirit of cooperation at the same time. More than that, it encourages human beings to exercise all those eternal human values which are essential to gain peace in world. Hindu morality imparts a remarkable message of world peace. It accepts all human beings as members of one family i.e., its principle is *Vasudhaiva Kutumbakam*. The teachings of Hinduism help us to a large extent to lead perfect life. It also helps to bring the Hindus all over the world close to one another.

¹³⁹ For details see, Dr. Jadunath Sinha, *A Manual of Ethics*, op. cit., p. 158.

Chapter Four

Family Ethics in Islam and Hinduism: An Analysis

4.1. Introduction

The family is the basic element or core unit of a society. It is also the foundation of a social, cultural and religious structure in the society. The Universal Declaration of Human Rights, enacted without dissent by the United Nations in 1948, declares: “the family is the natural and fundamental group unit of society and is entitled to protection by society and the state.”¹ Since family is the cornerstone of society, healthy families lead to a healthy society. Therefore, it is the state’s interest to protect the family. It is very difficult to define ‘family’ in a word because the term ‘family’ is ambiguous. In ordinary language, most people believe that family is a group comprising the immediate kindred, especially the group formed by parents and children.² Few people agree that a household with only a single person in it is a family. Some people also believe that a family is made of a widow and her several children. Other people agree that a husband-wife household is a family if they have children, even if their children are now living somewhere else. However, some people accept a childless couple as a family, especially if that couple never plan to have children. On the other hand, very few people believe in a homosexual couple as a family. To avoid the above ambiguity regarding family, William J. Goode says that a household is called a family if at least two adult persons of opposite sexes reside together and engage in some kind of division of labour and have many types of economic and social exchanges among themselves. Moreover, they share many things in common and have parental relations with their children as well as children also have filial relations with them.³ In the present chapter, an attempt has not been made to discuss an in-depth analysis about the meaning of the word ‘family’. Hence, an attempt has been made to touch only some aspects of family ethics in the light of Islam and Hinduism.

¹ www.wango.org/COEOF/COEOF.pdf, Retrieved on-12, January 2013.

² See, Ahmad H. Sakr, *Family Values in Islam* ((Milwaukee, USA: Al-Qur’an Foundation, Inc., 1995), p. 3.

³ Vide, William J. Goode, “Defining the family: A Matter of More or Less”, in Laurence D. Houlgate (ed.), *Morals, Marriage and Parenthood: An Introduction to Family Ethics* (Canada: Wardsworth Publishing Company, 1999), p. 28.

However, to discuss the main theme of the present chapter, a brief outline of family ethics is discussed below:

4.2. Family Ethics

Family ethics is an important branch of practical ethics. It deals with all the ethical problems related to human family life. According to the family ethics, the family is the training ground of the heart and a textbook in which the husband and wife are joint authors. Family ethics teaches us how to care for others beyond ourselves, how to sacrifice ourselves for others and how to love others. Moreover, the ethics of the family also teaches us what is the perfect form of spousal relationship in a family?, What are the responsibilities of parents towards their children?, What are the filial duties of children towards their parents?, and so forth. According to family ethics, the most natural environment for a child to grow mentally and spiritually from a state of selfishness and selfish behaviour to unselfishness is the family setting. The family is the school of love where children cultivate heart and build character, learn virtue, norms and manners. Therefore, it can be noted that family ethics evaluates the ethical problems related to family and family relations. It helps us to build harmonious and successful families.

4.3. Family Life in Islam

Family life is one of the most important and emphasized areas in the Islamic system of life. The family is a divinely-inspired institution that came into existence with the creation of man. The Holy Qur'an states in this connection: "O Adam! dwell thou and thy wife in the Garden, and enjoy (its good things) as ye wish: but approach not this tree, or ye run into harm and transgression."⁴ From the above verse of the Qur'an, it is proved that the first family of Islam was built in the heaven as well as the first family members were Adam and Eve. For the transgression of Almighty Allah's order, they were sent down on this earth. The Holy Qur'an also describes: "(God) said: 'Get ye down, with enmity between yourselves. On earth will be your dwelling-place and your means of

⁴ Al-Qur'an, 7: 19; 2: 35. (All quotations from the Holy Qur'an have been taken in this work from Abdullah Yusuf Ali (translator & commentator), *The Meaning of the Glorious Qur'an*, Vols.1 & 2, Egypt & Lebanon: Dar al Kitab al Masri & Dar al Kitab Allubnani, 1934).

livelihood,— for a time’.”⁵ The above verse explicitly states that the foundation of human family was laid down in this world. Hence, it is said that the history of family life in Islam is as old as the history of the creation of man.

According to Islam, the central idea of the family is the institution of *nikah* or marriage and a Muslim family can be formed only through marriage. Marriage is the most highly respected social institution in Islam and all Muslims are expected to engage themselves in marriage. The Qur'an says in this connection: “Marry those among you who are single, or the virtuous ones among your slaves, male or female: if they are in poverty, God will give them means out of His grace: for God encompasseth all, and He knoweth all things.”⁶ The Prophet of Islam also said that O young people! Wherever can afford (marriage) should get married. This is because it helps casting down one's own gaze, and it protects one's own sex organs. On the contrary, who cannot afford marriage has to fast as it is a protection for him.⁷ Prophet Mohammad (sm.) further said that marriage is a part of my tradition. If a person refrains from my tradition, he is not a part of me.⁸ From the above verse of the Qur'an and the sayings of Prophet Mohammad (sm.), it is clear that Islam always encourages young people to get married i.e. to lead family life. In Islam marriage is not a sacrament but a legal binding contract between a man and woman which establishes their licit, permanent and responsible relationship, an acceptance of each other as spouses with a mutual commitment to live together according to the teachings of Islam.⁹ In addition, marriage not only provides the basic unit of society, but it is the focus of expression of overall Islamic values and in Islam, all values begin with Allah. That Allah is involved in all human relationships is a fundamental principle of Islam.¹⁰ It has been noted here that the status of a woman among the pre-Islamic Arabs was very much precarious. This is because their social system was dominated by the tribal idea and families were regarded as so many sub-divisions of tribes. However, the tribal system

⁵ *Ibid.*, 7: 24 .

⁶ *Ibid.*, 24: 32.

⁷ Quoted in, Ahmad H. Sakr, *Family Values in Islam*, *op. cit.*, pp. 16-17.

⁸ For details please see, *ibid.*, p. 15.

⁹ See, Suzanne Haneef, *What Everyone Should Know About Islam and Muslims* (New Delhi: Taj Company, 1986), p. 142.

¹⁰ Vide, Tamara Sonn, “Islam”, in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe to One Another?* (Canada: Wardsworth, Thomson Learning, Inc., 2001), p. 70.

was effectively changed into the family system by the institution of marriage prescribed by Islam.

The importance of marriage in our family life is immense. This is because it is through marriage that the paternity of children is established and relationships as well as affinity are traced. However, the concept of a family life does not overshadow its fundamental principle, i.e., individual responsibility and liberty. Each member of the family is endowed with full legal capacity and the law does not sanction any joint family system of holding property.¹¹ Apart from this, it is possible only through family life to maintain sexual relations between two members of the opposite sexes with a view to the preservation of human species, the fixing of descent, restraining men from debauchery, the encouragement of chastity and the promotion of love and union between the husband and the wife as well as the mutual help in earning livelihood.¹²

Moreover, the perpetuation of the family depends on solid grounds capable of providing assurances of continuity, security, intimacy, binding and gratifying.¹³ Accordingly, the foundation of the family also depends on marital bonds or blood relation.¹⁴ Furthermore, family members can be tied up by lineal identity. According to Islam, an individual is obliged to maintain his or her rightful lineal identity as well as there is no right to that individual or anybody else to alter lineal identity.¹⁵ However, in pre-Islamic Arabia, the tribal structure was so extended that it included, besides the pure-blood tribesmen as a member of the family, adopted children as there was no significant difference between the natural son and the adopted son of the tribe. It was also common to adopt aliens as well as to bestow on them the lineal identity of the adopters. Nevertheless, the teachings of Islam discarded that practice and ordain to maintain rightful lineal identity.¹⁶ Therefore, according to Islam, blood ties or marital relationship play a vital role to form a family.

¹¹ See, Abdur Rahim, *The Principles of Muhammadan Jurisprudence* (Lahore: All Pakistan Legal Decisions, 1963), p. 326.

¹² Vide, *ibid.*, p. 327.

¹³ For details please see, Hammudah Abd al Ati, *The Family Structure in Islam* (Plainfield, Indiana, USA: American Trust Publication, 1995), p. 38.

¹⁴ See, *loc. cit.*

¹⁵ Vide, Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D. Thesis, 2007), p. 149.

¹⁶ See, Hammudah Abd al Ati, *The Family Structure in Islam*, *op. cit.*, p. 23.

4.4. Nature of a Muslim Family

Islamic family ethics also discusses the nature of a Muslim family as to whether it is patriarchal or matriarchal, extended or nuclear as well as monogamous or polygamous. These are discussed below:

4.4.1. Patriarchal or Matriarchal

According to Islam, the Muslim family is patriarchal. The head of the family maintains his authority over his wives and children even over his slaves, up to the last day of his life.¹⁷ The Qur'an says in this connection:

Men are the protectors and maintainers of women, because God has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what God would have them guard...¹⁸

The Holy Qur'an further states: "... women shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage) over them ..."¹⁹ From the above verses of the Qur'an it is proved that Islam advocates for a patriarchal society. However, some Islamic scholars do not think so. They argue that men and women are equal in the eye of Islam. The Qur'an repeatedly addresses this issue: Muslim men are told that "they are your garments and ye are their garments."²⁰ Moreover, the Holy Qur'an further says:

O Mankind! reverence your Guardian-Lord, Who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women;— reverence God, through Whom ye demand your mutual (rights), and (reverence) the wombs (that bore you): for God ever watches over you.²¹

From the above verses, it is said that males and females are equal before Allah and that both have share in family leadership.²² Some Islamic modernists believe that family decisions should be made by *shura* or mutual consultation, after involving the children as

¹⁷ For details see, John P. Macgregor, *Muslim Institutions* (London: George Allen & Unwin Ltd., 1950), p. 128.

¹⁸ Al-Qur'an, 4: 34.

¹⁹ *Ibid.*, 2: 228.

²⁰ *Ibid.*, 2: 187.

²¹ *Ibid.*, 4: 1; also see, 33: 35 & 49: 13.

²² For details please see, *ibid.*, 2: 233.

well as the parents, but the father ultimately has the casting vote. Therefore, although Islam prefers patriarchal family, it also ordains human beings to solve problems by mutual consent or consultation.

4.4.2. Extended or Nuclear

Islamic teachings also believe that the structure of a Muslim family can be both extended and of nuclear type. This is because Islam does not prescribe any specific organizational family type. However, traditional Muslim family structure has actually been closer to the extended type than to the nuclear one.²³ According to Ahmad H. Sakr, the composition of a family is mainly made up of husband, wife and children, grandchildren, parents of the husband and wife, brothers and sisters of both husband and wife, uncles and aunts from both husband and wife as well as nephews and nieces from both husband and wife.²⁴ Such a composition of a family is regarded to be the extended family. The Qur'an states in the following: "And God has made for you mates (and companions) of your own nature, and made for you, out of them, sons and daughters and grandchildren, and provided for you sustenance of the best: ..." ²⁵ From the above discussion, it can be said that the Muslim family is an extended family, normally with three or four generations within its circle.²⁶ However, Islam is also in favour of the nuclear family type. According to Hammudah Abd al Ati, the extended family does not necessarily obviate the nuclear type, at least as a sub-system. Islam seems to have considered the extended form acceptable, though not necessary. That forms were apparently working and workable. Islam endorsed it, as it did not insist that it must or must not be so always.²⁷ Therefore, it can be noted here that Islam supports both extended and nuclear family types. There are some countries in the world where extended family type is dominating i.e., in Saudi Arabia, Iran and so on. On the contrary, in some South Asian countries like Bangladesh, Pakistan and so forth as well as in some Western countries like America, England, Canada etc. nuclear family type is more seen than the extended family. The main cause of

²³ See, Hammudah Abd al Ati, *The Family Structure in Islam*, op. cit., p. 30.

²⁴ Vide, Ahmad H. Sakr, *Family Values in Islam*, op. cit., p. 3.

²⁵ Al-Qur'an, 16: 72.

²⁶ See, Dr. (Mufti) M. Mukarram Ahmed (edition-in-chief), *Encyclopaedia of Islam (Introduction to Islam)* (New Delhi: Anmol Publications Pvt. Ltd., 2005), Vol. I, p. 277.

²⁷ Vide, Hammudah Abd al Ati, *The Family Structure in Islam*, op. cit., p. 31.

this discrimination is local culture rather than the teaching of Islam.²⁸ Thus, it is said that Islam does not play a rigid role in regard to family structure whether it is extended or nuclear. According to Islam, the composition of a Muslim family can be either extended type or nuclear type.

4.4.3. Monogamous or polygamous

In Islam, Muslim family can be either monogamous or polygamous form. The permission of polygamy is given by Islam in the historical context of a society with many widows and orphans.²⁹ In the words of Hammudah Abd al Ati, the family structure in Islam cannot properly be characterized as polygamous. The polygamous form is neither absolutely necessary nor unequivocally forbidden, but it is permissible.³⁰ Islam contemplates monogamy as the ideal to be aimed at, but concedes to a man the right to have more than one wife, not exceeding four, provided he is able to deal with them on a footing of equality and justice.³¹ The Quranic verse also permits polygamy in the following way:

If ye fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two, or three, or four; but if ye fear that ye shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess. That will be more suitable, to prevent you from doing injustice.³²

Thus, Islamic family ethics supports polygamy. Moreover, to discuss about a Muslim family, another question may arise i.e., whether polyandry is allowed or not in Islamic society. To answer this question, it is noted that Islamic family ethics does not support polyandry at all. Multiple spouses have never been allowed in Islam; women are to be strictly monogamous.³³ Therefore, polyandry is not allowed in Islam. From the above observation, it is seen that Islam prefers conditional polygamy rather than absolute polygamy. Moreover, Islam also supports monogamy as well as thinks that it is the ideal

²⁸ See, Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D. Thesis), *op. cit.*, p. 151.

²⁹ Vide, Tamara Sonn, "Islam" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 73.

³⁰ For details see, Hammudah Abd al Ati, *The Family Structure in Islam*, *op. cit.*, p. 32.

³¹ See, Abdur Rahim, *The Principles of Muhammadan Jurisprudence*, *op. cit.*, pp. 327-328.

³² Al-Qur'an, 4:3.

³³ Vide, Tamara Sonn. "Islam" in Jacob Neusner (ed), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 73.

form of family structure in Islam. Therefore, it can be said that there is no specific form of Islamic family. The composition of a Muslim family can be patriarchal or matriarchal, nuclear or extended, monogamous or polygamous.

4.5. Intra-Familial Relationship in Islam

Islam also admits the intra-familial relationships. There are some members except husband and wife in a family. They are son, daughter, brother, sister, grandfather, grandmother, uncle, aunty, nephew, niece and so forth. They share together happiness and sorrow as well as meet the events and accidents of life. According to Islamic teachings, intra-familial relationship depends on them. Islam establishes intra-familial relationship between husband and wife, parents and children as well as among other members of the family group i.e., brother-sister, grandparents-grandchildren and so on. Among all these relationships, husband-wife relationships as well as parents-children relationships are most common. That is why; an attempt has been made to confine the discussion only to these two important kinds of family relations. Therefore, these intra-familial relationships of Muslim family are discussed below:

4.5.1. The Relationship between Husband and Wife

According to the Islamic teachings, husband-wife relationship is the most valuable relationship in an Islamic family. The intra-familial relationship of husband and wife depends on mutual respect, kindness, mercy, compassion, love, companionship and harmonious interaction. Concerning the husband-wife relationships the Holy Qur'an states: "And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquillity with them, and He has put love and mercy between your (hearts): verily in that are signs for those who reflect."³⁴ The Qur'an further says: "It is He Who created you from a single person, and made his mate of like nature, in order that he might dwell with her (in love)."³⁵ Islam ordains that husband has some duties and responsibilities towards his wife and vice-versa. Moreover, there are also some

³⁴ Al-Qur'an, 30: 21.

³⁵ *Ibid.*, 7: 189.

joint responsibilities towards each other. Familial peace and happiness depend on these mutual responsibilities which are discussed as follows:

a) Husband's Duties towards Wife

The husband's obligations towards his wife are many. This is because he is the principal authority in the home and is responsible not only for the welfare but also for the behaviour of all members of the family. Islamic teachings assign the leadership of the family to men. This is because Almighty Allah has given men greater physical and emotional strengths as well as endurance than women. In addition, He has also given them a greater capacity to earn than women. That is why husbands are in charge of wives.³⁶ In this respect, Dr. Ahmad H. Sakr holds that this kind of leadership is nothing more than the responsibility that the husband should assume.³⁷ Thus, Islamic ethical virtue of responsibility plays a vital role in conjugal life. Besides, a husband is the protector of his wife. It is the husband's duty to support his wife and he is responsible for the maintenance of the wife's need. The Prophet of Islam gave immense stress upon good treatment of a wife. In the words of him, the best of you are they who behave best to their wives. Moreover, a Muslim must not hate his wife and if he is displeased with one bad quality in her, let him be pleased with one which is good.³⁸ Although wives generally do the domestic work of the house, but this is not obligatory to them in Islam. According to the Islamic morality, a husband must help his wife with the household work following the example of Prophet Mohammad (sm.), who used to help His wives, mend His own clothes and participate in manual work. There is a Hadith which states that a man asked the Prophet of Islam what rights a wife might demand of her husband. In the words of the Prophet, that you must feed her (with the same standard) as you feed yourself, clothe her as you clothe yourself, that you must never hit her face or put her down, or cut yourself off from her

³⁶ Vide, *ibid.*, 4: 34.

³⁷ See, Ahmad H. Sakr, *Family Values in Islam*, *op. cit.*, p. 19.

³⁸ Quoted in, Abdur Rahman Doi, *Women in Shariah* (London, Ta-Ha Publishers Ltd., 1989), p. 7; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach* (London & New York: Macmillan Press Ltd. & St. Martin's Press, Inc., 1998), p. 13.

unless it occurs in the house.³⁹ Besides this recommendations, the Messenger of Allah set a good example as the model husband who treated his wives with loving compassion as well as due consideration. He dealt with them on an equal footing, devoted a night to each in turn, helped them with the housework, shared with them the ups and downs of life, listened to their opinions and gave them the chance to develop their own individuality, independence and talents.⁴⁰ Therefore, the Qur'an and the Tradition of Prophet Mohammad (sm.) have enjoined care for and kindness to the wife.

According to Islam, the husband has some conjugal rights. He has the right to insist that the wife must live in his house and afford him access, refrain from undue familiarity with strangers, obey him in all reasonable matters and be faithful to him. Moreover, a husband can control her freedom of movement within certain limits as well as he has the right to correct his wife for unseemly behaviour. In this respect, Islamic morality describes that if a wife is disobedient, the husband can follow a three-step course. First, he has to ordain his wife with sound advice and guidance. If it does not remedy the problem, he should take the second step by abandoning her bed. If this does not solve the situation, he must apply the third and last step of physical disciplining i.e., hitting in a symbolic way that is not humiliating, injurious or deformity.⁴¹ On the other hand, if the husband abuses this disciplining authority such as using the second or third steps where the first suffices his own action, he is forbidden and legally punishable.⁴²

Furthermore, Islam also believes that the husband has also the right to dissolve the marriage at his discretion as well as marry to another woman.⁴³ According to Islamic teachings, a husband is advised to treat his wife with equity, to respect her feelings and to show her kindness as well as consideration, especially if he has

³⁹ Quoted in, Jamila Hussain, *Islamic Law and Society: An Introduction* (Sydney: The Federation Press, 1999), p. 77.

⁴⁰ Vide, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 13.

⁴¹ See, Al-Qua'an, 4: 34.

⁴² Vide, Hammudah Abd al Ati, *The Family Structure in Islam*, op. cit., p. 158.

⁴³ See, Abdur Rahim, *The Principles of Muhammadan Jurisprudence*, op. cit., p. 333.

any other wife.⁴⁴ However, under the law of Almighty Allah, the husband does not acquire any right to control over his wife's property by the fact of marriage.⁴⁵ Therefore, according to the Quranic teaching, the role of the husband is summarized as to treat his wife with kindness, honour and patience, to keep her honourably or to free her from the marital bond honourably and to cause her no harm or grief.⁴⁶

b) Wife's Responsibilities to Husband

The wife is the best companion and helpmate of her husband. Thus, a wife's responsibilities toward her husband are many. She is responsible for the affairs of the household, the physical and emotional well-beings of its members and the training of the children. As a partner in a marital relationship, the main duty of the wife is to contribute to the success and blissfulness of the marriage as much as possible. She should be attentive to the comfort and well-being of her mate as well as she may neither offend him nor hurt his feelings.

According to Islamic teaching, a wife is under no legal obligation to do any of housework, because such work is not required by the marital contract. Nevertheless, it is recommended that she does the usual routine work; this is not only normal, but also more conducive to the perpetuation of companionship.⁴⁷ Moreover, a wife is responsible to obey her husband unless he asks her to disobey Allah in that situation she should not obey him.⁴⁸

The wife has a right in regard to that of the husband to demand the fulfilment of his marital duties towards her. A wife has also a right if the husband has more than one wife to be treated on terms of strict equality with the others. She is further entitled to the payment of her dower. In the eye of Islam, a woman, either married or single, is seen as a person in her own right, not merely as an adjunct to her husband. This is why she has the full right of ownership and disposal of her

⁴⁴ For details please see, Hammudah Abd al Ati, *The Family Structure in Islam*, op. cit., p. 168.

⁴⁵ Vide, Abdur Rahim, *The Principles of Muhammadan Jurisprudence*, op. cit., p. 333.

⁴⁶ See, Al-Qur'an, 2: 229-232; also see, 4: 19.

⁴⁷ Vide, Hammudah Abd al Ati, *The Family Structure in Islam*, op. cit., p. 169.

⁴⁸ See, Suzanne Haneef, *What Everyone Should Know About Islam and Muslims*, op. cit., p. 143.

own property as well as earnings even after marriage. In addition to this, when a woman marries, she retains her own family name instead of taking that of her husband.⁴⁹

In Islam, the wife must be faithful, trustworthy and honest. Therefore, she must not deceive her mate by deliberately avoiding conception; deprive him of legitimate progeny, allow any other people to have access to that which is exclusively husbands right (sexual intimacy). Likewise, she should not receive or entertain strange males in her home without his knowledge or consent as well as she must not accept any gifts without his approval. Moreover, there is no right of a wife to lend or dispose of any of his belongings without his permission. In the eye of Islam the position of a dutiful wife is very high. ‘A person went to the Prophet and said: ‘I have a wife who always welcomes me when I come home and escorts me to the door when I leave. When she finds me sad and unhappy, she then consoles me by saying: ‘If you are thinking of sustenance, then do not despair, because Allah provides sustenance; and if you are thinking about the next life, then may Allah increase your intellect and efforts’. Then the Prophet stated: ‘Allah surely has functionaries and agents in this world, and your wife is one of those. Such a woman would be rewarded half as much as a martyr’.⁵⁰ From the above discussion, it is said that a wife is responsible for the proper management of her husband’s possessions and property. It is also her duty to protect her husband’s honour, dignity as well as respectability and for reserving her sexuality exclusively for the man she has married.

c) Husband-Wife’s Responsibilities to One Another

Islam regards husband and wife as completely equal in terms of accountability to good and in possessing unique personalities of their own. Allah says in the *Surah ‘Al-Hujurat’* in the following way:

⁴⁹ Vide, *loc. cit.*

⁵⁰ <http://islamicinsights.com/religion/clergy-corner/the-purpose-of-marriage-in-islam.html>, Retrieved on-23, February 2013.

O mankind! We created you from a single (pair) of a male and female, and made you into nations and tribes, that you may know each other (not that ye may despise each other). Verily the most honoured of you in the sight of God is (he who is) the most righteous of you. And God has full knowledge and is well acquainted (with all things).⁵¹

Islam establishes husband-wife obligations to each other in all aspects of their interaction. According to the Islamic teachings, a husband should not ill treat his wife, but should be patient with her even if he dislikes something about her.⁵² It is also a Muslim husband's duty to please his wife. On the other hand, a dutiful wife should be careful to please her husband as much as possible. Care of the home and children is normally considered to be the primary duties of the wives but husbands should not regard housework as beneath them. The Prophet of Islam himself used to mend his own clothes and help his wives in the house. The Holy Qur'an says in this connection: "The Believers, men and women, are protectors, one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, practise regular charity, and obey God and His Apostle. On them will God pour His mercy: for God is Exalted in power, Wise."⁵³ Thus, husband and wife are both responsible for household duties as well as they are the true believers in the eye of Almighty Allah. The Holy Qur'an also states: "God hath promised to Believers, men and women, Gardens under which rivers flow, to dwell therein, and beautiful mansions in Gardens of everlasting bliss. But the greatest bliss is the good pleasure of God: that is the supreme felicity."⁵⁴

According to Islam, the family relationship also involves another fundamental responsibility: the responsibility of both husband and wife to meet each other's sexual needs as well as at the same time not to seek elsewhere for the satisfaction of these needs. Islamic teachings say that a wife is at fault if she refuses to sleep with her husband without any good reason. Maulana Abul A'ala Maudoodi says in this regard that it is also a form of cruelty for a man to deprive his wife of

⁵¹ Al-Qur'an, 49: 13.

⁵² See, Al-Qur'an, 4:19.

⁵³ *Ibid.*, 9: 71.

⁵⁴ *Ibid.*, 9: 72; also see, 4: 124; 3: 195.

sexual relations.⁵⁵ The Holy Qur'an suggests that the maximum period for which a man should keep away from his wife is four months and after that period the husband should resume the sexual relationship or divorce his wife. Therefore, in Islam both husband and wife are entitled to a satisfactory sexual relationship with each other.

Furthermore, Islamic teachings also think that it is the joint responsibility of husband and wife to bring up their children properly, although the greater part of the daily work with the children generally falls to the share of the wife. Besides, it is also the joint duties of them to provide an Islamic atmosphere in their home as well as a consistent approach to training in which they reinforce and support one another. Almighty Allah has demanded that without *Shura* (consultation), there will not be a happy house and a happy family.⁵⁶ Thus, mutual respect or consultation plays a vital role in husband-wife relationship. In her husband, the wife has a friend and partner to share her life and concerns, to cherish and protect her, to help her and to bear responsibilities which would be very difficult or impossible for her to handle alone, while a man has in his wife a companion and helper who can give him peace, comfort and repose in this struggle with the rough and tumble of the world's life.⁵⁷

4.5.2. Parent-Child Relations

The most beautiful and important relationship in this world is the parent-child relationship. This is because among Muslims, children are very much loved and wanted, a precious treasure as well as a gift from Almighty Allah. Parents-children relationship is based on mutual love, affection, sympathy, mercy and responsibility. According to Islamic teachings, parents have some duties as well as responsibilities towards their children and vice-versa. Now, at first a series of child's rights and parents' obligations are discussed below and then the parents' rights as well as child's responsibilities will be discussed.

⁵⁵ For details please see, Jamila Hussain, *Islamic Law and Society: An Introduction*, op. cit., p. 79.

⁵⁶ See, Al-Qur'an, 42: 38.

⁵⁷ Vide, *ibid.*, 2: 187.

a) The Child's Rights and the Parents' Duties

In Islam, there are some child's rights which are regarded as parents' duties towards their children. One of the most important rights of the Muslim child is the right to life. Almighty Allah commends parents not to take their children's lives. This is because the preservation of human life is one of its supreme moral values. According to the Islamic family ethics, human life is given by Allah and thus it is sacred. Hence there is no right of a human being to interpret in the way Allah has chosen for our lives to end. The Holy Qur'an describes in this regard in the following way:

Say: 'Come, I will rehearse what God hath (really) prohibited you from': joint not anything as equal with him; be good to your parents; kill not your children on a plea of want;— we provide sustenance for you and for them;— come not nigh to shameful deeds, whether open or secret; take not life, which God hath made sacred, except by way of justice and law: Thus doth He command you, that ye may learn wisdom.⁵⁸

The Qur'an also states: "...if any one slew a person— unless it be for murder or for spreading mischief in the land— it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people. ..."⁵⁹

These quotations are absolutely against taking life of a child or fetus. Moreover, Islamic ethics does not support suicide or euthanasia.⁶⁰ There are so many verses in the Qur'an which really opposed suicide and euthanasia. This is because Allah decides how long each person will live.⁶¹

An example is also cited in this regard in *Sahih Bukhari*. The Prophet of Islam said: "Amongst the nations before you there was a man who got a wound, and growing impatient he took a knife and cut his hand with it and the blood did not stop till he died. Allah said, 'My Slave hurried to bring death upon himself so I

⁵⁸ *Ibid.*, 6: 151; also see, 17: 31 & 33; 4: 29.

⁵⁹ *Ibid.*, 5: 35.

⁶⁰ According to Peter Singer, euthanasia means a gentle and easy death, but it is now used to refer to the killing of those who are incurably ill and in great pain or distress, for the sake of those killed and in order to spare them further suffering or distress (Vide, Peter Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 1995), p.175).

⁶¹ See, Al-Qur'an, 16: 61; also see, 3: 145.

have forbidden him paradise'.⁶² Therefore, the most inalienable right of a Muslim child is the right to live.

In addition to this, parents are responsible to take care of their children in accordance with the Islamic family ethics. Their responsibilities begin when a baby is born. The birth of a child is an event of great joy and thanks giving which is shared by relatives and friends. When a baby is born, it is the father's duty to recite *Azan* in the right ear of the infant and *Iqama* in the left ear.⁶³ Moreover, on the seventh day of a child's birth, it is better to celebrate a ceremony (*Aqeeqa*) where an animal is slaughtered for the new family member as a token of thankfulness to Allah as well as the hair of the baby is to be shaved and to donate money to needy people. It is also the parents' obligation to select a name which reflects beauty, obedience and praise to Allah as well as boys are to be circumcised as soon as possible.

According to the Islamic family ethics, another important right of a child is proper nourishing. It is the mothers' religious duty to suckle her baby in accordance with the Quranic method and it is considered the proper way to nourish a baby as well as nursing may be continued for two whole years.⁶⁴ Almighty Allah revealed such information in the Qur'an in *Surah Al Baqarah*. He says the following:

The mothers shall give suck to their offspring for two whole years, if the father desires to complete the term. But he shall bear the cost of their food and clothing on equitable terms. No soul shall have a burden laid on it greater than it can bear. No mother shall be treated unfairly on account of her child. Nor father on accounts of his child, an heir shall be chargeable in the same way. If they both decide on weaning, by mutual consent, and after due consultation, there is no blame on them. If ye decide on a foster-mother for your offspring, there is no blame on you, provided ye pay (the mother) what ye offered, on equitable terms. But fear God and know that God sees well what ye do.⁶⁵

From the above Quranic verse, it is clear that the baby is to be nursed by his mother and mother's love for her baby i.e., hugging or embracing does reflect

⁶² *Sahih al Bukhari*, Vol. 4, Book. 56, Hadith no. 669 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011).

⁶³ For details please see, *Jame at-Tirmizi*, Translated and edited by Muhammad Musa (Dhaka: Bangladesh Islamic Centre, 1996), Vol. 2, P. 131; Hadith no. 1458.

⁶⁴ Vide, Jamila Husain, *Islamic Law and Society: An Introduction*, op. cit., P. 80; also see, Suzanne Haneef, *What Everyone Should Know About Islam and Muslims*, op. cit., p. 149.

⁶⁵ Al-Qur'an, 2: 233.

attachment to each other. If the mother cannot nurse her baby for any medical reasons, then another woman should extend her help to nurse the baby.⁶⁶ Moreover, the father is obliged to provide maintenance to his wife and child. Likewise, it is also the father's duty to bear financial support for them.

According to Islamic family values, parents have also some duties towards their children when they are 2-7 years old. They are required to maintain, protect and guide them as well as to show tenderness and mercy. During childhood, parents should play with them; narrate stories to them which contain moral aspects of love and respect, helping the needy, visiting the sick, giving money to the needy and so forth. They must teach their children love and obedience to Allah as well as the love for the Prophet (sm.) of Islam, love for his family and his companions.⁶⁷ Parents have to refrain from any bad language or from arguments among themselves or even with their children. This is because during this age, children want to learn by observing, seeing, hearing and following. It is also the parents' responsibility to send their offspring to a full time Muslim school in order to get Islamic atmosphere as well as to develop his attitude, behaviour and manners.

According to Islamic family ethics, parents should start to teach their children about good character and religious practices during pre-adolescence. They are to be more concerned about their children's development. They must teach their offspring some major topics of decency, morality, dress code, respect to others, cleanliness, boys-girls relationship and so on. It is also the parents' responsibility to teach their children the basic teachings of Islam as well as to advise them to pray five times a day individually or collectively with parents. At the same time, children should be trained to give donations and save money as well as they should learn how to be generous to the needy and the poor. According to Islam, parents are to advise their children to be obedient to Allah, good to their parents in all types of situations, and good to people. Parents are also to advise them to live

⁶⁶ For further details please see, *ibid.*, 65: 6.

⁶⁷ See, Ahmad H. Sakr, *Family Values in Islam, op. cit.*, pp. 51-52.

an honest and sincere life.⁶⁸ In this respect, a beautiful example of Luqman is found in the Quranic verse 31: 13 which runs as follows: “Behold, Luqman said to his son by way of instruction: ‘...O my son! Joint not in worship (others) with God: for false worship is indeed the highest wrong-doing’.”⁶⁹

In Islam, brothers and sisters are to behave with respect towards one another and children should be treated equally by their parents. In this regard an episode has been described in the Hadith literature. According to that episode, a man of the Ansar proposed to accede to his wife’s request to give a garden or a slave to one of his sons and asked the Prophet to be a witness to the transfer. The Prophet inquired whether such gifts were being made to the other sons. He replied to the Prophet that they were not. Therefore, the Prophet refused to be a witness and said that he would not be a witness to injustice.⁷⁰ Hence, Islam insists on equal treatment between male children and female children. Furthermore, although Islam urges parents not to make any differences between the children, but it also advises its followers to be kind to the young girls. According to Hazrat Mohammad (sm.), if a daughter is born to a man and he brings her up affectionately, shows her no disrespect and treats her in the same manner as he treats his sons, the Lord of the world will reward him with Paradise.⁷¹ Apart from these recommendations, the Prophet set a good example as the model of a father who treated his daughters with loving compassion and due consideration. He loved his daughter, Fatima so much that he used to say that Fatima was a part of me who wrongs her wrongs me and who please her pleases me.⁷² Therefore, Islam lays down special importance towards female children. Moreover, some Islamic scholars think that it is permissible to give special treatment to a child who suffers from a handicap or in some other unusual circumstances. Thus, the right of a boy

⁶⁸ For an account please see, *ibid.*, p. 21.

⁶⁹ Al-Qur’an, 31:13.

⁷⁰ Quoted in, Jamila Hussain, *Islamic Law and Society: An Introduction*, *op. cit.*, p. 80.

⁷¹ Quoted in, Mohammad Mazheruddin Siddiqi, *Women in Islam* (New Delhi: Saeed International (Regd), 1993), p. 15; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 12.

⁷² Quoted in, Muhammad Abdul-Rauf, *The Islamic View of Women and the Family* (New York: Robert Speller and Sons, 1977), p. 26; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 12.

and a girl is equal in the eye of Islam, but good treatment of young girls is strongly emphasised both in the Qur'an and in the *Sunnah*.

According to Islamic family ethics, parents have also some duties during adolescence. During this period, parents should arrange their children's marriage. A beautiful example is found in the saying of Prophet Mohammad (sm.) which describes the duties of parents towards their children from childhood to adulthood. It runs as follows:

When the child is six years old, teach him good manners, when nine years old, separate his bed, beat him when thirteen years old for not saying prayer and get him married when sixteen years old. Then tell him catching his hand: I have taught you good manners, I have given you education and I have got you married. Now I pray to God that he may save you from dangers and difficulties and punishment of the next world.⁷³

Therefore, the Holy Qur'an and the Hadith of Prophet Mohammad (sm.) give a clear chart of duties and responsibilities of parents towards their children as well as the right of the children.

b) The Parents' Rights and the Childs' Responsibilities

According to Islamic family teachings, there are also some rights of the parents which are regarded as children's responsibilities towards their parents. Throughout the Qur'an, it is noticed that parents are mentioned with appreciation and respect. Almighty Allah asked mankind to recognize their parents after the recognition of Allah Himself. In the beautiful language of the Qur'an in this regard is as follows: "Serve God, and join not any partners with Him; and do good— to parents"⁷⁴ In this regard, Prophet Hazrat Mohummad (sm.) said the following:

Narrated by Abi Abder Rahman Abdullah Bin Massoud (May Allah be pleased with him) saying: 'I asked the Prophet (pbuh), which deed is more liked by Allah?' He replied, 'Prayers on time'. 'Then I asked, 'which one is next?' He said, 'Godliness to parents'. Then I asked, 'Then which one is next?' He said 'Jihad in the way of Allah'.⁷⁵

⁷³ Quoted in, Imam Ghazali, *Ihya Ulum-Id-Did*, translated into English by Maulana Fazul-ul-Karim (New Delhi: Kitab Bhavan, 1982), Book. 1, p. 169.

⁷⁴ Al-Qur'an, 4: 36.

⁷⁵ Quoted in, Dr. Ahmad H. Sakr, *Family Values in Islam, op. cit.*, p. 63.

From the above Quranic verse and the Hadith, it is noted that respect for parents comes immediately after praying to Allah and before *Jihad* (struggle and striving in the way of Allah). Another important right of the Muslim parents is that they should be respected and appreciated by their children every day throughout the life time even after death. In *Surah Al-Baqarah* (The Cow), Allah emphasizes that children should respect and be kind to their parents. The appropriate Quranic verse in this connection runs as follows: “And remember we took a covenant from the children of Israel (to this effect): worship none but God; treat with kindness your parents ...”⁷⁶

According to Islam, children are to show not only respect but also to reveal gratitude towards their parents.⁷⁷ There is a beautiful verse in the Qur’an that ordains children to show gratitude towards them. It is as follows: “And we have enjoined on man (to be good) to his parents: in travail upon travail did his mother bear him, and in years twain was his wearing: (hear the command), show gratitude to Me and to thy parents: to Me is (thy final) goal.”⁷⁸ Moreover, mothers are given more gratitude and respect than fathers, although Islam recognized both parents. This attitude of Islam is understood by the hardships as well as the suffering of mother’s experience in their lives. In this respect, the Prophet (sm.) said:

Narrated Abu Huraira @: A man came to Allah’s Apostle and said, “O Allah’s Apostle! Who is more entitled to be treated with the best companionship by me?” The Prophet (Sm.) said, “Your mother”. The man further said, “Who is next?” The Prophet said, “Your mother”. The man asked for the fourth time, “Who is next?” The Prophet said, “Your father.”⁷⁹

Another important right of parents is that they can get bequest property by their children. According to the Islamic family values, children are required to

⁷⁶ Al-Qur’an, 2: 83; also see, 6: 151; 29: 8; 46: 15.

⁷⁷ See, Tamara Sonn, “Islam”, in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 78.

⁷⁸ Al-Qur’an, 31: 14; also vide, 46: 15.

⁷⁹ *Sahih Al-Bukhari*, translated into English by Dr. Muhammad Muhsin Khan, *Sahih Al Bukhari*, (Arabic-English), (Beirut, Lebanon: Dar Al Rabia, Publishing, Printing and distribution), Vol. 8, p. 2, Hadith no. 2; also see, *Sahih Muslim*, rendered into English by Abdul Hamid Siddiqi (New Delhi: Kitab Bhavan, 1978), Vol. 2, p. 78, Hadith no. 2181.

bequeath property to surviving parents according to the fixed share system which runs as follows:

... For parents, a sixth share of the inheritance to each, if the deceased left children; if no children, and the parents are the (only) heirs, the mother has a third; if the deceased left brothers (or sisters), the mother has a sixth. (The distribution in all cases is) after the payment of legacies and debts. Ye know not whether your parents or your children are nearest to you in benefit. These are settled portions ordained by God; and God is All-knowing, All-wise.⁸⁰

Therefore, in the eye of the Qur'an, children who respond this way are described as the righteous i.e., Muslim who will dwell in Paradise.

One of the most emphasized rights of the parents is to please them all time even in doubtful matters. For example, if a parent becomes displeased when he refuses to eat doubtful food with them, the children must not refuse the parents' request. This is because to avoid what is doubtful is piety whereas to please them is a command of God. Therefore, to obey the parents in doubtful matters is the most important duty of the children.⁸¹ Besides, the other right of the parents is to take their consent for any permissible or supererogatory act.

In Islam, parents should be respected even though they are non-Muslims. The Qur'an says that parents, who try to lead children and try or strive very hard to convert their children to non-Islamic beliefs, must not be obeyed, but they are to be good to them, respectful to them and kind to them.⁸² The beautiful language of the Holy Qur'an is as follows:

But if they strive to make thee join in worship with Me things of which thou hast no knowledge, obey them not; yet bear them company in this life with justice (and consideration), and follow the way of those who turn to Me (in live): in the end the return of you all is to Me, and I will tell you the truth (and meaning) of all that ye did.⁸³

⁸⁰ Al-Qur'an, 4: 11.

⁸¹ For more details please see, Muhammad Abul Quasem, *The Ethics of Al-Ghazali: A Composite Ethics in Islam* (, p. 218.

⁸² Vide, Tamara Sonn, "Islam", in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another*, op. cit., p. 79; also see, Dr. Ahmad H. Sakr, *Family Values in Islam*, op. cit., p. 61.

⁸³ Al-Qur'an, 31: 15; also see, 6: 151; also vide, 4: 35.

Moreover, children cannot obey wayward parents, but they are called upon to be respectful to them. There is a beautiful story of Abraham in the Qur'an as to how parents are to be treated. Abraham says to his father:

'O my father! to me hath come knowledge which hath not reached thee: so follow me: I will guide thee to a way that is even and straight. O my father! serve not Satan: for Satan is a rebel against (God) Most Gracious. O my father! I fear lest a Penalty afflict thee from (God) Most Gracious, so that thou become to Satan a friend'. (The father) replied: 'Dost thou hate my gods, O Abraham? If thou forbear not, I will indeed stone thee: Now get away from me for a good thy long while'! Abraham said: Please be on thee: I will pray to my Lord for thy forgiveness: For He is to me Most Gracious. And I will turn away from you (all) and from those whom ye invoke besides God: I will call on my Lord: perhaps, by my prayer to my Lord, I shall be not unblest'.⁸⁴

Therefore, children have to respect their parents even though they belong to other religious faith as well as they are wayward. Another important right of the parents is that they should be supported and respected by their children even in their old age. In Muslim countries there is virtually no such institution like an old age home. The aged are cared for by their children as a matter of course or by other relatives if there are no children. A Muslim child does not regard this as a burden, no matter how demanding their care may be but as an Islamic obligation, a duty he owes to them. The Holy Qur'an states in this regard:

Thy Lord hath decreed that ye worship none but Him, and that ye be kind to parents. Whether one or both of them attain old age in thy life, say not to them a word of contempt, nor repel them, but address them in terms of honour. And, out of kindness, lower to them the wing of humility, and say: 'My Lord! bestow on them thy mercy even as thy cherished me in childhood'.⁸⁵

Moreover, duties to the parents do not end with the death of the parents. The children should continue to mention their parents in their prayers and to make supplication for God's mercy on them until the end of their own lives. Secondly, they must fulfil the promise which they might have made to someone but could not get time or opportunity to fulfil. Thirdly, to respect their friends and to

⁸⁴ See, *ibid.*, 19: 43-49.

⁸⁵ *Ibid.*, 17: 23-24.

maintain a relationship with their parents' relatives are another foremost duty of the children after their parents' death.⁸⁶

From the above discussions, it can be said that Muslim children should do their best to respect their parents, to honour them, to be kind to them, to help them as well as to please them for the love of Allah. For these reasons, the mutual love, compassion, concern, affection, understanding and sympathy between parents and children are the basic ingredients to build a happy family. A happy family helps a person to live a stable life, i.e., morally, socially, culturally, spiritually, economically, biologically and so on.

4.6. Family Life in Hinduism

One of the most important and emphasized areas of the Hindu system of life is the family life. According to Hinduism, a family is a group of people consisting sometimes of as many as a hundred persons knit together by blood ties, owing allegiance to one adult head, generally the living eldest male member.⁸⁷ People can lead a harmonious life through family. In Hinduism, family is the training centre where all people are properly looked after, where the children are trained in the traditions and arts as well as where all property are concentrated. Moreover, family is the training center where the old guide and direct the young as well as the young respect, obey and support the old. In addition, family is the place where gods are worshipped and sacrifices are performed. Besides, family helps the Hindus to foster, nourish and share a corporate spirit.⁸⁸ From the above discussion it is said that Hindu family is a political, economic, religious and cultural institution which protects and enhances the traditional lore, safeguards religion, morality as well as means of existence of the group from generation to generation.

According to Hindu family ethics, ancestor-worship plays a vital role to modify a Hindu family. This is because in the primitive age, most people have been habituated to offer

⁸⁶ See, Muhammad Abul Quasem, *The Ethics of Al Ghazali: A Composite Ethics in Islam* (Selangor, Malaysia: published by the Author: 1976), p. 218; also see, Suzanne Haneef, *What Everyone Should Know About Islam and Muslims*, op. cit., pp. 152-153.

⁸⁷ For details please see, Maganlal A. Buch, *The Principles of Hindu Ethics* (Delhi, India: Bharatiya Kala Prakashan, 2003), pp. 222-223.

⁸⁸ See, loc. cit.

food and drink for the departed souls of members of their own families. The souls of the dead are invited to come and eat as well as be nourished thereby. This idea is the origin of all feasts for the dead. The primitive races believed that this practice is a service to souls, not a worship. The dead are dependent on the family for their nourishment and if they do not receive this attention, they become wandering and harmful ghosts. However, these beliefs have been changed after few days and it took place into a more developed stage where the dead are conceived as being powerful beings, controlling the welfare of the family. Thus, the old service of the dead becomes a worship. The family pays them great reverence, not merely because they are kins-folks, but in order to secure their loving care over the family.⁸⁹ Therefore, it can be said that in this way ancestor-worship helps to modify the organization of the family.

In the eye of Hinduism, family can be formed only through marriage. It is not only the most highly respected social institute but also an equally important religious institute. Marriage helps an individual to transform himself from a self-centred into a social being, from an isolated unit into a unit essentially connected with the past as well as the future of the race. It is a fundamental social fact in man's life, constituting an important stage in the development of his individuality, a stage in which the essentiality belongs to society and not to himself. In addition, social conscience depends on a couple who honestly maintain their marriage vows. According to Hindu family ethics, the normal relations between a couple are determined by the principle that there should be an absolute identity in their aesthetic, material and moral interests.⁹⁰

In Hinduism, marriage is not an act of mere pleasure, not primarily a source of romantic love, but an act of duty, a matter of moral and religious obligation. This is because the birth of a son brings great blessings to his parents. If he fails to beget a son, he fails in his duty to his ancestors.⁹¹ In the Hindu religious traditions, a man's salvation depends on a

⁸⁹ Vide, J. N. Farquhar, *The Crown of Hinduism* (New Delhi: Oriental Books Reprint Corporation, 1971), pp. 78-79.

⁹⁰ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times To the Present Day* (Delhi: Motilal Banarsidass Publishers Pvt. Ltd., 1991), p. 95.

⁹¹ See, *Manu-Samhita* (Hereafter abbreviated as Manu), 9: 105 (This and all quotations from the *Manu-Samhita* have been taken from Dr. Manabendu Bandopadhyay (editor and translator), *Manu Samhita* (in Bengali), (1st Edition, Calcutta: Shadesh, 2004).

timely and proper marriage as well as the production of offspring. The welfare of a man in the other world depends upon his having a son to take over from himself the *sraddah* ceremonies i.e. funeral etiquette. Thus, according to Hindu family ethics, marriage is a religious duty, not merely a comfort or a convenience.

According to Hinduism, the present bliss and prosperity of a Hindu depends upon male children. Moreover, only sons have the right to help his father in his priestly work. According to the Rig-Veda, sons were a source of strength and power to people in those days. They were called cancellers of the father's debt.⁹² Furthermore, to have children was to become immortal.⁹³ Manu draws his opinion regarding the importance of first child in the following way: "He (i.e., the eldest sons) on whose birth the debt (to the manes) is discharged and the father obtains immortality is called the son according to virtue, the rest are sons of lust."⁹⁴ In the Hindu religious tradition, if a woman failed to provide a son, it is a man's duty to have recourse to adoption and in Hinduism the position of an adopted son is as same as a real son.⁹⁵ However, it is found in the Rig-Veda that adoption is not popular. The Rig-Veda states: "Agni, no son is he who springs from others.... Unwelcome for adoption is the stranger, one to be thought of as another's offspring. Though grown familiar by continual presence."⁹⁶ Therefore, a Hindu family is to have a natural desire for sons.

In Hinduism, family name and lineage is determined through family life. In Hindu family ethics, a son has the right to carry on the family name and lineage. The Aitareya Brahmana has a very eloquent passage in praise of son. Once a king named Hariscanda, who had one hundred wives but no sons asked a priest named Narada that 'what does one gain by a son'? The priest replied by enumerating the many benefits a son brought to his father. It runs as follows:

When the father sees the face of the born living son, he places his debts (worldly and the three Vedic) on him. There is more enjoyment (of pleasures) of the father by the son, than there are in the earth, in the fire, and in the water, of living beings. Fathers are delivered from great drankness by the son. Self is born from self. He (the son) is a ferry in a great river. What is the good of the four Ashramas? Desire the son, O Brahmins. He is the happy unblameable regions.

⁹² See, Rig-Veda, vi. 61. 1 (All quotations from the Rig-Veda have been taken in this work from Ramesh Chandra Datta (translator), *Rigveda Samhita* (in Bengali), (Calcutta: Haraf Prakashani, 1993, Vols. 1 & 2).

⁹³ Vide, *ibid.*, v. 4. 10.

⁹⁴ Manu, 9: 107.

⁹⁵ See, J. N. Farquhar, *The Crown of Hinduism*, *op. cit.*, pp. 80-81.

⁹⁶ Rig-Veda, vii. 4. 7-8.

Food is the life, clothes are refuge, gold is beauty, cattle are marriage, friend is wife, grief is daughter, light is the son in the great heavens. The husband enters the wife having become the embryo in the womb of the wife who becomes the mother. He is born again in the tenth month after being a new (being). Therefore the wife is called Jaya, because he (husband) is born again There is no heavenly region for the sonless man.⁹⁷

Therefore, to have a son, a Hindu should lead family life. In Hinduism, the importance of family life is immense and it is said that family life is the best. According to Hindu family ethics, the householder stage or family life procures both happiness in this life and heaven in the next. Manu says in this connection:

Just as all living creatures depend on air in order to live, so do members of the other stages of life subsist by depending on householders. Since people in the other three stages of life are supported every day by the knowledge and food of the householder, therefore the householder stage of life is the best. It must be carried out with zeal by the man who wants to win an incorruptible heaven (after death) and endless happiness here on earth ...⁹⁸

Hence, at all levels– individual, social and spiritual– the family is at the centre of religious life in Hinduism.

4.7. Nature of a Hindu Family

To discuss the nature of a Hindu family, several fundamental questions naturally arise as to whether a Hindu family is patriarchal or matriarchal? Is it nuclear or extended? Is it monogamous or polygamous? Is polyandry allowed to the Hindus and if so under what limitations? etc. Now, an attempt has been made to find out the answers of these questions in the light of Hinduism.

4.7.1. Patriarchal

According to Hinduism, Hindu family is patriarchal. In the primitive age, the father was the priest of the family and he controlled the ancestor-worship of the family. Moreover, he alone knew the peculiar ritual which was traditional in his family. He alone had the power of passing on the rites to his son. Therefore, in Hinduism, father was the head of

⁹⁷ Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., pp. 113-114; also see, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe to One Another?*, op. cit., pp. 92-93.

⁹⁸ Manu, 3: 77-79; also see, Brian K Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, op. cit., p. 92.

the family, because he was the priest of the ancestral rites. The reverence as well as the power which his priestly position brought him made him supreme in the home.⁹⁹ In this way the patriarchal family took shape. In earlier times, the mother might be the head of the family; however, with the establishment of ancestor-worship the father became supreme.¹⁰⁰ In the patriarchal family of Hinduism, the father has so much power. He has full power over his wife and his young children as well as in most cases his grown-up sons are also completely under his authority. Every member of the family owes complete obedience to the head of the family in all things. Therefore, no matter how old a man may be, he is still a minor, if his father, grandfather or great grandfather is alive, he must obey him implicitly. Without his consent, he cannot marry nor undertake anything of importance. Besides, the property of the family is altogether in his hands. The landed property of the family and the income of any wage-earning members are in the house-father's hand and are used by him for the needs of the whole family. Here patriarchal family is found in its most expanded form. Thus, it can be said that Hindu family is patriarchal, not matriarchal.

4.7.2. Extended Type or Nuclear Type

Hindu teachings also believe that the structure of a Hindu family is an extended type rather than a nuclear one. Hinduism believes in joint family. In this system, a man's son brings his bride into the paternal house and the daughter is taken by her husband to his father's mansion. Therefore, all the male descendants of the householders down to the third or even the fourth generation, if it happens to survive so long, and also the unmarried girls, live in one house with him under his complete control. In a Hindu family, sometimes seventy or eighty persons will be found under one roof, all of them are the lineal descendants of the family.¹⁰¹ Thus, Hindu family is regarded to be the extended family. However, Hinduism also is in favour of the nuclear family type. This is prevalent in some countries like Bangladesh, India and so on where nuclear family type is more seen than the extended family type. The foremost reason of this type of family is local culture and life style of a Hindu rather than the teaching of Hinduism. Thus, it is said that

⁹⁹ Vide, J. N. Farquhar, *The Crown of Hinduism*, *op. cit.*, p. 79.

¹⁰⁰ See, *loc. cit.*

¹⁰¹ Vide, *ibid.*, p. 89.

Hindu view in regard to the structural form of family is not rigid at all. Hindu family can be extended or nuclear.

4.7.3. Monogamous and Polygamous

In Hinduism, family can be both monogamous and polygamous. The permission of polygamy is given by Hinduism in order to prove that a man is of far greater value and importance than a woman.¹⁰² From the primitive age polygamy prevails in Hindu society. According to Hindu family teaching, kings, men of wealth and men of social position had a right to marry several wives and no man of this category is restricted to one wife. The rich probably regarded plurality of wives as a proof of their wealth, reputation and social position. The king and noble found it as useful instrument in strengthening their political power by contracting numerous but judicious matrimonial alliances. Thus, polygamy was a luxury beyond the means of the poor. A rich man can support several wives but a poor man finds it difficult to maintain even one.¹⁰³

In Hinduism, Hindu law gives a man the right to take a second wife. A Hindu marries in order that he may have a son. A son is absolutely necessary for a Hindu family in order to offer the prescribed oblations to ancestors so as to secure their continuance in heaven. Therefore, Hindu family ethics permits the husband to take a second wife, if the first one is barren.¹⁰⁴

Secondly, Hinduism also gives a man the right to a second marriage, if he finds his first wife stubborn and troublesome.¹⁰⁵ According to Manu, a *Brahmin* is allowed four wives, a *Kshatriya* three, a *Vaisya* two.¹⁰⁶ Further, most of the Hindu gods are polygamous.

¹⁰² See, *ibid.*, pp. 92-93.

¹⁰³ See, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, *op. cit.*, p. 105.

¹⁰⁴ See, *loc. cit.*; also vide, J. N. Farquhar, *The Crown of Hinduism*, *op. cit.*, p. 92. In Hinduism, some writers think that it was the wife's duty to urge her husband to contract a second marriage, if she had failed to present a son to him (For details please see, *Kamasutra*, iv, 2). Moreover, ten years have to be allowed to make it certain that the wife was really barren. In case daughters alone or very short-lived children are born, a further period of waiting for three or four years is prescribed (Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, *op. cit.*, p. 106).

¹⁰⁵ Vide, J. N. Farquhar, *The Crown of Hinduism*, *op. cit.*, p. 93.

¹⁰⁶ For details see, Manu, 3: 13.

Vishnu and Brahma, for instance, have three consorts each.¹⁰⁷ Moreover, Dasharatha had four principal wives, but he had three hundred and fifty other wives.¹⁰⁸ However, some Hindu leaders prohibit a second marriage for the following reasons— if the first wife had already given birth to a son. Secondly, a man who marries a second wife without a just cause will be guilty of sin which can never be atoned.¹⁰⁹ Therefore, Hindu family ethics prescribes conditional polygamy for the Hindus.

On the other hand, it is true that monogamy also naturally prevails in Hindu society. In modern times, monogamy has become the rule for ordinary Hindus of all castes. Here, the word '*dampati*' or 'two joint owners of the household' exclude a third person from the conjugal life. The ritual does not provide for the association of more than one wife in the normal sacrifice. Now, one question normally arises, i.e., which one is the ideal between polygamy and monogamy? According to Hindu family ethics, the ideal is of one man and one wife i.e. monogamous form. Manus says in this connection that marriage with the first wife is for *Dharma*; only pure inclination is responsible for other wives.¹¹⁰ Moreover, association for the performance of religious rites is allowed only to the wives of one's own caste. In addition, Rama's single-minded devotion to one wife has become proverbial. In the Ramayana, it is found that the marriage of only one wife is expressly applauded. It is equal to the merit acquired by penance or study of the Vedas or gift of land or *Agnihotra*-ceremony.¹¹¹ Thus, it is said that the Hindus are normally monogamous rather than polygamous; but they are not rigid adherents to the institution of monogamy.

To discuss about the nature of a Hindu family, another question arises, i.e., is polyandry allowed to the Hindus? To answer this question it is noted that polyandry is entirely opposed to all the Hindu scriptures and traditions. According to Hinduism, it is a grievous sin if a woman transgressed her husband and transferred her affection to another person

¹⁰⁷ See, J. N. Farquhar, *The Crown of Hinduism*, op. cit., p. 93.

¹⁰⁸ See, Ramayana, ii. 34. 13; also vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 131.

¹⁰⁹ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 106.

¹¹⁰ For further details see, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 130.

¹¹¹ See, Ramayana, ii. 64. 43; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 131.

and married him.¹¹² The Vedas clearly repudiates polyandry. It states in this connection: “As in one piece of wood there may be two strings, therefore, a man may have two wives. As there cannot be one string for pieces of wood for *Yagna*, so a woman cannot have two husbands.”¹¹³ According to Hinduism, a male may have several wives but a female cannot have many husbands.¹¹⁴ Hinduism also says: “Polygamy in men is an act of great merit. To women it is very sinful to betake to a second husband after the first.”¹¹⁵ Thus, Hindu family does not support polyandry at all. However, the fact of Draupadi’s marriage to five Pandavas raises the question of the existence of polyandry. The Mahabharata gives several fantastic reasons for justification of Draupadi’s marriage. According to the Mahabharata, Draupadi got five husbands in this life because in one of her previous existences, she had five times uttered the prayer to God, ‘Give me a husband’.¹¹⁶ The Tantravartika holds that Draupadi’s marriage with five royal brothers is to be understood only figuratively. Draupadi was not a lady in flesh and blood, She stood for royal glory and her marriage with five brothers is only intended to show that they were jointly ruling their kingdom with absolute accord or it is supposed that the brothers were really married to five different ladies, but they were so much alike in person and character that they came to be described under the common name Draupadi.¹¹⁷ Hence, the marriage of Draupadi does not establish the idea of polyandry in Hindu society. However, polyandry is still current among a few non-Aryan tribes of Kashmir and Tibet.¹¹⁸ Nevertheless, it is noted that Hinduism does not support polyandry.

In estimation of the above discussions, it can be said that Hindu family can be nuclear or extended, monogamous or polygamous. It also believes that Hindu family must be a patriarchal type.

¹¹² Vide, Mahabharata, i.169.36; also see, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric times to the Present Day*, op. cit., p. 105.

¹¹³ Quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 131.

¹¹⁴ See, Aitareya Brahmana, 3. 2. 12.

¹¹⁵ Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 131.

¹¹⁶ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p.113.

¹¹⁷ See, *ibid.*, pp. 113-114.

¹¹⁸ For details please see, *ibid.*, p. 114.

4.8. Intra-Familial Relationship in Hinduism

In Hindu family ethics, intra-familial relationship plays an important role. It means the interlacement of relationships among the members of a family. According to Hinduism, intra-familial relationship is versatile i.e., husband-wife relationship, parents-children relationship, grandparents-grandchildren relationship, brother-sister relationship, sister-sister relationship, brother-brother relationship, uncle-nephew relationship, aunt-niece relationship and so on. However, among all these family relations, Hindu family ethics holds that husband-wife relationship and parents-children relationship are most valuable and common. Thus, an attempt has been made to confine the discussion mainly to the relations between husband-wife and parents-children, which have been discussed below:

4.8.1. The Relationship between Husband and Wife

According to the Hindu teachings, husband-wife relationship is the most fundamental relationship in a Hindu family. This intra-familial relationship of husband and wife depends on mutual respect, honour, love, harmony, support, unconditional devotion etc. The love and harmony between the couple have been beautifully described by the Hindu teachings. According to A. S. Altekar, the dearest friend, the essence of all kinship, the fulfilment of all desires, a real treasure, the very life itself,— all these are to: a husband to the wife and vice-versa.¹¹⁹ He further says:

Their love is uniform both in prosperity and adversity, and adjusts itself to surrounding circumstances; it affords the best solace to each other's heart; old age does not diminish its flavour; when the veil of reserve drops down in course of time, it develops into an ever-abiding affection.¹²⁰

Thus, love and harmony play a vital role in a couple's life. According to Hindu family ethics, husband has some duties and responsibilities over his wife and vice-versa. In addition, there are some joint responsibilities of husband and wife. Familial happiness, enjoyment and pleasure depend on the relation between husband and wife which is discussed as follows:

¹¹⁹ See, *ibid.*, p. 100.

¹²⁰ *Loc. cit.*

a) Husband's Duties towards Wife

In Hinduism, the husband's responsibilities towards his wife are many. This is because the wife plays a vital role in a man's life. According to Hindu family ethics, a householder's home, even if it is filled with sons, grandsons, daughters-in-law and servants, is regarded as empty if destitute of the housewife. One's house is not one's own house, but one's wife only is one's home. A house without a wife is as desolate as the wilderness.¹²¹ Moreover, Hinduism ordains that a man completes himself as a householder— a husband, father as well as man-in-the-world. It is remarked in an important Text of Hinduism: "A full half of one's self is one's wife. As long as one does not obtain a wife, therefore, ... one is not reborn and remains incomplete. As soon as he obtains a wife, however, he is reborn and becomes complete."¹²² In another text it is remarked that when he finds a wife, therefore, a man considers himself to be, as it were, more complete.¹²³ Thus, only wife can complete the very being of a man. In addition to this, a wife is the most valuable possession in a man's life. This is because Hindu family ethics believes that the wife is a man's half— the wife is the first of friends. The wife is the root of religion, profit, desire as well as salvation. The husband can perform religious acts and lead domestic life only if he has wife. A man who has wife can achieve good fortune.¹²⁴ Hence, the importance of a wife in a man's life is immense.

Moreover, it is the husband's responsibility to treat his wife with kindness. According to Hinduism, no man, even in anger, should ever do anything that is disagreeable to his wife seeing that happiness and joy as well as virtue depend on the wife. A wife is the sacred field in which the husband himself is born.¹²⁵ Besides, a husband has no right to consider his wife as his property; he has to consider his wife as an acquisition due to his own acts of previous life, or to what has been ordained by God.¹²⁶ Furthermore, the husband has also the duty to protect and maintain his wife; otherwise, he would have no right at all to be called a husband. Manu is of opinion and says:

¹²¹ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 148.

¹²² Satapatha Brahmana, 5. 2. 1. 10.

¹²³ See, Aitareya Aranyaka, 1. 2. 5, also see, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, op. cit., pp. 94-95.

¹²⁴ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 148.

¹²⁵ For details see, loc. cit.

¹²⁶ See, loc. cit.

Men should never give any license to their wives in day and night; by keeping them engaged in commendable pursuits, they should be kept under their own control ... Women should be especially protected from the slightest of corrupting influence, since an unprotected woman aggrieves the two families. This (protection of wives) forms the highest duty of the members of all the four social orders. Even weak (i.e., diseased) husbands should endeavour to protect their wives. By assiduously protecting his wife, a man protects (the purity of his) progeny and family as well as his character, self and virtue ... Wives cannot be kept by force: it is by the application of the following expedients that they can be kept under control. They should be employed in storing and spending money; in maintaining the cleanliness of their persons and of the house, and in looking after the beddings, wearing apparels and household furniture. Imprisoned in the house and closely guarded by their male relations, (bad) women are not sufficiently protected. Woman who guard themselves are said to be truly guarded.¹²⁷

Therefore, complete protection is the woman's due at the hands of her husband in Hinduism. It is the husband's obligation to select a right wife. It is remarked in the Apastamba Grhya Sutra: "One should examine the family (of the intended bride), those on the mother's side and on the father's side One should marry a girl who possesses the characteristics of intelligence, beauty, and good character, and who is free from disease."¹²⁸ According to Manu, a woman who does not come from the same blood line on her mother's side, or on her father's side, and who is a virgin, is recommended for marriage to a twice-born man. Moreover, he should marry a girl who does not lack any part of her body and who has a pleasant name, who walks like a goose or an elephant, whose body hair and hair on the head is fine, whose teeth are not big, and who has delicate limbs.¹²⁹ Furthermore, he also gives some details about the type of women one should definitely avoid. According to him, he should avoid the ten following families, even if they are great or rich in cows, goats, sheep, property, or grain: a family that has abandoned the rites, or does not have made children, or does not chant the Veda; and those families in which they have hairy bodies, piles, consumption, weak digestion, epilepsy, white leprosy, or black leprosy. A man should not wed a girl who is in a redhead or has an extra limb or is sickly or has no body hair or too much body hair or talks too much or is sallow; or who is named after a constellation, a tree, or

¹²⁷ Manu, 4: 2, 5, 6, 7, 10, 11, 12.

¹²⁸ Apastamba Grhya Sutra, 1.5.1-3; also see, Brian, K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, op. cit., p. 95.

¹²⁹ Vide, Manu, 3: 5, 10.

a river, or who has a low-caste name, or is named after a mountain, a bird, a snake, or has a menial or frightening name. A wise man will not marry a woman who has no brother or whose father is unknown.¹³⁰

Moreover, another right of a man is that after he has married a woman of his own caste, he may wed other women as well. Men 'driven by desire' have the right to take additional wives from castes other than their own caste, assuming the first wife has the proper pedigree. However, according to Hindu ethics, the highest castes are prohibited under any circumstances from forming unions with women of the servant classes, because if they do, they drag their own families down the caste ladder. Manu says that only a servant woman can be the wife of a servant; she and one of his own class can be the wife of a commoner; these two and one of his own class for a king; and these three and one of his own class for a priest. Not a single story mentions a servant woman as the wife of a priest or ruler, even in extremity. Twice-born men who are so infatuated as to marry women of low caste quickly reduce their families, including the descendants, to the status of servants.¹³¹ Having thus selected the right woman to wed, it is a man's responsibility to marry her according to the proper rites of marriage laid out in the scriptures.¹³²

In Hinduism, the husband has also the duty to keep his wife happy and sexually fulfilled, even in times when she will not conceive. However, among all the responsibilities of a husband, the most important duty is to impregnate her. In the verses of Manu 3: 45-49 which ordains that when a husband may and may not approach his wife for sex, and the type of offspring they will produce out of intercourse at different times of the month, wives should always be treated with affection by their husbands. If the wife does not like her husband or fails to gladden him, from such dislike and absence of joy, the husband can never have issue for increasing his race. In addition, it is an imperative duty of a husband

¹³⁰ See, *ibid.*, 3: 6-9, 11.

¹³¹ Vide, *ibid.*, 3: 13-15.

¹³² See, *ibid.*, 5: 152-153.

never to neglect his wife at the end of the menstrual period. Manu spells out as follows: “Even extremely heated, he must not visit his wife during the three forbidden days of her period, nor share the same bed with her. Intellect, vigour, strength, eye-sight, and vitality of a man, who goes unto a woman in her menses, are impaired.”¹³³

According to Hindu family ethics, a husband has also the responsibility to support his wife and family materially. He should provide for their shelter and subsistence as well as other necessities of life. Besides, if a husband goes on a journey for business purpose or any other reason, he has also to provide livelihood for his wife.¹³⁴ According to Manu, a man may go away on a journey on business purpose only after he has established a livelihood for his wife; for even a steady woman could be corrupted if she is starving for lack of livelihood. If he goes away on a journey after providing a livelihood, she should subject herself to restraints in her life. However, if he goes away on a journey without providing for her, she may make her living by crafts that are not disapproved of.¹³⁵ Moreover, the husband has the right to discard his wife any moment if she proves herself disagreeable to him. Manu makes comments in this regard as follows:

A husband should wait for one year for a wife who hates him; but after a year, he should take away her inheritance and not live with her. If she transgresses against a husband who is infatuated, a drunk, or ill, he may deprive her of her jewellery and personal property and desert her for three months. However, if she hates him because he is insane, fallen, impotent, without semen, or suffering from a disease caused by his evil, she should not be deserted or deprived of her inheritance. A wife who drinks wine, behaves dishonestly, or is rebellious, ill, violent, or wasteful of money may be superseded at any time. A barren wife may be superseded in the eighth year; one whose children have died, in the tenth; one who bears (only) daughters, in the eleventh; but one who says unpleasant things (may be superseded) immediately. However, if a woman who is kind and well-behaved becomes ill, she should be superseded (only) when she has been asked for her consent, and she should never be dishonoured. And if a woman who has been superseded should leave the house in fury, she should be locked up immediately or deserted in the presence of the family.¹³⁶

¹³³ *ibid.*, 4: 40-41.

¹³⁴ See, Brian K. Smith, “Hinduism” in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 97.

¹³⁵ Manu, 9: 74-75.

¹³⁶ *Ibid.*, 9: 77-83.

Therefore, it is said that husband's responsibilities towards his wife is immense. It is the husband's duty to treat his wife with affection, respect as well as kindness.

b) Wife's Responsibilities to Husband

The wife has reciprocal duties and responsibilities towards her husband. The supreme duty of a wife is absolute and unconditional devotion to her husband. According to Hinduism, a good wife is one, who is obedient to her husband.¹³⁷ Anasuya says to Sita: "They that love their husband whether living in the city or in the forest, whether well or ill-disposed towards them attain great status. Wicked, or libidinous, or indigent, a husband is a supreme deity unto a wife of noble character."¹³⁸ Furthermore, Sita says to Rama at the time of the latter's departure to forest:

O dear husband, father, mother, son, brother, daughter-in-law, all of them abide by the consequences of their own actions; it is the wife alone that shares the fate of husband ... Neither father, mother, son, friends, nor her own self is the stay of a woman in this or in after-life, it is the husband alone that is her only support ... Unto woman is preferable under all circumstances the shade of her husband's feet to the tops of a palace, the celestial car, or the excursion in the airy Path...

Moreover, Sita also says:

The Vina (lute) without strings does not sound; and the car without wheels does not move, so although having an hundred sons, a woman without husband cannot attain happiness. The father gives in measure, the brother and the son give in measure, but who does not worship that bestower of limitless treasure—the husband? ... A husband is a deity unto the wife.¹⁴⁰

In addition to this, it is the wife's obligation to be loyal to her husband in this life and not violate her vow to him when he is dead. According to Manu, she should care for his body and perform the obligatory daily chores.¹⁴¹ If she remains faithful to him throughout his life she will join him in heaven, but if she is unfaithful, an unsavoury fate awaits her after death.¹⁴² Therefore, devotion to husband is one of the important obligations of a wife. In Hinduism, the household

¹³⁷ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 93.

¹³⁸ Ramayana, ii.117. 22-28; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 143.

¹³⁹ *Ibid.*, ii. 27. 4-23; also see, Maganlal A Buch, *The Principles of Hindu Ethics*, op. cit., p. 143.

¹⁴⁰ *Ibid.*, ii. 39. 29-31; also vide, Maganlal A Buch, *The Principles of Hindu Ethics*, op. cit., p. 143.

¹⁴¹ Vide, Manu, 9: 86.

¹⁴² *Ibid.*, 9: 29-30; also see, 5: 164.

management is primarily a wife's responsibility, to be discharged in consultation with her husband. According to Rig-Veda, women took a substantial share in the work of the household by fetching water from the wells, and doing other duties.¹⁴³ In the words of Vyasa, a wife must quit her bed before her lord, clean her person, fold up the beds and make her house clean and tidy. Then having performed the morning duties and pondered over the dishes of different flavours (to be prepared that day) and allotment of work to different workers, and the daily expenditure of the household, she should make obeisance to her elders and superiors. Then she should decorate herself with the ornaments given to her by her father-in-law, husband, father, mother, maternal uncle and so on. Then having finished cooking, she should report about it to her husband. The husband having made offerings to the Vishvedevas, she should first feed the children, and then should serve out the morning meal to her lord. Then, with the permission of her lord, she would partake of the residue of the boiled rice and cooked dishes, and spend the closing portion of the day in contemplation of the family earnings and expenditure.¹⁴⁴ Thus, the above saying of Vyasa aptly describes the wife's manifold functions. Besides, Draupadi shows herself as not only a devoted wife, but an able mistress of the house. She says:

I always keep the house and all household articles and the food that is to be taken well-ordered and clean. Carefully do I keep the rice and serve the food at the proper time. I never indulge in angry and fretful speech, and never imitate women that are wicked. Keeping idleness at a distance I always do what is agreeable. I never laugh except at a jest, and never stay for any length of time at the house-gate Those duties that my mother-in-law had told me of in respect of relatives, as also the duties of alms-giving, of offering worship to the gods, of oblations to the deceased, of boiling food in pots on auspicious days for offering to ancestors and guests, of reverence and service to those that deserve our regard, and all else that is known to me, I do . . . Indeed, I knew everything about what the maid-servants of the palace and other classes of attendants, even what the cow-herds and shepherds of the royal establishment, did or did not. It was I alone amongst the Pandavas who knew the income and expenditure of the king, and what their whole wealth was.¹⁴⁵

Therefore, the wife's obligation is to care for her husband's home diligently and she is not only to be submissive but also wholly occupied with the pursuits of domesticity. In addition to this, according to Hindu teachings, another foremost

¹⁴³ See, Rig-Veda, i. 191. 14, also see, Atharva-Veda, x. 8. 14.

¹⁴⁴ Quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 146.

¹⁴⁵ Quoted in, *ibid.*, p. 145.

duty of wife is to honour husband always. She must not leave her husband for another, no matter how bad he is. Manu expresses his opinion in the following way: "A woman who abandons her own inferior husband and lives with a superior man becomes an object of reproach in this world; she is said to be 'previously had by another man.'" ¹⁴⁶ Furthermore, a woman is not allowed to remarry if she outlives her husband. A good widow must respect her husband's memory. According to Manu, a virtuous wife should never do anything displeasing to the husband who took her hand in marriage. When her husband is dead she may fast as much as she likes, (living) on auspicious flowers, roots, and fruits. However, she should not even mention the name of another man. She should be long-suffering until death, self-restrained, and chaste, striving (to fulfill) the unsurpassed duty of women who have one husband. ¹⁴⁷ Apart from this, a widow must not remarry even if she has remained childless. Manu points out as follows:

Many thousands of priests who were chaste from their youth have gone to heaven without begetting offspring to continue the family. A virtuous wife who remains chaste when her husband has died goes to heaven just like those chaste men, even if she has no sons. But a woman who violates her (vow to her dead) husband because she is greedy for progeny is the object of reproach here on earth and loses the world beyond. No (legal) progeny are begotten here by another man or in another man's wife; nor is a second husband over prescribed for virtuous women. ¹⁴⁸

Hence, a good widow should honour her husband's memory by her ascetic lifestyle, chastity and loyalty. From the above discussion, it is noted that a Hindu wife is to be faithful and obedient to her husband even if he is inferior, she is assigned her place in the home where she is charged with the production and proper upbringing of children as well as the supervision of domestic affairs. She is to be respectful to his brothers and sisters, devoted to his mother, affectionate towards his relations, considerate towards the servants, smiling even to her co-wives, courteous to her husband's friends and hateful to his enemies.

¹⁴⁶ Manu, 5: 163.

¹⁴⁷ *Ibid.*, 5: 156-158.

¹⁴⁸ *Ibid.*, 5: 159-162.

c) Husband-Wife's Responsibilities to Each Other

Husband and wife are called co-partners in moral and religious life. According to Hindu family ethics, man is only one half and he is not complete till he is united with a wife as well as gives birth to children. According to Manu, the husband is identical with his wife and vice-versa.¹⁴⁹ Thus, it is remarked that the happiness of each should be regarded as depending upon the other. Wife is the keystone of the arch of the husband's happiness. If there is complete harmony between the two, the house would be a heaven, if there is discord, it would be a hell. According to Mahabharata, the house may be full of sons, daughters and daughters-in-law, but it is quite to a person if his wife is not there to supervise over it.¹⁵⁰ It is remarked in the Mahabharata: "She is the only friend, who never forsakes him in adversity. You may be in a forest, still your comfort is assured if your wife is by your side; in fact a home without wife is a forest."¹⁵¹ In Hinduism, husband and wife have joint oblations; they have joint duties of one hymn.¹⁵² Her sovereignty over the other elderly members of the house was equal with her husband.¹⁵³ The following seven assertions of a bride at the time of marriage throw considerable light over their mutual relations:

The bride says when taking the first step, to her husband; 'I share with you all happiness and misery: I am always with you'. On taking the second step: I will look to all the members of our family from a young baby to an old man or woman. I see all that is and all that is not'. On taking the third step she says: 'I shall be always devoted to my husband and shall speak sweet words'. On taking the fourth and fifth steps: 'I shall share your unhappiness, and shall obey your commands. I shall share your bed at the end of the menstrual period and shall not approach another person'. On the sixth step, she says: 'you have not deceived me: God is our witness; our love is a fact'. And on taking the last step, she says: I shall help you in your religious rites and in all your pursuits relating to worldly or spiritual ends.¹⁵⁴

Therefore, it is said that husband-wife relationship is the cornerstone of a Hindu family and they are the complements of each other. The great obligation of

¹⁴⁹ See, *ibid.*, 9: 45.

¹⁵⁰ Vide, Mahabharata, ix. 4. 4; also see, A. S. Altekar, *The Position of Woman in Hindu Civilization: From Prehistoric Times to the Present Day*, *op. cit.*, p. 96.

¹⁵¹ *Ibid.*, ix. 144. 5.

¹⁵² See, Rig-Veda, i. 131. 3; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 146.

¹⁵³ Vide, *ibid.*, x. 85. 46; also see, *ibid.*, p. 147.

¹⁵⁴ Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 147.

husband and wife which they have towards each other is to bring children into the world.

4.8.2. Parent-Child Relations

Among all the intra familial relationships parent-child relationship is the most common and beautiful relationship. This is because in Hinduism children especially male-children play a vital role in parents' life. For a man, the birth of a son guarantees not only the continuity of his family and lineage but also confers upon the father immortality. In this connection, Satapatha Brahmana writes: for "in your offspring you are born again; that, o mortal, is your immortality."¹⁵⁵ Manu expresses his opinion in this regard in the following way: "A man wins world through a son, and he gains eternity through a grandson, but he reaches the summit of the chestnut horse (i.e., the sun and the heavenly world associated with it) through the grandson of his son."¹⁵⁶ Therefore, according to Hindu family ethics, sons and grandsons are a man's salvation. Manu further continues:

Because the male child saves his father from the hell called put, therefore he was called a "son" (putra) by the Self-existent one himself. There is no distinction between a son's son and daughter's son in worldly matters, for a daughter's son also saves him in the world beyond, just like a son's son.¹⁵⁷

This is why; the importance of having male children in parents' life is immense in Hinduism. Parents have some obligations towards their children and they have also some rights over them as well as vice-versa. Now, these topics will be discussed below:

a) The Child's Rights and the Parents' Duties

Hindu family ethics admits some child's rights which are regarded as parents' responsibilities towards their children. The most important right of a Hindu child is the right to life. The Vedas are full of prayers for long life. The Rig-Veda states in this context: "Adityas ... grant to our children and their seed, extended terms of life that they may live long days."¹⁵⁸ It further describes: "A hundred autumns

¹⁵⁵ Satapatha Brahmana 1. 5. 5. 6; also see, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*; *op. cit.*, p. 104.

¹⁵⁶ Manu, 9: 137; also see, 9: 137.

¹⁵⁷ *Ibid.*, 9: 138-139.

¹⁵⁸ Rig-Veda, viii.18. 18; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 43.

may we live.”¹⁵⁹ From the above quotations of the Rig-Veda, it is noted that Hindu children have the right to life.

Another great duty of parents is to bring up the children in this world. For, in Hinduism, male children provide all kinds of benefits to their parents— emotional, economic and spiritual. Garuda Purana quotes:

A single son who is wise and virtuous, a lion among men, illuminates the family as the moon illuminates the sky. A single good tree, sweet- smelling and in flower, perfumes the entire wood; so does a single good son perfume the family, a single son who has good qualities.¹⁶⁰

Thus, a wise and virtuous son is capable of bringing good fortune to the entire family and so, it is the parents’ obligation to bring up children especially male children in this world properly.

Furthermore, parents are obliged to care for and nurture their children during the first few years of their life in accordance with the Hindu family ethics. The upbringing of a child involves proper discipline. Manu expresses his opinion in this connection: “If a wife, a son, a slave, a menial servant, or a full brother has committed an offence, they may be beaten with a rope or with a split bamboo cane, but only on the back of the body, and never on the head; anyone who beats them anywhere else will incur the guilt of a thief.”¹⁶¹ Proper upbringing also involves teaching the child as to how to read. According to Hindu Text, the mother is an enemy and the father an opponent to their children if they do not teach them to read. This is because without reading, a man cannot shine in the midst of the assembly, but is like a heron in the midst of swans.¹⁶² Therefore, the upbringing of a child is the parents’ foremost responsibility.

However, beyond these duties, parents have also religious obligations to the son which are called the *samskaras*. The term, *samskara* literally means ‘to make

¹⁵⁹ *Ibid.*, vii. 66. 16; also see, *loc. cit.*

¹⁶⁰ Wendy Doniger O’Flaherty (translator& editor), *Garuda Purana, Textual Sources for the Study of Hinduism* (Manchester: Manchester University Press, 1988), p. 81.

¹⁶¹ Manu, 4: 164; also see, 8: 299-300.

¹⁶² Vide, Brian K. Smith, “Hinduism” in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 105.

whole or perfect', and connotes a set of rites of passage that not only moves the child from one status to another but transforms or even constructs a new and better being for the individual. Usually there are twelve of these life-cycle rites described in the text. The first three concern the creation and proper formation of the embryo, begin at conception and continue at intervals through the woman's pregnancy. There are also a birth rite and a naming ritual, and a ritual in which the infant is taken out of the house for the first time, which is performed shortly after birth. Besides, during early childhood, rituals also mark the child's first eating of solid food and a ceremonial haircut. Later, another important *samskaras* is performed for the young boy, the initiation ritual that inaugurates a period of study of the sacred Veda under the tutelage of the teacher. Two different rites of passage mark the end of the time of studentship and the marriage ceremony (The final *samskara*) signals the beginning of the second stage of life as a householder.¹⁶³ Thus, these *samskaras* are meant not only as rites of passage but as the ritual means for constructing a strong, viable and purified self for the boy who undergoes them.

Another responsibility of the parents is to turn over their son to the care of a religious teacher or guru. The teacher becomes the boy's new father, because he will give the boy a second birth – a male – produced ritual birth and it is regarded as superior to the biological birth he received from his mother. Manu says in this connection:

(The teacher) who fills (the Pupil's) two ears with the Veda not in vain is to be known as his mother and his father, and he must not act with malice against him Between the one who gives him birth and the one who gives him the Veda, the one who gives the Veda is the more important father; for a priest's birth through the Veda is everlasting, both here on earth and after death. That is mother and father produced him through mutual desire, and he was born in the womb, he should regard as his mere coming into existence. But the birth that a teacher who has crossed to the far shore of the Veda produces for him through the verse to the sun-god, in accordance with the rules, is real, free from old age and free from death The priest who brings about the Vedic birth of an older person and who teaches him his own duties becomes his father, according to law, even if he is himself a child.¹⁶⁴

¹⁶³ See, *ibid.*, p. 106.

¹⁶⁴ Manu, 2: 144, 146-148, 150.

According to the Hindu family ethics, parents turn over their sons to the teacher at the age of eight or ten as well as the boy lives with his new father until graduation in his late teens. At that point he is eligible for marriage, and his parents also have a duty to make it sure that he finds a suitable wife and that his success starts up a new household. However, the present scenario is completely different from the above mentioned scenario. Nowadays, most of the Hindu children start their education from their parents' home. Then, it is the parents' responsibility to send their children into the school and most of the time children live with their parents until graduation. In addition, to find out a suitable life-partner is also the parent's responsibility to their children.

In addition to this, parents have also some duties towards their female children. The supreme responsibility of them is making a good marriage to her. According to Hinduism, a father who does not give his daughter away in marriage at the proper time should be lamed; and a husband who does not have sex with her at the proper time should be blamed; and the son who does not guard his mother when her husband is dead should be blamed.¹⁶⁵ Moreover, it is very difficult for a father to give his daughter to a man with good qualities, and if such a potential husband appears she could be married even before puberty. However if the father does not fulfill this duty to his daughter, the young woman is allowed to make her own match. Manu spells out as follows:

A man should give his daughter, in accordance with the rules, to a distinguished, handsome suitor who is like her, even if she has not reached the right age. But it would be better for a daughter, even after she has reached puberty, to stay in the house until she dies than for him to give her to a man who has no good qualities. When a girl has reached puberty she should wait for three years, but after that period she should find a husband like her. If she herself approaches a husband when she has not been given one, she commits no error, nor does the man whom she approaches.¹⁶⁶

¹⁶⁵ See, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, pp. 106-107.

¹⁶⁶ Manu: 9: 88-91.

However, according to Hindu family ethics, it is better if the marriage is arranged properly. Thus, from childhood to adulthood, the parents have a lot of duties towards their children.

b) The Parents' Rights and the Childs' Responsibilities

In Hinduism, there are some parents' rights which are regarded as child's responsibilities towards their parents. Hindu family ethics believes that parents should be treated with reverence, obedience and loving devotion. According to Hinduism, no other duty is higher than revering and obeying them and no other duties should be assumed by a man without first asking the permission of his parents as well as teacher.¹⁶⁷ Manu expresses his opinion regarding children's obligations in the following way:

A teacher, a father, mother, and older brother should not be treated with contempt, especially by a priest, not even by someone who has been provoked. The teacher is the physical form of ultimate reality, the father the physical form of the Lord of Creatures, the mother the physical form of the earth The trouble that a mother and father endure in giving birth to human beings cannot be redeemed even in a hundred years. He should constantly do what pleases the two of them, and always what pleases his teacher Obedience to these three is said to be the supreme generation of inner heat; he should not assume any other duties without their permission. For they alone are the three worlds, they alone are the three stages of life, they alone are the three Vedas, and they alone are said to be the three sacrificial fires The householder who does not neglect these three conquers the three worlds; illuminated by his own body, like a god, he rejoices in heaven. By loving devotion to his mother he wins this world; by loving devotion to his father, the middle world; and by obedience to his guru the world of ultimate reality. A man who has deeply respected these has deeply respected all duties; but all rites are fruitless for the man who has not deeply respected these. As long as these three should live, he should not undertake any other (duties); he should constantly give them his obedience, taking pleasure in what pleases them and is good for them For by treating these three in this way a man accomplishes what ought to be done; this is the ultimate duty right before one's eyes, and any other is said to be a subordinate duty.¹⁶⁸

According to Hindu teachings, mother is more respectable than the father. A child should treat his mother with honour and solicitation. Manu says: "The teacher is more important than ten instructors, and the father more than a hundred teachers,

¹⁶⁷ See, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, op. cit., p. 108.

¹⁶⁸ Manu, 2: 225-230; 232-235; 237.

but the mother more than a thousand fathers.”¹⁶⁹ Moreover, Hindu family ethics also ordains us to treat all the elder female relations as mothers, but the mother herself is the most important. Manus further says: “He should treat his father’s sister, his mother’s sister and his own older sister like a mother; but his mother is more important than they are.”¹⁷⁰

In Hinduism, the only or eldest son has a special duty at the time of the death of his father or mother. This is because it is he who with the help of specialized priests oversees the rituals designed to transform the deceased parent into an ancestor. Such rites begin with cremation at which time the skull is cracked in order to free the soul. Rituals involving the offering of rice balls, food as well as gift continue at intervals for a year; it is through these gifts and sacrifices that the spirit of the deceased parent becomes an ancestor. Therefore, death rites are conceived of as both a kind of last sacrifice to the gods and as a rebirth or transformation of the dead into a new life. However, they also serve to ease the pain and discomfort of the recently departed and nourish the disembodied spirit. According to Hindu family ethics, this is the final duty of the son to his parents. Therefore, it is noted that Hindu children have lots of responsibilities towards their parents.

4.9. Comparison

In estimation of the above discussion it is remarked that there are a lot of similarities as well as dissimilarities between Islam and Hinduism in terms of family and family values. Now an attempt has been made below to find out these similarities and dissimilarities between these two religions.

4.9.1. Similarities between Islam and Hinduism

It is very difficult to show all the similarities regarding family ethics in a single section of this chapter. Hence, an attempt has been made to mention some major areas of similarities between these two great religions. These are as follows:

¹⁶⁹ *Ibid.*, 2: 145.

¹⁷⁰ *Ibid.*, 2: 133.

- i. According to both Islam and Hinduism, blood ties play a vital role to form a family. Islam recognizes only blood ties as the true foundation of the family. Likewise, Hinduism also believes that family comprises many people knit together by blood-ties.
- ii. Both Islam as well as Hinduism think that family can be formed only through marriage between a man and a woman. Both religions consider that family is the starting point of all relations. This is because from that starting point, all other family relations have been flourished steadily. At the same time, both religions believe that every person is expected to engage in marriage.
- iii. According to both religions, family is the most respected social unit. This is because family plays an important role as a place of legitimate creation of progeny, upbringing of the children as well as their proper nourishing like education and socialization etc. Both Islam and Hinduism think family helps an individual to transform himself from a self-centred into a social being.
- iv. According to Islam and Hinduism, the nature of a family is an extended type, although neither of these two religions contains any particular injunction regarding the structural form of a family. Moreover, both Islam and Hinduism also support nuclear type of family. Therefore in regard to the family structure, both religions more or less support extended type and nuclear type.
- v. In terms of the structural form of a family, both Islam and Hinduism believe that family can be both monogamous and polygamous. However, according to both religions, monogamous form of a family is the ideal form. At the same time, both Islam as well as Hinduism support conditional polygamy rather than absolute polygamy.
- vi. Both Islam and Hinduism seem that polyandry is completely opposed to all the Islamic and Hindu scriptures. Multiple spouses are not allowed in Islam and Hinduism. According to both religions, if a woman transgresses her husband and

loves another person, she commits a great sin. Therefore, both religions do not allow polyandry.

- vii. According to both Islam and Hinduism, marriage is not a temporary binding; it is a permanent tie between a man and a woman. At the same time both religions hold that dissolution of marriage is permitted under certain well-defined circumstance.¹⁷¹ According to Islamic teachings, there is nothing more pleasuring to Allah than freeing a slave and nothing more displeasing to Allah than divorce. Moreover, Hinduism also thinks so.¹⁷² Therefore, it can be said that both Islam and Hinduism permit divorce, though they think that marriage union is normally indissoluble.
- viii. Both Islam and Hinduism affirm that women have the right to remarry under certain circumstances. According to Hinduism, a wife can abandon her husband who is impotent, insane and so on. Similarly, Islam also allows a wife to abandon her husband and to get remarried again on the same ground. Thus, women of both religions can remarry.
- ix. In regard to the husband-wife relationship, both Islam and Hinduism consider that husband plays a vital role in his wife's life and vice-versa. According to both religions, it is a relation of mutual rights, obligations, respect and love. According to Hindu teachings, it is not in youth but in old age that real affection develops.¹⁷³ Moreover, Islamic teachings also hold that husband and wife can enjoy their conjugal life through love as well as affection.
- x. According to both Islam as well as Hinduism, parent-child relationship depends on mutual rights and responsibilities towards each other. In Islam and Hinduism, parents have some duties over their children like nursing, maintenance, education and socialization etc. Both religions consider that children should respect their

¹⁷¹ See, Al-Qur'an, 2: 237-238; also see, Manu, 9: 101.

¹⁷² Vide, Manu, 9: 102.

¹⁷³ See, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 143.

parents and provide all necessary supports when they (their parents) will be old and needy.

- xi. In regard to the status of father and mother, both Islam and Hinduism think that parents are both respected. Nevertheless, both religions believe that the status of a mother is higher than that of a father. According to Islam, the rights of mother upon her children are three times greater than the rights of father upon them.¹⁷⁴ Similarly, Hinduism affirms that the mother is more important than a thousand fathers.¹⁷⁵ Therefore, a child, according to both religions, should in particular treat his mother with respect and honour.

4.9.2. Dissimilarities between Islam and Hinduism

Apart from the above mentioned similarities between Islam and Hinduism, there are some dissimilarities between these two religions. It is noted that to find out all the dissimilarities regarding family ethics in a single section of this chapter is also a herculean task. Now, an attempt has been made below to point out some major dissimilarities between Islam and Hinduism in terms of family values.

- i. The first and foremost dissimilarities between Islam and Hinduism is that Muslim family is mainly patriarchal, but it can be matriarchal too. This is because the Holy Qur'an, the Tradition of the Prophet Muhammad (sm.) as well as *Ijma* (consensus) of the Islamic scholars think that though the head of a Muslim family is the husband, family decisions should be made by mutual consultation of husband and wife as well as sometimes involving the children. Therefore, the nature of a Muslim family is both patriarchal and matriarchal. On the other hand, only patriarchal family is approved by the Hindu family ethics. According to Hinduism, the father is the head of a family and he has full power over all the members of family.

¹⁷⁴ See, *Sahih Al-Bukhari*, tr., *op. cit.*, Vol. 8, p. 2, Hadith no. 2; also see, *Sahih Muslim*, tr., *op. cit.*, Vol. 2, p. 78, Hadith no. 2181. also see, *Sahih Muslim*, tr. *op. cit.*, Vol. 4, p. 1354, Hadith nos. 6180-6181.

¹⁷⁵ Vide, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 108.

- ii. In regard to the structural form of a family, Islam supports conditional polygamy rather than absolute polygamy. According to Islam, the permission of polygamy is given in the historical context of a society with many widows and orphans. On the contrary, Hinduism also prescribes conditional polygamy rather than absolute polygamy. The permission of polygamy is given by Hinduism in order to prove that a man is of far greater value than a woman. Therefore, it is said that both religions support polygamy but the situation is different.
- iii. According to Islam, family is not a religious unit and marriage is not a sacrament, as Islam explicitly supports inter-religious marriage. A Muslim man can marry a Christian or Jewess woman, but never marry a polytheistic woman. Thus, in Islam, family cannot be regarded as a religious unit. However, according to Hinduism, family is a religious unit and marriage is a holy sacrament.¹⁷⁶ This is because Hinduism does not approve inter-religious marriage. It only supports inter-caste marriage. For this reason, in Hinduism, family can be considered as a religious unit.
- iv. In regard to the adopted child, the position of Islam is very clear and distinct. In pre-Islamic Arab society, adopted child is considered as a real child. However, Islam does not support it. Nevertheless, it is said that Islam is not absolutely against adopted child. Islamic moral teachings support adopted child only for one condition i.e., the position of adopted child is not considered as a real child. On the other hand, in the eye of Hinduism, if marriage fails to provide a son, it is a man's responsibility to have recourse to adoption and in Hinduism the status of an adopted son is as same as a real son.¹⁷⁷ However, the Rig-Veda discourages to have the adopted child.¹⁷⁸
- v. Regarding son and daughter issue, although Islam interprets the right of a daughter to be treated on an equal footing with her brother, but it also lays a great stress upon good treatment to daughters. According to the Prophet of Islam, if a man has

¹⁷⁶ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 143.

¹⁷⁷ See, *Manu*, 9: 141-142.

¹⁷⁸ Vide, *Rig-Veda*, vii. 4. 7-8.

three daughters whom he provides for and brings up, Almighty Allah will definitely reward him with Paradise.¹⁷⁹ On the other hand, in Hinduism, a son is given greater priority than a daughter.¹⁸⁰ This is because a son has the right to carry on the family name and lineage. Not only this, the birth of a son assures the immortality of the father.¹⁸¹ Therefore, it can be said that both religion do not put equal treatment in regard to the son and daughter issue.

- vi. In terms of the household management, Islam believes that wives are responsible to do domestic work, but husbands have also duties to help their wives. The Prophet Hazrat Muhammad (sm.), for example, used to help his wives, mend his own clothes as well as participate in manual works. Thus, domestic work of the house, according to Islam is the joint responsibilities of both husband and wife. On the contrary, according to Hinduism, household management is completely a wife's duty, to be discharged in consultation with her husband, but it is not a husband's obligation to help his wife in domestic work and it is not found anywhere in any scriptures of Hinduism.
- vii. According to Islam, a woman can retain her own family name even she gets married. It is a woman's right to hold her own family name instead of taking that of her husband. On the other hand, according to Hinduism, only a son has the right to carry on the family name as well as lineage. Thus, it is said that a woman cannot retain her own family name after she gets married.

¹⁷⁹ Quoted in, Mohammad Mazharuddin Siddiqi, *Women in Islam*, *op. cit.*, p. 16; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 12.

¹⁸⁰ For details please see, Manu, 3: 13, also see, 3: 15-18.

¹⁸¹ Vide, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 104.

4.10. Concluding Remarks

By summarizing the above discussion, it is said that there are some similarities as well as dissimilarities between Islamic and Hindu family values. However, similarities in regard to family values are more strong, touching and impressive than the dissimilarities. According to both religions, family is highly respected social institute and it plays an important role regarding procreation, upbringing of the children, education, socialization and so on. In addition to this, family also helps to make a generation eligible for the future well-being of mankind. Both Islam and Hinduism admit intra-familial relationship as well as think that through these relationships children learn how to respect elder and how to behave with them. They also learn about principles, virtues and vices through a family. Therefore, family ethics of both religions help us to lead successful lives.

Chapter Five

Views on Conjugal Ethics in Islam and Hinduism

5.1. Introduction

Marriage is undoubtedly an important institution of human society. It is the only organization of men-women relationships i.e., organization of the sexual association between male and female in a valid way. It is a contract between a man and a woman to live as husband and wife and is the most cordial relationship in this world. It is the legal system of procreation and through this system reproduction of human species can be ensured. Moreover, marriage is the only source from which all relationships like motherhood, fatherhood, brotherhood, sonship, unclehood (maternal and paternal) and so on branch out. In addition to this, through marriage the family comes into existence and on its basis the organization of the private life proceeds. Besides, it also helps an individual to transform him from a self-centred entity into a social being. For these reasons, both Islam and Hinduism recognize the value of marriage. In the present chapter, an attempt has been made to discuss the views on conjugal ethics in the light of the teachings of Islam and Hinduism. Apart from this, an attempt has also been made to find out some major similarities and dissimilarities between these two religions in terms of marriage.

5.2. Marriage in Islam

Marriage in Islam is a sacred contract which every Muslim should enter into, unless there are special reasons to the contrary. A formal binding contract is considered integral to a religiously valid Islamic marriage and outlines the rights as well as responsibilities of the groom and bride. The Arabic word for marriage is *nikah* which is generally used to refer to Islamic marriages. *Nikah* is also translated literally as sexual intercourse, giving hints as to the Arabic etymological origins of the phrase in Arabic '*Aqd Nikah*' which means conjunction and understood in the sense of contract.¹ In Islam, marriage was a custom of earlier Prophets which the Islamic Prophet Hazrat Mohammad (sm.) reinstituted and passed on to his *Ummah* or community. In the opinion given by Reuben Levy, the greatest of Mohammad's (sm.) reforms affecting the status of women came in the matter

¹ http://en.wikipedia.org/wiki/Marriage_in_Islam, Retrieved on-18, June 2013.

of their relationships with the opposite sexes. From the Holy Qur'an it is clear that this enactments on the question of marriage were designed to bring Islamic practice into line with what is held in Judaism as well as in Christianity as we knew them, though there were features notably the fact that in Islam, marriage is a secular contract and not a religions rite— which made for differences.²

According to the Islamic ethics, the only permissible sexual relationship under Islamic law is through marriage. A great emphasis has been given in the Holy Qur'an and the Traditions to both marriage and having children. Both the Holy Qur'an and the Hadith of Prophet Mohammad (sm.) prefer marriage to celibacy, even for ascetic reasons. In Islam, celibacy is discouraged not only for men, but for women as well.³ There are many verses in the Qur'an i.e., 24: 32-33, 4: 25, 25: 54, 7: 189, 30: 21, 42: 11, which ordain us to get married. Almighty Allah states in the Holy Qur'an: "It is He Who has created man from water: then has He established relationships of lineage and marriage: for thy Lord has power (over all things)."⁴ From the above verse it is clear that marriage relationship is given the same importance as blood relationship. Furthermore, certain Hadiths on the subject of marriage are also deserving of notice in this connection:

Abdullah (b. Mas'ud) (Allah be pleased with him) reported that Allah's Messenger (may peace be upon him) said to us: O young men, those among you who can support a wife should marry, for it restrains eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fast, for it is a means of controlling the sexual desire.⁵

The Prophet of Almighty Allah further said: "Whoever chooses to follow my tradition must get married and produce offspring through marriage (and increase the population of Muslims), so that on the Day of Resurrection, I shall confront other *Ummah* (nations) with the (great) numbers of my *Ummah*."⁶ The Prophet also expressed his opinion in this

² Vide, Reuben Levy, *The Social Structure of Islam* (London: The Cambridge University Press, 1962), p. 100.

³ See, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach* (London & New York: Macmillan Press Ltd. & St. Martin's Press, Inc., 1998), p. 30.

⁴ Al-Qur'an, 25: 54 (All Quotations from the Holy Qur'an are taken in this chapter from the English translation of the Holy Qur'an by Abdullah Yusuf Ali, *The Meaning of the Glorious Qur'an*, Vols. 1 & 2, Egypt & Lebanon: Dar Al-Kitab Al-Masri & Dar Al-Kitab Allubnani, 1934.

⁵ *Sahih Muslim*, rendered into English by Abdul Hamid Siddiqi (New Delhi: Kitab Bhavan, 1978), Vol. 2, p. 703, Hadith no. 3233; also see, *Sahih Bukhari*, Vol. 7, Book. 62, Hadith nos. 3-4 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011; also vide, Manzoor Ahmad Hanifi, *A Survey of Muslim Institutions and Culture* (Lahore, Pakistan: Kashmiri Bazar, 1962), p. 184; also vide, Taqiuddin an-Nabhani, *The Social System in Islam* (New Delhi: Milli Publications, 2001), p. 116.

⁶ <http://islamicinsights.com/religion/clergy-corner/the-purpose-of-marriage-in-islam.html>, Retrieved on-2, June 2013.

context in the following way: “Whoever gets married has safeguarded half of his religion.”⁷ The Prophet also declared that marriage is one of the sacred practices and whoever dislikes my way of life is not of me.⁸ Thus, the Holy Qur’an and the *Sunnah* of Prophet Mohammad (sm.) encourage and order people to get married.

According to Islam, every single Muslim, poor or rich, should marry in order to protect themselves from immorality.⁹ This is because the teachings of the Qur’an assert that marriage is the only legitimate way to satisfy one’s sexual desire.¹⁰ The Prophet of Islam also said in this connection: “There is no better structure founded in Islam other than marriage.”¹¹ That is why, Islam recommends marriage as a most sacred institution and makes it incumbent on every Muslim man as well as woman, unless poverty is not necessarily a barrier to marriage.¹² In addition to this, Islam does not believe in celibacy i.e., abstention from marriage. It strongly discourages celibacy or virginity and unquestionably advises mankind that the normal and natural course of behavior for a Muslim is to establish a conjugal family of procreation.¹³ It means that Islam recognizes celibacy or virginity only for those who are incapable of and suffer from serious illness. According to Prophet Mohammad (sm.), if a Muslim follows celibacy without any reasonable ground and retreats to worship, there is no possibility for him to get any kind of help from Almighty Allah. He was further of the view that three persons have a right from Allah to be helped i.e., the *Mujahid* in the way of Allah, the seeker for marriage who wishes to guard his chastity and the slave who seeks funds to free oneself.¹⁴ Hence, in the eye of Islam, marriage is an obligatory action according to the teachings of the Prophet (sm.) as well as the Holy Qur’an and whoever does not follow this, he is not a true follower of Islam.¹⁵

In Islam, Almighty Allah advises the ordinary Muslims, religious and spiritual leaders as well as the Prophets to lead a married life. Therefore, it can be said that He is the advisor

⁷ <http://islamicinsights.com/religion/clergy-corner/the-purpose-of-marriage-in-islam.html>, Retrieved on-2, June 2013.

⁸ Quoted in, Mohammad Mazheruddin Siddiqi, *Women in Islam* (New Delhi: Saeed International (Regd), 1993), p. 32.

⁹ Vide, Al-Qur’an 24: 33; also see, 4: 3.

¹⁰ See, *ibid.*, 24: 32.

¹¹ <http://islamicinsights.com/religion/clergy-corner/the-purpose-of-marriage-in-islam.html>, Retrieved on-2, June 2013.

¹² Vide, Mohammad Mazharuddin Siddiqi, *Women in Islam*, *op. cit.*, p. 32.

¹³ For details please see, Hammudah Abd al Ati, *The Family Structure in Islam* (Plainfield, USA: American Trust Publications, 1995), p. 52.

¹⁴ Quoted in, Taqiuddin an-Nabhani, *The Social System in Islam*, *op. cit.*, p. 116.

¹⁵ Vide, Shah Abdul Hannan, *Social Laws of Islam* (Dhaka, Bangladesh: Bangladesh Institute of Islamic Thought (BIIT), 1997), p. 15.

of marriage. There is a beautiful verse in the Holy Qur'an in this regard which runs as follows: "It is He Who created you from a single person, and made his mate of like nature, in order that he might dwell with her (in love)...."¹⁶ Nevertheless, marriage, according to the Islamic teachings, is not a religious sacrament, but a legal and binding contract between a male and a female which establishes legitimate, permanent as well as responsible relationship between them.¹⁷ Regarding the nature of marriage, the Holy Qur'an describes it *mithaq* which means a 'solemn covenant'.¹⁸ Shah Abdul Hannan expresses his opinion regarding Muslim marriage in the following way:

In Islam, marriage is essentially a contract. However, the distinction between sacred and secular was never explicit in Islam. Any action or transaction in Islam has religious implications. It is not quite accurate, therefore, to designate marriage in Islam simply as a secular contract. The appropriate designation of marriage could be a 'Divine Institution'.¹⁹

Thus, in the eye of Islam marriage is a valid contract between man and woman, not a sacrament. In Islam, there are four kinds of marriages prevalent among the early Muslim Arabs. Firstly, Islam permits marriage with a close relation. This is because it is considered that children of such a marriage would be of pure blood. Secondly, marriage with a stranger is also recognized in Islam, because those born of such connection would prove strong and healthy. Thirdly, Islam also allows marriage with a captive in war. For example, Safiyya, who was captured in the battle of *Khaibar*, was taken as a wife by Prophet Mohammad (sm.).²⁰ Fourthly, marriage with slave girl is recognized in Islam. Slave girls, noted for their beauty, were sold in the open market by slave dealers and purchased at high prices and after emancipating them they were married by their masters. Hence, a captive or a slave girl can change her fate by getting marriage prescribed by Islam.

In estimation of the above discussion, it can be said that the Holy Qur'an of Almighty Allah and the Traditions of Prophet Mohammad (sm.) lay down a great emphasis on

¹⁶ Al-Qur'an, 7: 189 also see, 30: 21, 25: 54.

¹⁷ See, Suzanne Haneef, *What Everyone Should know About Islam and Muslims* (Delhi: Taj Company: 1986), p. 142; also see, Jamila Hussain, *Islamic Law and Society: An Introduction* (Sydney: The Federation Press, 1999), p. 60; also vide, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law* (Kuala Lumpur, Malaysia: International Law Book Services, 2001), p. 3.

¹⁸ For details please see, 4: 21; also see, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View* (Albany: State University of New York Press, 2004), p. 28.

¹⁹ Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 15.

²⁰ See, *Sahih Bukhari*, Vol. 7, Book. 62, Hadith no. 23 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011.).

marriage. This is because it is the only way through which the Muslims can protect themselves from immorality, wickedness, depravity and badness.

5.3 Purposes of Muslim Marriage

According to Islamic consideration, marriage is a natural necessity for every human being. It bears many good outcomes of which the most important ones are as follows:

- i. The main purpose of Muslim marriage is to find security and peace of mind. One can get security and peace of mind through the formation of a family. A person who is not married resembles a bird without a nest. Marriage serves as a shelter for anyone who feels lost in the wilderness of life; one can find a partner in life who would share one's joy as well as sorrow.²¹ In this context Manzoor Ahmad Hanifi expresses his view in the following way:

The institution of marriage is responsible for the development of those feelings of love and service which are the pride of society today. The mutual love of husband and wife— a love based not on momentary passion but life-long connection and the subsequent paternal love for off-spring leads to a very high development of the feeling of love of man for man. The natural inclination of the male to the female and of the female to the male finds expression through marriage and is developed first into a love for the children, then a love for one's kith and kin and ultimately into a disinterested love for the whole of humanity.²²

- ii. Another purpose of marriage in Islam is to protect one's morality through sexual enjoyment and satisfaction. The natural sexual desire is very strong as well as significant. According to Islam, Everyone should have a partner for satisfying their sexual needs in a secure and serene environment. Islam provides opportunity to enjoy sexual pleasure in a correct and proper manner. In this context marriage plays a vital role. The Holy Qur'an states that a sexual relationship between man and woman is necessary for procreation. Hence, sex within the marital framework is legitimate and necessary.²³ In addition to this, marriage functions as a shield against committing adultery and fornication, both of which are forbidden in Islam.²⁴ Those who abstain from marriage often suffer from both physical and psychological disorders. Such disorders and certain social problems are a direct

²¹ <http://islamicinsights.com/religion/clergy-conner/the-purpose-of-marriage-in-islam.html>, Retrieved on- 2, June 2013.

²² Manzoor Ahmad Hanifi, *A Survey of Muslim Institutions and Culture*, op. cit., pp. 184-185.

²³ Vide, Al-Qur'an, 86: 6-7; also see, Asghar Ali Engineer, *The Rights of Women in Islam* (London: C. Hurst & Company, 1992), p. 99.

²⁴ See, Al-Qur'an, 17: 32.

consequence of the abstinence of youth from marriage. Therefore, to avoid the above problems, according to Islam, marriage between a male and a female is the only solution.

- iii. One of the principle purposes of Muslim marriage is reproduction or procreation.²⁵ According to the Islamic marriage ethics, marriage must not be treated merely as a means of satisfying lust; love as well as procreation are two of its important motives. The teachings of the Holy Qur'an do not approve of sex for pleasure or for fornication; marriage has a purpose.²⁶ Thus, the procreation of mankind is continued only through marriage. Besides, children, the result of marriage are the important factors in stabilizing the family foundations and a source of real joy to their parents. From the Islamic ethical point of view, the merit of having children entails the following: the realization of Allah's desire,²⁷ the fulfilment of the Prophet's call to marry as well as to increase his followers' number and gaining the fruit of a child's prayer. According to Islamic teachings, when parents die and leave a child, his prayer would benefit the dead parents.²⁸ In this connection the following famous Hadith is very appropriate i.e., when the son of Abraham dies, nothing would be of more benefit to him except three things: a continuous charity i.e., a trust, some useful knowledge he has left behind and a child who may pray for him.²⁹ However, if the child dies before his parents, he would make intercession on his parent's behalf. In the words of Hazrat Mohammad (sm.), a child will carry his parents towards Paradise. Moreover, a child, on the Day of Judgement, would be told: 'Enter Paradise'. He will go to the door of Paradise and say: 'I will not enter Paradise without my Parent's'. It will then be said to him: 'Admit his parents along with him in Paradise'.³⁰ Therefore, it is said that the most significant benefit of Islamic marriage is procreation and to have children.

²⁵ Vide, *ibid.*, 4: 1.

²⁶ For details please see, Asghar Ali Engineer, *The Rights of Women in Islam*, *op. cit.*, p. 104.

²⁷ According to Al-Ghazali, the merit of having children is that a person must have striven for that which is loved by Allah i.e., human existence and procreation. Whoever understands the wisdom of the created order will have no doubt that Allah loves this. Quoted in, S. Murata, *The Tao of Islam* (New York: State University of New York Press, 1992), p. 173.

²⁸ The gender issue i.e., son or daughter in this regard does not make any difference.

²⁹ Quoted in, M. Abdul-Rauf, *Marriage in Islam* (New York: Exposition Press, 1981), p. 15.

³⁰ Quoted in, Al-Ghazali, *Ihya Ulum al Din*, translated by Fazlu Ul- Karim (Lahore, Pakistan: Sind Sahar Academy, undated), Book. 2, p. 25.

- iv. Islamic teachings also regard marriage as an instrument which creates a comfortable home for spouses. This marital link helps them to work together as well as co-operate amicably in the management of the domestic affairs of their house. Furthermore, marriage, from the Islamic point of view, is an opportunity to develop one's good and sound character as a result of the added family responsibility which both partners have to endure during their married life. In the words of the Prophet of Islam, man will be rewarded for what he spends on his wife, even for putting a morsel of food into her mouth.³¹ He further said that whoever performs his prayers correctly and spends on his children in spite of his modest means and does not speak ill against other, will be in Paradise as close to me as these two fingers of mine.³² Therefore, success in carrying out family commitments would ensure Divine rewards.
- v. Another purpose of Islamic marriage is that it ensures social stability as well as a dignified form of living for both the husband and the wife. Especially, women get benefitted to a large extent by marriage because it guarantees their rights both as wives and mothers.³³

From the above discussion, it can be remarked that the purpose of marriage in Islam is immense. According to Hammudah Abd al Ati, Islam favours marriage between a man and a woman as a means to emotional and sexual gratification, as a mechanism of tension reduction, legitimate and lawful procreation, social placement and as an approach to inter family alliance as well as group solidarity.³⁴

5.4. Conditions of Valid Muslim Marriage

The Qur'an outlines some conditions for a Muslim marriage to take place and a marriage becomes valid and legitimate if the following conditions prescribed by the Holy Qur'an are satisfied.

³¹ Quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 32.

³² Quoted in, M. Abdul-Rauf, *Marriage in Islam*, op. cit., p. 20.

³³ See, Haifaa A. Jawad, *The Rights of Women in Islam*, op. cit., p. 32.

³⁴ Vide, Hammudah Abd al Ati, *The Family Structure in Islam*, op. cit., p. 54.

a) Marriage Between Opposite Sexes

According to Islam, a Muslim marriage is essentially a contract between a man and a woman. Islamic teachings do not support matrimonial relationship between the same sexes i.e., homosexuality is absolutely forbidden in Islam and in the eye of Islam it is very shameful, heinous and disgraceful act.³⁵ Thus, it is an essential requirement that one party be male and the other female while Muslim marriage is committed.

b) The Age of Marriage

The second condition of a valid Muslim marriage is to have marriageable age for both the bride and the bridegroom. The classical view is that there is no minimum age limit for marriage. This is because the Qur'an does not set a prescribed minimum age for marriage. In Islam, the practice of child marriage is fortified by the example of the Prophet, who was reputed to have married his great beloved wife, Aisha, at the age of six and taken her to live with him when she was nine or ten.³⁶ Some modern scholars, however, dispute this story by saying that the great extent of Aisha's knowledge indicates that she must have been much older than 18 when the Prophet of Islam died.³⁷ Therefore, it is noted that child marriage is held to be valid,³⁸ but the bride and the groom should reach puberty before they commence married life together. Moreover, some scholars think that the groom has to be always senior in age, because it ensures a healthy marriage relationship. However, this has no religious grounds and in fact, it contradicts the practice of the Prophet, two of whose wives (Khadija and Sauda) happened to be older than him. Nevertheless, the record shows that they lived in peace and harmony. Modern Muslim scholars, in addition, legislate to provide a minimum age of marriage. For example, the minimum age of marriage is 21 for males and 18 for females in Bangladesh as well as India; 18 for males and 16 for females in Pakistan, Malaysia and several Arab states. From the above discussion it is said

³⁵ For details please see, Moulana Muhammad Abdur Rahim, *Paribar O Paribarik Jibon* (Family and Family Life) written in Bengali, (Dhaka: Khairun Prakashani, 2007), pp. 53-56.

³⁶ Vide, *Sahih Muslim*, tr., *op. cit.*, Vol. 2, pp. 715-716; Hadith nos. 3309-3311.

³⁷ See, Jamila Hussain, *Islamic Law and Society: An Introduction*, *op. cit.*, p. 62; also see, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, *op. cit.*, p. 07.

³⁸ It is important to note here that the concept of child-marriage – a custom widely practised in some parts of the Muslim world is not in its essence an Islamic rule; it is an old conventional practice.

that no particular age has been specified for marriage in the Islamic Law. In fact, with the difference of climate conditions, there would be a difference as to the marriageable age in the different countries. It is proved from the facts that the age of marriage is the age of attaining puberty, when a person is capable of exercising his choice in terms of sexual liking or disliking.³⁹

c) **Restriction on Marriage with Persons of a Different Religion**

The teachings of the Holy Qur'an give restriction to marriage with persons of a different religion. According to Islam, a Muslim man can marry a Muslim woman or a woman from the people of the Book i.e., a *Kitabiyyah*. In other words, a Muslim man has the right to marry a woman from the Jewish or the Christian communities.⁴⁰

In addition to this, the teachings of Almighty Allah also prohibit marrying a woman who is a *Mushrik*, that is, who worships idols or associates other deities with Allah. Almighty Allah says in His Book, the Qur'an: "Do not marry unbelieving woman (idolaters), until they believe: a slave woman who believes is better than an unbelieving woman, even though she allures you. Nor marry (your girls) to unbelievers until they believe:..."⁴¹ Furthermore, if a non-Muslim man wants to marry a Muslim woman, he must be converted to Islam. Apart from this, a Muslim woman, according to Islam, is prohibited from marrying anybody except a Muslim.⁴² In this connection, reference was made by Shah Abdul Hannan that Allah has been more kind to the woman and has not put on her extra stress as well as probable difficulties in living with a husband of another faith.⁴³ Abdur Rahim expresses his opinion in the following way:

Islam which is a monotheistic religion and polytheism is a complete bar to intermarriage, but when both the man and the woman are followers of some revealed religion, the disability is only partial. Hence a Muslim cannot marry a polytheistic woman but a Muhammadan man can marry a Christian woman or a Jewess, though a Christian or a Jew cannot marry a Muslim woman.⁴⁴

³⁹ See, Manzoor Ahmad Hanifi, *A Survey of Muslim Institutes and Culture*, op. cit., p. 187.

⁴⁰ Vide, Al-Qur'an, 5: 6.

⁴¹ *Ibid.*, 2: 221.

⁴² For details please see, *ibid.*, 2: 221; also see, 60: 10.

⁴³ See, Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 18.

⁴⁴ Abdur Rahim, *The Principles of Muhammadan Jurisprudence* (Lahore: All Pakistan Legal Decisions, 1963), p. 329.

From the above interpretation, it is clear that a Muslim male has the right to marry anybody except polytheists;⁴⁵ a Muslim female, on the contrary, has the right to marry only a Muslim. Thus, restriction on marriage with persons of a different religion is one of the important conditions of a Muslim marriage.

d) The Prohibited Degrees of Affinity

Another important condition of a marriage in Islam is the prohibited degrees of affinity.⁴⁶ According to Islam, it is permanently forbidden for a Muslim to marry his or her ascendants, descendants, siblings, nieces and nephews, aunts⁴⁷ and uncles, in-laws, step parents and step children and their descendants. Moreover, in Islam, marriage is also prohibited with foster mother who has suckled him during the period of weaning and with foster sisters, foster aunt and foster nieces.⁴⁸ In addition, there are some temporary bars to marriage. For instance, a man may not marry two sisters at the same time or a woman during her *iddah* i.e., waiting period after her husband's death or divorce, but marriages between cousins are not prohibited as well as are quite common in Muslim societies. Shah Abdul Haanan says regarding women to whom marriage is prohibited: "These restrictions have been imposed by Allah is his wisdom to increase trust among close relations by prohibiting incestuous relations, increase love and affection among close relations, expand family ties beyond close circle etc."⁴⁹ Therefore, the Holy Qur'an enjoins us for a valid Muslim marriage in which the parties must not be within the prohibited degrees of affinity.

⁴⁵ According to the Hanafite School, a Muslim can marry a Jewish or Christian woman. The Shafites, in contrast, make it virtually impossible to wed non-Muslim woman, basing their restrictions on the verse of the Qur'an which prohibits a man to 'retain a right over misbelieving women'. See, Reuben Levy, *The Social Structure of Islam*, *op. cit.*, p. 103.

⁴⁶ For details please see, Al-Qur'an, 4: 22-23; also see, Taqiuddin an-Nabhani, *The Social System in Islam*, *op. cit.*, pp 134-139; also vide, Jamila Hussain, *Islamic Law and Society: An Introduction*, *op. cit.*, p. 4; also see, Shah Abdul Hannan, *Social Laws of Islam*, *op. cit.*, pp. 16-17; also vide, Reuben Levy, *The Social Structure of Islam*, *op. cit.*, p. 104.

⁴⁷ Abu Hurayra has reported that the Messenger of Allah said: 'One should not bring together a woman and her father's sister, nor a woman and her mother's sister in marriage. Quoted in, Taqiuddin an-Nabhani, *The Social System in Islam*, *op. cit.*, p. 135.

⁴⁸ As for the *Sunnah*, Aisha (R) reported that the Messenger of Allah said: suckling makes women unlawful (for marriage) the same as birth makes unlawful. Quoted in, *loc. cit.*

⁴⁹ Shah Abdul Hannan, *Social Laws of Islam*, *op. cit.*, p. 17.

e) Consent

The consent of the parties is another essential condition for the validity of the Muslim marriage. According to Islam, the man gives consent himself, except when he has not reached puberty or is unfit. In this case, a wali or marriage guardian⁵⁰ intervenes to give the consent. Apart from the man's consent, free consent of the woman is also required for marriage.⁵¹ There are several Traditions in which the Prophet of Almighty Allah is reported to have stated that the consent of a girl to her marriage must be sought, although the girl is shy, her silence may be taken to be her consent.⁵² Furthermore, regarding the consent of the bride given through her wali, Muslim scholars disagree as to whether she can or should give her consent. According to the Shafii School, the wali's consent is essential in all circumstances.⁵³ However, the Hanafi School holds that the wali's consent is essential only for the marriage of a minor virgin and when a woman reaches the age of puberty, whether she is a virgin or not, she can marry without her wali's consent.⁵⁴ Thus, although arranged marriages are common in Muslim societies, the free consent of prospective bride and groom is required for a legitimate Muslim marriage.

f) *Mahr*

Another condition for the validity of the Muslim marriage is *Mahr*. *Mahr* is often mistranslated into English as dowry or gift. According to the Holy Qur'an, the *Mahr* is not a gift, but a mandatory requirement for all Muslim marriages whereby an amount of money or possessions is paid by the groom to the bride at the time of marriage for her exclusive use.⁵⁵ Without *Mahr*, a *nikah* or marriage cannot be said to have been properly solemnized. In Islam, dower money should be paid or fixed before the solemnization of a marriage as well as it is the exclusive preserve

⁵⁰ Usually be father or paternal grandfather. In the absence of these, another male relative, such as a brother or uncle may act as wali.

⁵¹ See, John P. Macgregor, *Muslim Institutions* (London: George Allen & Unwin Ltd., 1950), pp. 128-129; also see, Jamila Hussain, *Islamic Law and Society: An Introduction*, op. cit., pp. 64-65.

⁵² Vide, *Sahih Muslim*, tr. op. cit., Vol. 2, p. 714, Hadith nos. 3303, 3305-3306; also cf., *Sahih Bukhari*, Vol. 7, Book. 62, Hadith No. 67-68 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011.).

⁵³ See, Jamila Hussain, *Islamic Law and Society: An Introduction*, op. cit., p. 65.

⁵⁴ Vide, loc. cit.

⁵⁵ http://en.wikipedia.org/wiki/Marriage_in_Islam, Retrieved on-14, April 2013.

of the bride to determine the amount. In addition to this, *Mahr* belongs to the wife alone, neither her father nor her husband can claim it. The bride has the full right to spend it as she likes. In the words of Asghar Ali Engineer, although *Mahr* refers to a mandatory bride-price, but according to the Islamic teachings, the bridegroom should pay to the bride some amount as a token of his love, truthfulness and sincerity. This is because Islam elevates it from being merely a bride-price to being a token of love, truthfulness and sincerity.⁵⁶ Hence, *Mahr* is essentially a bride-price given purely for love, not for any return.

Moreover, in Islam, *Mahr* is mentioned several times in the Qur'an as well as in the Hadith, but there is no maximum limit to the amount that the groom may pay as *Mahr*.⁵⁷ According to the Islamic conjugal ethics, the *Mahr* of the bride should be of a reasonable level; neither too high which could cause hardship for both of them, nor too low which might give the impression that the bride is of no worth. The *Mahr* which is the gift from the groom to the bride must be affordable and manageable so as to ensure satisfaction and happiness on both sides.⁵⁸ Once Caliph Omar attempted to place a maximum limit on the amount of *Mahr* which could be paid. This is because at that time extravagant amounts were being given by the people as *Mahr*. The Caliph was forced to alter his opinion when a woman challenged his decision in the mosque, reciting from the verse of the Qur'an⁵⁹ which refers to the giving of a 'whole treasure for dower' and questioning his right to specify less.⁶⁰ Therefore, according to the Islamic concept of morality, *Mahr* is the bride's right to demand as much as she desires, but at a minimum it is an amount that would be sufficient for the woman to be able to survive independently if her husband dies or they divorce. But in practice, in neither of the above situations does it usually provide any real financial security for the woman.⁶¹ Furthermore, Islamic teachings also say that as *Mahr* becomes the bride's own property, so the groom has no right to consume it. The husband, however, can enjoy it only if the wife permits it, not otherwise. The appropriate

⁵⁶ For details please see, Ashgar Ali Engineer, *The Rights of Women in Islam*, op. cit., p. 111.

⁵⁷ http://www.islamwomen.com/marriage/fiqh_of_marriage_6.php, Retrieved on-27, April 2013.

⁵⁸ See, Haifaa A. Jawad, *The Rights of Women in Islam*, op. cit., pp. 32-33.

⁵⁹ Vide, Al-Qur'an, 4: 20.

⁶⁰ See, Jamila Hussain, *Islamic Law and Society: An Introduction*, op. cit., p. 66; also see, Asghar Ali Engineer, *The Rights of Women in Islam*, op. cit., pp. 111-112.

⁶¹ For details see, Jamila Hussain, *ibid.*, p. 66.

verse of the Qur'an in this regard runs as follows: "And give the women (on marriage) their dower as free gift; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer."⁶² Thus, the above verse makes it quite clear that it is the wife who fully owns *Mahr* and it is for her to allow her husband to enjoy part of it if she agrees to remit it. Besides, unpaid *Mahr* can be recovered as a debt from the husband on divorce or on his death and in those circumstances, the wife has a right to retain the husband's property until the *Mahr* is paid. For this reason, *Mahr* is an essential part of Islamic marriage.

g) Offer and Acceptance

The essential elements of the contract of Islamic marriage are the *ijab* and *qubul*.⁶³ The word *ijab* means affirmation or declaration of the proposal and *qubul* means acceptance of the proposal. This mutual consent is technically called *ijab* or offer and *qubul* or acceptance. Usually the proposal is made by the would-be husband, the acceptance, on the contrary, is made by the would-be wife. Both proposal as well as acceptance must be explicit and oral if the contracting parties are present in person. However, if the parties are not present in person, a written form may substitute for the oral.⁶⁴ After receiving the consent of the bride or her agent and after acceptance of the terms of marriage by the bridegroom, the *Qazi* recites *khutba* and ends with blessing for both, in which the others present also join. Besides these, sweets and dry dates are also distributed among the assembled guests. This custom is a very ancient one, dating from the times of Prophet Mohammad (sm.). Since a marriage contract can only be concluded through the offer and acceptance of the prospective bride and bridegroom, *ijab* and *qubul* are very much essential for the validity of Muslim marriage.

h) Marriage Witnesses

Another foremost condition prescribed for the validity of Muslim marriage is marriage witnesses. It is very essential for wedding because the publicity of the

⁶² Al-Qur'an, 4: 4.

⁶³ See, Taqiuddin an-Nabhani, *The Social System in Islam*, op. cit., p. 128-130; also see, Manzoor Ahmad Hanifi, *A Survey of Muslim Institutions and Culture*, op. cit., p. 187; also vide, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, op. cit., p. 28; also cf., Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., p. 2.

⁶⁴ Vide, Hammudah Abd al Ati, *The Family Structure in Islam*, op. cit., p. 60.

marriage is ensured by witnesses. In fact, there is no Quranic verse dealing with the requirement of witnesses for a marriage contract.⁶⁵ Nevertheless, Almighty Allah insists on the publicity of the marriage through witnesses, as He prohibits secret sexual relationships. Moreover, the Traditions of Prophet Mohammad (sm.) are also in favour of publicity, even with the beating of drums.⁶⁶ The Prophet also thought that without a guardian or witness, wedlock is not valid or correct. There are some well-known Hadiths which state as follows: 'There is no marriage without witnesses.'⁶⁷ Furthermore, it is reported from Aisha (R.) that the Prophet of Islam said that any woman who gets married without the permission of her guardian (wali), her marriage will be void, her marriage will be void, her marriage will be void.'⁶⁸

In addition to this, according to Islam, there must be at least two competent witnesses⁶⁹ so that the progeny's right of legitimacy will be safeguarded. There is a difference of opinion among the Muslim jurists about the validity of a marriage contracted in the absence of witnesses. The Sunni jurists consider the presence of witnesses as an essential condition which makes the division between genuine wedlock and fornication. The Hanafis, the Shafis and the Hambalis also think so. However, according to Imam Malik, the presence of witnesses at the time of marriage is not an indispensable condition of its validity and the witnesses for marriage contracts must be men.⁷⁰ Besides, there is generally a consensus of opinion among Muslim jurists regarding the competency of witnesses that they must be adult, sane, free as well as Muslims.⁷¹ Therefore, for the publicity and the validity of the marriage, for giving evidence before a court, for safeguarding the progeny's right of legitimacy and so forth, the marriage witnesses play a vital role.

⁶⁵ The verse 2: 282 of *Surah Baqarah* deals with the requirement of witnesses for commercial contract.

⁶⁶ See, Moahmmad Ali Syed, *The Position of Women in Islam: A Progressive View*, op. cit., p. 28.

⁶⁷ Quoted in, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., p. 24.

⁶⁸ Quoted in, Taqiuddin an-Nabhani, *The Social System in Islam*, op. cit., p. 132.

⁶⁹ According to some Sunni scholars, a marriage which is performed in the absence of witnesses or in the presence of one witness is only irregular and not void.

⁷⁰ For details please see, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., pp. 24-25.

⁷¹ Vide, *ibid.*, p. 26.

i) Equality in Status and Avoiding *Ihram* Period

Another essential consideration for Islamic marriage is the rule of equality in status. According to some Islamic scholars, the husband should be equal to the wife in social status. Other scholars, however, do not agree with this rule on religious grounds, since the Holy Qur'an states explicitly: "The believers are but a single Brotherhood: so make peace and reconciliation between your two (contending) brothers; and fear God, that ye may receive Mercy."⁷² From the above Quranic verse, it is clear that the Holy Qur'an believes that all Muslims are equal and so, they disagree with them. They also argue in favour of them by quoting from the Prophet (sm.) who said that no person can be better than another except in piety.⁷³ For this reason, equality in status between the prospective husband and wife is not an essential condition for a Muslim marriage. Nevertheless, all Muslim scholars are unanimous regarding religious equality i.e., both parties should be Muslims, not necessarily following the same *madhab*. Moreover, other considerations for marriage i. e., lineage, freedom from slavery, profession and freedom from defects as well as character must get weightage. Although nowadays, not so much emphasis is placed on this rule or convention, but by following the above considerations, the would-be husband and wife may lead peaceful, successful and happy conjugal life.

Another condition recommended for the validity of an Islamic marriage is that the parties must not be in *Ihram* for *Hajj* or *umrah*. It means marriage must not be celebrated during the pilgrimage to Makka.

j) Avoiding *Iddah* Period and Supporting Polygamy for Men

According to Islam, if a wife is divorced or if her husband dies, she has to wait for the prescribed period of *iddah*, which is normally not more than four months and ten days.⁷⁴ After passing the prescribed period of *iddah*, she has the right to marry

⁷² Al-Qur'an, 49: 10.

⁷³ Quoted in, Jamila Hussain, *Islamic Law and Society: An Introduction*, op. cit., p. 69.

⁷⁴ Vide, Al-Qur'an, 2: 234. In this regard a Hadith is also found. The Prophet said: it is not lawful for a woman who believes in God as well as the Hereafter to grieve for more than three days except in the case of the death of her husband for whom she should grieve for four months and ten days and she has to stay in her husband's house during this time. Quoted in, Imam Gazzali, *Ihya Ulum-Id Din*, translated into English by Al-Haj Maulana Fazul-ul-Karim (New Delhi: Kitab Bhavan, 1982), Book. 1, p. 52.

again. Thus, avoiding the period of *iddah* is one of the important conditions of Muslim marriage.

In addition to this, according to Islamic law, the bridegroom should not have more than three other wives i.e., Islam supports polygamy.⁷⁵ At the same time, the Holy Qur'an also ordains us: "...but if ye fear that ye shall not be able to deal justly (with them), then only one..."⁷⁶ From this verse, it is regarded that polygamy is permitted by Islam only for one condition i.e., maintaining equity and justice among co-wives. Moreover, although Islam supports polygamous marriage for men, it does not recommend or encourage it as an ideal form of marriage.⁷⁷

To cap it all, it is noted that if the contract meets these conditions, the marriage will be valid and if anyone of the conditions is not fulfilled, the marriage will not come into effect. Therefore, in order to form a valid Muslim marriage, these conditions are necessary.

5.5. Form of Muslim Marriage

The form of Muslim marriage can be monogamous or polygamous. Islam prefers monogamy i. e., the union of one man and one woman as valid form of marriage, but at the same time, it recognizes polygamy i.e., marriage with more than one women at a time under exceptional circumstances. The following verse of the Qur'an deals with polygamous marriage:

If ye fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two, or three, or four, but if ye fear that ye shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess. That will be more suitable, to prevent you from doing injustice.⁷⁸

Therefore, according to the Holy Qur'an, a Muslim man may have up to four wives at a time. This verse was revealed to Prophet Mohammad (sm.) in the 8th year of the *Hijra*. At the time of revelation of the verse 4: 3, there was no limit to the number of wives for a man. Hence, it was revealed to limit the number of wives to four.⁷⁹ Furthermore, another historical factor is also involved to support polygamy. This verse 4: 3 was revealed after

⁷⁵ See, *ibid.*, 4: 3.

⁷⁶ *Loc. cit.*

⁷⁷ This topic will be discussed elaborately in the section number 6. 5.

⁷⁸ Al-Qur'an, 4: 3.

⁷⁹ See, Taqiuddin an-Nabhani, *The Social System in Islam*, *op. cit.*, p. 140.

the battle of *Uhud* in which many male Muslims (70 men out of 700 Muslims), who were the bread-earners, the natural guardians and supporters of the females, had been slain. As a result, the members of females were greater than the male numbers. Moreover, these female orphans as well as widows needed protection and support which could best be done by permitting Muslim males to marry them up to four in number.⁸⁰ Thus, polygamy is justified in the eye of Islam, not only to serve the male's interest, but also gives privileges to females. In addition to this, there are two conditions to polygamous marriage in Islam. First, additional wives may only be taken when orphans and widows cannot be maintained by society as a whole; secondly, the husband is required to treat all wives equally and justly.⁸¹ The Quranic verse 4: 3 also states that if a man fears that he will not be able to meet these conditions, then he is not allowed more than one wife. Shah Abdul Hannan expresses his opinion regarding the justification of polygamous marriage in the following way:

Islam has allowed man to marry more than one woman but has put serious restrictions on this. It requires agreement of the new wife, his ability to maintain more than one wife, equality among the wives etc. It is for this reason that very few Muslim men marry more than one woman. Islam has allowed this to man to curb illicit sex. Illicit sex is a very degenerating thing for humanity and leads to debasement of women through prostitution. Islam has totally rejected prostitution.⁸²

On the basis of the above interpretation, it is said that Islam prefers conditional polygamous marriage, though the ideal form of marriage is monogamy i.e., one wife and one husband.

Furthermore, to discuss about the form of Muslim marriage, another question arises i.e., whether polyandrous marriage is permitted to the Muslims. To answer this question, it is noted that polyandrous marriage is absolutely forbidden by the teachings of the Holy Qur'an as well as the Tradition of Prophet Mohammad (sm.) According to Islam, in case of female, multiple spouses have never been allowed, women are to be strictly monogamous.⁸³ Thus, polyandrous marriage is not allowed in Islam.

⁸⁰ Vide, Mohammad Mazheruddin Siddiqi, *Women in Islam*, op. cit., pp.116-117; also see, Asghar Ali Engineer, *The Rights of Women in Islam*, op. cit., p. 102; also vide, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., p. 32.

⁸¹ http://en.wikipedia.org/wiki/Marriage_in_Islam, Retrieved on- 14, April 2013.

⁸² Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 18.

⁸³ See, Tamara Sonn, "Islam" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?* (Canada: Wadsworth, Thomson Learning, Inc., 2001), p. 73.

5.6. Dissolution of Muslim Marriage

Marriage in Islam is a contract between a male and a female with standard elements of offer, acceptance, dowry or *Mahr* etc. and not regarded as sacrosanct. Despite the Quranic strong stand on the positive relations that should exist between spouses, it is realistic in acknowledging that spouses sometimes quarrel and find it impossible to live with one another in peace. Thus, Islam allows dissolution of marriage⁸⁴ through divorce if circumstances warrant or necessitate it. The Qur'an states as regards grounds of divorce in very general terms: "A divorce is only permissible twice: after that, the parties should either hold together on equitable terms, or separate with kindness...."⁸⁵ On the basis of this verse, it is noted that the general ground of divorce in the Qur'an is hopeless failure of one or both parties to discharge their marital duties to each other in kindness, peace as well as compassion.

Although Islam permits divorce reluctantly, it never likes, recommends or encourages dissolution of marriage through divorce. It is also discouraged by the teachings of the Tradition. In the opinion of the Prophet of Islam, among lawful things, divorce is most disliked by Allah.⁸⁶ The Prophet was also of the view that let not the faithful man hate the faithful woman; if he dislikes some of her habits, he may like others.⁸⁷ According to Islam, if there is marital discord between husband and wife, they should not try to dissolve their marriage contract immediately; they have to resort to the arbitration of relatives to settle their differences. The Holy Qur'an says in this connection: "If ye fear a breach between them twain, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, God will cause their reconciliation: for God hath full knowledge, and is acquainted with all things."⁸⁸ Hence, Islam puts emphasis on reconciliation when conflict arises between spouses. However, if the arbitration is unsuccessful and the parties cannot reconcile, then divorce is committed.⁸⁹ It is also

⁸⁴ For details please see, Jamal J. Ahmad Nasir, *The Status of Women under Islamic Law and Modern Islamic Legislation* (Leiden, Boston: Brill, 2009), pp. 117-158.

⁸⁵ Al-Qur'an, 2: 229.

⁸⁶ Quoted in, Shah Abdul Hannan, *Social Laws of Islam*, *op. cit.*, p. 19; also see, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, *op. cit.*, p. 59; also see, Jamila Hussain, *Islamic Law and Society: An Introduction*, *op. cit.*, p. 86; also vide, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, *op. cit.*, p. 63.

⁸⁷ Quoted in, M. K. Adamu, *The Islamic Notion of Marriage and Divorce* (Laranto, Nigeria: Joeart Productions, 1987), p. 62.

⁸⁸ Al-Qur'an, 4: 35.

⁸⁹ Vide, *ibid.*, 4: 130.

recommended in the Hadith that divorce should only be resorted to when there is no chance of reconciliation. The Muslim jurists have developed some indications which may be accepted as grounds of divorce in case the divorce matter goes to the court. Long absence of husband without any information, long imprisonment, refusal to provide for wife, impotence, discord, physical or mental defect on the part of the husband and so on are some of the grounds on which wife can ask for divorce.⁹⁰ Moreover, either party may take steps to divorce in case of chronicle disease, insanity, deceptive misrepresentation during marriage contract, desertion and so forth.⁹¹

In Islam, there are various forms of divorce by which an Islamic marriage is dissolved. Islam permits a marriage to be dissolved by repudiation by the husband i.e., *Talaq* which is the right of the husband.⁹² Another foremost mode of divorce is known as *Khula*.⁹³ According to the Holy Qur'an, if the husband is not fulfilling his responsibilities, there is no stigma on them in seeking *Khula*.⁹⁴ The essential condition for this mode of divorce is giving the husband something for wife's freedom. The wife's right of *Khula* divorce is based on 2: 229 of the Holy Qur'an. In addition to this, the wife, according to Islam, would be entitled to a divorce under certain circumstances i.e., upon the husband's breach of a condition agreed upon by the parties in the marriage contract. This type of divorce is called 'Delegated Divorce' or '*Talaq Taffiz*'.⁹⁵ Marriage can also be dissolved by judicial process through the court. This type of divorce is known as *Fasakh*.⁹⁶ Apart from the above forms of divorce interpreted by the classical jurists i.e., *Zihar* or injurious assimilation in which the husband compares his wife to a relative within a prohibited degree (his mother); *Ila*⁹⁷ or vow of continence when the husband makes an oath of abstention from the wife for four months or more; and *Lian*⁹⁸ or imprecation where the husband affirms under oath that his wife has committed adultery as well as she affirms under oath to the contrary.

⁹⁰ See, Jamal J. Ahmad Nasir, *The Status of Women under Islamic Law and Modern Islamic Legislation*, op. cit., p. 117.

⁹¹ Vide, Shah Abdul Hannan, *Social Laws of Islam*, op. cit., p. 20.

⁹² See, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., p. 53-63.

⁹³ See, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, op. cit., pp. 66-70.

⁹⁴ Vide, Al-Qur'an, 4: 128.

⁹⁵ For an account of this see, Nik Noriani Nik badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., pp. 73-82.

⁹⁶ Vide, *ibid.*, pp. 83-92.

⁹⁷ See, Al-Qur'an, 2: 226.

⁹⁸ Vide, *ibid.*, 24: 6-9.

In estimation of the above discussion, it is remarked that when a marriage has irretrievably broken down and there is no hope of reconciliation, it is better for the couple to part with kindness than to continue to live together in intolerable disharmony. In the words of Nik Noriani Nik Badli Shah, although divorce permitted in Islamic Law, it is not something which should be resorted to lightly or easily, but must only be resorted to as a matter of necessity when there appears to be no reasonable possibility of a reconciliation between the couple.⁹⁹

5.7. Islamic Views on Some Contemporary Issues related to Conjugal Ethics

Islamic conjugal ethics discusses various ethico-medical problems such as abortion, birth control, cloning, surrogacy and so on. According to Islam, children are the gifts of Almighty Allah, so they are regarded as the fragrance of a Paradise.¹⁰⁰ However, it does not mean that Islamic conjugal ethics prohibits birth control absolutely. In Islam, pre-conceptive measure on temporary basis is permitted. There is a Hadith in this connection which runs as follows: “Narrated Jabir: we used to practise coitus interruptus while the Quran was being revealed. Jabir added: we used to practise coitus interruptus during the lifetime of Allah’s Apostle while the Quran was being revealed.”¹⁰¹ From the above interpretation, it is noted that Islam supports birth control by practising any kind of pre-conceptive measures on temporary basis. Moreover, Islam also thinks that an individual should always consider the moral aspect of contraception while choosing any method of it, because Islam puts great importance on morality.¹⁰² In addition to this, Islam admits some child’s rights and of all the rights, right to life is the most important. This is because Islamic conjugal ethics advises the Muslim parents not to take their children’s lives. It means that abortion is explicitly forbidden in Islam. Islam is against abortion for a number of reasons. First, abortion is not included among the reasons allowed for killing in Islam. The Holy Qur’an quotes in this connection: “Not take life— which God has made sacred except— for just cause.”¹⁰³ Secondly, Islam opposed abortion, because Almighty Allah decides how long each person will live. The Glorious Qur’an cites in this regard: “

⁹⁹ See, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., p. 63.

¹⁰⁰ Vide, *Jame Al- Tirmizi*, translated and edited by Muhammad Musa (1st Edition, Dhaka: Bangladesh Islamic Center: 1996), Vol. 3, p. 369, Hadith no, 1860.

¹⁰¹ *Sahih Al- Bukhari*, tr, op. cit., Vol. 7, pp. 102-103, Hadith no. 136; also Quoted in, Md. Akhter Ali, *Moral Codes in Islam and Christianity: A Comparative Study*, op. cit., p.158.

¹⁰² Vide, Ahmad H. Sakr, *Family Values in Islam* (Milwaukee, USA, Al- Qur’an Foundation, Inc.: 1995, p. 42.

¹⁰³ Al-Qur’an, 17: 33.

... when their term expires, they would not be able to delay (the punishment) for a single hour, just as they would not be able to anticipate it (for a single hour).”¹⁰⁴ It further expresses: “Nor can a soul die except by God’s leave, the term being fixed as by writing.”¹⁰⁵ Furthermore, the teachings of the Prophet of Islam are against abortion. Hazrat Mohammad (sm.) said: “Amongst the nations before you there was a man who got a wound, and growing impatient and he took a knife and cut his hand with it and the blood did not stop till he died. Allah said, ‘My slave hurried to bring death upon himself so I have forbidden him Paradise’.”¹⁰⁶ Considering the related verses and the Traditions of Prophet Mohammad (sm.), it can be concluded that killing the foetus and aborting it is totally unlawful or *haram* in the eye of Islamic conjugal ethics.

Moreover, according to Islam, the main purpose of marriage is to have children. However, it is not by anyhow. Islamic conjugal ethics prescribes the way of taking children and that is marriage. There are many childless couples who cannot enjoy parental feelings. In recent days, the development of medical technology gives them a chance to have child. Some of the well-known technologies of medical science are artificial insemination (AI), in vitro fertilization (IVF), gamete intra-fallopian transfer (GIFT), zygote intra-fallopian transfer (Zift), intra-cytoplasmic sperm injection (ICSI) and so on. Apart from these, technology supports the fertilization of the sperm and the eggs to occur outside the womb. However, Islamic conjugal ethics does not permit fertilization outside the husband and wife relation i.e., surrogacy¹⁰⁷ is not permitted in Islam. This is because the Quranic verse 16: 72 describes the creation of wife and dignity of marriage which is as follows: “And God has made for you mates (and companions) of your own nature, and made for you, out of them, sons and daughters and grandchildren,...”. Further, the Glorious Qur’an gives a definition of a mother which runs as follows: “ ...None can be their mothers except those who have them birth.”¹⁰⁸ From the above verses of the Holy Qur’an it is pointed out that Islam permits procreation only in marital relation and in this

¹⁰⁴ *Ibid.*, 16: 61.

¹⁰⁵ *Ibid.*, 3: 145.

¹⁰⁶ *Sahih al Bukhari*, Vol. 4, Book. 56, Hadith no. 669 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011).

¹⁰⁷ Surrogacy is a situation where a female carries a child for another female with the intention that the child should be handed over after birth in return for which the surrogate mother is paid a settled amount of money for bearing and delivering the child. See, <http://www.eubios.info/ABC4/abc4389.htm#top>, Retrieved on, 22, September 2013.

¹⁰⁸ Al-Qur’an, 58: 2.

way the next generations may advance. It means that Islamic conjugal ethics does not support surrogacy.

Moreover, one question may arise, i.e., what a childless couple desiring child should do? Islam gives an instruction of this question that the childless parents should wait depending on Almighty Allah and continue all kinds of medical treatments. In this connection the following example is very appropriate. Prophet Abraham (asm.) became father when he was 100 years old and his wife Sara was in the age of 99.¹⁰⁹ In addition to this, Islamic scholars of IMANA (Islamic Medical Association of North America) Committee are also against surrogacy and they give instructions to the childless couples. According to them, all kinds of assisted reproductive technologies (ART) are permissible between husband and wife during the span of their marriage using the husband's sperm and the wife's ovaries and uterus. No third party involvement is allowed. We believe in the sanctity of marriage and that the death of one of the spouse terminates the marriage contract on earth. Therefore, frozen sperm from a deceased husband cannot be used to impregnate his widow. They also hold that sperm, ova and embryo donation are not permitted. Moreover, surrogacy involving a third person is not permissible, as we believe that it exceeds the boundaries of marriage contract and lineage. An infertile couple, if they cannot find a permissible cure, can care for another child or someone else's child as their own without giving legal adoption such as changing the name, inheritance etc. Use of infertility drugs is permissible. Additional embryos produced by IVF between husband and wife can be discarded or given for genetic research.¹¹⁰ According to Dr. Abd al-Azeem al-Matani of al-Azhaar University, 'renting wombs is one of the innovations of western civilization, which is purely materialistic and does not give any weight to moral values and principles. Thus, surrogacy is not full-scale *zinaa* (adultery), it is still definitely *haram* (forbidden) because it is enabling a man who is a stranger to her (i.e., not married to her) to put his semen in her womb'.¹¹¹ From the above interpretation, it can be summed up that Islamic conjugal ethics does not permit surrogacy i.e., third party involvement in procreation is not allowed at all, but all kinds of medical technology between husband and wife are permitted in Islam.

¹⁰⁹ See, *ibid.*, 51: 25-29.

¹¹⁰ <http://c.ymcdn.com/sites/www.imana.org/resource/resmgr/Files/Publication2.pdf>, Retrieved on, 22, September 2013.

¹¹¹ http://twocircles.net/2011oct11/surrogacy_mirror_hinduism_and_islam.html, Retrieved on, 22, September 2013.

5.8. Marriage in Hinduism

Marriage, in Hinduism, is a union of two individuals from the opposite sexes as husband and wife is recognized by Hindu Law. According to Hinduism, marriage is an important duty for both men and women; celibacy i.e., choosing to stay single is not encouraged at all. This is because marriage does not just join together a male and a female, but two extended families too. In addition to this, Hindu marriage is considered as the pivotal fact of a Hindu's life, because it helps to transform him from a self-centred into a social being, from an isolated unit into a unit essentially connected with the past and the future of the race. In the view of Maganlal A. Buch, marriage is a fundamental social fact in one's life, constituting an important stage in the development of his individuality, a stage in which he essentially belongs to society and not to himself.¹¹² Hence, marriage is necessary for every individual to realize the capabilities of his social nature fully and to fulfill the responsibilities which he owed to himself, his ancestors and to the society at large.

According to Hinduism, marriage is not a contract between a man and a woman, not an act of mere pleasure, not primarily a source of gratification to his sentimental longings or romantic loves, but an act of duty, a matter of moral as well as religious obligation. The teachings of Hinduism also ordain that marriage is absolutely incumbent for an individual in all circumstances. The following verses show that marriage is considered as an act of positive merit. According to the Rig-Veda, marriage opened a new period of the holy life which was to be led at the altar of truth and duty.¹¹³ A Vedic passage states that a person, who is unmarried, is unholy.¹¹⁴ Brishaspati writes as follows: "He, who out of stupefaction, puts impediments in an impending marriage,... is born as a vermin after death."¹¹⁵ For this reason, from the religious point of view, a man who is unmarried remains incomplete and is not fully eligible to participate in sacrament. Furthermore, marriage is regarded as an indispensable duty for women too, because this is the only sacrament that can be performed for her. Even in the performance of religious duties, the wife is more of a passive partner and is generally selected from a family, which does not

¹¹² For details please see, Maganlal A. Buch, *The Principles of Hindu Ethics* (Delhi, India: Bharatiya Kala Prakashan, 2003), p. 111.

¹¹³ See, Rig-Veda, x. 85. 24 (All quotations from the Rig-Veda have been taken in this work from Ramesh Chandra Datta (translator), *Rigveda Samhita* (in Bengali), (Calcutta: Haraf Prakashani, 1993, Vols. 1 & 2).

¹¹⁴ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day* (Delhi: Motilal Banarsidass Publishers Pvt. Ltd., 1991), p. 31.

¹¹⁵ Quoted in, Mangalal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 111.

neglect the performance of sacred rites. Hinduism, therefore, holds marriage as not only the very important and respected social institution, but also an equally important and honoured religious institution. In a word, according to Hinduism, marriage is a sacrament rather than a social contract.

According to Hinduism, marriage plays a vital role in one's life, because a man completes himself as a householder i.e., as a husband, father and man-in-the world before pursuing final liberation. In Hinduism, among four stages of life, the householder or *Garhasthya* is the most important. According to Dr. Shivendra Kumar Sinha, having received the education as well as reached maturity, this stage is glorified as the sacred field for all achievements and offering the best scope for realisation of the first three objectives of life i.e., *Dharma*, *Artha* and *Kama*.¹¹⁶ The teachings of Hinduism also ordain that in the stage of *Garhasthya*, an individual should earn for his own and the family's welfare. Moreover, the interest as well as capacities of the householder must not be limited only by ordinary family affairs. He should pay attention to the five great sacrifices which have to be done daily: first is Vedic study i.e., recitation of the Veda or *Mantras*, second sacrifice is daily offering of water to the forefather remaining the link in historical and cultural continuity, third is made to the gods by devotional offerings and prayers, fourth sacrifice consists of offering food to the needy and the last one is hospitality to fellow human beings. Hence, without getting married a man never undergoes this stage.

In addition to this, a wife according to Hinduism, plays an important role in her husband's life. Since she not only enables a man to fulfill his spiritual and ritual obligations, but also completes the very being of a man. It is said that a full half of one's self is one's wife and as soon as a man obtains a wife, he is reborn and becomes complete.¹¹⁷ Moreover, the wife is regarded as man's first friend. She is the root of religion, profit, desire as well as salvation. One who has wife performs religious acts, leads domestic lives and achieves good fortune. Therefore, a man should get married if he wants to enjoy the above benefits from his wife.

In Hindu weddings, horoscope plays a very vital role. This is because Hindu marriages take place at a time chosen according to the horoscopes of both parties. A horoscope is an

¹¹⁶ Vide, Dr. Shivendra Kumar Sinha, *Basics of Hinduism* (New Delhi: Unicorn Books, 2008), p. 45.

¹¹⁷ See, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, op. cit., p. 94.

astrological forecast of a person's future based on the position of the planets as well as stars at a given moment.¹¹⁸ Furthermore, *Janam Kundali* or astrological chart at the time of birth is also an important part and parcel of a Hindu marriage. The purpose of *Janam Kundali* is to match the would-be bride and would-be bride groom's fate. It is drawn based on the placement of the stars and planets at the time of birth. The maximum points for matching can be 36 and the minimum points are 18. Moreover, any match with points under 18 is not regarded as a favourable match for a harmonial relationship.¹¹⁹ If *Janam Kundali* of the son and the daughter achieves the required threshold in points, then further talks are considered for prospective marriage. The would-be husband and wife are also given chance to talk and understand each other. Once there is an agreement, then a suitable time is chosen for the marriage to take place.

5.8.1. Stages of a Hindu Marriage

The traditional Hindu wedding ritual itself consists of the following main elements:

a) Reception

The first and foremost element of a Hindu marriage is reception at the bride's house. The bride's guidance i.e., bride's parents welcome the bridegroom as well as his family at the boundary of the house where the wedding is taking place. A red *kum-kum* (kind of powder) mark is applied to their forehead. Members from both families are formally introduced, marking the starts of relationship between two families.

b) Exchanging Flower Garrlands or *Jayamaala*

In the second step the bride and the bridegroom exchange garlands i.e., *jayamaala* and declare: "Let all the learned persons present here know, we are accepting each other willingly, voluntarily and pleasantly. Our hearts are concordant and united like waters."¹²⁰

¹¹⁸ <http://www.bbc.co.uk/schools/gcsebitesize/rs/relationships/himarriageand-divorcerev1.shtml>, Retrieved on-10, May 2013.

¹¹⁹ http://en.wikipedia.org/wiki/Marriage_in_Hinduism, Retrieved on- 16, May 2013.

¹²⁰ <http://www.bbc.co.uk/religion/religions/hinduism/ritesrituals/weddings.shtml>, Retrieved on- 17, May 2013.

c) *Madhu-Parka*

Then the bridegroom is brought to a specially decorated altar called '*mandap*' and offered a seat and a welcoming drink i.e., a mixture of milk, ghee, yoghurt, honey and sugar.

d) *Gau Daan and Kanya Pratigrahan*

The fourth element of a Hindu marriage is *Gau Daan* and *Kanya Pratigrahan*. '*Gau*' means cow and '*Daan*' means donation. Nowadays, the symbolic exchange of gifts, particularly clothes as well as ornaments take place. The groom's mother gives a satisfactory necklace (*mangala sootra*) to the bride. *Mangla sootra* is regarded as a sign of marital status for a Hindu bride.

Moreover, '*Kanya*' means the daughter and '*Pratigrahan*' is an exchange with responsiveness on both sides. The bride's father declares that their daughter has accepted the bridegroom and requests them to accept her.

e) *Sacred Fire Ceremony or Vivaha-homa*

The next part of the wedding is sacred fire ceremony. A sacred fire is lit and the *Purohit* (priest) recites the sacred *mantras* in *Sanskrit*. Oblations are offered to the fire whilst the prayers. The words "Id na mama" meaning 'it is not for me' are repeated after the offerings. This teaches the virtue of selflessness required to run a family. Denise Lardner Carmody made comment that in the presence of sacred fire, the bride's father hands her over to the bridegroom and admonishes him to be a faithful to her in matters of duty, wealth and pleasure.¹²¹

f) *Holding of Hands*

In this stage, the *Purohit* recites the sacred *mantras* in *Sanskrit* also in the presence of sacred fire. This is the ceremony of vows. The husband, holding his wife's hand, says. "I hold your hand in the spirit of *Dharma*, we are both husband and wife."

¹²¹ See, Denise Lardner Carmody, *Women and World Religions* (New Jersey: Prentice-Hall Inc., 1989), p. 53.

g) Circumambulation of the Sacred Fire or *Shilarohan* and *Laaja Homa*

Shilarohan is climbing over a stone by the bride which symbolises her willingness and strength to overcome difficulties in pursuit of her duties. Both bride and bridegroom lead three times and the fourth time the groom leads. He is reminded of his responsibilities. The couple join their hands into which the bride's brothers pour some barley, which is offered to the fire, symbolizing that they all will jointly work for the welfare of the society. Then, the husband marks the bride's hair-parting with red *kum-kum* powder for the first time. This is known as '*sendoor*', a distinctive mark of a married Hindu woman.

h) Taking Seven Steps Together or *Sapta-Padi*

The next step recommended for the validity of the Hindu marriage is *Sapta-Padi*. It is also the main part of the ceremony. In this connection, Arvind Sharma spells out as follows:

Then follows the more dramatic part of the ceremony, the Saptapadi, in which the bride and the bridegroom circumambulate the fire seven times with the ends of their garments tied together, usually with the bridegroom leading. (The significance may be) seen in the words uttered on the occasion: 'May you take one step for sap, second for juice (or vigour), third step for the thriving of wealth, fourth step for comfort, fifth step for offspring, sixth step for seasons, may you be my friend with your seventh step! May you be devoted to me; let us have many sons, may they reach old age'.¹²²

In some religions, instead of walking the seven steps, the bride touches seven stones or nuts with her right toe. A symbolic matrimonial knot is tied after this ceremony.¹²³

i) Receiving the Elder's Blessings or *Ashirvada*

Another important part of the Hindu marriage is receiving blessings from the elders. The couple are blessed by the elders as well as the priest for a long and prosperous conjugal life.

After the end of the marriage, the Hindu ritual requires the parties to observe a *vrata* for three days, during which they could increase mutual acquaintance, but

¹²² Arvind Sharma, "Marriage in the Hindu Religious Tradition", *Journal of Ecumenical Studies*, 22, no. 1 (Winter 1985), p. 74; also see, Denise Lardner Carmody, *Women and World Religions*, *op. cit.*, p. 53; also cf., Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 147.

¹²³ <http://www.bbc.co.uk/religion/religions/hinduism/ritesrituals/weddings.shtml>, Retrieved on- 17, May 2013.

are to observe strict celibacy. According to Hinduism, during this period the newly married couple is to sleep in the same room, but on different beds, and are to abstain from consummating their marriage. This idea of Hindu wedding teaches us the virtue of self-control. There is much regional and denominational variations in terms of the main stages of a Hindu wedding, but above elements are more or less common. Moreover, the significance of the marriage ceremony lies in the *mantras*.

5.8.2. Types of Hindu Marriage

According to Hinduism, there are eight different types of Hindu marriages recognized by *Smritis*.¹²⁴ These eight forms of marriages¹²⁵ are *Brahma*, *Daiva*, *Arsha*, *Prajapatya*, *Asura*, *Gandharva*, *Rakshasa* and *Paishacha* which run as follows:

a) *Brahma* Marriage

The marriage in which the father carefully selects the son-in-law, invites him to his house and offers him his daughter according to proper religious rites, along with such presents as he can conveniently give on account of natural affection is called *Brahma* marriage.¹²⁶

b) *Daiva* Marriage

The form of marriage in which the bride is given in marriage to the person duly officiating as a priest at a Vedic sacrifice which is being celebrated, is called *Daiva* by the holy sages.¹²⁷

c) *Arsha* Marriage

Arsha marriage is an important type of marriage according to Hinduism, in which the father gives away his daughter, after receiving from the bridegroom a cow and a bull or two pairs of either as bride price.¹²⁸

¹²⁴ See, *Manu-Samhita* (Hereafter abbreviated as Manu), 3: 21. (This and all quotations from the *Manu-Samhita* have been taken from Dr. Manabendu Bandopadhyay (editor and translator), *Manu Samhita* (in Bengali), (1st Edition, Calcutta: Shadesh, 2004).

¹²⁵ See, A. S. Alteker, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., pp. 35-48; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 118.

¹²⁶ Vide, Manu: 3: 27.

¹²⁷ See, *ibid.*, 3: 28.

¹²⁸ Vide, *ibid.*, 3: 29.

d) *Prajapatya* Marriage

The form, in which after having worshipped the bridegroom, the bride is given to him in marriage, with the injection, ‘Let both of you jointly discharge the duties of a householder’, is called *Prajapatya*.¹²⁹

e) *Asura* Marriage

Another foremost form of marriage is *Asura* marriage, under which the husband used to get a bride by paying a reasonable price for her.¹³⁰ This type of wedding has no religious sanction.

f) *Gandharva* Marriage

The voluntary union of a maiden and her lover which springs from sexual desire is the marriage of *Gandharva* form. According to Manu, *Gandharva* marriage originates from a couple’s desire of being united with each other.¹³¹

g) *Rakshasa* Marriage

In this form of marriage, the bridegroom by killing or hurting the guardians or relations of the bride, and by forcing open the doors of her house, forcibly carries her away weeping and screaming, is called *Rashasa*.¹³²

h) *Pishacha* Marriage

The eight form, in which the bride when alone, asleep, senseless, intoxicated or delirious with wine, is ravished by the bridegroom, is called *Pishacha* marriage. This is condemned in the *Manu-Smriti* as a base and sinful act.¹³³

In summary, it is remarked that among the eight types, not all have religious sanctions. According to Manu, the first four are proper for the *Brahmins*; the *Rakshasa* as well as *Gandharva* forms are especially appropriate for the *Kshatriyas*; and the *Asura* for the *Vaishyas* and the *Shudras*.¹³⁴ Although scripture lists eight types of marriage, but current rituals fall mostly within the ‘*Brahma*’ category.

¹²⁹ See, *ibid.*, 3: 30.

¹³⁰ Vide, *ibid.*, 3: 31.

¹³¹ See, *ibid.*, 3: 32.

¹³² For details please see, *ibid.*, 3: 33.

¹³³ See, *ibid.*, 3: 34.

¹³⁴ Vide, *ibid.*, 3: 24 & 26.

5.9. Purposes of Hindu Marriage

Like other religions, Hinduism also prescribes its followers to get married. This is because it serves some purposes of them. Among many purposes, the main aim of a Hindu wedding can be summarized as follows:

- i. One of the foremost objectives of the Hindu marriage ritual is the creation of progeny or procreation. In Hinduism, male child is given a very important place in one's life. Maria Mies makes comments in this connection as follows: "The purpose of woman's life was determined only by this goal: the procreation of descendants. And male descendants were the most important worldly and religious goal of the Aryan Hindu."¹³⁵ Furthermore, according to the Rig-Veda, the goal of Hindu wedding is to enable a man to offer to the gods and to beget a son who will ensure the continuity of the sacrifice.¹³⁶ To a Hindu, the command of Hindu teachings i.e., 'increase and multiply' is very sacred, because present bliss as well as prosperity depends on male children. Not only this, his future and the future of his ancestors also depend upon the male descendants. Manu makes the following observations in this context: "By a son one conquereth the three worlds. By a son's son, one enjoyeth eternity, and by a grandson's son, great-grandfathers enjoy everlasting happiness."¹³⁷ The Rig-Veda has a very eloquent passage in praise of son i.e., sons were a source of strength as well as power to people in those days. They were called cancellers of the father's debt.¹³⁸ In addition to this, the Aitareya Brahmana also gives emphasis to have sons i.e., when the father sees the face of his new born son, he places his debts (worldly and the three Vedic) on him. There is more enjoyment or pleasure of the father by the son, than there are in the earth, in the fire and in the water, of living beings. Moreover, fathers are delivered from great darkness by the son. Food is breath, clothes protect, gold is for beauty, cattle for marriage, wife is a friend, a daughter brings great; a son,

¹³⁵ Maria Mies, *Indian Women and Patriarchy* (New Delhi: Concept Publishers, 1980), p. 41.

¹³⁶ See, Klaus K. Klostermair, *A Concise Encyclopedia of Hinduism* (Oxford, England: One World Publications, 2006), p. 115.

¹³⁷ Manu, 9: 137; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 114.

¹³⁸ Vide, Rig-Veda, vi. 61. 1.

however, is a light in the highest heaven.¹³⁹ Thus, according to Hinduism, sons as well as grandsons are considered as a man's salvation.

- ii. Another reason prescribed for the importance of having children especially male-children is for family name and lineage. According to Hinduism, a son has the right to carry on the family name as well as lineage. In Hinduism, a son's position is so high that it never differentiates between a son's son and a daughter's son. Manus draws his opinion in this connection in the following way:

Because the male child saves his father from the hell called put, therefore he was called a 'son' (putra) by the self-existent one himself. There is no distinction between a son's son and daughter's son in worldly matters, for a daughter's son also saves him in the world beyond, just like a son's son.¹⁴⁰

Moreover, another importance of having male children in parents' life is patrimony. According to Hinduism, a son has the only right to inherit from his father. In the words of Margaret Shanti, a male heir is very vital since property goes from father to son i.e., patrilineal in the patriarchal family system.¹⁴¹ For this reason, the importance of having male children in parent's life is immense, because parents get many types of benefits from their sons and this is possible only through marriage.

- iii. Another purpose recommended for encouraging married life is spiritual happiness. According to Hinduism, a son is called *putra*, because he pulls his parents out of hell and he is important not only for the continuation of the family, but also for the spiritual welfare of his parents as well as ancestors in the world beyond.¹⁴² In addition to this, the Aitareya Brahmana has a very impressive passage regarding the spiritual happiness of Hindu marriage which considered a son as a light in the great heavens. It further states that there is no place for a sonless man in the

¹³⁹ Quoted in, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, pp. 92-93; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, pp. 113-114.

¹⁴⁰ Manus 9: 138-139.

¹⁴¹ See, Margaret Shanti, "Hinduism: Caste, Gender and Violence" in Sr. Mary John Mananzan, OSB, (ed.), *Woman and Religion: A Collection of Essays and Personal Histories* (Manila, Philippines: The Institute for Women's Studies, 1998), p. 99.

¹⁴² See, Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism*, *op. cit.*, p. 115.

heaven.¹⁴³ As marriage fulfills the spiritual happiness of an individual, it is regarded as one of the major purposes of Hindu wedding.

- iv. Fulfilment of *Dharma* or religious duty is another vital purpose of Hindu marriage. According to the Hindu scriptures, marriage is a basis of all religious activities. This is because only sons have the right to help his father in his priestly work. Furthermore, the last rites can only normally be performed by a male offspring.¹⁴⁴ K. M. Kapadia draws his view regarding this purpose of wedding in the following way: “Marriage is primarily for the fulfilment of duties; the basic aim of marriage was dharma.”¹⁴⁵
- v. Another important function of Hindu marriage is sexual pleasure. The Hindu scriptures have compared the sexual pleasure to the relation of divine bliss. According to Vatsyanyan, sexual pleasure is the chief aim in marriage.
- vi. Another purpose prescribed for the legitimacy of wedding in Hinduism is to protect chastity. According to the tenets of Hinduism, women should marry in order to protect their chastity. This is because Hindu women are considered to be mature much quicker than young men.¹⁴⁶

In estimation of the above discussion, it is said that Hindu marriage can be defined as religious sacrament in which a man and a woman are bound in permanent relationship for physical, social as well as spiritual purposes of *Dharma*, procreation and sexual pleasure.

5.10. Conditions of Valid Hindu Marriage

According to Hinduism, there are some requirements or conditions for the validity of a marriage and a marriage performed in violation of the conditions of marriage cannot be valid. Here, an attempt is made below to discuss the major conditions laid down by *Dharma-sastra*.

¹⁴³ Quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., pp. 113-114.

¹⁴⁴ If there is no male relative available, then a girl should qualify for this ritual.

¹⁴⁵ <http://www.sociologyguide.com/indian-society/marriage-in-hinduism.php>, Retrieved on- 16, April 2013.

¹⁴⁶ hinduism.iskcon.org/practice/603.htm, Retrieved on-16, April 2013.

a) Marriage between Opposite Sex

According to Hinduism, marriage must be committed between members of opposite sex i.e., a male and a female. Marriage between the same sex i.e., homosexuality is absolutely prohibited in Hinduism. The teachings of Hinduism believe that marriage is a vow between two people of opposite sex to stay together and to uphold traditional family values in accordance with *Dharma*. This is why, marriage between inconsistent parties is considered as an important condition of a valid Hindu wedding.

b) The Age of Marriage

The teachings of Hinduism give an instruction in terms of the age of marriage. In the Vedic period women were married at a fairly advanced age. The precise age was not regarded, but from the Avesta it is stated that females were usually wedded at the age of 15 or 16 in ancient Persia. This view was also the same in the Vedic period.¹⁴⁷ Furthermore, Manu recommends that marriages of girls should be performed before the attainment of puberty.¹⁴⁸ He further holds that marriageable age for a male must be three times greater than a female. It means that if the would-be bridegroom has completed the age of 24 years, then the would-be bride should be 8 years old at the time of the marriage. Moreover, anyone who violates this instruction of marriageable age commits no error according to Manu.¹⁴⁹ In addition to this, the Hindu Marriage Act 1955,¹⁵⁰ under the leadership of Indian Prime Minister Jawaharlal Nehru, provides a certain uniformity of procedures and regulations concerning marriageable age of both parties. According to this Act, the age of valid marriage was fixed at 18 for the males and 15 for the females. However, this age requirement is later raised to 21 as well as 18 respectively for the males and the females through the Child Marriage Restraint (Amendment) Act 1978.

c) Restriction to Marriage with Persons of a Different Religion

Another foremost condition for the validity of a Hindu marriage is restriction to marriage with persons of a different religion. According to Hinduism, a Hindu

¹⁴⁷ For details please see, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 49.

¹⁴⁸ Vide, Manu, 9: 4.

¹⁴⁹ See, *ibid.*, 9: 94.

¹⁵⁰ <http://en.wikipedia.org/wiki/Hindu-Marriage-Act>, Retrieved on- 22, April 2013.

man or woman has no right to marry a person of a different religion i.e., a Hindu man cannot marry a Muslim or a Christian woman and vice-versa. Nevertheless, Hinduism advises that no marriage should be committed between members of the same *varna* and the same *jati* i.e., occupational sub-group. It further ordains that it is not necessary to confine oneself to one's own caste for marriage i.e., marriage outside one's caste is permitted. Manu expresses his opinion in this connection in the following way: "A *Shudra* woman is the wife of a *Shudra*, a *Vaishya* can marry a *Shudra* or *Vaishya* wife; a *Kshatriya* can take a *Shudra*, *Vaishya*, or a *Kshatriya* wife, and a *Brahmin* can marry a *Shudra*, *Vaishya*, *Kshatriya* or a *Brahmin* wife."¹⁵¹ From the above quotation it becomes clear that a woman can accept a partner from a higher *varna* or caste, but the opposite is shunned. It means that a man can marry any women of the lower caste and it is called *anuloma* marriage.¹⁵² However, it is not good to marry a woman of the higher caste. Manu is further of the view that marriage with a *Sudra* wife gradually fell into utter contempt.¹⁵³ However, marriage with persons of the same caste is the ideal. In this regard Manu also writes: "A girl belonging to his own caste is recommended to a *Brahmin* for holy wedlock; for desire, he may take from any of the three remaining castes, her precedence being according to her caste."¹⁵⁴ Therefore, it is said that Hindu ethics supports inter-caste marriage, not inter-religious marriage.

d) Qualifications of the Parties

Qualification of the prospective bride and groom is also considered as an important condition of Hindu marriage. According to Hinduism, wealth, beauty, health, intelligence as well as good family are the main considerations in the selection of the would-be bride and the would-be bridegroom.¹⁵⁵ Yajnavalkya, a celebrated sage, mentions the following attributes qualifying a person for being a suitable husband: "A bridegroom should be endued with all the accomplishments,

¹⁵¹ Manu, 3: 13.

¹⁵² Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., pp. 75-79.

¹⁵³ See, Manu, 3: 14-16.

¹⁵⁴ *Ibid.*, 3: 12.

¹⁵⁵ See, Apastamba Grhya Sutra, 1.5. 1-3 also see, Brian K. Smith, "Hinduism", in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, op. cit., p. 95.

be of the same caste and social standing, well-read in the Vedas, carefully examined about his manly power, youthful, intelligent and agreeable to all the people.”¹⁵⁶ On the other hand, according to Hinduism, a girl should not be married to one who has the following defects i.e., madness, loss of caste, impotence, misery, being forsaken by his relatives and so on.¹⁵⁷ Moreover, Manu also gives some details about the type of woman one should seek as a wife which run as follows: “A woman who does not come from the same blood line on her mother’s side, nor belongs to the same ritual line on her father’s side, and who is a virgin, is recommended for marriage to a twice born man.”¹⁵⁸ Besides, he also provides some details about the type of woman one must definitely avoid which is as follows:

When a man connects himself with a woman, he should avoid the ten following families, even if they are great or rich in cows, goats, sheep, property, or grain: a family that has abandoned the rites, or does not have male children, or does not chant the Veda; and those families in which they have hairy bodies, piles, consumption, weak digestion, epilepsy, white leprosy, or black leprosy. A man should not marry a girl who is a redhead or has an extra limb or is sickly or has no body hair or too much body hair or talks too much or is sallow; or who is named after a constellation, a tree, or a river, or who has a low-caste name, or is named after a mountain, a bird, a snake, or has a menial or frightening name. He should marry a woman who does not lack any part of her body and who has a pleasant name, who walks like a goose or an elephant, whose body hair and hair on the head is fine, whose teeth are not big, and who has delicate limbs. A wise man will not marry a woman who has no brother or whose father is unknown....¹⁵⁹

In addition to this, dumb, deaf, blind or lame persons are naturally regarded as undesirable spouses. According to Hinduism, however, marriages with them are not considered as invalid. In the eye of Hindu *Dharma-shastra*, insane persons and eunuchs are regarded fit to contract marriage. Manu says in this connection:

A eunuch, a degraded person, a person born blind or deaf, an idiot, or those devoid of any organ, shall not take any share in the paternal property.... But if these eunuchs, etc. should be inclined to marry, and if the wife of the eunuch should raise up a son to him by a man legally appointed, that son and the issue of such as have children shall be capable of inheriting.¹⁶⁰

¹⁵⁶ Yanavalkya-Smriti, 1: 55.

¹⁵⁷ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 125.

¹⁵⁸ Manu, 3: 5.

¹⁵⁹ *Ibid.*, 3: 6-11.

¹⁶⁰ *Ibid.*, 9: 201-203.

Thus, Manu thinks that insane, eunuch etc. have the right to marry and include children of impotent persons among his list of heirs. A. S. Altekar also justifies the marriage of impotent persons by giving the following arguments i.e., the right of marriage of impotent persons is valid, because they too have the sex instinct and perhaps are in greater need for a partner in life than ordinary individuals.¹⁶¹

However, the Hindu Marriage Act differs on the above view and provides procedures concerning the fitness for marriage of impotent persons. It states that the following persons are incapable to lead a married life. At the time of the marriage, (i) neither party is capable of giving a valid consent to it in consequence of unsoundness of mind; or (ii) though capable of giving a valid consent, neither party has been suffering from mental disorder of such a kind or to such an extent as to be unfit for marriage and the procreation of children; (iii) or neither party has been subject to recurrent attacks of insanity or epilepsy.¹⁶² Hence, fitness for wedlock of incapable persons is one of the important conditions of the validity of a Hindu wedding.

e) **The Prohibited Degrees of Affinity**

One of the valuable conditions for Hindu marriage is the prohibited degrees of affinity. In the eye of Hinduism, marriages among near relations are not permitted. The dialogue of Yama as well as Yami in the Rig-Veda is very interesting and it is a very early expression of the growing consciousness to avoid near blood-relations. Yama says to Yami that I will not fold my arms about the body; they call it sin when one comes near his sister.¹⁶³ Moreover, the Hindu *Dharma-Shastra* enjoins that the parties to a marriage should not be *sapindas* i.e., related to each other within seven generations on the father's side and five generations on the mother's side. It further holds that a girl with whom there is no relationship unseemly for marriage should be married. Manu expresses his opinion in this connection in the following way: "A woman who does not come from the same blood line on her mother's side, nor belong to the same ritual line on her father's

¹⁶¹ See, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, *op. cit.*, p. 73.

¹⁶² <http://legalservices.co.in/m/faq/view/what-are-the-conditions-for-a-Hindu-marriage>, Retrieved on-9, May 2013.

¹⁶³ See, Rig-Veda, x. 10.

side,...is recommended for marriage to a twice-born man.”¹⁶⁴ Besides, some Hindu writers further lay down that one should not marry one’s wife’s sister’s daughter or one’s paternal aunt’s sister as a kind of parental relation exists between the above parties.¹⁶⁵ Apart from this, there was also a prejudice against marrying two sisters to one person. This latter prohibited degree of affinity is often transgressed in practice, especially when an elder sister died leaving behind a child.

In addition to this, the Hindu Marriage Act also agrees with the above view. It means that the parties are not within the degrees of prohibited relationship and the parties are not *sapindas* of each other.¹⁶⁶ Although Hindu Marriage Act bans all kinds of cousin marriages, it allows when it is allowed by local custom. For this reason, North Indian Hindus regard all kinds of cousin marriages as incest and these types of relationships are frowned. South Indian Hindus, on the contrary, frequently marry their cross cousins as well as nieces. They also think that these are good for them, despite of negative biological consequences.¹⁶⁷

f) Consent

Another condition recommended for the validity of a Hindu marriage is consent. According to Hinduism, the consent of both parties is a vital part in wedding. This is because the choice of the partners often lay in the hands of the bride or the bridegroom in the Vedic period. Moreover, it is often clearly recognized that the maiden’s wishes should but be a matter of indifference in the marriage transaction. Manu does not applaud the practice of a girl living with a person whom she does not like. This is because living as wife with a person whom she does not like, leads to disgrace and sin. Thus, consent of a female in wedlock plays a vital role. Devayani says to her father: “This, O father, is the son of Nahusha. He took hold of my hand when I was in distress. I bow to thee. Bestow me unto him. I shall not wed any other person in the world.”¹⁶⁸ The above quotation is the best example for the condition of consent. Furthermore, Manu

¹⁶⁴ Manu, 3: 5.

¹⁶⁵ See, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., pp. 129-130.

¹⁶⁶ <http://legalsevices.co.in/m/faq/view/what-are-the-conditions-for-a-Hindh-marriage>, Retrieved on-9, May 2013.

¹⁶⁷ http://en.wikipedia.org/wiki/Marriage_in_Hinduism, Retrieved on-16, May 2013.

¹⁶⁸ Quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 115.

also points out circumstances in which a girl is justified in making her own selection of a husband:

A girl, who has attained puberty, shall wait (unmarried in her father's house) for three years (after the appearance of her first flow); after that she shall take a husband of her own caste and status (according to her choice). For taking a husband herself, a girl, not given away in marriage at the proper time by her father, acquires no demerit, nor does the man who takes her as his wife.¹⁶⁹

Thus, concept of both parties is an important condition of marriage.

g) Guardianship

The teaching of Hinduism specifies the guardianship for marriage. In Hinduism, the question of guardianship arises only in connection with females. Males are generally free to contract marriages for themselves. The Hindu *Dharma-Sastra* also believes that it is a matter of duty for men to marry with the permission of the parents or elders. In the case of females, persons who are fit to be guardians are mentioned in the following: "The father, parental grandfather, brother, kinsmen, and mother, being of sound mind, are the persons to give away a damsel– the latter respectively on failure of the preceding."¹⁷⁰

Moreover, the Hindu Marriage Act 1955 also holds the same view. According to this Act, the consent of a guardian in marriage is necessary for a bride and the persons entitled to give such consent are as it follows: the father, the mother, the paternal grandfather, the paternal grandmother, the brother by full blood, the brother by half blood and so forth. However, the guardianship for marriage was abolished in 1978 after the child Marriage Restraint Amendment Act was passed.¹⁷¹

h) Betrothment

One of the important conditions of Hindu marriage is betrothment. According to Hinduism, betrothment means that a verbal promise is exchanged between the two parties as regards their future marriage. There is a contradictory view relating to the betrothment i.e., betrothal, according to some *Smritis* writers like Manu, is marriage. He regards even a betrothed bride as a widow, if the bridegroom– elect

¹⁶⁹ Manu, 9: 90-92.

¹⁷⁰ Yajnavalkya-Smriti, i: 63.

¹⁷¹ hinduism, iskcon.org/practice/603.htm, Retrieved on-16, April 2013.

died before the actual marriage.¹⁷² He also holds the view that the bride is allowed to be united with her brother-in-law but by *niyoga* only.¹⁷³ In this connection reference was made by A. S. Altekar regarding betrothal as an actual marriage that there is no public approval for this ultra-puritanical view; in fact, it is opposed to what Manu himself has stated in an earlier part of his works.¹⁷⁴ Moreover, there is no evidence to show that betrothed girls are considered as widows by Hindu society. On the contrary, other writers do not consider betrothal as a marriage. This is because according to them, marriage is completed only after the actual performance of the ritual. There is no doubt that the engagement made by the kinsmen of a girl is binding and sacred. However, the engagement that is made by the wedder and the wedded with the aid of *Mantras* is very much more so.¹⁷⁵ Therefore, mere verbal promise cannot be the basis of a legal marriage. In spite of the above contradiction, it is stated that both parties consider betrothment as a vital condition of Hindu wedding.

i) Registration

Another vital condition for the validity of the Hindu wedding is registration.¹⁷⁶ According to the Hindu Marriage Act (section 8), the state government can make rules for the registration of Hindu marriages that the parties to any of such marriages can have particulars concerning their marriages entered in such a manner as well as subject to such conditions as may be prescribed in the Hindu Marriage Register. The main purpose of this registration is to facilitate the proof of Hindu marriage. All rules made in this section may be laid before the state legislature. The Hindu Marriage Register should be open for inspection at all reasonable times and should be admissible as evidence of the statements contained therein.

j) Dowry

Another practice prescribed for Hindu marriage is the custom of dowry, where the bride's parents make a large payment to the intended bridegroom and his family.

¹⁷² See, Manu, 9: 69.

¹⁷³ Cf., *ibid.*, 9: 70.

¹⁷⁴ Quoted in, Manu: 8: 227.

¹⁷⁵ See, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, pp. 117-118.

¹⁷⁶ hinduism, iskcom.org/practice/603.htm, Retrieved on-16, April 2013.

In Hinduism, giving dowry is a symbol of the father's affection towards his daughter. This custom of giving dowry has led to many evils as well as has been prohibited by the Dowry Prohibition Act 1961. Nevertheless, it still continues in India and among the Hindus who live outside India.¹⁷⁷

In estimation of the above discussion, it can be said that for the validity of a Hindu wedding, the conditions mentioned above play a vital role and the Hindus are obliged to follow these conditions for a legitimate marriage.

5.11. Form of Hindu Marriage

According to Hinduism, the form of Hindu Marriage can be monogamous or polygamous. It is true that the form of monogamous marriage generally prevails in Hindu society more than that of polygamous marriage. This is because the Hindu marriage ritual does not provide for the association of more than one wife in the normal sacrifice. Hence, in modern times, monogamous marriage has become the rule for ordinary Hindus of all castes. On the other hand, the question of competence to marry raises the problem whether a husband, who has one living wife, is capable of entering on a new marriage i.e., is polygamous marriage permitted to the Hindus? According to Hindu moral teachings, polygamy is allowed for Hindus under some limitations which run as follows:

First, the main reason for allowing polygamous marriage is the preservation and continuance of the family.¹⁷⁸ According to Hinduism, a Hindu should marry in order to have a son, because for offering the prescribed oblations to ancestors so as to secure their continuance in heaven, a son is absolutely necessary. Thus, if wife is barren, it is a husband's duty to marry another woman in order to obtain a son.¹⁷⁹ Moreover, it is noted that according to Hinduism, polygamous marriage must be performed only with the consent of the first wife.¹⁸⁰ The husband is required to look after her in the proper manner. In addition to this, if the wife desires to live separately, he has to give her a suitable allowance. Secondly, Hinduism permits polygamy if the husband finds his wife

¹⁷⁷ Vide, Jamila Hussain, *Islamic Law and Society: An Introduction*, op. cit., p. 67.

¹⁷⁸ See, Margaret Shanti, "Hinduism: Caste, Gender and Violence" in Sr. Mary John Mananzan, OSB, (ed.), *Woman & Religion: A Collection of Essays and Personal Histories*, op. cit., p. 99; also vide, J. N. Farquhar, *The Crown of Hinduism* (New Delhi: Oriental Books Reprint Corporation, 1971), pp. 92-93; also vide, A. S. Altekar, *The Position of Women in Hindu Civilization : From Prehistoric Times to the Present Day*, op. cit., p. 105.

¹⁷⁹ Vide, Manu, 9: 81.

¹⁸⁰ But if a woman who is kind and well-behaved becomes ill, she should be superseded (only) when she has been asked for her consent, and she should never be dishonoured. See, *ibid.*, 9: 82.

stubborn as well as troublesome. Manu draws his opinion in this regard in the following way:

A husband should wait for one year for a wife who hates him; but after a year, he should take away her inheritance and not live with her. If she transgresses against a husband who is infatuated, a drunk, or ill, he may deprive her of her jewelry and personal property and desert her for three months. A wife who drinks wine, behaves dishonestly, or is rebellious, ill, violent, or wasteful of money may be superseded at any time. A barren wife may be superseded in the eighth year; one whose children have died, in the tenth; one who bears (only) daughters, in the eleventh; but one who says unpleasant things (may be superseded) immediately. And if a woman who has been superseded should leave the house in fury, she should be locked up immediately or deserted in the presence of the family.¹⁸¹

Thirdly, another reason for supporting polygamy is that numerous references of polygamy are fairly available in the Vedic literature. The Rig-Veda has very interesting charms where a person was attacked on all sides by his enemies of a husband troubled by his jealous wives. Moreover, most of the Hindu gods are polygamous. Vishnu and Brahma, for instance, have three consorts each.¹⁸² Besides, Dasharatha had four principal wives but he had three hundred and fifty other wives.¹⁸³ In addition to this, Manu had 10 wives as well as king Harischandra of the Aitareya Brahmana had only a hundred and Yajnavalkya had two.¹⁸⁴ Hence, these are some observations in the Vedic literature to show that polygamous marriage was well established in certain sections of society which is one of the main reasons to justify polygamy.

Therefore, it is noted that the teachings of Hinduism permit polygamous marriage under the above mentioned circumstances. Now, one question naturally arises, i.e., between polygamous and monogamous marriages which form of marriage is the ideal? In the eye of Hinduism, the ideal form of marriage is one man with one woman i.e., the monogamous form. This is because, according to Manu, marriage with the first wife is for *Dharma*; only pure inclination is responsible for other wives.¹⁸⁵ Furthermore, association for the performance of religious rites is permitted only to the wives of one's own caste. Apart from these, the most charming reason for monogamy is Rama's single-minded

¹⁸¹ *Ibid.*, 9: 77-78, 80-81, 83.

¹⁸² For details please see, J. N. Farquhar, *The Crown of Hinduism*, *op. cit.*, p. 93.

¹⁸³ Quoted in, Ramayana, ii. 34. 13; also quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 131.

¹⁸⁴ For details see, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, *op. cit.*, p. 105.

¹⁸⁵ See, *ibid.*, 3:12; also see, Maganlal A. Buch, *The Principle of Hindu Ethics*, *op. cit.*, p. 130.

devotion to one wife. The marriage of only one wife is expressly applauded in the Ramayana by saying that it is equal to the merit acquired by penance or study of the Vedas or gift of land or *Agnihotra*-ceremony.¹⁸⁶ That is why, it is pointed out that the form of Hindu marriage is monogamous rather than polygamous. Nevertheless, the Hindus are not rigid adherents to the institution of monogamous marriage.

To discuss about the form of Hindu marriage, another question arises, i.e., whether polyandrous marriage is allowed to the Hindus. To answer to this question it is remarked that polyandry, according to Hinduism, is absolutely opposed to all the Hindu scriptures as well as traditions. This is because it is the wife's obligation to be loyal to her husband in this life and not to violate her vow to him when he is dead. However, if she is unfaithful, an unsavoury fate awaits for her after death. Manu cites in this connection: "But a woman who is unfaithful to her husband is an object of reproach in this world; (and after death) she is reborn in the womb of a jackal and is tormented by the diseases (born) of (her) evil."¹⁸⁷ Moreover, Manu further says that a woman should not leave her husband for another, no matter how bad he is, because "a woman who abandons her own inferior husband as well as lives with a superior man becomes an object of reproach in this world, she is said to be 'previously had by another man'."¹⁸⁸ Thus, it is a grievous sin if a woman transgresses her husband i.e. supports polyandry.

Apart from this, there is one example of polyandry in the ancient Hindu epic, i.e., the Mahabharata which raises the question of polyandry. The Mahabharata gives many beautiful reasons for justification of Draupadi's marriage which run as follows: "Draupadi got five husbands in this life because in one of her previous existences she had five times uttered the prayer to God, 'Give me a husband'."¹⁸⁹ According to the Tantravatika, Draupadi's marriage with five royal brothers is to be understood only figuratively. Draupadi was not a lady in flesh and blood, she stood for royal glory and her marriage with five brothers is only intended to show that they were jointly ruling their kingdom with absolute accord or it is supposed that the brothers were really married to five different ladies but they were so much alike in person and character that they came to

¹⁸⁶ Vide, Ramayana, ii. 64. 43; also see, Maganlal A. Buch, *The Principle of Hindus Ethics*, op. cit., p. 131.

¹⁸⁷ Manu, 9: 30.

¹⁸⁸ *Ibid.*, 5: 163.

¹⁸⁹ Quoted in, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p.113.

be described under the common name Draupadi.¹⁹⁰ Or, the following situation is also considered for justifying the Draupadi's marriage: "Draupadi was really the wife of Arjuna who had won her by his skill in archery, but the epic describes her as the common wife of all the five brothers with a view to emphasise the extra-ordinarily cordial relations that existed among them."¹⁹¹ Therefore, Draupadi's marriage does not establish the idea of polyandry in Hindu society.

Furthermore, the Hindu Marriage Act also provides instructions regarding the form of Hindu marriage. Before 1955, India was the largest country in the world which permitted its people to practise polygamy. Not only this, in some parts of India such as in Lahaul valley in Himachal Pradesh and among the Thiyyas of South Malabar, polyandrous marriage prevailed as well as was recognized under custom. However, the Hindu Marriage Act does not support this, so strict monogamy was introduced for the Hindus in Bombay Province in 1948 and in Madras Province in 1949. Finally in 1955, the Hindu Marriage Act introduced monogamy for all Hindus and made bigamy a penal offence.¹⁹²

By summarizing the above discussion, it is said that the Hindu *Dharma-Sastra* as well as the Hindu Marriage Act 1955 both recognize monogamy as an ideal form of marriage. Hence, every Hindu should perform monogamous marriage in order to lead a moral life.

5.12. Dissolution of Hindu Marriage

According to Hinduism, separation in husband-wife case is inconceivable. This is because in life and in death, the husband as well as the wife are one; once married is always married. Manu says in this regard:

Let mutual fidelity continue till death, this in a few words may be considered as the supreme law between husband and wife. Neither by sale nor by repudiation is a wife released from her husband. Only once can a partition of an estate be made, only once a girl can be given away in marriage, and only once can a thing be gifted. Each of these three things can be made only once.¹⁹³

Therefore, the husband as well as the wife are declared to be one. However, this rigidity of extreme theory is modified in various ways i.e., a sort of divorce is possible in the

¹⁹⁰ Quoted in, *ibid.*, pp. 113-114.

¹⁹¹ *Ibid.*, p. 114.

¹⁹² http://en.wikipedia.org/wiki/Marriage_in_Hinduism, Retrieved on- 16, May 2013.

¹⁹³ Manu, 9: 101; 46-47.

Hindu system under certain circumstances. In the eye of Hinduism, the husband has the right to desert his wife, if the following situations arise:

In the event of one's wife becoming a drunkard or faithless, hostile, invalid, extremely hot-tempered, or spend thrift, one shall marry a second wife. The husband of a sterile woman shall remarry on the eighth, the husband of a wife whose children die in infancy on the tenth, and the husband of a wife who has given birth to daughters only on the eleventh year of their respective marriages, while the husband of a harsh-tongued wife may remarry without the least delay. If a wife of good conduct, who is attached to the good of her lord, happens to be afflicted with (an incurable) disease, let her husband marry again with her consent; but he must not insult her under any circumstances whatever. A husband should wait for one year for a wife who hates him; but after a year, he should take away her inheritance and not live with her. If she transgresses against a husband who is infatuated, a drunk, or ill, he may deprive her of her jewellery and personal property and desert her for three months.¹⁹⁴

Although Hindu teaching permits a husband to desert his wife, it ordains that a dutiful as well as a son-bearing woman should not be abandoned.¹⁹⁵ In Hinduism, the wife is not entirely without her privileges i.e. she also has the right to desert her husband, according to Parashara, under the following limitations: If the husband is missing, or dead, or retired from the world, or impotent, or degraded, in these five calamities, a women may take another husband.¹⁹⁶ Furthermore, Narada takes the same view by saying that the usual cases of the disappearance or degradation or renunciation or death or impotence of her husband justify a woman to take to a second husband.¹⁹⁷ Manu himself observes elsewhere in his book that a wife is not to be blamed if she abandons a husband, who is impotent, insane, or suffering from an incurable or contagious disease.¹⁹⁸ This kind of abandonment of a husband practically amounted to a divorce, for Manu allows such a wife to remarry if her previous marriage was not consummated.¹⁹⁹ Manu further declares: "if the man has gone away on a journey to fulfill some duty, (she) should wait for him for eight years; (if he has gone) for learning or fame, six; for pleasure, three years."²⁰⁰ Therefore, divorce is also permitted if the husband does not return within that time. In this situation, wife must regard him as dead and may unite herself with another person of the same *gotra*.

¹⁹⁴ *Ibid.*, 9: 80-82; 77-78.

¹⁹⁵ See, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, pp. 132-133; also see, Narada, xii: 96.

¹⁹⁶ *Ibid.*, p. 133.

¹⁹⁷ See, Narada, xii: 97-101; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 133.

¹⁹⁸ *Ibid.*, 9: 79.

¹⁹⁹ For details please see, *ibid.*, 9: 175-176.

²⁰⁰ *Ibid.*, 9: 76.

In addition to this, the Hindu Marriage and Divorce Act of 1955 permits divorce on certain grounds, including adultery, cruelty, continuous period of desertion for two or more years, conversion to a religion other than Hinduism, mental abnormality, venereal disease as well as leprosy. Moreover, a wife can also present a petition for the dissolution of marriage on the ground of if the husband marries again after the commencement of his first marriage or if the husband has been guilty of rape, sodomy or bestiality. Besides, divorce can be sought by husband or wife if one of them is unhappy or if they can identify the circumstances that have made the union untenable.²⁰¹

From the above discussion it is noted that according to Hinduism, although marriage union is indissoluble but a sort of divorce is permitted under certain circumstances.

5.13. Hindu Views on Some Contemporary Issues related to Conjugal Ethics

The teachings of Hinduism discuss some contemporary medical ethical problems like birth control, abortion, cloning, surrogacy and so forth. Hindu conjugal ethics lays great importance on having children rather than resorting to birth control. This is because having a male child is viewed as the successor of family, family name, patrimony and so on. On the other hand, having a female child is considered auspicious, because she is compared to Goddess Lakshmi. However, more importance is given to male child. Though there is no restriction to having child, usually people tend to have 3-4 children of whom at least 2 are expected to be males. This is the basic idea of Hindu birth control. The following verse of *Manu-Samhita* explicitly states that the exact times when a husband may and may not approach his wife for sex and the type of offspring they will produce out of intercourse at different times of the months:

A man should have sex with his wife during her fertile season, and always find his satisfaction in his own wife; when he desires sexual pleasure he should go to her to whom he is vowed, except on the days at the (lunar) junctures. The natural fertile season of women is traditionally said to last for sixteen nights, though these include four special days that good people despise. Among these (nights), the first four, the eleventh, and the thirteenth are disapproved; the other ten nights are approved. On the even nights, sons are conceived, and on the uneven nights, daughters; therefore a man who wants sons should unite with his wife during her fertile seasons on the even nights. A male child is born when the semen of the man is greater (than the seed of a woman), and a female child when (the seed) of the woman is greater (than the semen of a man); if both are equal, a hermaphrodite is born, or a boy and a girl (i. e., fraternal twins)....²⁰²

²⁰¹ hinduism, inkcon.org/practice/603.htm, Retrieved on- 16, April 2013; also see, A. S. Altekar, *The Position of Women in Hindu Civilization*, op. cit., p. 89.

²⁰² Manu, 3: 45-49.

In addition to this, the teachings of Hinduism permit some child's rights and among all rights, the most significant right of a Hindu child is the right to life. This is because Hindu conjugal ethics ordains the Hindu parents not to take their children's lives. It implies that Hinduism prohibits abortion. The teachings of Hinduism oppose abortion for various reasons. First, in the eye of Hinduism, all life is sacred, to be loved and revered, because all creatures are manifestations of the Supreme Being. Therefore, Hinduism ordains its adherents to practise *ahimsa* or nonviolence. However, abortion breaches the teaching of *ahimsa*. For this reason, Hindu conjugal ethics is against abortion. Secondly, according to Hinduism, the fetus is a living conscious person needing and deserving protection. That is why, from the earliest of times, Hindu scriptures and traditions, condemn the practice of abortion, except when the life of the mother is in danger. It regards abortion as *garha-btta* (womb-killing) and *bhroona hathya* (killing the undeveloped soul). The Rig-Veda begs for protection of fetuses. It is full of prayers for long life. The Rig-Veda states in this connection: "A hundred autumns may we live."²⁰³ Moreover, Hinduism holds that killing the fetuses i. e., abortion is the parallel of the killing of one's parents, so the fetus stayer is regarded as the greatest of sinners.²⁰⁴ Thirdly, abortion is not included among the reasons permitted for killing in Hinduism. According to Hinduism, an old man who has fulfilled all his obligations and whose health is quite shattered may die by either walking out his existence or fasting, or by entering water or fire. A *Kshatriya* may accept death for protecting the people; a student may die for his *Guru's* sake; a man may die for the defence of cows and *Brahmins* and for the sake of his father-land. A servant is free to die for his master. Life may be sacrificed for the poor. However, a man who abandons life in anger or lust, terror goes to hell.²⁰⁵ Fourthly, Hindu conjugal ethics is against abortion, because one of the great duties of parents is to bring up the children in the world. In Hinduism, male children provide all kinds of benefits to their parents i.e., emotional, economic and spiritual.²⁰⁶ Fifthly, most Hindus believe that a doctor should not accept a parent's request for abortion, since this will cause the soul and the body to be separated at an unnatural time. The result will damage the *karma* of both doctor and patient. Sixthly, a Hindu believes in the reincarnation of the soul and the practice of nonviolence is

²⁰³ Rig-Veda, vii, 66:16.

²⁰⁴ <http://www.fnsa.org/fall98/murti1.html>, Retrieved on, 22, September 2013.

²⁰⁵ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 44.

²⁰⁶ See, Brian K. Smith, "Hinduism", in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another*, op. cit., p. 104.

connected with the belief in reincarnation. A soul's next life is decided by *karma* and the ultimate aim of life is to achieve *moksha*. A soul cannot achieve *moksha* without good *karma*. According to Hinduism, the *karma* generated in one's present life determines whether one enjoys a higher or suffers a lower existence in the next reincarnation. Dr. T. K. Venkateswaran, a Hindu leader in the parliament of the world's religions, thinks that *karma* is the moral as well as physical law of cause and effect by which each individual creates own future destiny.²⁰⁷ Therefore, killing the foetus or aborting it destroys one's good *karma* and is considered as a great sin in Hinduism. For these reasons, a Hindu is not able to achieve *moksha*. Therefore, Hindu conjugal ethics does not support abortion. From the above interpretation, it can be summarized, according to some Hindu scholars like Mohandas Gandhi, Indian's greatest apostle of nonviolence and Swami Kamalatmananda of the Ramakrishna Monastery in Madras that abortion would be a crime and no individual has the right to destroy the fetus. If having a baby is economically and socially problematic, one can take precautions to avoid such unwanted birth rather than killing the baby. Precaution is better than destruction.

Furthermore one of the important purposes of Hindu marriage is to have children. In order to procreate children, Hindu family ethics permits assisted reproduction which is generally accepted as a form of treatment for the childless couples. It means that Hinduism supports surrogacy. There are many examples provided by the Hindu mythology that suggests the practice of surrogate motherhood. According to the Mahabharata, Gandhari, wife of king Dhritarashtra, conceived but the pregnancy went on for nearly two years; after which she delivered a mass (mole). Lord Vyasa found that there were 101 cells that were normal in the mass. These cells were put in a nutrient medium and were grown in vitro till full term. Of these, 100 developed into male children named Duryodhana, Duhshasana; one as a female child called Duhseela.²⁰⁸ Besides this, there is another story which also supports surrogacy in Hinduism. Kans, the wicked king of Mathura, had imprisoned his sister Devaki and her husband Vasudeva, because oracles had informed him that her child would be his killer. Every time, she delivered a child, but the king killed the child. When the seventh child was conceived, the Lord intervened; the embryo was transferred from the womb of Devaki to the womb of Rohini. Thus, the child

²⁰⁷ <http://www.fnsa.org/fall98/murti1.html>, Retrieved on, 22, September 2013.

²⁰⁸ http://twocircles.net/2011oct11/surrogacy_mirror_hinduism_and_islam.html, Retrieved on, 22, September 2013.

conceived in one womb was incubated in and delivered through another womb.²⁰⁹ This story is the best example to refer surrogacy.

In addition to this, surrogacy is also approved by the Gujarat High Court in India. The court regarded the surrogacy laws of countries like Ukraine, Japan and the United States. Moreover, surrogacy industry in India is a favourite destination among developed nations like US and UK. Not only this, surrogacy is also popular among the Indians film stars like Shahrukh Khan, Amir Khan and so on. Further, surrogacy benefits not only the childless couples, but also it helps to change the fate of surrogate mother, because she rents womb instead of money, flat, food and medical needs for 9 months and so forth. From the above discussion, it can be inferred that there is no conflict between Hinduism and surrogacy which is generally accepted as a form of treatment and not an infringement on religious beliefs. Many think that India will become a centre of 'reproductive tourism' in a short time.

5.14. Comparison

To discuss Islam and Hinduism in regard to marriage and conjugal life, it is pointed out that a lot of similarities and dissimilarities are found between these two religions. Here, an attempt has been made to find out these similarities as well as dissimilarities between Islam and Hinduism which run as follows:

5.14.1. Similarities between Islam and Hinduism

There are so many similarities between these two religions. Some major areas of similarities between Islam and Hinduism are discussed below:

- i. The first and foremost similarity between Islam and Hinduism is the religious importance of marriage. Islam assigns great importance to marriage. The Holy Qur'an says in this connection: "It is He Who has created man from water: then has He established relationships of lineage and marriage: for thy Lord has power (over all things)."²¹⁰ The Prophet of Islam also emphasized the importance of the practice of marriage. According to him, a Muslim man can acquire no greater benefit after Islam than a Muslim wife who makes him happy when he looks upon

²⁰⁹ [http://www.brown.edu/Faculty/COSTS/documents/BlattFinal Thesis.pdf](http://www.brown.edu/Faculty/COSTS/documents/BlattFinal%20Thesis.pdf), Retrieved on, 22, September 2013.

²¹⁰ Al-Qur'an, 25: 54; also see, 13: 38; 25: 72.

her, obeys him when he commands her as well as protects herself and his property when he is away from her.²¹¹ He further said that no building is built in Islam more beloved to Allah than marriage.²¹² Therefore, religious importance of marriage in Islam is immense. Similarly, Hinduism admits great importance to marriage. It is a religious duty for men in all circumstances. In the eye of Hinduism, a man who does not get married is unholy.²¹³ Furthermore, Hinduism also thinks that marriage is an incumbent duty for women too, because it is the only sacrament that can be performed for her. Thus, from religious point of view, both Islam and Hinduism give a lot of emphasis on marriage.

- ii. Both Islam and Hinduism enjoin its adherents to get married. This is because marriage is essentially a righteous act that helps mankind to complete devotion. Both religions forbid its followers to observe celibacy without any reasonable ground i.e. choosing to stay single is not recommended in these religions.
- iii. According to both religions, marriage plays a vital role in one's life. This is because it helps an individual to transform him from a self-centred being into a social one. Therefore, both Islam and Hinduism think that in order to develop the individuality of a person, marriage is essential.
- iv. According to Islam and Hinduism, marriage is not for mere romantic love, but for an act of duty— a duty which teaches us how to maintain a family life as well as conjugal responsibilities.
- v. Both Islam as well as Hinduism believe that marriage between opposite sexes is an essential condition for its validity. Neither of these religions support matrimonial relationship between the same sexes, i.e., homosexuality is absolutely and unquestionably prohibited both in Islam and Hinduism.
- vi. According to both religions, the consent of the would-be bride and the would-be bridegroom also play an important role for the validity of the wedding. In Islam,

²¹¹ Quoted in, Sachiko Murata, *The Tao of Islam*, op. cit., pp. 171-172.

²¹² Quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 115.

²¹³ See, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 31.

the consent of a girl to her marriage must be sought.²¹⁴ Similarly, the practice of a girl living with a person whom she does not like is not encouraged by the teachings of Hinduism.

- vii. In Islam, to choose a possible bride, four criteria should be considered. These are wealth, family status, beauty and religiosity, though religiosity is given high priority.²¹⁵ Likewise, in Hinduism, one should marry a girl who possesses the characteristics of intelligence, beauty, good character and so on.²¹⁶ Therefore, the above qualities play a vital role to select one's partner in both Islam as well as Hinduism.
- viii. In regard to the form of marriage, both Islam and Hinduism prefer monogamous marriage i.e., one husband and one wife. Although both religions permit polygamy, but monogamy is considered as an ideal form of marriage.
- ix. According to Islam as well as Hinduism, through marriage the family comes into existence and through family life the purposes of marriage are completed. Sexual gratification, legitimate and lawful procreation, protection of chastity and so forth are the major purposes of marriage, according to both religions.
- x. According to Islam and Hinduism, under certain circumstances, the dissolution of marriage is allowed. However, it is the most disliked work by the teachings of Islam as well as Hinduism.
- xi. In regard to the practice of abortion, both Islam and Hinduism think that it is absolutely unlawful for its adherents. Both religions opposed abortion for a number of reasons. Among all reasons, the most important one is that human life is sacred, so we should not kill human life while it is a fetus or a baby or a complete human being.

²¹⁴ See, *Sahih Muslim*, tr., Vol. 2, *op. cit.*, p. 714, Hadith nos. 3309, 3305, 3306; also see, *Sahih Bukhari*, Vol. 7, Book. 62, Hadith nos. 67-68 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011.).

²¹⁵ For details see, *Sahih Bukhari*, Vol. 7, Book. 62, Hadith no. 27 (<http://www.biharanjuman.org/hadith/SahihAl-Bukhari.pdf>, Retrieved on- 20, February 2011.).

²¹⁶ Vide, Apastamba Grhya Sutra, i. 5. 1-3; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, *op. cit.*, p. 126; also see, Brian K. Smith, "Hinduism", in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 95.

5.14.2. Dissimilarities between Islam and Hinduism

The above declared points of similarities between Islam and Hinduism in terms of conjugal ethics do not highlight the view that there are no dissimilarities between these two religions. However, to find out all the points of dissimilarities regarding Muslim and Hindu marriages is a difficult task. Therefore, the major dissimilarities between these two great religions in regard to the above-mentioned topic are summed up below:

- i. The first and foremost dissimilarity between Islam and Hinduism is that marriage in Islam is a contract, not a sacrament, though the contract has religious overtones and is strictly guided by the Islamic Laws. According to Jamila Hussain, marriage is regarded as a contract rather than a religious sacrament. In most cases, there will be some religious ceremonies associated with the marriage and many of the rules as well as principles pertaining to marriage are also laid down in the Qur'an and elaborated in the *Sunnah* of the Prophet. Nevertheless, it is never interpreted as religious sacrament.²¹⁷ On the other hand, marriage, in Hinduism, is considered as a religious sacrament. It is an incumbent duty with moral, religious and spiritual obligations. Thus, according to Hinduism, marriage is not only the social institution, but also the religious institution.
- ii. According to Islam, marriage is recommendable or even obligatory for every individual who can afford to support a family. A man who does not have the means to support a wife, or who is suffering from a serious illness, or who has no sexual desire at all are not obliged to marry. On the contrary, according to Hinduism, marriage is incumbent for an individual in all circumstances.²¹⁸ Moreover, Hinduism also believes that a man who is unmarried is incomplete and is not able to perform religious duties. Similarly, women are also considered to get married, because this is the only sacrament that can be performed for her.²¹⁹
- iii. According to Islam, a Muslim man has the right to marry a Christian or Jewess woman i.e., *kitabiyah* women. At the same time it also advises the Muslims not to marry polytheists. Hence, it is noted that Islamic teachings support inter-

²¹⁷ For details please see, Jamila Hussain, *Islamic Law and Society: An Introduction*, op. cit., p. 60.

²¹⁸ See, Manu: 9: 201-203.

²¹⁹ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 111-112.

religious marriage. However, a Hindu has no right to marry a person of a different religion i.e., a Hindu is never be able to marry a Muslim or a Christian woman and vice-versa. The teachings of Hinduism permit inter-caste marriage²²⁰ rather than inter-religious marriage.

- iv. Another important dissimilarity between these two religions is that Islam believes in the equality of status of both men as well as women in terms of marriage. Although Hinduism thinks so, but it holds that a female can marry a male from a higher caste, but the opposite is not considered at all.²²¹
- v. Both Islam as well as Hinduism admit various forms of marriages. According to Islam, there are four types of marriages²²² and Islam prescribes it for all people as it does not believe in race. On the other hand, Hinduism permits eight types of marriages.²²³ According to Hinduism, all these forms are not recommended for all. As Hinduism believes in caste, so these eight types of marriages are suitable for the Hindus according to their caste.
- vi. Among four types of marriages, Islam puts same importance. However, Hinduism does not think so i.e., among eight types of marriages, *Pishacha* is the most sinful form of wedding.²²⁴
- vii. In terms of marriage ritual, Hindu marriage is fixed according to the horoscope, but there is no place for horoscope in regard to Muslim marriage.
- viii. One of the important dissimilarities between these two religions lies in the concept of dowry. According to Islam, *Mahr* or dowry plays a vital role in Muslim marriage. This is because without *Mahr* i.e., a compulsory payment which must be paid by the bridegroom to the bride, an Islamic marriage is not properly solemnized and for the validity of the wedding, *Mahr* is essential. In contrast, in Hindu marriage, bridegroom needs not to pay the bride. Therefore, it is not a condition of the validity of Hindu marriage.

²²⁰ For details please see, Manu, 3: 13.

²²¹ Vide, *ibid.*, 3: 13; also see, 3: 15-18.

²²² See, Manzoor Ahmad Hanafi, *A Survey of Muslim Institutions and Culture*, *op. cit.*, p. 185.

²²³ Vide, Manu, 3: 21.

²²⁴ Cf., *ibid.*, 3: 34.

- ix. Islam has made it legally incumbent on the husband to pay his wife a reasonable amount as dowry in order to safeguard the economic position of women after the wedding.²²⁵ Moreover, *Mahr* is considered as the exclusive preserve of the bride, neither her husband nor anybody can claim it. Therefore, it can be said that Islam recognizes *Mahr* for the benefit of the women. However, in Hinduism, an adverse picture is found. There is a custom of dowry in Hindu marriage where the bride's parents make a large payment to the intended bridegroom as well as his family.²²⁶ In this circumstance, a woman has no right to enjoy *Mahr* like a Muslim woman. Thus, the payment of *Mahr* in Islam must not be confused with the custom of dowry in Hinduism.
- x. In regard to the form of marriage both Islam and Hinduism permit polygamous marriage but there is a difference between these two religions regarding the above-mentioned topic. In Hinduism, the main reason for supporting polygamy is wife's barrenness, finding one's wife stubborn as well as troublesome and the Vedic literature's references. On the other hand, in Islam, the main reason for allowing polygamy is the historical context.²²⁷ Although other factors i.e., wife's barrenness, illness etc. are also considered to support polygamy, but the above point for supporting polygamy is involved the most.
- xi. Another considerable dissimilarity between these two religions is that Islam supports limited polygamy, but Hinduism permits unlimited polygamy. In Islam, it is a man's right to get married up to four wives at a time under certain circumstances.²²⁸ Before the revelation of the verse 4: 3, it was a common practice among the Arabs that a man was allowed to marry an unlimited number of wives without any restrictions. The unlimited number of wives was approved as compensation for the shortage of men caused by the frequent tribal wars.²²⁹ However, with the revelation of the verse of the Holy Qur'an 4: 3, the concept of polygamy was completely redefined. The teachings of the Holy Qur'an limited the

²²⁵ Vide, Mohammad Mazheruddin Siddiqi, *Women in Islam*, op. cit., p. 47.

²²⁶ See, Jamila Hussian, *Islamic Law and Society: An Introduction*, op. cit., p. 67.

²²⁷ For details please see, Mohammad Mazheruddin Siddiqi, *Women in Islam*, op. cit., pp. 116-117; also see, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., p. 32; also see, Asghar Ali Engineer, *The Rights of Women in Islam*, op. cit., p. 102.

²²⁸ See, Al-Qur'an, 4: 3.

²²⁹ Vide, Doreen Ingrams, *The Awakened: Women in Iraq* (London: Third World Centre, 1983), p. 44.

number of wives to four under certain conditions.²³⁰ Therefore, it can be said that Islam recognizes limited polygamy. On the other hand, in Hinduism, a man has the right to marry an unlimited number of wives without any restrictions. This is because various references of polygamy are available in Hinduism. The Hindu gods like Vishnu and Brahma have three consorts each.²³¹ Moreover, Dasharatha had four principal wives but he had three hundred and fifty other wives.²³² Hence, it can be said that Hinduism recognizes unlimited polygamy.

- xii. In regard to son and daughter issue, Islam and Hinduism do not give the same importance. Although Islam seems that both male and female children are equal, it gives special importance towards young girls. The Prophet of Islam encouraged his adherents to be gentle and caring to their daughters. According to him, daughters are models of affection and sympathy as well as a blessing to the family. If a man has one daughter, Allah will screen him from the fire of the hell owing to his daughter; if he has two daughters, Allah will admit him to Paradise; if he has three daughters, Almighty Allah will exempt him from the obligations of charity and *Jihad*.²³³ The prophet also said that if a daughter is born to a person and he brings her up, gives her a good education as well as trains her in the arts of life, he (the Prophet) himself stand between him and hell fire.²³⁴ Hence, Islam puts special consideration towards female children. On the contrary, Hinduism gives special importance towards male children.²³⁵ This is because male children play a vital role to carry on the family name and lineage. In the eye of Hinduism, a man's salvation depends on begetting sons. The birth of a son guarantees not only the

²³⁰ It is noted that the unlimited practice of polygamy continued among the Arabs even after the advent of Islam. The highly male-dominated society of ancient Arabia assured that Arab males were in a position to carry on with the practice without any restriction. It was not until the revelation of the Quranic verse which limited the numbers of wives a man can have that they were forced to reduce the number to the maximum required by the Divine Law. It is stated in the Tradition that Nawfal bin Muawiyah said to the Prophet that I had five wives. Then he replied that choose any four you like and divorce the last one. Moreover, Umayr al-Asadi told the Prophet that I embraced Islam while I had eight wives. The Prophet replied that choose any four out of them. Quoted in, S. A. Al-Hatimy, *Women in Islam: A Comparative Study* (Lahore, Pakistan: Islamic Publications Ltd., 1993), p. 76; also see, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 122.

²³¹ See, J. N. Farquhar, *The Crown of Hinduism*, op. cit., p. 93.

²³² Quoted in, Ramayana, ii. 34. 13; also quoted in, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 131.

²³³ Quoted in, Mohammad Mazheruddin Siddiqi, *Women in Islam*, op. cit., p. 15.

²³⁴ Quoted in, *ibid.*, p. 16; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 12.

²³⁵ For details please see, Manu, 9:137.

continuity of his family as well as lineage, but also confers upon the father immortality.²³⁶ Therefore, it can be said that female children are not treated exactly in the same manner as male issues in Hinduism.

- xiii. In Islam, birth control of some form is allowed. The Holy Qur'an does not make any explicit statements about the morality of contraception, but contains statements encouraging procreation. The Prophet of Islam also is reported to have said to marry and procreate. Nevertheless, coitus interruptus, a primitive form of birth control is a known practice from the time of Prophet Mohammad (sm.).²³⁷ However, Hindu conjugal ethics is silent regarding birth control. The practice of coitus interruptus is regarded as the most scientific way of contraception but it is absolutely unknown in Hinduism. Hindu conjugal ethics encourages procreation within marriage, yet there is no opposition against contraception.
- xiv. In Islam, surrogacy is not allowed. This is because Islam thinks that it is *haram* to form the embryo by the fusion of a woman's ovum with the sperm of a man other than her husband.²³⁸ Apart from this, surrogacy has got various socio-psychological problems. It is a well known scientific fact that the woman, who bears a child for nine long months, gets emotionally attached to the child. The woman has to suppress the feelings of motherhood for good and miss the company of the baby which results in severe psychological and biological problems. To bear a child for another woman is nothing but exploitation of a poor woman by tempting into leasing their wombs for monetary benefits, which, in turn, undermine the very institution of marriage and family life. This makes surrogate mother a 'baby-maker' and a child a 'commodity'.²³⁹ For these reasons, surrogate motherhood is not allowed in Islam. On the contrary, surrogacy is known and practised from ancient times in Hinduism. There are many stories in the mythology that suggests the practice of surrogate motherhood. Moreover, it is also approved by the Gujarat High Court of India.

²³⁶ See, Brian K. Smith, "Hinduism", in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another*, *op. cit.*, p. 104.

²³⁷ *Sahih Al- Bukhari*, tr, *op. cit.*, Vol. 7, pp. 102-103, Hadith no. 136; also Quoted in, Md. Akhter Ali, *Moral Codes in Islam and Christianity: A Comparative Study*, *op. cit.*, p.158.

²³⁸ In Islam, it is also not lawful to implant sperm or/and an embryo into other woman's womb.

²³⁹ http://twocircles.net/2011oct11/surrogacy_mirror_hinduism_and_islam.html, Retrieved on, 22, September 2013.

5.15. Concluding Remarks

To cap it all, it is remarked that according to Islam, the aim of marriage for a person should be a means of avoiding evil deeds, purifying one's soul and to have children. When two believers form a family through marriage, their sexual relationship would benefit them in strengthening their mutual love as well as kindness. For such a couple, there would not exist any dangerous threats of sexual perversion, dangerous addictions or unlawful deeds. Therefore, in Islam, the purpose of marriage must be searched for in the spiritual context i.e., acquiring nearness to Almighty Allah. Similarly, according to Hinduism, marriage is a sacred relationship, a sacrament as well as a divine covenant. It is a vow between a male and a female to stay together as well as uphold traditional family values in accordance with *Dharma*. Therefore, in Hinduism, the purpose of marriage should be searched for in the spiritual context. In other words, according to both religions, marriage is a reclining duty with moral, religious and spiritual responsibilities.

Chapter Six

The Status of Women in Two Religions

6.1. Introduction

Women occupy a significantly great position in the total population of the world. This is because approximately half of its total population are women and they play a vital role in religions like Islam as well as Hinduism. However, this does not vouchsafe the fact that the status of women is the same as that of men and in actuality, we find that women were neglected since the beginning of human existence on earth in different ways and sometimes by religious dogmas. In the present chapter, an attempt has been made to depict the position of women in both Islam and Hinduism. Moreover, to discuss the proper place of women in both religions, an attempt has been made to explore some aspects of women's rights as a daughter, wife, mother as well as a widow and so forth. In addition, in order to show the status of women in both religions, an attempt has also been made below to depict the position of women in different religions like, Judaism, Christianity, Hinduism and pre-Islamic Arab society.

6.2. Women in Different Religions

The position of women in different religions is not so good. This is because the position of both men and women is not same in the eye of early Judaism, Christianity and Hinduism as well as in pre-Islamic Arab society. In Jewish tradition, the birth of a girl does not give pleasure to parents. Hence, according to Talmudic view, male children are special gifts from God and he is happy whose children are sons and unhappy is he, whose children are daughters.¹ Moreover, in Judaism, woman is regarded as the deceiver of a man. The Old Testament remarks in this regard is as follows:

...the Lord God called to the man and said to him, 'Where are you?' He said, 'I heard the sound of you in the garden, and I was afraid, because I was naked; and I hid myself.' He said, 'Who told you that you were naked? Have you eaten from the tree of which I commanded you not to eat?' The man said, 'The woman whom you gave to be with me, she gave me fruit from the tree, and I ate'. Then the Lord God said to the woman, 'What is this that you have done?' The woman said 'The serpent tricked me, and I ate'.²

¹ See, Denise Lardner Carmody, *Women and World Religions* (2nd Edition, New Jersey: Prentice Hall, 1989), p. 147.

² Gen., 3: 9-13 (This quotation has been taken from the *Holy Bible*, New Revised Standard Version: Catholic Edition (Nashville, USA: Catholic Bible Press, 1990).

From the above verses, it is clear that it is a great curse for Adam or mankind and the main cause of this curse is woman i.e., Adam's wife. Therefore, women, in Jewish culture, are regarded as the symbol of destruction, subversion as well as annihilation. Moreover, according to Judaism, female children are at their father's disposal. A Jewish daughter has no right to her own possessions as her brother's.³ She has the right to enjoy the inherent property only if she has no brothers.⁴ Besides, in Jewish tradition, when a female child is getting married, there is no need to take her consent; she is just handed down to the authority of her husband as she has no right to refuse a marriage arrangement made by her father.⁵ In short, a Jewish daughter is always dependent on a male for support. Thus, the Talmudists show a negative attitude towards women.

In Christianity, the position of women is more or less good and encouraging. This is because Jesus set women free from many limitations as well as held that men and women are equal. However, the opposite side of this picture is not so good. This is why, in the Apostolic letter, it is remarked that 'a woman has to learn in silence with full submission. I permit no woman to teach or to have authority over a man; she is to keep silent. For Adam was formed first, then Eve; and Adam was not deceived, but the woman was deceived and became a transgressor.'⁶ From the above letter, it is said that women are not allowed to speak in the church and to speak in the church for a woman is a shameful act according to Christianity.

Furthermore, the place of women in Hindu tradition is not far better than that of Jewish society. In Hinduism, woman has no right to get anything from her father, husband and son. If a woman's husband dies, she has to pass her time as a widow. She has no right to enjoy any kind of occasions or ceremonies. According to Hindu scriptures, a widow was required to mount the funeral of her dead husband as well as be cremated along with his corpse.

³ Vide, Arche Ligo, "Women in Biblical Patriarchy" in Sr. Mary John Mananzan, OSB (ed.), *Woman & Religion: A Collection of Essays and Persona Histories* (3rd Edition, Manila, Philippines: The Institute of Women's Studies, 1998), pp. 15-16; also see, Moulana Muhammad Abdur Rahim, *Family and Family Life* (in Bengali) (Dhaka: Khairun Prakashani, 2000), p. 60.

⁴ Num., 27: 1-11.

⁵ See, Ben Witherington III, *Women and the Genesis of Christianity* (Cambridge: Cambridge University Press, 1990), pp. 3-4.

⁶ For more details see, Moulana Muhammad Abdur Rahim, *Family and Family Life* (in Bengali), *op. cit.*, p. 61.

In pre-Islamic Arab society, the status of women was very worse. Women were regarded there as very shameful objects. Parents became very unhappy if female child was born. Women enjoyed no right at all as well as they were treated as a commodity. During *Jahiliya* or the period of ignorance, women were not only enslaved, but they could also be inherited as a possession. Moreover, among the pre-Islamic Arabs, when a man died, his elder son or other relations had a right to possess his widow or widows.⁷ Furthermore, the father in *jahiliya* used to bury their daughters alive. If the daughter lived, she had no right to enjoy any kind of human rights. They used to live under their husbands authority. During pre-Islamic period, there was no restriction to the number of wives a man could have. According to Imam al-Tabari, the noted commentator of the Qur'an, a person belonging to the tribe of Quraysh on average married ten wives.⁸ Even there was no objection to marry his mother or step-mothers.⁹

However, this situation has been changed when Hazrat Mohammad (sm.), the Prophet of Islam, began to preach Islam. He set free women from so many limitations, from which they had been suffering in Jewish, Christian, Hindu and Pre-Islamic Arab societies. The Prophet made equal status for men and women in different aspects of life.

6.3. Women in the Qur'an

The traditional place of women in the Qur'an is a high one. The Qur'an prescribes complete equality for men and women concerning their origin. The Holy Qur'an states in this connection:

O mankind! reverence your Guardian-Lord, Who created you from a single Person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women;— reverence God, through Whom ye demand your mutual (rights), and (reverence) the wombs (that bore you): for God ever watches over you.¹⁰

⁷ See, Asghar Ali Engineer, *The Rights of Women in Islam* (London: C. Hurst & Company, 1992), p. 20.

⁸ For more details please see, *ibid.*, p. 21.

⁹ Vide, Moulana Muhammad Abdur Rahim, *Family and Family Life* (in Bengali), *op. cit.*, p. 62.

¹⁰ Al-Qur'an, 4: 1 (All quotations from the Holy Qur'an have been taken from Abdullah Yusuf Ali (Translator & Commentator), *The Meaning of the Glorious Qur'an*, Vols. 1 & 2, Egypt & Lebanon: Dar al Kitab al Masri & Dar al Kitab Allubnani, 1934).

It further states: “It is He who created you from a single person, and made his mate of like nature, in order that he might dwell with her (in love)...”¹¹ From the above verses of the Qur’an and the verses of 16: 72, 30: 21, 39: 6 as well as 42: 11, it is clear that the Qur’an stresses on the common origin of the human race and both sexes have originated from one living entity i.e., both of them being created from *nafs* or *aanfus* (plural of *nafs*).

In addition, there is a misconception about the issue of women’s creation in the Islamic tradition. The ordinary Muslims think that Adam¹² was Allah’s primary creation and that Eve was made from Adam’s rib. The biblical story of the creation of Eve from a rib of Adam may be literal, but the Qur’an totally rejects such an idea.¹³ According to Dr. Raffat Hassan, the rib story entered the Islamic tradition through Hadith literature during the early centuries of Islam. In this regard the following Hadith is particularly important i.e., ‘treat women nicely, for a woman is created from a rib, and the most curved portion of the rib is its upper portion, so if you would try to straighten it, it will break, but if you leave it as it is, it will remain crooked. So treat woman nicely.’¹⁴ Furthermore, in another Hadith it is also remarked that ‘woman has been created from a rib and will in no way be straightened for you; so if you want to benefit by her, benefit by her while crookedness remains in her. And if you attempt to straighten her, you will break her, and breaking her is divorcing her.’¹⁵ Hence, the women’s inferior status in Islam began with the story of Hawa’s creation from a crooked rib. According to Dr. Riffat Hassan, we have to bear in mind that the rib story has no place in the Qur’an which upholds the view that man as well as woman were created as equal by Allah, then the existing inequality between men and women cannot be seen as having been mandated by Allah but must be seen as a

¹¹ *Ibid.*, 7: 189.

¹² The word ‘Adam’ is a Hebrew word and it functions generally as a collective noun referring to ‘the human’ rather than to a male person. According to Muhammad Iqbal, indeed, in the verses which deal with the origin of man as a living being, the Qur’an uses the words ‘*Bashar*’ or ‘*Insan*’ not ‘Adam’ which it reserves for man in his capacity of God’s vice-regent on earth. The purpose of the Qur’an is further secured by the omission of proper names mentioned in the Biblical narration Adam and Eve. The term ‘Adam’ is retained and used more as a concept than as a name of a concrete human individual. The word is not without authority in the Qur’an itself (See, Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam* (Lahore: Shaikh Muhammad Ashraf, 1962), p. 83.

¹³ Vide, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View* (State University of New York Press, Albany: 2004), p. 17.

¹⁴ See, M. M. Khan, *Translation of Sahih Al-Bukhari* (Lahore: Kazi Publication, 1971), p. 346.

¹⁵ See, A. H. Siddiqui, *Translation of Sahih Muslim* (Lahore: Shaikh Muhammad Ashraf, 1972), Vol. 2, p. 752.

subversion of Allah's original plan for humanity.¹⁶ Thus, it is said that Almighty Allah creates both men and women and he has created them from a single existence.

There is another misconception about woman i.e., they are the first violators of Divine Injunction. This is because the ordinary Muslims believe that Eve, the first woman according to Islam, ate the forbidden fruit in the Garden of Heaven at first and afterward she also influenced Adam to eat that fruit. Therefore, woman is regarded as the cause of human fall. However, this view is not correct according to the Quranic teachings. The Holy Qur'an says in this connection:

O Adam! dwell thou and thy wife in the Garden, and enjoy (its good things) as ye wish: but approach not this tree, or ye run into harm and transgression. Then began Satan to whisper suggestions to them, bringing openly before their minds all their shame that was hidden from them (before): he said: 'Your Lord only forbade you this tree, lest ye should become angels or such beings as live for ever'. And he swore to them both, that he was their sincere adviser. So by deceit he brought about their fall: when they tasted of the tree, their shame became manifest to them, and they began to sew together the leaves of the Garden over their bodies. And their Lord called unto them: 'Did I not forbid you that tree, and tell you that Satan was an avowed enemy unto you?' They said: 'Our Lord! We have wronged our own souls: if thou forgive us not and bestow not upon us thy Mercy, we shall certainly be lost.'¹⁷

From the above mentioned verses, it is clear that both man as well as woman are jointly accused for the violation of Allah's Commandment. Moreover, the following Quranic verses also prove that Eve is not the first accused: "But Satan whispered evil to him: he said, 'O Adam! shall I lead thee to the Tree of Eternity and to a kingdom that never decays'?"¹⁸ Hence, it is clear that Satan gives whisper and misled first Adam but not Eve. Hence, the violation of Divine requirement first by the woman is absolutely incorrect and it is said that the Holy Qur'an treats women very positively.¹⁹

According to the Holy Qur'an, women are equal to men. Both men and women enjoy equal status in terms of rewards and punishments. The Quranic observation in this regard is as follows:

¹⁶ See, Dr. Riffat Hassan, "Conservatism in Its Various Forms: Women in Islam" in Sr. Mary John Mananzan, OSB (ed.), *Woman & Religion: A Collection of Essays and Personal Histories*, op. cit., p. 147.

¹⁷ Al-Qur'an, 7: 19-23.

¹⁸ *Ibid.*, 20: 120.

¹⁹ See, Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D. Thesis), University of Rajshahi, 2007), p. 197.

For Muslim men and women,— for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engage much in God’s praise,— for them has God prepared forgiveness and great reward.²⁰

The Holy Qur’an further says: “If any do deeds of righteousness,— be they male or female— and have faith, they will enter Heaven and not the least injustice will be done to them.”²¹ From the above verses, it is stated that Almighty Allah prepares Heaven as a reward for righteous male as well as righteous female. Thus, the righteous women are as valuable as the righteous men in the eye of the Holy Qur’an. Besides this, in Islam, the variations in color, language, financial status, gender, nation and tribe do not provide any basis for superiority or inferiority. In the eye of Islam, superiority of an individual depends on only piety as well as righteousness. There is a beautiful saying of Prophet Mohammad (sm.) in this regard which runs as follows: “All people are equal, as equal as the teeth of a comb. There is no claim of merit of an Arab over a non-Arab, or of a white over a black person, or of a male over a female. Only God, fearing people merit a preference with God.”²²

To cap it all, it is said that according to the verses of the Qur’an and the Tradition of Prophet Mohammad (sm.) men and women have a common origin and neither is superior to the other. They enjoy same duties and responsibilities as well as receive same rewards and punishments for their deeds.

6.4. Rights and Privileges

Islam does not make any differences between man and woman in respect of their rights and privileges. Hence, the gender of a woman does not in any way deprive her of anything. Women in Muslim community have been given rights and privileges which they never enjoyed under any other religion or social system. Islam fully recognizes her right to own property irrespective of whether she is single or married. She has the right to buy, sell, mortgage or lease any or all of her property at her own will. Now, an attempt

²⁰ Al-Qur’an, 33: 35.

²¹ *Ibid.*, 4: 124.

²² Quoted in, Donna Lee Bowen, “Islamic Law and the Position of Women” in Stephen P. Heyneman (ed.), *Islam and Social Policy* (Nashville, USA: Vanderbilt University Press, 2004), p. 51.

has been made below to find out the rights and privileges of women in Islam from different points of view.

a) Women's Right to Individuality and Identity

According to Islam, women enjoy the right to individuality and identity as like as a man. A woman is not an anonymous part of her husband's family of birth. She retains all her previous ties and rights in her father's family even after her wedding. She is not regarded as 'half of her husband's existence' or '*Ardhangi*' as regarded customary in other culture.

In Islam, a woman is a separate and full-fledged personality with full independent social, economic and other rights. She is not given away in charity or '*kanya-daan*' in marriage like wood or stone nor required to be evaluated according to the dowry brought by her. Her marriage is a mature and social deal which she contracts with her life partner. She is not required to adopt her husband's name even after her marriage. A Muslim married woman has the right to keep on her father's name in all situations and this is an indication of their independent rights as legal entities. In the opinion of Dr. (Mufti) M. Mukarrum Ahmed, in Muslim countries women retain their maiden names after marriage even today. They are not 'Mrs. somebody', but Bint-Abdullah or whatever the father's name. Hence, she is not transformed into another edition of her husband's identity.²³

In addition to this, a Muslim woman enjoys her distinct individuality not only in domestic life but also in social, political and economic aspects of her life. According to Islam, a woman is as much entitled to inherit from the husband's estate as the husband is to her estate; while she retains her inheritance rights in her parental family too. When Makka was conquered and men as well as women embraced Islam in thousands voluntarily, the Prophet of Islam took a separate pledge of loyalty from women, not along with their menfolk. Hazrat Mohammad (sm.) did this to establish the distinct, separate and special status and individuality of a woman. Apart from this, other numerous incidents are also found in this regard. The Prophet of Islam gave patient hearing to a poor and old woman who

²³ Vide, Dr. (Mufti) M. Mukarrum Ahmed (editor-in-chief), *Human Rights in Islam* (New Delhi, India: Anmol Publications Pvt. Ltd., 2008), p. 222.

stopped him on the wayside to present her case despite his busy schedule. Moreover, Abu Bakr, the first Caliph of Islam, regularly served an old woman at her house for quite some time. All these instances prove women's right to individuality and identity. Furthermore, the following sayings of Dr. (Mufti) M. Mukarram Ahmed also prove women's distinct identity:

It was a woman (Lady Khadija) who consoled and strengthened the Prophet (SAW) after his first experience of divine revelation. It was a woman (Lady Aishah) in whose hands he breathed his last, observing his rights towards a wife to the last although being a Prophet he could have been amongst his companions in the last days. It was a woman (Lady Aishah again) under whom the Muslim army rallied in war.²⁴

Moreover, in Islam, divorcee and widow can decide freely about her future life in entering or abstaining from remarriage. It also gives an unmarried girl the liberty to accept or reject a man in marriage. In this way, Islam ensures the individuality as well as separate identity of woman.

b) Women's Freedom of Expression

Islam always supports women's freedom of expression as like as the man. It also sufficiently safeguards the interests and basic right of women. According to Islam, a woman is not only free in terms of managing her own affairs, but she can also express her views as well as participate in private and public affairs. The Holy Qur'an and the Tradition of Prophet Mohammad (sm.) are full of evidences which indicate women's freedom of expression. One of the chapter of the Qur'an, named *Mujadilah*,²⁵ mentions about a woman who got this right properly. During the pre-Islamic Arabia, if a husband compared his wife with his mother, he committed a sin i.e., *Zihar*.²⁶ At that time, Hazrat Aus, son of Samit, was assumed for *Zihar* unfortunately. After that he was very shameful and his wife Khaula Bint Tha'laba loved him very much. She pleaded that she had little children whom she had no resources herself to support. Therefore, she urged her plea to the Prophet and in prayer to Allah. Her sound plea was accepted and this iniquitous custom, based on false words, was abolished. In this connection, the Holy Qur'an says:

²⁴ *Loc. cit.*

²⁵ Literally means 'the woman who pleads'.

²⁶ *Zihar* was a pagan custom and under *Zihar* a husband was not bound to support his wife as well as children.

God has indeed heard (and accepted) the statement of the woman who pleads with thee concerning her husband and carries her complaint (in prayer) to God: and God (always) hears the arguments between both sides among you: for God hears and sees (all things).²⁷

From the above Quranic verse, it becomes clear that women have the right to freedom of expression. Moreover, the following Hadith is the best example to prove women's freedom of expression. A young girl made complain to the Prophet of Islam that she was wedded to her nephew by her father without her consent. Then the Prophet advised her, she could contract her marriage by her own choice. The girl then discarded that marriage.²⁸ Thus, women enjoy the full right to freedom of expression under Islamic law.

c) Religious Right of Women in Islam

Islam gives women the religious right. In the eye of Islam, both men and women enjoy equal status in regard to religious obligations and duties. The foremost important duties after faith are daily prayer, fasting during the Arabic month of *Ramadan*, *Zakat* (obligatory charity) and *Hajj* (pilgrimage). These incumbent responsibilities should be performed by both men and women according to Islam. Each human being, whether man or woman, is liable to face the consequences of his or her deeds.²⁹ However, in some cases, woman has some advantages over man. For instance, a woman is exempted from the daily prayers and from fasting during her menstrual period and forty days after child birth.³⁰ Furthermore, a woman is also temporarily exempted from fasting during her pregnancy and when she is nursing her baby, if there is any threat to her health or that to her baby.

In addition to this, Islam also believes that the sole basis for superiority of a person over another is piety as well as righteousness. The Holy Qur'an says in this respect: "... Verily the most honored of you in the sight of God is (he who is) the most righteous of you. And God has full knowledge and is well acquainted (with

²⁷ Al-Qur'an, 58: 1.

²⁸ Vide, Reuben Levy, *The Social Structure of Islam* (London: Cambridge University Press, 1962), p. 102; also see, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law* (Kuala Lumpur: International Law Book Services, 2001), pp. 14-15; also vide, *Sahih Al-Bukhari*, translated into English by Dr. Muhammad Muhsin Khan, *Sahih Al-Bukhari* (Arabic-English), Beirut-Lebanon: Dar Al Arabia, Publishing, Printing & Distribution, Vol. 7, p. 51, Hadith no. 69.

²⁹ See, Al-Qur'an, 74: 38.

³⁰ This period may be depending upon the physical conditions of the woman who gives birth to more or less a child.

all things).”³¹ Thus, righteous believers are equal, regardless of their sexes. Besides this, according to Islam, the righteous believers enjoy happiness in this world and in the hereafter. The reward for believers who lead a righteous life is Paradise. It does not matter whether these believers are male or female.³² This religious equality is again declared in the following Quranic verse: “Whoever works righteousness, man or woman, and has faith, verily, to him will We give a new life, a life that is good and pure and we will bestow on such their reward according to the best of their actions.”³³ Indeed, the fact that men as well as women are equal in respect of religious affair, has been indicated in many verses of the Qur’an.³⁴ There is a beautiful story concerning woman’s religious right in Islam. During the rule of the second Caliph of Islam Umar Ibn al Khattab, an attempt was made to fix up *Mahr* or dowry to a moderate limit. This is because the demanding tendency of dowry was grown to an alarming extent. Hence, the Caliph was opposed to this tendency and spoke against it in the mosque as well as prescribed that dowries be reduced to moderate limits. However, a woman protested this opinion of the Caliph by saying that the Qur’an implies that a dowry may be as high as a hundred weight of gold or silvers.³⁵ Then, her argumentation was accepted by the Caliph by saying that her opinion on this point is right.³⁶ Moreover, The Prophet’s companion Abdullah bin Umar appointed a slave-woman to lead the women of his family in the prayers during the night of *Ramadan*. Therefore, it is said that Islam also recognizes women’s religious right.

d) Economic Right of Women in Islam

According to Islam, women have the right to enjoy full economic status. They can own and manage their own property absolutely as well as have no obligation to contribute their resources to the family. In this regard, Dr. Muhammad Hamidullah holds that a woman has the same right as man for acquiring property. She can inherit it, receive it as gift or donation, earn it by her own work as well as

³¹ Al-Qur’an, 49: 13.

³² Vide, Lisa Spray, *Women’s Rights, the Quran and Islam: My Heart’s Surprise... A Personal Reconciliation* (Tueson, USA: BSM Press, 2002), pp. 11-13.

³³ Al-Qur’an, 16: 97.

³⁴ See, *ibid.*, 3: 195, 4: 124.

³⁵ Vide, *ibid.*, 4: 20.

³⁶ See, Hammudah Abd al Ati, *The Family Structure in Islam* (Plainfield, USA: American Trust Publication, 1995), pp. 667-67.

toil, and all this remains hers and hers alone. She has also the right to give her property to whom she likes as a gift or to dispose of it by sale or any other legal means according to her will.³⁷ Moreover, Islam does not command female to transfer her possessions to the husband at the time of marriage or merge her wealth with her parent's property before marriage. All these remain hers and hers alone.³⁸ In addition to this, women in Islam are entitled to receive marital gifts or dowry without any limit and can keep their present and future properties as well as income for their own benefit and security, even after marriage. No married woman is required to spend any amount of her income on the household according to Islam.³⁹ To sum up the economic rights of women briefly, the great Islamic scholar Fazlur Rahman says that a woman can keep her property acquired before marriage and has no legal obligation to spend on her family out of her personal wealth. She has also the right to receive dowry from her husband. She can invest her property in any way according to her will. She is quite independent in regard to religious status.⁴⁰

e) Educational Right of Women in Islam

Islam also recognizes the education of woman in both religious and social domains. Their education and cultural training are considered as an integral dimension of social development.⁴¹ There is no priority for men over women in relation to the right of education. Islam firmly maintains the value of education for both men and women and both are equally encouraged to acquire education.⁴² In the first five revealed verses of the *Surah 'Alaq'* or '*Iqraa*', it is mentioned that the importance of education for male or female is immense. The Qur'an

³⁷ Vide, Dr. Muhammad Hamidullah, *Introduction to Islam* (Paris: I. I. F. S. O (International Islamic Federation of Student Organizations, 1959), p. 162.

³⁸ See, Amira El-Azhary Sonbol, "Rethinking Women and Islam" in Yvonne Yazbeck Haddad & John L. Esposito (ed.), *Daughters of Abraham: Feminist Thought in Judaism, Christianity, and Islam* (USA: University Press of Florida, 2001), p. 131.

³⁹ Nevertheless, in special circumstance, a woman can find it necessary to spend some of her income to help her family. While this is not a legal obligation, it is consistent with the spirit of mutual co-operation among the members of the family.

⁴⁰ For details please see, Fazlur Rahman, *Islam: Ideology and the Way of Life* (London: Muslims Schools Trust, 1980), p. 396-98.

⁴¹ Vide, Abul A'la Mawdudi, *Pardah and the Status of Women in Islam* (Lahore, Pakistan: Islamic Publications Ltd., 1976), p. 152, also see, www.islamicpak.com.ph, Retrieved on-17, May 2013.

⁴² See, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach* (London & New York: Macmillan Press Ltd. & St. Martin's Press, Inc., 1998), p. 20; also see, Fida Hussain Malik, *Wives of the Prophet* (Lahore, Pakistan: S. H. Muhammad Ashraf, 1979), p. 47.

univocally states: “Proclaim! (or read!) in the name of thy Lord and Cherisher, who created— created man, out of a (mere) clot of congealed blood: proclaim! and thy Lord is Most Bountiful, He Who taught (the use of) the pen,— taught man that which he knew not.”⁴³ From the above verses of the Qur’an, it is clear that Islam gives emphasis first on reading. Moreover, the Tradition of the Prophet (sm.) also emphasizes on the importance of education to the Muslim community i.e., to both men and women. There is a popular saying in Islam in this regard i.e., seek education, even if it be in China. The following Hadith emphasizes the role of the father in educating his daughters: ‘if a father educates his daughter properly, he will enter Paradise’.⁴⁴ The following Hadith also gives immense importance of female education: ‘a mother is a school. If she is educated, then whole people are educated’.⁴⁵

From the beginning of Islam, there are lots of examples of educated women. One of them is Hazrat Aisha (R.) who is the daughter of Hazrat Abu Bakr (R.) as well as the wife of Hazrat Mohammad (sm.). She is not only eligible in religious matters, but also competent in medicine.⁴⁶ However, this picture had been changed during the Ottoman period. In his time, women’s education had been almost totally neglected and in the early 1900s experiments in the education of women began simultaneously in different parts of the Muslim world. Nowadays female education is given high priority by the governments of Muslim countries like Saudi Arabia, Bangladesh etc.⁴⁷ Therefore, it is said that female education holds a vital place in Islam.

f) Political Right of Women in Islam

Islam also sanctions political right for women. The Holy Qur’an says in this connection that the believers, both men and women, are friends of one another. They enjoin good and forbid evil and keep up prayer and pay the purifying due

⁴³ Al-Qur’an, 96: 1-5.

⁴⁴ Quoted in, Donna Lee Bowen, “Islamic Law and the Position of Women” in Stephen P. Heyneman (ed.), *Islam and Social Policy*, op. cit., p. 55.

⁴⁵ Quoted in, *loc. cit.*

⁴⁶ See, Dr. Jakir Nayak, *Dr. Zakir Naik Lecture Series-I* (Dhaka: Dr. Zakir Naik Publications, 2010), p. 188.

⁴⁷ See, Dr (Mufti) M. Mukarram Ahmed (editor-in-chief), *Encyclopedia of Islam (Introduction to Islam)* (New Delhi, India: Anmol Publications Pvt. Ltd., 2005), Vol. 1, p. 281.

and obey Allah as well as His Messenger. As for these, Allah will have mercy on them. Surely, Allah is Mighty, Wise.⁴⁸ From the above Quranic verse, it is clear that the determination of what is right and wrong is one of the basic duties of a state and men as well as women have been enjoined to perform this task. In the Qur'an, no disapproval of the rule of the Queen of Saba is found. She was an intelligent and legitimate ruler. She overruled her male counselors as well as took her own wise political decisions.⁴⁹ That means, the Holy Qur'an holds a very positive attitude towards a female ruler. However, there is a Hadith where the opposite picture is found. The Hadith is as follows:

Narrated Abu Bakra: During the days (of the battle) of Al-Jamal, Allah benefitted me with a word I had heard from Allah's Apostle after I had been about to join the companions of Al-Jamal (i. e., the camel) and fight along with them. When Allah's Apostle was informed that the Persians had crowned the daughter of Khosrau as their ruler, he said, "Such people as ruled by a lady will never be successful."⁵⁰

Some of the Islamic scholars described the above mentioned Hadith in a negative way that women have no right to become a head of the state. On the contrary, other Muslim scholars discarded the above negative attitude by saying that this particular Hadith is an *ahad* Hadith i.e., an isolated Hadith that was not reported by more than one of the companions of the Prophet Mohammad (sm.).⁵¹ Apart from this, they also think that as the Queen of Saba was a consultative ruler, a woman as head of the state in a consultative rule can be allowed.⁵² In this regard reference was made by Maulana Ashraf Ali to the Queen of Saba about whose rule the Holy Qur'an raises no objection. There is a verse in the Qur'an i.e., 27: 32 from which it appears that either constitutionally or by usage, it was a sort of democratic Government. There can be no objection to the appointment of a woman as the head of state and states with such Governments are free from the taint of deficiency pointed out in the Hadith.⁵³ Moreover, another political right of women is the right for casting their votes and electing political leaders for them.

⁴⁸ Vide, Al-Qur'an, 9: 71.

⁴⁹ For more details please see, *ibid.*, 27: 32-35.

⁵⁰ *Sahih Al-Bukhari*, tr., *op. cit.*, Vol. 5, p 508; Hadith no. 709; also see, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, *op. cit.*, pp 122-123.

⁵¹ Vide, Asghar Ali Engineer, *The Rights of Women in Islam*, *op. cit.*, p. 77.

⁵² Vide, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, *op. cit.*, p. 125.

⁵³ See, Mr. Justice Aftab Hussain, *Status of Women in Islam* (Lahore, Pakistan: Law Publishing Company, 1987), p. 216.

In *Surah Mumtahina*, it is stated: “O Prophet! when believing women come to thee to take the oath of fealty to thee....”⁵⁴ In this verse, the word ‘oath’ (بَايَعْنَ) means a kind of power which is more potent and influential than the concept of casting vote in modern time. This is because Hazrat Mohammad (sm.) was not only the Prophet of Almighty Allah, but also the head of a state. At that time, women came to the Prophet and prayed for his consent to select them as state’s leaders. Therefore, Islam recognizes women’s right of casting votes and electing political leaders.

Not only this, many women held important positions in the administration of an Islamic country. For example, Hazrat Ayesha’s (R.) leadership belies the concept that a woman cannot be the head of state. Similarly, Zubeda, wife of caliph Harun al-Rashid, used to advise her husband on political as well as administrative matters. Philip K. Hitti makes the following opinion in this regard:

Not only do we read of women in the high circles of that early period achieving distinction and exercising influence in state affairs— such as al-Khayzuran, Al-mahdi’s wife and al-Rashid’s mother; ‘Ulayyah, daughter of al-Mahdi; Zubayadah, al-Rashid’s wife and Al-Amin’s mother; and Buran, Al-Mamun’s wife— but of Arab maidens going to war and commanding troops, composing poetry and competing with men in literary pursuits or enlivening society with their wit, musical talent and vocal accomplishments.⁵⁵

Moreover, in the late twentieth century, four prominent women politicians namely Benazir Bhutto in Pakistan, Begom Khaleda Zia and Shaikh Hasina in Bangladesh as well as Sukornoputri in Indonesia became Prime Ministers or President. Therefore, women’s right to participate in politics and to become the head of state or that of an administration has been accepted by the teachings of Islam.

g) Social Right of Women in Islam

Islam also recognizes the social rights for the women. Women enjoy social rights in different phases of life. The life of a woman can be divided into the following phases i.e., as an infant and a daughter, as a wife, as a mother, as a widow and as an orphan. Islamic teachings admit explicit and proper rights for women which

⁵⁴ Al-Qur’an, 60: 12.

⁵⁵ Philip K. Hitti, *History of the Arabs: From the Earliest Times to the Present* (New York: Macmillan St Martin’s Press, 1970), P. 333.

they enjoy in different phases of life. Thus, an attempt of a brief exposition of social right of women has been made below:

i. Social Right of Woman as an Infant or as a Daughter

During *Jahiliya* or pre-Islamic period, there was a negative attitude towards women. In this period of ignorance, the Arabs showed the unwelcoming attitude upon hearing the news of the birth of a baby girl. The Holy Qur'an says in this regard:

When news is brought to one of them, of (the birth of) a female (child), his face darkens, and he is filled with inward grief! With shame does he hide Himself from his people, because of the bad news he has had! Shall he retain it on (sufferance and) contempt, or bury it in the dust? Ah! what an evil (choice) they decide on.⁵⁶

Moreover, during that time, the people of Arabia also used to bury their female children alive. The Qur'an ended the practice of female infanticide by saying: "When the female (infant), buried alive, is questioned— for what crime she was killed."⁵⁷ In addition to this, in the eye of Islam, the birth right of both boy and girl is same. The Holy Qur'an describes: "Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin."⁵⁸ In this connection, the Prophet of Islam holds that he who has a child born to him, must give it a good name and good manners. The Prophet described the right of a female child to be treated on an equal footing with her brother. He ordered parents not to make any differences between the male children and the female children. The Prophet also urged them to be kind to their children, particularly young girls. According to Hazrat Mohammad (sm.), if a daughter is born to a person who brings her up affectionately, shows her no disrespect as well as treats her in the same manner as he treats his sons, Almighty Allah will reward him with Paradise.⁵⁹ Exhorting parents to be good to their daughters, the Prophet of Islam said that if a man maintains two girls till they grow up; he as well as I

⁵⁶ Al-Qur'an, 16: 58-59.

⁵⁷ *Ibid.*, 81: 8-9.

⁵⁸ *Ibid.*, 17: 31; 6:151.

⁵⁹ Quoted in, Mohammad Mazheruddin Siddiqi, *Women in Islam* (New Delhi: Saeed International (Regd), 1993), p. 15; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 12.

will come on the Day of Resurrection like these two fingers.⁶⁰ Moreover, Hazrat Mohammad (sm.) is reported to have said that if a man has got three daughters or sisters as well as keeps patience by supplying their demands, Almighty Allah will admit him in Paradise. A man asked the Prophet that ‘O Messenger of Allah, if a man has got two?’ Then he replied, by saying that ‘even if he has got two’. The man again asked him: ‘if he has got one?’ The Prophet of Islam said ‘even if he has got one’.⁶¹ Thus, according to Islam, having female children is a great fortune for parents. The Prophet of Almighty Allah gave not only a content with moral exhortations which aimed at ensuring the equal rights of young girls, but also himself set an instance for his adherents to follow. He had four daughters and he treated them with parental love and kindness. He used to play with them and looked after them. When his daughters were grown up and got married, he continued to care for their well-being. The youngest daughter of the Prophet, Fatima was very close to him. He often used to visit her, invite her with her family to a meal with him. The Prophet used to take her warmly between his arms and offer her his seat.⁶² He loved Fatima so much that he used to say that Fatima was a part of me who wrongs her wrongs me and who pleases her pleases me.⁶³ In addition to this, Islam also ordains giving gifts first to the daughters than to the sons. According to the Prophet of Islam, if a man takes a good thing for his family from the market, his rewards are like those of charity. He has to first give it to the hand of his daughter and then to that of his son.⁶⁴

During childhood, the most important aspect in the upbringing of daughters that greatly influence their future is education. Education, according to Islam, is not only a right but also a responsibility for every Muslim, both male as well as female. It is related to Prophet’s saying that the search for knowledge is an

⁶⁰ Vide, *Jame al-Tirmizi*, translated and edited by Muhammad Musa (1st Edition, Dhaka: Bangladesh Islamic Centre, 1997), Vol. 3, p. 370, Hadith no. 1863; also see, Murtahin Billah Jasir Fazlie, *Hinduism and Islam* (in Bengali) (Dhaka: Ajmain Publications, 2012), p. 170.

⁶¹ Quoted in, Imam Gazzali, *Ihya Ulum-Id-Din*, translated into English by Al-Haj Maulana Fazul-ul-Karim (New Delhi: Kitab Bhavan, 1982), Book-1, pp. 47-48.

⁶² Quoted in, Mohammad Mazharuddin Siddiqi, *Women in Islam*, *op. cit.*, p. 15; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 12.

⁶³ Quoted in, Muhammad Abdul-Rauf, *The Islamic View of Women and Family* (New York: Robert Speller and Sons, 1977), p. 26.

⁶⁴ Quoted in, Imam Gazzali, *Ihya Ulum-Id-Din*, translated into English by Al-Haj Maulana Fazul-ul-Karim, *op. cit.*, Book-1, p. 47.

obligation laid on every Muslim. The Prophet also said that if a man has got a daughter, teaches her good manners, gives her good food and gives charity to her out of what Allah has given him, she becomes the cause of fortune to him and makes the path to Paradise easy for him after saving him from hell fire.⁶⁵ In adulthood, a daughter has the full right to marry someone. According to Islam, the consent of a bride is very important matter in regard to marriage. Regarding the issue of consent, there are several Hadiths dealing with it. One of them runs as follows:

Aisha (Allah be pleased with her) reported: I asked Allah's Messenger (may peace be upon him) about a virgin whose marriage is solemnized by her guardian, whether it was necessary or not to consult her. Allah's Messenger (may peace be upon him) said: Yes, she must be consulted. Aisha reported: I told him that she feels shy, whereupon silence implies her consent.⁶⁶

From the above discussion, it is noted that according to Islam, the position of a female child is valuable and she enjoys the same social right like a male child.

ii. Social Right of Woman as a Sister

Women as sisters enjoy great respect and affection. In the eye of Islam, a sister is to be treated with care, respect and due consideration. In the words of Hazrat Mohammad (sm.), whoever is taking charge of two sisters, treats them well and patiently, he and I shall be in Paradise.⁶⁷ In addition to this, a Muslim is required to have a close relationship with the immediate members of the family such as cousins, aunts and so forth. The Holy Qur'an advises the Muslims to show love and gratitude for relatives. The Prophet instructed his adherents to visit them, to be kind to them and to help them if they needed help. According to him, he is not of me who breaks the ties of kinship.⁶⁸ Among relatives, the sister occupies a special position in the eye of Islam. The Messenger of Allah did not have a sister

⁶⁵ Quoted in, *loc. cit.*

⁶⁶ *Sahih Muslim*, rendered into English by Abdul Hamid Siddiqui (New Delhi: Kitab Bhavan, 1998), Vol. 2, p. 714, Hadith no. 3305; also see, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, *op. cit.*, p. 14; for more details please see, Mohammad Mazheruddin Siddiqi, *Women in Islam*, *op. cit.*, p. 49; also see, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 34.

⁶⁷ Quoted in, Muhammad Abdul-Rauf, *The Islamic View of Women and Family*, *op. cit.*, p. 25; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 13.

⁶⁸ Quoted in, Abdulwahid Hamid, *Islam the Natural Way* (London: Muslim Education and Literary Services, 1989), p. 72; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 13.

but he had female cousins and relatives. He used to welcome them properly, treat tenderly and kindly.⁶⁹ Therefore, good treatment of relatives especially sisters is strongly emphasized both in the Qur'an and the *Sunnah*.

iii. **Social Right of Woman as a Wife**

During pre-Islamic period, women enjoyed no rights. They did not get proper respect and honor in their husband's house. They were treated as a commodity and were behaved like a servant. However, Islam prohibited this behavior towards women and admits social rights of woman.⁷⁰ The first and foremost social right of a wife is getting a gift called dowry or *Mahr* from her husband at the time of marriage. The Quranic expression in this regard is as follows: "And give the women (on marriage) their dower as a free gift; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer."⁷¹ This gift is included in the nuptial contract. This gift, according to Islam, is a symbol of noble gesture, love as well as affection showed by his husband to his wife.

According to Islam, the right of a wife and a husband is equal to Almighty. The Holy Qur'an states: "...And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage) over them. And God is Exalted in Power, Wise."⁷² Another important right of a wife is getting proper maintenance and protection. According to Islam, the husband is responsible for wife's rights and overall leadership of the family within the framework of consultation and kindness. Islam also thinks that the husband's leadership in the family does not mean his dictatorship over his wife. Islam emphasizes on the importance of taking counsel as well as mutual agreement in family affairs.⁷³ As regards the woman as wife, the saying of the Prophet is well known: the best among you is the one who is best towards his wife.⁷⁴ Apart from her basic rights as a wife, she is also entitled to kind treatment. The Holy Qur'an

⁶⁹ For details please see, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 13.

⁷⁰ See, Al-Qur'an, 4: 19.

⁷¹ *Ibid.*, 4: 4.

⁷² *Ibid.*, 2: 228.

⁷³ See, *ibid.*, 2: 233.

⁷⁴ For more details please see, *Jame Al-Tirmizi*, tr. op. cit., Vol. 2, p. 327, Hadith no. 1100.

says in this connection: "O ye who believe! Ye are forbidden to inherit women against their will. Nor should ye treat them with harshness, that ye may take away part of the dower ye have given them,...."⁷⁵ From the above Quranic verses, it is clear that it commands husbands to treat their wives politely.⁷⁶

According to Islam, a woman has the right to seek an end to an unsuccessful marriage. However, to protect it from hasty decisions under temporary emotional stress, certain steps as well as wait periods should be deserved by men and women seeking divorce. Like man, woman can be divorced from her husband without resorting to the court, if the nuptial contract permits it. Although Islam allows divorce, it also discourages it at the same time. In the words of Hazrat Mohammad (sm.), the lawful thing which Allah hates most is divorce. On the occasion of the last Pilgrimage, the Prophet of Islam warned us about the social right of a wife. According to him, 'it is incumbent upon you to provide their food and dress in accordance with good custom. Moreover, I command you to treat women well, because they are like captives in your houses, possessing nothing for themselves and you take them as a deposit from Allah as well as permit yourselves the enjoyment of their persons by means of a word of Allah. Therefore, have the fear of Allah with regard to women and I advise you to treat wives well.'⁷⁷ From the above discussions, it is said that a wife enjoys a dignified status in terms of social right and according to Islam, husband and wife enjoy the same right.

iv. Social Right of Woman as a Mother

In Islam, woman also enjoys social right as a mother. This is because showing kindness to parents and good treatment to them has been considered by Islam as something next to the worship of Almighty Allah. The Holy Qur'an orders mankind by the following verse:

⁷⁵ Al-Qur'an, 4: 19; 30: 21.

⁷⁶ Compare this instruction of the Qur'an, revealed over fourteen hundred years ago, with the rhyme, which was popular in the British society up to the last century: A dog, a wife, and a walnut tree, the more you beat them the better they be. See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study* (Saudi Arabia: Abul Qasim Publishing House, 1997), p. 209.

⁷⁷ See, Dr. Muhammad Hamidullah, *Introduction to Islam, op. cit.*, p. 156.

Thy Lord hath decreed that ye worship none but Him, and that ye be kind to parents. Whether one or both of them attain old age in thy life, say not to them a word of contempt, nor repel them, but address them in term of honour. And, out of kindness, lower to them the wing of humility, and say: ‘My Lord! bestow on them thy Mercy even as they cherished me in childhood.’⁷⁸

In *Surah ‘Luqman’* (the Wise), it is remarked: “And We have enjoined on man (to be good) to his parents: in travail upon travail did his mother bear him, and in years twain was his weaning: (hear the command), show gratitude to Me and to thy parents: to Me is (thy final) Goal.”⁷⁹ Besides the above mentioned verses, the Qur’an in several verses extorted children to be good to and treat properly their parents.⁸⁰ There are many beautiful Hadiths which also ordain the Muslim to be kind to their parents. The Prophet of Islam said in this connection that the Paradise is at the feet of mothers.⁸¹ According to the Prophet Hazrat Mohammad (sm.), children have been asked to give priority to mothers when dealing with parents. In this connection, there is also a beautiful Hadith which is as follows:

Abu Huraira reported that a person came to Allah’s Messenger (may peace be upon him) and said: Who among the people is most deserving of a fine treatment from my hand? He said: Your mother. He again said: Then who (is the next one)? He said: Again it is your mother (who deserves the best treatment from you). He said: Then who (is the next one)? He (the Holy Prophet) said: Again, it is your mother. He (again) said: Then who? Thereupon he said: Then it is your father....⁸²

Thus, these sayings of the Prophet unquestionably enhance the status of woman as a mother. Therefore, Islam admits a very high position of a mother.

v. Social Right of Woman as a Widow

In pre-Islamic Arab society, woman has no social right as a widow. They were treated no better than a commodity. It was a usual practice of the pre-Islamic Arabs that when a man died, his elder son or other relations used to possess his widow or widows by marrying them without setting a dowry on them. However, this practice was fully rejected by the Islamic teachings. The Holy Qur’an says in this connection: “And marry not women whom your fathers married,— except

⁷⁸ Al-Qur’an, 17: 23-24.

⁷⁹ *Ibid.*, 31: 14.

⁸⁰ See, *ibid.*, 4: 1, 6: 151, 46: 15, 29: 8.

⁸¹ Quoted in, Murtahin Billah Jasir Fazlie, *Hinduism and Islam* (in Bengali), *op. cit.*, pp. 171-172.

⁸² *Sahih Muslim*, tr. *op. cit.*, Vol. 4, p. 1354, Hadith no. 6180, also vide, *Sahih Al-Bukhari*, tr. *op. cit.*, Vol. 8, p. 2, Hadith no. 2; also vide, Nicholas Awde, *Women in Islam: An Anthology from the Qur’an and Hadiths* (London: Taylor & Francies Group, 2004), p. 88.

what is past: it was shameful and odious,— an abominable custom indeed.”⁸³ Moreover, Islam thinks that a widow has the full right to lead a normal life just like a woman. Islam ordains that the widows don’t express sorrow for more than four months and ten day when their husbands die. Therefore, it is said that a widow can choose her own fortune and also has the right to remarry after the specified period (*Iddat*). The particular Quranic injunction in this connection is as follows:

If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days: when they have fulfilled their term, there is no blame on you if they dispose of themselves in a just and reasonable manner. And God is well acquainted with what ye do.⁸⁴

According to the Prophet of Islam, it is lawful for a woman who believes in Allah and the hereafter not to grieve for more than three days except in the case of death of her husband for whom she should grieve for four months as well as ten days. In addition to this, she was to stay in her husband’s house during this time.⁸⁵ Hence, the Holy Qur’an and the Tradition of Hazrat Mohammad (sm.) advise widows to enter into new marital union when the specified period is over. Islamic teachings also prescribe that free acquiesce of a widow is an essential condition of a valid Muslim marriage contract.⁸⁶ Furthermore, the Holy Qur’an also admits a special right for the widow i.e., maintenance during that time. It provides maintenance for the widows by asking the husband to leave a will in favor of his surviving wife. The Qur’an says: “Those of you who die and leave widows should bequeath for their widows a year’s maintenance and residence; but if they leave (the residence), there is no blame on you for what they do with themselves, provided it is reasonable. And God is Exalted in Power, Wise.”⁸⁷ In another verse of the Holy Qur’an, it is also stated:

Let the women live (in *iddat*) in the same style as ye live, according to your means: annoy them not, so as to restrict them. And if they carry (life in their wombs), then spend (your substance) on them until they deliver their burden: and if they suckle your (offspring), give them their recompense: and take mutual counsel together, according to what is just and reasonable. And if ye find

⁸³ Al-Qur’an, 4: 22.

⁸⁴ *Ibid.*, 2: 234.

⁸⁵ See, Imam Gazzali, *Ihya Ulum-Id-Din*, *op. cit.*, Book. 1, p. 52.

⁸⁶ Vide, *Sahih Muslim*, *tr. op. cit.*, Vol. 2, p. 714, Hadith no. 3303.

⁸⁷ Al-Qur’an, 2: 240.

yourselves in difficulties, let another woman suckle (the child) on the (father's) behalf.⁸⁸

To cap it all, it is said that widows receive same benefit as received by women in a Muslim society.

vi. Social Right of Woman as a Divorcee or an orphan

The Holy Qur'an also recognizes social right of woman as a divorcee. According to Islam, divorcees have full right in taking decisions in their own affairs. Islam also permits them to join in new marital union and at the time of marriage, free concurrence of a divorcee is a necessary condition. It is reported in a Hadith that a divorced woman should not be married until she is consulted.⁸⁹ Moreover, according to Islam, if a divorcee carries the child of the husband or suckles the child of him, she should receive the same benefit as received by a widow under 65: 6 verse of the Holy Qur'an.⁹⁰ Therefore, in the eye of Islam, a divorced woman is regarded just as a full responsible human being and she is not neglected by the Islam rather she enjoys full social right.

Furthermore, Islam offers equal right to the orphan, male as well as female, to enjoy social right. According to the Islamic teachings, one should treat the orphans nicely, to give them their rights, to feed them properly, to raise them morally, to show them kindness, to help them establish themselves successfully and to make sure that they are treated justly in every aspect of life.⁹¹ The Holy Qur'an says regarding the orphans' right in the following way: "...The best thing to do is what is for their good; if ye mix their affairs with yours, they are your brethren; but God knows the man who means mischief from the man who means good. And if God had wished, He could have put you into difficulties: He is indeed Exalted in Power, Wise."⁹² Besides this verse, there are so many verses in the Qur'an which ordain us to be kind to the orphans.⁹³ The Holy Qur'an admits

⁸⁸ *Ibid.*, 65: 6.

⁸⁹ For details please see, *Sahih Muslim*, tr. *op. cit.*, vol. 2, p. 714, Hadith no. 3303; also see, Haifaa A. Jawad, *The Rights of Women in Islam*, *op. cit.*, p. 34; also vide, Mohammad Mazheruddin Siddiqi, *Women in Islam*, *op. cit.*, p. 49.

⁹⁰ Vide, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, *op. cit.*, p. 93.

⁹¹ See, Ahmad H. Sakr, *Family Values in Islam* (Milwaukee, USA: Al-Qur'an Foundation, Inc. 1995), p. 142.

⁹² Al-Qur'an, 2: 220.

⁹³ See, *ibid.*, 4: 36, 2: 177, 2: 83, 2: 215, 76: 8.

special treatment for the female orphans. According to the Qur'an, orphan girls have the right to marry someone. In *Surah 'An-Nisa'* (The Women), Almighty Allah says that if one wants to marry the female orphan, he has to be just with them as well as he must give them their rights. The particular Quranic verse in this regard is as follows:

They ask thy instruction concerning the Women say: God doth instruct you about them: and (remember) what hath been rehearsed unto you in the Book, concerning the orphans of women to whom ye give not the portions prescribed, and yet whom ye desire to marry, as also concerning the children who are weak and oppressed: that ye stand firm for justice to orphans. There is not a good deed which ye do, but God is well acquainted therewith.⁹⁴

In addition to this, according to the Quranic teachings, both male as well as female orphans have a right to the property of the family. They are to receive it when they reach the age of adulthood without being deprived of any portion of it. Almighty Allah enjoins us not to use property, not to mix it with our assets and not to eat up their wealth. He also advises us to use very little wealth of the orphans if we don't have enough wealth to raise them. Concerning inheritance Almighty Allah states:

To orphans restore their property (when they reach their age), nor substitute (your) worthless things for (their) good ones; and devour not their substance (by mixing it up) with your own. For this is indeed a great sin. If you fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two, or three, or four; but if ye fear that ye shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess. That will be more suitable, to prevent you from doing injustice.⁹⁵

From the above verse, it is clear that orphans' wealth should be saved and invested in *Halal* places. It is remarked that it is a big sin to use the wealth of orphans for yourselves as well as your family. In this regard, Almighty Allah also says in *Surah 'An-Nisa'*: "Those who unjustly eat up the property of orphans, eat up a Fire into their own bodies; they will soon be enduring a blazing Fire!"⁹⁶ Thus, a female orphan, according to Islam, enjoyed same benefits as enjoyed by a male orphan. Moreover, they have the right to get shelter, protection, fostering (not adoption), education, love, affection and monetary support so that they will continue to survive as Muslims and render their services to mankind.

⁹⁴ *Ibid.*, 4: 127.

⁹⁵ *Ibid.*, 4: 2-3.

⁹⁶ Vide, *ibid.*, 4: 10.

h) Women in Judicial Affairs

According to Islamic norms, men as well as women are equal, so they enjoy same judicial right in a just Muslim society. In Islam, if a man kills a woman, he will receive hard punishment i.e., death and vice-versa.⁹⁷ Moreover, the punishment of theft is cutting off of the right hand of the thief from the wrist. The Holy Qur'an says in this regard: "As to the thief. Male or female, cut off his or her hands: a punishment by way of example, from God, for their crime: and God is Exalted in Power."⁹⁸ From the above Quranic verses, it becomes clear that men and women receive same punishment in terms of murder as well as theft. In this regard, the Prophet of Islam also said that if her own daughter Fatima committed theft, he will definitely cut off her hand.⁹⁹ Thus, Islam believes in the law of equality.

In addition to this, in regard to the punishment of *Zina* i.e., adultery or fornication, the Holy Qur'an prescribes us the following punishment: "The woman and the man guilty of adultery or fornication, flog each of them with a hundred stripes: let not compassion move you in their case, in a matter prescribed by God, if ye believe in God and the Last Day: and let a party of the believes witness their punishment."¹⁰⁰ Thus, it is important to note here that in regard to the punishment of one hundred lasher for a *Zina*, both Muslim men and women enjoy same punishment. Besides this, in Islam female witness is permissible.

Furthermore, according to Islamic criminal legislation, there is same punishment for both men as well as women who commit *qisas* crime. The Holy Qur'an says in this connection:

O ye who believe! the law of equality is prescribed to you in cases of murder; the free for the free, the slave for the slave, the woman for the woman. But if any remission is made by the brother of the slain, then grant any reasonable demand, and compensate him with handsome gratitude. This is a concession and a mercy from your Lord. After this whoever exceeds the limits shall be in grave penalty.¹⁰¹

⁹⁷ See, *ibid.*, 2: 178-179.

⁹⁸ *Ibid.*, 5: 41.

⁹⁹ Quoted in, Imam Mohammad Ibn Ismail Bokhari, *Sahih Bokhari Sharif* (in Bengali) (Dhaka: Solemania Book House, 2006), p. 1006, Hadith no. 6330.

¹⁰⁰ Al-Qua'an, 24: 2.

¹⁰¹ *Ibid.*, 2: 178.

Therefore, from the above verses of the Qur'an and the Tradition of Prophet Mohammad (sm.), it is said that Islam holds same attitude towards woman in Judicial affairs.

6.5. Misconceiving of Women in Islam

There are some misunderstandings about the rights of women in Islam. The first misconception is about women's right to identity and individuality. Another issue of misunderstanding is the practice of polygamy i.e., a man has the right to marry up to four wives. Thus, women loose their right of maintenance, because in a family, it is quite impossible to take care of them equally. The next misconception lies in the inheritance law i. e., a woman inherits half in comparison to her fellow man. Another misconception is about female witness. The last misunderstanding is about the mode of veiling in Islam. In this section of this chapter, an attempt has been made to analyze these misconceptions according to the teachings of the Holy Qur'an as well as the Tradition of the Prophet and the *Ijma* (consensus) of the Islamic scholars which run as follows:

a) Women's Right to Identity or Individuality

The first and foremost misconception about women's right to identity is that her personality as well as identity can be preserved and enriched only by flying out of the house into the outdoor world. This misconception arises from the Quranic verse which is as follows: "And stay quietly in your houses, and make not a dazzling display, like that of the former times of ignorance;..."¹⁰² The above mentioned verse of the Holy Qur'an explicitly enjoins women to remain indoors. It also ordains them to go out if necessary. Thus, the misconception about women's identity arises i.e., identity means flying out of the house into the outdoor world. However, this is not true. This is because Islam thinks that a woman's original field of activity is her house that she should stay within this field and perform her duties peacefully. Islam also holds that the marked style of Muslim women to stay indoors is not an imposition but their choice which does not mean that the sunshine is barred to them or that they have no access to the world. To stay indoors is not only considered a mark of dignified woman, but also a sure way of thwarting all attempts of exploiting women. Islam also admits

¹⁰² Al-Qur'an, 33: 33.

women's individuality which is based on the preservation of her own identity, self-respect, honour, protection of her rights, enhancement of her knowledge and status. Thus, Muslim women appear to have lost their identity in many areas. It is not because they prefer to stay indoors but because of their ignorance of their own status, role, rights and duties as well as due to alien influences and ways. In this connection, there is a beautiful saying of Hazrat Mohammad (sm.) which runs as follows:

Some women said to the Prophet (SAW), 'All the merits have been taken by the men. They wage *jihad*. They perform great feats in the path of Allah. What should we do in order to gain reward equal to that of the men who work in the path of Allah?' The Prophet (SAW) replied, 'Any of you who will stay within the house will gain the action of the *Mujahideen* (those who struggle in the path of Allah).'¹⁰³

This means that a man (*Mujahid*) can work in the path of Almighty Allah with concentration only when he is totally satisfied and inapprehensive regarding his house as well as when his wife is present (in the house) to care for his house and children. Thus, woman who provides him with this contentment will share his *Jihad* while remaining at home. The Prophet of Islam further said: "A woman is worthy of being concealed. When she goes out of the house, *Satan* watches her. And she is nearest to Allah's blessing and mercy when she is in her house."¹⁰⁴ Thus, in Islam, identity or individuality does not mean women's going out freely.

b) The Practice of Polygamy in Islam

Another misconception about the practice of polygamy is that it only serves the male's interests rather than female's interests. This is because maintaining equity and justice among wives is quite impossible. However, this is not true. The practice of polygamous marriage serves both men and women's interests as well as solves many social problems which take place in Muslim societies. The following are some reasons which make the practice of polygamy lawful for both men as well as women.

- i. The Quranic verse regarding polygamy is 4: 3. This verse was revealed to guide the Muslims under the conditions which followed the battle of *Uhud*. In this

¹⁰³ Dr. (Mufti) M. Mukarrum Ahmed (editor-in-chief), *Human Rights in Islam*, op. cit., p. 224.

¹⁰⁴ Quoted in, *loc. cit.*

battle, 70 out of 700 men had been slain and this carnage sharply decreased the number of Muslim males.¹⁰⁵ These males were the bread-earners, guardians as well as supporters of the females. Thus, the battle of *Uhud* and also other battles left a large number of female orphans, widows and female captives who needed providers, fosterers and guardians to take proper care of their moral and material welfare. In this situation, polygamy is the best solution to fix the balance between the ratio of men and women. Therefore, according to Islam, the practice of polygamy is justified and it works in favour of male's interests as well as helpless female's interests.

- ii. Another reason for the justification of polygamy is the chronic illness of the wife. A wife may be ill with a disease and unable to perform her wifely responsibilities. In this situation, what will be the husband's duty? The answer is that he could divorce her and marry another woman, though the wife has no problem except her illness. However, Islamic scholars do not support this view. Therefore, it is better to allow the practice of polygamy marriage by which the husband can continue to support, protect and honour the first wife rather than to divorce her resulting in throwing her out without financial support and protection.¹⁰⁶ Thus, it becomes clear that the practice of polygamy serves both male and female's interests.
- iii. The practice of polygamy is justified for another reason i.e. barrenness of a woman. A barren wife cannot bear children but her husband wishes to have children. Moreover, they love each other very much and determine to continue with their happy married life. In this case, if the option of polygamy is not allowed, then the couple will face two problems i.e., the husband can divorce his wife or he/she or both of them will be deprived of offspring.¹⁰⁷ Therefore, the practice of polygamy solves the above mentioned problems i.e., enjoying the loving relationship with his first wife, he can get married again in order to have

¹⁰⁵ See, Mohammad Mazheruddin Siddiqi, *Women in Islam*, op. cit., pp. 116-117; also see, Nik Norari Nik Badli Shah, *Marriage and Divorce under Islamic Law*, op. cit., p. 32; also see, Asghar Ali Engineer, *The Rights of Women in Islam*, op. cit., p. 102.

¹⁰⁶ Vide, Amira El-Azhary Sonbol, "Rethinking Women and Islam" in Yvonne Yazbeck Haddad and John L. Esposito (eds.), *Daughters of Abraham: Feminist Thought in Judaism, Christianity, and Islam*, op. cit., p. 139.

¹⁰⁷ For an account of these see, Taqiuddin an-Nabhani, *The Social System in Islam* (New Delhi: Milli Publications, 2001), p. 146.

children. In this situation too, the polygamous marriage not only serves male's interest, but also female's interest.

- iv. One of the important causes for justification of polygamy is the unusual propensity of a man who is unable to be satisfied with one wife. In this case, if the practice of polygamy is not permitted, the man will oppress or hurt his wife and even divorce her. Moreover, indecency, adultery or fornication and suspicion or doubts within families may spread at a large scale. That is why, it is necessary that a person who has such an unusual disposition must have the opportunity to satisfy his lust in a lawful manner i.e., in a way that Almighty Allah has legislated.¹⁰⁸ Thus, the practice of polygamy also fulfills the right of both men and women.
- v. Like the battle of *Uhud* and the First as well as the Second World Wars conflict may take place again. In this case, the abrupt decrease of man may upset the balance between the ratio of men and women. That is why, if the option of taking four wives is not permitted, women will be deprived of the conjugal life. The happiness of a home and the procreation instinct can further lead to degradation of morality. Hence, the practice of polygamy serves the interest of women.
- vi. Further, there may be the cases among many people, nations as well as regions where the number of females may be higher than males. In such a situation there is no solution to the problem except the permissibility of polygamy.

In estimation of the above discussion, it is said that the practice of polygamous marriage, according to Islam, not only fulfills the interests of men, but also fulfills the women's interests. In Islam, the practice of polygamy is justified only by the socio-religious and moral restrictions, not by merely satisfying lust. However, Islam prefers monogamy and the misconception about polygamous marriage arises from the misusing of the teaching of the Holy Qur'an and the Tradition of the Prophet.

¹⁰⁸ See, *loc. cit.*

c) The Inheritance Right of Women in Islam

There are many verses in the Qur'an regarding women's rights of inheritance as well as their rights in the will of a testator from whom they can also inherit.¹⁰⁹ The following Quranic verse fixes various shares in the property of a deceased person:

God (thus) directs you as regards your children's (inheritance): to the male, a portion equal to that of two females: if only daughters, two or more, their share is two thirds of the inheritance; if only one, her share is a half. For parents, a sixth share of the inheritance to each, if the deceased left children, if no children, and the parents are the (only) heirs, the mother has a third; if the deceased left brothers (or sisters), the mother has a sixth. (The distribution in all cases is) after the payment of legacies and debts. Ye know not whether your parents or your children are nearest to you in benefit. These are settled portions ordained by God; and God is All-knowing, All wise.¹¹⁰

From the above verse, it becomes clear that women enjoy the property of the deceased not only as a daughter, but also as a mother. Likewise, they also inherit as a wife according to the Qur'an.¹¹¹ However, the Quranic verse 4: 11 raises misunderstanding among ordinary people about the inheritance law in Islam which, according to some, proves an instance of inequality i.e. daughters have been given half the share in inheritance compared to their brothers and thus they are regarded as inferior to men in worth. However, this view is not accepted by the teachings of the Qur'an, the Tradition of the Prophet as well as the Islamic Scholars. The argument in favour of this view is that sexual equality is totally a different category from inheritance. The former is a moral category while the latter is an economic one.¹¹² Apart from the above argument, there are other arguments which justify the endowment of women which run as follows:

- i. At the time of marriage, a wife receives marital gifts i.e., *Mohr* from her husband without any limit.¹¹³ She is allowed to retain the dowry as her own wedding-portion resulting in her exclusive possession. Moreover, she does not have to give her pre-marriage possessions to her husband. Further, any earnings that a woman receives through employment or business in hers to keep and need not be

¹⁰⁹ Cf., Al- Qur'an, 4: 11, 4: 12, 4: 176, 4: 7-8, 2: 181, 5: 109.

¹¹⁰ *Ibid.*, 4: 11.

¹¹¹ See, *ibid.*, 4: 12.

¹¹² Vide, Asghar Ali Engineer, *The Rights of Women in Islam*, op. cit., p. 70.

¹¹³ See, Al-Qur'an, 4: 4.

contributed towards family expenses.¹¹⁴ On the other hand, husbands are not entitled to receive dowry from their wives at the time of marriage. Hence, marital gifts of a bride also justify a woman's half share.

- ii. According to the Islamic Tradition,¹¹⁵ a wife is to be looked after by her husband even if she is wealthy enough to look after herself. She is not required to spend any amount of her income on the household and it is her right to claim maintenance from her husband. The financial responsibility for reasonable house, food and other household expenses for the family including the spouse falls entirely on the husband. In addition to this, a woman, in traditional Islamic law, is also not responsible for the upkeeps of the home as well as may demand payment for any work she does in the domestic sphere.¹¹⁶ Therefore, this view also exculpates a woman's half share.
- iii. It is a well known principle of Islamic *shariah* derived from the Qur'an that men inherit more but ultimately they are responsible for maintenance of their female relatives i.e., their wives, daughters, mothers as well as sisters. On the contrary, women inherit less but they can retain it for investment or future use, without any legal obligation to spend any part of it, even for their own sustenance. Here, an attempt has been made to give an example which helps us to understand the above situation. Suppose, a deceased man has only a son and a daughter. He left three lakh taka for his heirs. According to Islamic inheritance law, his son and daughter get two lakh and one lakh respectively. After few days, the son gets married and he has to give dowry to his wife. Now, it is said that he has only one lakh taka in his hand. Moreover, it is also the son's duty to give marriage to his sister in absence of his father. Therefore, he spends one lakh taka. In this way, he finishes all his money which he gets by inheritance. On the other hand, the daughter receives marriage dowry i.e., one lakh taka from her husband. Now, the total amount of the daughter is two lakh taka. From the above instance, it becomes clear that women get extra benefit by the inheritance law of Islam. Thus, this view also supports a woman's half share.

¹¹⁴ http://en.wikipedia.org/wiki/Women-inislam#cite_note-badawi-61, Retrieved on-5, May 2013.

¹¹⁵ Vide, Al-Qur'an, 65: 6-7.

¹¹⁶ http://en.wikipedia.org/wiki/Women-inislam#cite_note-badawi-61, Retrieved on-5, May 2013.

- iv. In the eye of Islam, a woman has no financial obligation in any stage of her life. She gets maintenance from her father, from her husband as well as from her children as a daughter, as a wife and as a mother respectively. In the words of Hammudah Abd al Ati, a female is not financially obliged for any person, not even for herself even though she has lots of possessions and capital. Whether she be a wife, mother, daughter or sister, she is assured of adequate maintenance by the respective male whom law entitles as the provider.¹¹⁷ On the contrary according to Islam, a male faces various financial duties. As an adult male child, he is responsible to provide livelihood for his parents; as a husband, he has to give subsistence for his wife and as a father, he is responsible to provide provisions for his children.¹¹⁸ Thus, getting share without any financial liabilities also defends a woman's half share.

In addition to this, the obvious question which comes to mind is what happens if the daughter cannot marry for some reason? The Holy Qur'an gives the answer by saying: "It is prescribed, when death approaches any of you, if he leaves any goods, that he makes a bequest to parents and next of kin, according to reasonable usage; this is due from the God fearing."¹¹⁹ Thus, the teachings of the Islam ordain us to make a bequeath from the property especially for those who deal with this situation or who are physically unfit or weak.¹²⁰ In estimation of the above discussion, it is said that Islamic inheritance law is absolutely in favour of women and there is no deprivation of women in it, rather it gives more financial support to women in some special cases.

d) Women as Witness in Islam

There are many verses in the Qur'an regarding female witness.¹²¹ Concerning women as witnesses in matters of written financial contracts, the Holy Qur'an states as follows:

¹¹⁷ For further details please see, Hammudah Abd al Ati, *The Family Structure in Islam*, *op. cit.*, p. 177.

¹¹⁸ Vide, Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D Thesis), *op. cit.*, pp. 212-213.

¹¹⁹ Al-Qur'an, 2: 180, also see, 4: 8.

¹²⁰ See, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, *op. cit.*, pp. 88-90.

¹²¹ Vide, Al-Qur'an, 2: 282-283, 5: 106, 5: 109, 4: 15, 24: 4, 24: 12-13, 65: 2.

O ye who believe! When ye deal with each other, in transactions involving future obligations in a fixed period of time, reduce them to writing And get two witnesses, out of your own men, and if there are not two men, than a man and two women, such as ye choose, for witnesses, so that if one of them errs, the other can remind her. The witnesses should not refuse when they are called on (for evidence). Disdain not to reduce to writing (your contract) for a future period, whether it be small or big: it is juster in the sight of God, more suitable as evidence, and more convenient to prevent doubts among yourselves....¹²²

From the above verse, it is clear that the testimony of one man is equivalent to that of two women in terms of transaction which creates a debatable issue. This is because the traditional Muslim scholars describe this verse from negative point of view, while modern Muslim scholars interpret it from positive point of view. According to the former, one male witness is equal to two female witnesses and so, man is superior to woman. They also say that there is no mention of contracts of other kinds except financial contracts, thus in any matter, a woman is treated as a half witness. The first argument in favour of this opinion is that women are inexperienced in worldly matters, so they may be more prone to bias. Secondly, one of the men involved in the transaction may try to influence one woman but it is very difficult to convince two. Thirdly, men are more educated than women in most of the Muslim world and thus men's testimony is more acceptable than women.¹²³ For these reasons, two female witnesses in place of one male witness is justifiable. In contrast, according to the later, it does not prove female's inferiority from the above interpretation. Their arguments are as follows:

- i. In those days there was always some possibility of female witnesses making mistakes in financial matters due to their inexperience, whereas, men were more experienced with business procedure than women. Therefore, two female witnesses substituted for one male witness is justifiable only for financial matters. However, it does not imply, according to Muhammad Asad, any reflection on woman's moral or intellectual capabilities.¹²⁴
- ii. There are several verses in the Holy Qur'an about recording evidence, but none of them lays down the requirement of two females substitute for one male.¹²⁵ For

¹²² *Ibid.*, 2: 282.

¹²³ Vide, Lisa Spray, *Women's Rights, the Quran and Islam: My Heart's Surprise... A Personal Reconciliation*, *op. cit.*, p. 109-111.

¹²⁴ See, Asghar Ali Engineer, *The Rights of Women in Islam*, *op. cit.*, p. 63.

¹²⁵ For details please see, Al-Qur'an, 4: 15, 5: 106-108, 24: 4, 65: 2.

example, the witnesses to the punishment of adultery according to the Qur'an¹²⁶ can be male or female. Therefore, according to modern scholars, gender is not an important issue for witnessing.

- iii. According to the modern scholars, the Holy Qur'an and the Holy Tradition of Hazrat Mohammad (sm.) do not fix any particular sex as witness to prove a case. According to the Prophet of Islam, in order to decide a case the following conditions are necessary— (a) the testimony of a woman plaintiff; (b) the testimony of female witness; (c) the evidence produced by both the parties; (d) the evidence of witness and oath of the plaintiff; and (e) the oath of the defendant and the evidence of two or more witnesses.¹²⁷
- iv. According to Professor Ali, as Islamic scholars accepted the Hadiths described by the wives and female partakers of the Prophet,¹²⁸ the issue raised from the verse of 2: 240 is not gratifying. This is because it is well established that the Prophet wife's Aisha as well as other female associates interpreted numerous Hadiths and these Hadiths are being considered as most valuable as well as authentic evidences in Islam. He also spells out as follows: "No Islamic Scholars, whether orthodox or moderate, raise question about the reliability of these Hadiths on the ground that these are described by women."¹²⁹ Thus, according to him, if Hadiths interpreted by women are fully agreeable, so the testimony of woman in a particular worldly matter is also agreeable.
- v. In the opinion given by Mr. Justice Aftab Hussain, the former Chief Justice, Federal *Shariah* Court of Pakistan, some argue that women are defective in reason. So, they cannot become witnesses. However, this is not true. This is because in Islam, the position of women is very high. When the Qur'an was given in the custody of a woman named Hazrat Hafsa who was the daughter of Omar ibn ul Khattab and wife of Hazrat Mohammad (sm.), she remained its trustee from

¹²⁶ Vide, *ibid.*, 4: 15, 24: 4.

¹²⁷ See, Mohammad Ali Syed, *The Position of Women in Islam: A Progressive View*, *op. cit.*, p. 102; also see, Asghar Ali Engineer, *The Rights of Women in Islam*, *op. cit.*, p. 69.

¹²⁸ Vide, *Sahih Muslim*, tr. *op. cit.*, Vol. 2, p. 716, Hadith no. 3312; also see, *Sahih Muslim*, tr. Vol. 2, p. 714, Hadith no. 3305;

¹²⁹ Md. Akhtar Ali, *Moral Codes in Islam and Christianity: A Comparative Study* (an Unpublished Ph. D Thesis), *op. cit.*, p. 216.

the time of its compilation during the reign of the first Caliph Hazrat Abu Bakr till the reign of the third Caliph, Hazrat Osman. Later on, many copies were made from that Text and these copies were sent to various cities for correction of the Books in possession of the people there. Therefore, according to Justice Aftab, if the Holy Book remained under a woman with great confidence is fully acceptable, so the testimonies of women in a particular worldly matter are also acceptable.¹³⁰

In view of the above explanation, the jurists differ widely in the matter of woman's competence to give evidence and whether one male is equal to two females. Some believe that one male witness is equal to two female witnesses. While other believe that both male as well as female hold this equal position in matters of anything except financial matter.

e) **Women's Mode of Veiling**

Another misconception lies in the mode of women's veiling in Islam. Some believe that Islam wants to confine women to the four walls of their houses as well as restrict their liberty by veiling. It also believes that women should have no role to play outside. However, this view is not supported by the Qur'an. According to Asghar Ali Engineer, there is no direct or indirect mention of this in the Holy Qur'an. As far as the Qur'an is concerned, a woman can play any role in life without violating *hudad* Allah. Her right to earn and be master of properties has been recognized by the teachings of the Holy Qur'an.¹³¹ The Qur'an commands a modesty of dress as well as behavior for both male and female. The relevant passage of the Holy Qur'an is as follows:

And say to the believing women that they should lower their gaze and guard their modesty; that they should not display their beauty and ornaments except what (must ordinarily) appear thereof; that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers or their brothers' sons, or their sisters' sons, or their women, or the slaves whom their right hands possess, or male servants free of physical needs, or small children who have no sense of the shame of sex; and that they should not strike their feet in order to draw attention to their hidden ornaments. And O ye believers! Turn ye all together towards God, that ye may attain Bliss.¹³²

¹³⁰ See, Mr. Justice Aftab Hussain, *Status of Women in Islam*, op. cit., pp. 222-223.

¹³¹ See, Asghar Ali Engineer, *The Rights of Women in Islam*, op. cit., p. 82.

¹³² Al-Qur'an, 24: 30-31.

From the above verses, it becomes clear that the Holy Qur'an ordains women to use veil over their bosoms and not to display their beauty. Abdullah Yusuf Ali, the great commentator of the Holy Qur'an, expresses his view regarding these two verses in the following way:

The rule of modesty applies to men and women. The times were those of insecurity, and the women were asked to cover themselves when walking abroad. It was never contemplated that they should be confined to their houses like prisoners. The object was not to restrict the liberty of women, but to protect them from harm as well as molestation under the conditions then existing in Medina.¹³³

Therefore, the misunderstanding about veiling i.e., women are confined at home by veiling is a great mistake.

Apart from the Quranic verses, the Holy Tradition of the Prophet of Islam also enjoined women to be modest in behavior by veiling. The Prophet said that when a woman reaches the age of puberty, she should not reveal anything except her hands as well as face.¹³⁴ In another Hadith, it is remarked that Aisha (R), the younger wife of Hazrat Mohammad (sm.), said: I heard the Prophet of Allah's saying: any woman who removes her clothes in other than her own home will destroy all that (love) that is between her and Allah.¹³⁵

In Addition to this, there is another verse in the Qur'an which also asks women to use veil which runs as follows: "O Prophet! Tell thy wives and daughters, and the believing women, that they should cast their outer garments over their persons (when abroad): that is most convenient, that they should be known (as such) and not molested and God is Oft-Forgiving, Most Merciful."¹³⁶ Therefore, the Tradition of the Prophet and the above mentioned verses of the Holy Qur'an encourage women to wear dignified dress, to cover their bodies properly and to avoid displaying their charms in order to lead modest and peaceful lives.

¹³³ Quoted in, Dr. (Murfli) M. Mukarram Ahmed (editor-in-chief), *Encyclopedia of Islam (Introduction to Islam)*, Vol. 1, *op. cit.*, pp. 284-285.

¹³⁴ Vide, Asghar Ali Engineer, *The Rights of Women in Islam*, *op. cit.*, p. 88.

¹³⁵ Quoted in, Amira Ed-Azhary Sonbol, "Rethinking Women and Islam" in Yvonne Yazbeck Haddad & John L. Esposito (eds.), *Daughters of Abraham: Feminist Thought in Judaism, Christianity and Islam*, *op. cit.*, p. 122.

¹³⁶ Al-Qur'an, 33: 59.

6.6. An Observation regarding the Status of Women in Islam

Islam admits women's rights in various respects. The status of a woman in Islam is something which has no similarity in other social systems. The rights as well as status achieved by women in various countries during the present time are not due to the kindness of men or due to natural process. It was achieved as a result of their long struggle and the need of the society for their contribution as well as work. However, the rights which women have gained under Islam were given by divine decree, not achieved under the threat or pressure of women and their organizations. Moreover, the western woman reached her present position by force, but not through natural processes or mutual consent or divine teachings. Furthermore, to get freedom of work and earning, the western women had to offer painful sacrifices and give up many of their natural rights. In spite of all sacrifices and painful struggles, they have not acquired what Islam gave the Muslim women by a divine decree over fourteen centuries ago. Thus, in the eye of Islam, the status of women is very high.

6.7. Women in Hinduism

In Vedic times, men and women were regarded equal in almost every respect. They shared rituals, sacrifices, learning and honor. Not only this, some sacrifices could only be performed by women i.e. the harvest sacrifice (sita) and the sacrifice to secure good husbands for daughters (*rudrayoga*). Moreover, during this period, women appeared as composers of the hymns of the Rig-Veda, as Vedic teachers and as companions in rituals.¹³⁷ In the Rig-Veda, it is clearly stated that a woman is more firm as well as better than a man who turns away from gods.¹³⁸ In addition, during Vedic period, women were considered as the presiding deity of the house. According to Atharva-Veda, as the river won the supremacy of the streams, so be thou supreme, having gone away to thy husband's home. Be thou supreme among father-in-law, supreme also among brothers-in-law, be they supreme over sisters-in-law, supreme also over mother-in-law.¹³⁹ There are so many verses

¹³⁷ Vide, Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism* (Oxford: Oneworld Publications, 2006), pp. 66 & 209.

¹³⁸ See, Rig-Veda, v. 61. 6 (All quotations from the Rig-Veda have been taken in this work from Ramesh Chandra Datta (translator), *Rigveda Samhita* (in Bengali), (Calcutta: Haraf Prakashani, 1993, Vols. 1 & 2).

¹³⁹ Vide, Atharva-Veda, xiv. 1. 43- 44 (All quotations from the Atharva-Veda have been taken in this work from *Atharva-Veda Samhita* (in Bengali), Sri Bijan Behari Gaswami (Translator & Editor), (Calcutta: Haraf Prakashani, 1992.).

in the Rig-Veda which also describe women's high position in the houses.¹⁴⁰ From the above verses of the Rig-Veda and the Athava-Veda, it is stated that women's status in the Vedic period was sufficiently high.

Nevertheless, an adverse picture of women in the Vedic period was also found. The general trend was towards degradation of women. The status of women decreased because of the increased specialization of *Brahmanic* rituals and the rise of urban culture.¹⁴¹ A few verses of the Rig-Veda delineated women's as very lowered i. e., with women there can be no lasting friendship, hearts of hyenas were the hearts of women.¹⁴² Furthermore, according to Indra, the mind of women brooks no discipline. Her intellect hath little weight.¹⁴³ An adverse picture was also found regarding women's status in the Ramayana as well as the Mahabharata. In the opinion of Dasharatha, neither lineage, nor benefit, nor learning, nor gift, nor forbearance of faults could secure the hearts of females, surely their hearts were unstable.¹⁴⁴ According to the Mahabharata, a woman was quite worthless as an advisor. It also drew a more humiliating picture of woman. In the Vedic period, a woman was also regarded as sinful objects. There was nothing that was more sinful than woman. Verily, women were the root of all faults. The destroyer, the deity of wind, death, the nether regions, the sharpness of the razor, virulent poison, the snake and fire— all these existed in a state of union in woman.¹⁴⁵ During the time of Manu, women were also disadvantaged ritually. They were considered unfit for Veda study and were excluded from most religious activities. A women's only sacrament was marriage as well as they could hope to find salvation only through service to their husbands, regardless of their behavior. A faithful woman (Sati) was supposed to accompany her husband (if she was childless) on the funeral pyre and childless widows could expect a grim fate. They had no right to remarry and were almost without any rights. However, *Bhakti* movements attempted to readmit women in religious practices.

¹⁴⁰ For details please see, Rig-Veda, x. 26-27, 46, 85).

¹⁴¹ See, Klaus K. Klostermaier, *A Concise Encyclopedia of Hinduism*, op. cit., p. 66.

¹⁴² Vide, Rig-Veda, x. 95. 15.

¹⁴³ See, *ibid.*, viii. 33. 17.

¹⁴⁴ For details please see, Ramayana, ii. 39. 20-23.

¹⁴⁵ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics* (Delhi, India: Bharatiya Kala Prakashan, 2003), p. 102-103.

After centuries of subordination and repression, many Hindu reformers¹⁴⁶ of the 19th and early 20th centuries fought for women's rights. They agitated for the abolition of Sati, thought for the right of women to get an education, to remarry and to rear an income. The Hindu marriage Act of 1956 established the equality of men and women, in most cases, on a legal basis. Under this amendment, Hindu women enjoy the right to divorce their husbands and to remarry. They also enjoy owning property independently and establish legal parity with men.

In estimation of the above discussion, it becomes clear that the Hindu theory was quite sound in the Vedic period, but it showed considerable decline in its purity in the later period.

6.8. Rights and Privileges

Hinduism has special laws as well as customs relating to and regulating women's lives at various stages. The rights and privileges enjoyed by them under these laws and customs do not present any happy picture. Compared to men, women are not only at a disadvantaged position in the society but it seems that they have been created only to undergo various types of sufferings. The rights and privileges which Hindu women enjoy are discussed below only from the religious point of view.

a) Women's Right to Individuality and Identity

To possess a separate identity and individuality is a right to which every Hindu man is entitled. However, in Hinduism, a woman does not enjoy the right to individuality and identity like a man. This is because a woman has always been entitled by law to keep her husband's name and not take her family name. She is regarded as an anonymous part of her husband's family. After her marriage, she has no right to keep all her previous ties in her father's family. According to Hinduism, a woman is a mere shadow of her husband. She is always known by her husband's name. She is considered as 'half of her husband's existence' or '*Ardhangini*'. Therefore, it can be said that a Hindu woman does not enjoy the right to individuality and identity.

¹⁴⁶ Mahatma Gandhi accepted women as equal partners in the struggle for independence.

b) Women's Freedom of Expression

In the Vedic period, women enjoyed free atmosphere of life like men. There are ample evidences of their free presence in assemblies and participation in the discussions. In the Rig-Veda, there is a beautiful verse regarding women's participation in public place i.e., from olden times the matron goes to feast and offer general sacrifice.¹⁴⁷ Moreover, in another verse of the Rig-Veda, it is also remarked that 'they trooped to festal meetings, decked, shining forth will sunbeams.'¹⁴⁸ Furthermore, according to Atharva-Veda, the presence of charming ladies added much to the luster of social life. They were agreeable at festivals.¹⁴⁹ Moreover, Yajnavalkya solved the highest philosophical problems with his wife and Maitreyi received in this way from her husband the toughest metaphysical truths. Again, the following example is the best evidence to testify women's freedom of expression. When Yajnavalkya silenced the Bratumins who challenged his supremacy in the court of Janaka, a woman got up and said: 'O Yajnavalkya, as the son of a warrior from the Kasis or Videhas might string his loosened bow and take pointed foe-piercing arrows in his hand and rise to battle, I have risen to fight three with two questions. Answer me these questions.' Then he replied that 'women used to be teachers also in those times'. From the above interpretation, it is said that women enjoyed much freedom in the Vedic time. However, in the time of the epics as well as the law-books, the position of women became markedly inferior to her partner in many respects, although respectful treatment to her is enjoyed upon men in her various capacities.

According to the law-books, women have no freedom in the society. They have no right to do anything of their own. In every sphere of their lives, they have to be dependent on men. The freedom of women is determined by the laws given by Manu in his *Dharma-Shastra*, which is accepted by Hindus as a divinely inspired book. According to this scripture, a girl, or a maid, or an old woman must not do anything independently in the house. In childhood let her remain under the control of her father; under the control of her husband in youth; and under the control of

¹⁴⁷ For details please see, Rig-Veda, x. 86. 10.

¹⁴⁸ Vide, *ibid.*, i. 124. 8.

¹⁴⁹ See, Atharva-Veda, ii. 36. 1.

her son after the demise of her Lord in old age. A woman must not assume independence in any circumstances whatever.¹⁵⁰ Another passage of the Ramayana the same is confirmed. 'One of the refuges of a woman is her husband, a second is her son and a third is her relatives and a fourth she has none.'¹⁵¹ Manu says that a woman is not fit for independence.¹⁵² Thus, a woman does not enjoy any independence in any state of life.

c) Religious Right of Women in Hinduism

During the Vedic age, women shared all the very highest religious privileges just like men. There are many verses in the *Smritis* as well as the epics which definitely say that in former times women were admitted to the privilege of sacred thread ceremony and so forth. In the Ramayana, it is stated that 'surely the beautiful and the graceful daughter of Janaka fond of performing morning Samdhya shall come to this river of pure water to perform it.'¹⁵³ There is also a beautiful passage in the Ramayana which describes a lady, named Kaushalya as performing her worship every day. 'Worshipful Kaushalya, seeking her son's welfare, kept up the whole night being absorbed in meditation, and was worshipping the God Vishnu. Wearing silk cloth, pleased, and accustomed to the performance of religious rites every day, she performing benedictory ceremonies, was offering oblation unto the fire.'¹⁵⁴ In addition to this, many hymns of the Rig-Veda were written by women. Therefore, woman performing religious practices were not rare in that time.

In Vedic period, the woman was not an impediment in the path of religion, but her presence and co-operation were absolutely necessary in religious rites and ceremonies. This is because according to the Vedic religion, man could not become a spiritual whole unless he was accompanied by his wife; gods never

¹⁵⁰ See, *Manu-Samhita* (Hereafter abbreviated as Manu), 5: 147-149. (This and all quotations from the *Manu-Samhita* have been taken from Dr. Manabendu Bandopadhyay (editor and translator), *Manu Samhita* (in Bengali), (1st Edition, Calcutta: Shadesh, 2004).

¹⁵¹ Vide, Ramayana, ii. 61. 24.

¹⁵² See, Manu, 9: 2-3.

¹⁵³ Vide, Ramayana, v. 15. 49.

¹⁵⁴ See, *ibid.*, ii. 20. 14-19.

accept the oblations offered by a bachelor.¹⁵⁵ Thus, religious prayers were offered jointly by the husband and the wife. The term *Patni* in the *Brahmanas* is used to indicate a woman's role as a partner with her husband in sacrifices; while the term *Jaya* points out her conjugal capacity.¹⁵⁶ In addition to this, there were some sacrifices which could be offered by women alone, for instance, Sita sacrifice,¹⁵⁷ *Rudrabali*,¹⁵⁸ *Rudrayaga*¹⁵⁹ etc. Besides this, if the cooperation of the husband was unavailable for any reason, the wife could offer the sacrifices as alone. On the morning, Kausalya is seen performing all alone the *Svastiyaga* to ensure felicity to her son. Hence, women's participation in Vedic sacrifices was a real one and not a formal one as well as they enjoyed the same religious privileges as their husbands.

However, women gradually lose their privileges in this respect. Manu is quite explicit on this point. According to him, 'for the purification of their persons, these rites excepting that of the initiation with the thread shall be one unto woman, in due time and in due order, without any Vedic *Mantras*. The sacrament of marriage is to a female, what initiation with the thread is to a male. The service of the husband is to the wife, what his residence in the preceptor's house, as a religious student is to the husband; the household duty is to a woman, what the making of burnt offerings is to a man.'¹⁶⁰ In the saying of Vyasa, the recitation of any *Mantra* by a woman is prohibited, but she is privileged to recite *Mantras* in connection with the celebration of her marriage ceremony. Moreover, they were allowed Fire-worship, evening sacrifices and in some cases *Shraddha* ceremony.¹⁶¹ According to Manu, the recitation of the Vedic *mantras* is prohibited to women on the occasion.¹⁶² He debarred women from reading or listening to the Vedas. He declares that women have no concern with the Vedas. Her only religion is the worship of her husband. Murtahin Billah Fazlie points out as follows:

¹⁵⁵ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day* (Delhi: Motilal Banarsidass Publishers Pvt. Ltd., 1991), p. 197.

¹⁵⁶ See, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 103.

¹⁵⁷ It was intended to promote a rich harvest.

¹⁵⁸ It was intended to ensure prosperity as well as fecundity among the cattle.

¹⁵⁹ It was intended to secure good luck to maidens in marriage.

¹⁶⁰ Vide, Manu, 2: 66-67.

¹⁶¹ See, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 105.

¹⁶² For details please see, Manu, 3: 121.

No sacrifice is allowed to women apart from their husbands, no religious rite, no fasting. As far as only as a wife honours her husband, so far she is exalted in heaven. A faithful wife who wishes to attain in heaven the mansion of her husband must do nothing unkind to him, be he living or dead.¹⁶³

On the other hand, women enjoy an adverse situation if they practise religious rites as well as ceremonies, recitation, austerity, journeys to sacred places, adoption of a *Sannyasa*-life, practice of *mantras* as well as adoration of deities—these sins bring about the fall of women. In addition to this, the women, who during the lifetime of her husband, fast while performing a religious right, rob the longevity of her husband. Such a woman goes to hell.¹⁶⁴ Apart from this, the Vedas, the Holy Scriptures of the Hindus, as indicated in various hymns, are not also in favour of women. In some passages of the Vedas, little sons are prayed for and blessings implored in their behalf, daughters are not asked for, nor is intercession made for them. There are several hymns which show that the old Aryans had no high opinion about a woman's purity as well as virtue. Thus, it is noted that woman's position slowly becomes degraded.

d) Economic Right of Women in Hinduism

In very early times, women were regarded as chattel in India. The husband used to have a natural proprietary right upon the wife. In the epics, it is found that Dhritarashtra were proposing to give hundred female slaves to Krishna as a token of his regard for him.¹⁶⁵ In the Rig-Veda, there is also a famous gambling hymn, which describes about the wife being staked away by the husband.¹⁶⁶ However, the assembly began to hiss loudly when *Dharma* proceeded to stake his wife Draupadi in the gambling trail. A. S. Altekar expresses his opinion in this regard: "It would therefore appear that though the husband's proprietary right in the wife was theoretically recognized, its actual exercise met with a stern social disapprobation. It was felt that only intoxicated or inhuman persons could think of exercising it."¹⁶⁷ Hence, in culture circles, the wife was considered as the co-

¹⁶³ Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 195.

¹⁶⁴ See, Mananlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p.105.

¹⁶⁵ See, Mahabharata, v. 86. 8.

¹⁶⁶ For details please see, Rig-Veda, x. 34.

¹⁶⁷ A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric times to the Present Day*, op. cit., p. 214.

owner of the family properly along with her husband, as the term *dampati* would show.

During the Vedic period, according to Hinduism, women cannot be objects of gift or sale under any circumstance. The husband as well as the wife should be the joint owners of the household and its property. At the marriage time, the husband was required to take a solemn vow that he would never transgress his wife's rights in economic matters. The theory of the joint ownership of the couple helped the wife in securing a number of minor rights and privileges.

According to Hinduism, a woman has the right to enjoy only moveable property like ornaments, jewelry and costly apparel and so on. This property is also called women's apparel property or *Stridhana*. The women can exercise absolute control over such gifts. However, some writers like Manu believe that women have no right to own any property. A woman may earn an income, but that will belong to the man to whom she belongs i.e., husband for wife, father for a girl and son for a widow. According to him, a wife, a son, and a slave can never acquire any property for themselves. Whatever they earn go to him to whom they belong.¹⁶⁸ However, some commentators bravely declare that there is no application of the above saying to the present age. It becomes very interesting to note that Badhayana refuses to recognize the wife's right of inheritance but concedes her title to *Stridhana*. Moreover, Manu also thinks the same, though he does not recognize the widow as an heir to her husband.

Manu gives a comprehensive description of *Stridhana* i. e., (i) gifts given by the father, (ii) gifts given by the mother and, (iii) gifts given by the brother at any time, (iv) gifts given by the husband, (v) presents given by anybody at the time of the marriage and vi) presents given to the bride when she is taken to her new home.¹⁶⁹ Nevertheless, early *Smriti* writers did not give woman with full powers over women's *Stridhana*. In the opinion of Manu, a wife ought not to alienate even her own property without her husband's sanction.¹⁷⁰ However, this view was

¹⁶⁸ For further details see, Manu, 8: 416.

¹⁶⁹ Vide, *ibid.*, 9: 194.

¹⁷⁰ See, *ibid.*, 9: 299.

not equitable. Hence, the later Hindu jurists divided *Stridhana* into two categories- *saudayika Stridhana* i.e., free gifts of affection given by the father, the mother or the husband and were declared to be under the complete control of women as well as *asaudayika Stridhana* which women could not alienate it, but only enjoy its usufruct during their life time. In course of time landed property was also recognized as *Stridhana* property. All the Hindu jurists did not give full power of ownership over the immoveable property to women. According to Katyayana, women possess the power of sale and mortgage even over the immoveable property included in their *Stridhana*. On the other hand, Naradu holds that women have the right to dispose of only the moveables in their *Stridhana*.

From the above discussion, it is said that Hindu jurists are unanimous in giving to women full proprietary rights over the *Stridhana* in its narrower sense. They have declared that the husband has no right over his wife's property and if he is compelled to utilize it for his own purposes, he has to return it with interest. Hence, women enjoy proprietary rights in a narrower sense.

e) Educational Right of Women in Hinduism

According to Hinduism, one of the main duties of parents is to provide education to children and in ancient India, girls enjoyed same educational rights like boys.¹⁷¹ During the 3rd century B. C. girls could remain unmarried till the age of sixteen and the period before marriage was utilized for giving education to them. Moreover, the ceremonial initiation into Vedic studies was common for both boys and girls till about the beginning of the Christian era. According to Hinduism, the women, who are ineligible for Vedic studies are like *Sudra*. In the Rig-Veda and the Atharva-Veda, several instances of female education are found. According to Atharva-Veda, a girl can succeed in her marriage only if she has been properly trained during the period of studentship.¹⁷² In the Vedic age, women used to receive Vedic education. Some of them were even the authors of hymns of the Rig-Veda. For example, Lopamudra as well as Visvavara were the authors of the verses of the Rig-Veda i.e., 1: 179 and V: 28 respectfully.

¹⁷¹ For details please see, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 9-28.

¹⁷² See, Atharva-Veda, xi. 5. 18.

In addition to this, women students were divided into two classes- *Brahmavadinis* and *Sadyadvahas*. The latter used to prosecute women's studies till the age of fifteen or sixteen. They learned by heart the Vedic hymns prescribed for the daily and periodical prayers. They also used to learn those rituals and sacraments in which they had to take an active part after their marriage. In the Ramayana and the Rig-Veda, many evidences are found where women used to offer their Vedic prayers both morning and evening regularly. For example, in the Ramayana, Sita is described as offering her daily Vedic prayers in more than one places.¹⁷³ In another place of Rig-Veda, a lady, named Visvavara, is also found as getting up early in the morning and starting the sacrifice all by herself.¹⁷⁴ On the other hand, the formers were lifelong students of theology and philosophy. It is noted that women cultivated these subjects with great devotion and enthusiasm. Apart from studying the Vedas, many of them used to specialize in *Purvamimansa* which discussed the diverse problems relating to Vedic sacrifices. Although this subject is very difficult and even more abstruse than mathematics but still a very large number of ladies used to take deep interest in it. A female scholar named Kasakritsana had composed a work on *Mimansa* i.e., *Kasakritsni*.¹⁷⁵ Thus, according to Hinduism, women enjoy the right of education.

f) Social Right of Women in Hinduism

Hinduism admits some general phases of a woman's life and these general phases can be divided into four categories i.e., an infant and daughter, a wife, a mother as well as a widow. In a Hindu society, women enjoy social right from the above mentioned categories. Therefore, an attempt of a brief outline of social right of women has been made below:

i. Social Right of Woman as an Infant and Daughter

In ancient times, the birth of a girl was generally an unwelcome event in all patriarchal societies. Almost everywhere the status of a son was valued higher than the daughter. He was regarded as a permanent economic asset of the family.

¹⁷³ Vide, Ramayana, v. 15. 48.

¹⁷⁴ For details please see, Rig-Veda, v. 28.

¹⁷⁵ See, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric times to the Present Day*, op. cit., p. 15.

He lived with his aged parents and did not migrate like the daughter to another family after the marriage. He perpetuated the name of his father's family. On the contrary, the daughter had no fighting value and sometimes parents abandoned her after birth or sometimes even killed her. The same was the case in the Vedic period. According to the Atharva-Veda, the birth of a son is the preference to that of a daughter.¹⁷⁶ However, the latter's birth was not a source of consternation to the family in the Vedic as well as Upanishadic ages. In cultured circles, such a daughter was regarded as the pride of the family. According to some Hindu thinkers, a talented as well as well behaved daughter may be better than a son.¹⁷⁷

According to Hinduism, a house is a temple and in that example, the Hindu woman is high priestess. She has kept the sacred traditions sacredly. One of the most important duties that a Hindu woman learns from her cradle is to make home sacred. Purity is her ideal both in body and in mind. According to Hinduism, man's training begins when he is a child and he goes through his *Ashrama* life stage after stage, while girl has her *Ashrama* life within the home. Therefore, woman from childhood grows within such an atmosphere that when she attains maturity and becomes the mother of the family, she trains her children up to the same ideal.¹⁷⁸ In addition to this, with the growth of woman's knowledge, she is instructed to take *bratas* or vows. She is also to teach to serve as well as protect the plant so that its peaceful growth may not be disturbed, but she educates to understand its life and to love it as her very own. According to Kalidas, Sakuntala leaving her father's hermitage where each plant which she had reared, watered and caressed is weeping to her of her departure to her husband's house.¹⁷⁹ Apart from the plant life, love for animals is also a sweetest part of her education and training. Harendranath Maitra expresses his opinion in this regard in the following way: "The wonderful care that Sakuntala gave to a deer at the hermitage shows the spirit that runs even now in its fullest intensity in Hindu homes, among the children of the family— especially the little girls."¹⁸⁰ The Hindu woman is initiated

¹⁷⁶ Vide, Atharva-Veda, iii. 23; also see, vi. 2.

¹⁷⁷ See, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric times to the Present Day*, *op. cit.*, pp. 3-8.

¹⁷⁸ Vide, Harendranath Maitra, *Hinduism: The World-Ideal* (New York: Dodd, Mead & Company, 1916), p. 103.

¹⁷⁹ See, *ibid.*, p. 104.

¹⁸⁰ *Ibid.*, p. 105.

into the deepest mysteries of life by this training. Moreover, this purity and sweetness of character help her not to bear the thought of animals being killed. In summary, it is said that serving and protecting plants as well as love for animals help to a large extent in moulding the thought and national life of the Hindu woman.

ii. Social Right of Woman as a Wife

Hindu woman enjoys social right as a wife. The first and foremost right of a wife is to get proper maintenance and caring from her husband. This is because according to Hindu law, a woman should be under her husband's control after getting married.¹⁸¹ Thus, the husband's duty to his wife is to care for her in all the way. A Hindu wife's real happiness is centered in her husband.¹⁸² Neither the father nor the mother, neither a son nor a friend, or a daughter, can do for a woman what a husband can do. She gets immense help from her husband.

Another right which a Hindu wife enjoys is household management.¹⁸³ The wife will not cook any food without first having a complete bath and she will never start any cooking without having made her *pujas* which does not mean a prayer for five minutes or fifteen minutes, but a complete disciplinary system of meditation. When she cooks, she tries to her spirit of devotion and love in it. According to Hinduism, wife never eats before her husband. Manu holds that a wife, who eats before her husband, shall be turned out of the house.¹⁸⁴ Moreover, it is also a wife's right to frame a proper annual budget and regulate the daily expenditure according to it. She is to look after other family members by providing them general needs and comforts. In times of difficulty, a wife is to be her husband's counselor. She is also assigned her place in the home where she is charged with the production as well as proper upbringing of children.

In addition to this, according to the Hindu law, it is the wife's duty to be absolutely obedient to her husband. Whatever his character may be, her duty is to

¹⁸¹ For details please see, Manu, 5: 148; also see, Brian K. Smith, "Hinduism" in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe Another?* (Canada: Wadsworth, Thomson Learning, Inc. 2001), p. 99.

¹⁸² Vide, Ramayana, ii. 37.30.

¹⁸³ See, Manu, 5: 150.

¹⁸⁴ Vide, Mutahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 194.

be loyal to him as well as to worship him as her divinity. According to Manu, a husband to whom her father may give her, she shall obey as long as he lives.¹⁸⁵ Hence, she has to obey her husband as a deity as well as is to tolerate any atrocity meted out to her by him. Though the husband is cruel and untrue to his wife, this does not free her from her obligations to him. Manu makes comments in this connection that though destitute of virtue, or seeking pleasure elsewhere, or devoid of good qualities, yet a husband must be constantly worshipped as a god by a faithful wife.¹⁸⁶ He further holds that if wife obeys her husband, she will be exalted in heaven¹⁸⁷ and if disobedient, the law says that she may be chastised.¹⁸⁸ Furthermore, it is also a wife's responsibility to remain a widow after her husband's death. The following are some provisions left by Manu for women. A woman shall never go out of the house without the consent of her husband, she never stand at the door and must never look out of a widow.¹⁸⁹ Therefore, it is noted that a Hindu wife is expected to be modest and obedient to her husband as well as she is entitled to get maintenance and kind treatment from her husband.

iii. Social Right of Woman as a Mother

One of the noteworthy aims of the Hindu marriage is to procreate children and provide their education. The birth of a son immediately heightens a women's status. Therefore, motherhood is the cherished ideal of every Hindu woman. In Hinduism, woman also enjoys social right as a mother. The first and foremost right of a mother is to get proper maintenance from her son. This is because according to Hindu law, a mother should be under her sons control after her husband's death.¹⁹⁰ The son could never abandon his mother, even if she was boycotted socially and religiously. Furthermore, in Hinduism, the widow has no right to inherit the property of her husband after his death; it passes on to her sons. For this reason, the mother should live under the protecting care of her sons.

¹⁸⁵ For an account of these please see, Manu, 5: 151.

¹⁸⁶ See, *ibid.*, 5: 154.

¹⁸⁷ Vide, *ibid.*, 5: 155.

¹⁸⁸ Vide, *ibid.*, 8: 299.

¹⁸⁹ See, Murthahin Billayh Fazlie, *Hinduism and Islam: A Comparative Study*, *op. cit.*, p. 194.

¹⁹⁰ For details see, Manu, 5: 148.

Another important social right of a mother is to get loving devotion by her sons. This is because according to Hindu law, no other duty is higher than revering and obeying them and no other duties should be assumed by a man without first asking the permission of his mother. In the words of Manu, a mother should not be treated with contempt especially by a priest, not even by someone who has been provoked. The trouble that a mother endures in giving birth to human beings cannot be redeemed by her sons even in a hundred years.¹⁹¹

According to Hinduism, a mother also enjoys kind treatment and respect from her sons. He has to respect his mother more than the father. There are also some beautiful passages which place the father and the preceptor higher than the mother.¹⁹² Manu also believes that by loving his mother, a son wins this world and a man who deeply respects his mother is deeply respected.¹⁹³

iv. Social Right of Woman as a Widow

It is remarked that the position of the widow was fairly satisfactory down to 300 B. C. This is because she was not required to immolate herself on the funeral pyre of her husband. If she was reluctant to lead a life of celibacy, she could either contract a secured marriage or have recourse to *niyaga* or levirate. Moreover, the custom of tonsure was absolutely unknown and the only disability of a widow was not to regard as a heir to her husband's property. Thus, the widow enjoyed a satisfactory status during that period.

However, the position of the widow began to deteriorate from 300 B. C.¹⁹⁴ and the custom of *Sati* began gradually to come into vogue in Hindu societies. Furthermore, there are some rules and regulations of the *Dharma-Shastra* which deal with widows who did not immolate themselves on the funeral pyre of their husbands.¹⁹⁵ The alternative to the rite of *Sati* is enforced widowhood, with all its degrading accompaniments. According to some Hindu jurists, the widow did not receive humane and considerate treatment from the family as well as society. The

¹⁹¹ Vide, Manu, 2: 226-227.

¹⁹² For details please see, *ibid.*, 2: 145 & 133.

¹⁹³ See, *ibid.*, 2: 233-234.

¹⁹⁴ For details please see, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, *op. cit.*, pp. 143-165.

¹⁹⁵ See, Manu, 5: 158.

widow had, from the moment her husband died, not only to deplore the loss of a companion, but had also to take a position of utter degradation in the household where formerly she had a dignified place. According to J. C. Oman, in most of the parts of India, it becomes customary a few days after the cremation of the husband to perform what may be called the ceremony of formally degrading the widow, when she has her head shaved by the barber as well as deprived of the use of all her personal ornaments. Even after that she is condemned to sleep, not on a bed, but upon a mat spread on the floor. In addition to this, she is given only one meal a day and to be excluded very strictly from all festivities. Not only is the widow degraded and set aside, but her very presence on joyful occasions becomes an actual offence and her mere shadow is in certain cases unpromising.¹⁹⁶ Apart from this, the widows could not be present at the marriages even of their own children. In this connection, Margaret Shanti holds that even today widows are made to go through a ritual ceremony wherein their *bangles* are broken, they are made to wear white clothes, and the *thali* is removed. She has no life of her own once her husband is dead. She is considered as inauspicious; especially when there are celebrations such as marriage.¹⁹⁷ The widows who had no parents were still more to be pitied. They had to work as a servant to their brother's or son's wives. If there were widows in a house, there was no need for servants.¹⁹⁸

According to Hinduism, the bond uniting a woman to her husband is indissoluble even by death. Hence, in India remarriage of widows was not in vogue. In opinion of the barbarous injustice meted out of widows, the British Government legalized remarriage of widows in 1856 through enactment of Act XV.¹⁹⁹ Nevertheless, the sentiment of the general people is still against this Act. This is because in the words of Manu, a widow should never even think of remarriage after her husband's death.²⁰⁰ He further thinks that whoever marries a widow is looked down upon as an outcaste. Among the persons to be carefully shunned are

¹⁹⁶ Vide, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., pp. 199-200.

¹⁹⁷ See, Margaret Shanti, ICM, "Hinduism: Caste, Gender and Violence" in Sir Mary John Mananzan, OSB (ed.), *Woman & Religion: A Collection of Essays and Personal Histories* (3rd Edition, Manila, Philippines: The Institute of Women's Studies, 1998), p. 99.

¹⁹⁸ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p.164.

¹⁹⁹ For details see, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 200.

²⁰⁰ Vide, Manu, 5: 157.

husband of a twice married women. Her second husband, she and any children born to them would be outcaste.²⁰¹ For a widow, it is unlawful even to mention the name of another man, and that by remarriage she brings disgrace on herself and shall be excluded from the seat of her lord.

The only direction in which a change for the better took place in the condition of the widow after 200 A. D. was the question of the rights of inheritance. Joint families are normally bound to provide for their maintenance but widows whose husbands had been separated from the joint family should be given a life estate in the property of their late husband in order to enable them to lead a peaceful and retired life.²⁰² Nevertheless, it is noted that the widow does not receive much intelligent sympathy from Hindu society as a whole and she is regarded as inauspicious.

g) Political Right of Woman in Hinduism

In the history of the Rajputs, the Rajputs women used to have taken by the side of their lords. They encouraged their husbands, fathers, brothers as well as friends to go to the battle field and fought against foes and came back on their shields. Not only that, they themselves used to ride on horseback and on camel back. They also used to fight by the side of their husbands to defend their home as well as country. This devotion and heroism of the Rajput women inspire today's Hindu women very much. Nowadays, Hindu women enjoy full political right. For example, Indira Gandhi, the daughter of Jawaharlal Nehru, was the most successful prime minister of India. In addition, there are many female leaders like Mamata Banerjee, Prianka Gandhi and so on who play a great role in the politics of India. Moreover, Pratiba Patil, the ex-President of India, is also a follower of Hinduism. Hence, from the ancient period to the present time, Hindu women enjoy political right.

²⁰¹ See, *ibid.*, 5: 162.

²⁰² This topic will be discussed in brief in the next section of this chapter entitled 'Inheritance right of women in Hinduism'.

h) Woman as Witness in Hinduism

According to Hinduism, a woman cannot be a witness; only man can be a witness. In the words of Manu, a single non-avaricious male witness should be regarded as enough and competent for testifying to a fact, while a host of virtuous women should not be regarded as competent witnesses owing to the fickleness of the female temperament.²⁰³

i) The Inheritance Right of Women in Hinduism

Among the female heirs, the brotherless daughter has the right to enjoy inheritance law. Circumstances were more favorable for the recognition of her right than that of the wife or the widow. In the Vedic age, the daughter was well educated as well as possessed full religious privileges. Moreover, she could not herself offer funeral oblations to the manes, but she could get this alone by her son. For these reasons, the Vedic father could regard a daughter to be as good as a son.²⁰⁴ He had a strong prejudice against adopting a son. Thus, he preferred property passing to his own daughter in preference to a stranger who was to be regarded as an adoptive son. Furthermore, he could also usually arrange for the perpetuation of his own family by making an agreement with the son-in-law that he has to send back his first son to continue his maternal grandfather's family. Therefore, among women, a brotherless daughter was the first to get her right of inheritance recognized.

Some Hindu jurists opposed female right of inheritance, even when she had no brother. Apastamba unwillingly admits daughter to inherit, but only if there is no *sapinda* or teacher or pupil to claim the property. In addition to this, Vasistha (XV, 7) and Gautama (XXVIII, 21) do not allow the daughter in the list of their heirs. The same is the case with Manu.²⁰⁵ On the contrary, most of the Hindu jurists wanted to continue the old tradition by saying that the brotherless daughter has the right to inherit her patrimony. There is a beautiful passage in the Mahabharata regarding female inheritance i.e., it would be manifestly unfair and inequitable to bellow a subsidiary son to get an inheritance, when there was a

²⁰³ See, Manu, 8: 77; also vide, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., p. 107.

²⁰⁴ Vide, Manu, 9: 134.

²⁰⁵ For details see, *ibid.*, 9: 185.

daughter to claim it.²⁰⁶ In the Mahabharata, it is also stated that she must get at least half of the property, if not the whole.²⁰⁷ According to Yajnavalka, the daughter should be the next heir after the son and the widow. In the words of Brihaspati, the daughter springs from one's own body just like the son; then how can anyone inherit the property when she is still alive? The same is the case with wife. Thus, a daughter has the right to inherit her father's property in the absence of a brother and this right has been recognized also by the modern courts. Moreover, one question may arise i.e., what is the inheritance right of sister who has brother? The general view of Hindu society is that sisters should get no share in the patrimony, if they had brothers. This is the opinion of the *Dharmasastra* literature and Kautilya agrees with it. However, Sukra, the only one writer of the *Smriti*, assigns a small share to the daughter along with sons. He loved his daughter Devayami dearer than his own life. Therefore, he assigns a small share to the daughter, even when he had sons. According to Sukra, if a person divides his property in his own life time, he must assign one share each to his wife and sons, half a share to his daughters and one fourth a share to his daughter's sons. If the division took place after his death, the sister was to get one eighth share of the brother.²⁰⁸ In actual practice, the division of property usually takes place after the death of the father, so the daughter got only a very small share in the patrimony. There is evidence to show that some fathers used to follow the principle recommended by Sukra as well as to divide their property both among their sons and daughters. However, the general opinion of society is that women should get shares directly or indirectly in the property of their husbands and not in that of their fathers.

In addition to this, according to Hindu leaders, women who are widows have the right to get a definite share in the family property.²⁰⁹ However, this right was not recognized by any jurists down to C. 300 B. C. Vedic texts, which declare women to be incapable of inheriting any property, are particularly aimed against the

²⁰⁶ See, Mahabharata, xiii. 80. 11; also see, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 23.

²⁰⁷ See, Mahabharata, xiii. 88. 22.

²⁰⁸ For details see, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 241.

²⁰⁹ See, *ibid.*, pp. 250-270.

widow. Most of the *Dharmasutra* writers adopt the same view. In the words of Apastamba, the property must devolve in the absence of the son, not upon the widow, but upon the nearest male *sapinda*. If there is none within seven degrees to claim the property, it should devolve upon the teacher. If he is also dead, it should be taken over by a disciple of the deceased to be spent for charitable purposes.²¹⁰ In the opinion of Manu, the property of a sonless person will first devolve upon his father, then upon his brother and finally upon a *sapinda* or a *sakulya* in accordance to his propinquity. When none of these is forthcoming, first a preceptor, then a disciple and finally the king should take it away.²¹¹ Thus, the *Dharmasutra* writers like Apastamba, Manu, Baudhayana and so on have not recognized the widow as an heir at all. Moreover, Narada, Kalyayana and king Bhoja of Malwa who were the chief advocates of the orthodox view do not prepare to recognize the widow as an heir.

On the other hand, some Hindu writers think that the widow has to be assigned a definite share in the family property, if she is not to remarry or get a son by *Niyoga*. According to Gautama, the widow should be regarded at least as a coheir with other *sapindas*. Moreover, at the beginning of the Christian era, Vishnu puts forth a stronger proposal that the widow ought to be regarded as the sole heir and not a coheir. The school of reformers also thinks that the widow's right to inherit the full share should be recognized by logic and reason. According to Brihaspati, the Vedas, the *Smritis* as well as sages of antiquity have unanimously declared that as the husband and the wife are the joint owners of family property, so a man therefore cannot be said to be completely dead as long as his wife is alive. Then how can property pass on to another in the life time of the widow? Prajapati lays down that the widow has a natural right to inherit all her husband's property i.e., moveable, immoveable, bullion, ornaments, stores and so forth. If any male relation obstructs her peaceful enjoyment of her estate, it is the bounden duty of the king to punish him as a thief.²¹² Apart from this, according to the Hindu Women's Right to Property Act of 1937, the widow has the right to inherit her

²¹⁰ For details please see, *ibid.*, p. 251.

²¹¹ Vide, Manu, 9: 185-187.

²¹² See, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., pp. 255-258.

husband's share in the family property, irrespective of the consideration as to whether he had effected separation from the joint family or not. Thus, widows all over the place of India now possess this right.

6.9. The Custom of *Sati Daho* (Widow-Burning)

In Hinduism, there is a custom where a widow is required to mount the funeral pyre of her dead husband and be cremated along with his corpse. This custom is known as the custom of *Sati*. If the husband dies at a distant place, the widow is nonetheless to be burned alive on a pyre by herself. A widow who burns herself to death in this way is called *Sati*. The guiding force to motivate Hindus to practise *Sati* is the instructions given in their scriptures which run as follows:

It is proper for a woman, after her husband's death to burn herself in the fire with his corpse, every woman who thus burns herself shall remain in paradise with her husband 35,000,000 years by destiny. Moreover, dying with her husband, she sanctifies her maternal and paternal ancestors, and the ancestors of him to whom she gave her virginity.²¹³

The rite of *Sati Daho* was prevalent in India until it was prohibited by the British Government in 1829. The following table shows the year-wise number of *Satis* in Bengal during the years 1815 to 1828.²¹⁴

Year	Number of <i>Satis</i>
1815	370
1816	442
1817	707
1818	839
1819	650
1820	598
1821	654
1822	583
1823	575
1824	572
1825	639
1826	548
1827	517
1828	463

²¹³ Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 197.

²¹⁴ This table is taken from A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p.139.

From the above table of the statistics of *Sati*, it is said that until the practice of widow-burning was made a punishable offence, the number of widows scarified every year in Bengal was very alarming. Moreover, regulation XVII of 1829 declared *Sati* illegal as well as punishable by the criminal courts as ‘culpable homicide’ amounting to ‘manslaughter’, for which a death sentence could be awarded.²¹⁵ The orthodox Hindus protested that measure and made an appeal to the Privy Council in England. However, the Privy Council dismissed the appeal. Therefore, after having been practised in India for over two thousand years, the institution of widow-burning became illegal by the law enacted by a foreign power. Hindu women were benefitted to a large extent by this rule.

6.10. Female Infanticide

In some Hindu communities of India, economic hardships are prevailing and this economic hardships has been responsible for the wide spread prevalence of female infanticide. Moreover, modern medical technology has made it easier to get rid of the female fetuses even before their births. The readers of Indian newspapers often come across advertisements of medical clinics saying- ‘spend 500 rupees to save 500,000 rupees later.’ The meaning of this advertisement is that you can discover the sex of a fetus by spending only 500 rupees and if it is a female one, abort the fetus and thus save the money which otherwise would have been spent on bringing up the girl child as well as paying dowry to the groom.

The World Bank in a report on the status as well as conditions of women expressed concern over the prevalence of such clinics and practices like female infanticide in India. The report shows that it is because of such practices that the female-male ratio has decreased in India from 933 to 1000 in 1981 to 929 to 1000 in 1991. If this trend persists, it could reach a low of 672 females for 1000 males in 2050. In addition to this, female children who could survive are mostly neglected. According to a report published by the UNICEF, out of about 15 million girls born in India every year, five million do not live to celebrate their 15th birthday and a third of these deaths take place in the first year of life.²¹⁶ A law recently passed by the Government of India bans the use of medical tests to

²¹⁵ See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 197-198.

²¹⁶ See, *ibid.*, p. 203.

determine the sex of a fetus to abort female fetuses and under this law, Hindu women hold much better position in India.

6.11. An Observation regarding the Status of Women in Hinduism

The cheerless picture given above about the conditions of Hindu women is what was prevailing in India prior to various reform measures introduced by the foreign colonial power. Fortunately, from the system depicted under the tenets of Hindu scriptures, it is clear that the modern world is different from the previous one. There are some factors which have brought about some changes in the attitudes of Hindus towards women i.e., the contact with Muslims, the colonial rule of the British, enlightenment due to modern education, awareness among women, human rights watch and so on. The British colonial power, through legislations, prohibited the customs of *Sati Daho* and child marriage, and legalized remarriage of widow. In independent India, it was Jawaharlal Nehru who, through legislation, gave Hindu women the right to own property as well as the right to divorce. Therefore, it is said that the reform activities have made the lives of Hindu women much better.

6.12. Comparison

To make a comparison between the status of women in Islam and that of Hinduism is not a simple task. This is because both religions present women affairs in variant ways. Nevertheless, if an attempt is made to consider thoroughly the status of women in these two great religions, some similarities and dissimilarities between these two will be found. Here, an attempt has been made below to find out these similarities as well as dissimilarities between Islam and Hinduism in terms of the status of women.

6.12.1. Similarities between Islam and Hinduism

Some major areas of similarities between Islam as well as Hinduism regarding women's affair are mentioned below:

- i. Both Islam and Hinduism admit woman's educational right. In the eye of Islam, studying is one of the most important duties for both men and women.²¹⁷ Islam also thinks that educated women play a vital role to form a good nation. Likewise

²¹⁷ See, Al-Qur'an, 26: 1-5.

in Hinduism, female enjoys the right of education just like male. There are many verses in the Rig-Veda, Atharva-Veda and Ramayana which prove women's educational right.

- ii. Both religions admit that women enjoy social right at different phases of life. According to both religions, when she is a child, she enjoys full caring as well as maintenance from her parent. When she is adult, she has the right to marry someone and it is her parents' duty to get her married to someone. Moreover, both Islam and Hinduism think that after marriage, wife's first as well as foremost right is to get proper maintenance and caring from her husband.
- iii. Both Islam and Hinduism recognize a very high position of a mother. According to Islam, it is most obligatory for the Muslim children to pay respect to their parents, but the right of a mother upon her children is three times greater than the rights of a father upon them.²¹⁸ The Prophet of Islam advised his adherents how to look after their mothers and obey them. Disobeying parents, especially mother is one of the greatest sins. According to Hazrat Mohammad (sm.), 'do not leave your mother unless she gives you permission or death takes her, because that is the greatest (deed) for your reward.'²¹⁹ Moreover, a man came to the Prophet and said to him, 'I desired to go on a military expedition and I had come to consult you. The Messenger of Allah asked him if he had a mother and when he replied that he had, he said: Stay with her, for Paradise is at her feet.'²²⁰ Similarly, according to Hinduism, the mother deserves superior right than the father over their children and a child has to respect his mother more than the father.²²¹ Not only this, in Hinduism, among the elder female relations, the mother is more important than all.²²² Therefore, both relations accord a very dignified position to woman as a mother.

²¹⁸ Vide, *Sahih Muslim*, tr. *op. cit.*, Vol. 4, p 1354, Hadith nos. 6180-6181, also see, *Sahih Al Bukhari*, tr. *op. cit.*, Vol. 8, p. 2, Hadith no. 2.

²¹⁹ Quoted in, Aliah Schleifer, *Motherhood in Islam* (Cambridge: The Islamic Academy, 1986), pp. 12-13; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, *op. cit.*, p. 13.

²²⁰ Quoted in, Abdulwahid Hamid, *Islam the Natural Way*, *op. cit.*, p. 81

²²¹ For details please see, Brian K. Smith, "Hinduism", in Jacob Neusner (ed.), *The Ethics of Family life: What Do We Owe One Another*, *op. cit.*, p. 108.

²²² See, *loc. cit.*

- iv. According to both religions, household management is the responsibility of women. Both religions believe that a wife is to frame a proper annual budget and regulate the daily expenditure according to it. Moreover, she is to be affectionate towards his relations and considerate towards the servants.
- v. Both Islam and Hinduism sanction political right for women. In Islam, a woman has the right to vote and elect political leaders for them. Moreover, she has also the right to enjoy fighting against bad deeds. Likewise in Hinduism, a Hindu woman used to go to the battle field to defend their home and country.
- vi. According to both religions, women have also the right to choose their life partners. Muslim woman is permitted to choose her life-partner at the time of her marriage as, according to Islam, free consent of bride is the essential condition of a valid marriage.²²³ Similarly, within certain limit Hinduism accords right to a woman to choose her mate. According to Manu, when a female has reached puberty, she should wait for three years but after that period she should find a husband after her liking.²²⁴ Hence, both religions recognize the right of women to choose their marriage partners.
- vii. In regard to inheritance law, Islam univocally recognizes women's inheritance right. According to Islam, the share of man in inheritance is twice than that of a woman. However, this does not imply any injustice to women, rather it is actually in favor of them. This is because man inherits more but ultimately he is responsible for maintaining his female relations i.e. wife, daughter, mother as well as sister, but in case of woman, there is no such responsibility. She can enjoy her wealth by her own way. Thus, a woman under Islam gets not only the right of inheritance but also enjoys full security.²²⁵ Likewise in Hinduism, women also enjoy inheritance right as a brotherless daughter and a widow.²²⁶

²²³ See, *Sahih Al-Bukhari*, tr. *op. cit.*, Vol. 7, p 52; Hadith no. 69; also see, Reuben Levy, *The Social Structure of Islam*, *op. cit.*, p. 102; also vide, Nik Noriani Nik Badli Shah, *Marriage and Divorce under Islamic Law*, *op. cit.*, pp 14-15.

²²⁴ Vide, Manu, 10: 90; also see, Brian K. Smith, "Hinduism", in Jacob Neusner, *The Ethics of Family Life: What Do We Owe One Another?*, *op. cit.*, p. 107.

²²⁵ See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, *op. cit.*, p. 212.

²²⁶ For details please see, A. S. Alekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, *op. cit.*, pp. 234-270.

6.12.2. Dissimilarities between Islam and Hinduism

In estimation of the above discussion, it is noted that the above mentioned similarities do not imply that there is no discrimination between Islam and Hinduism in terms of the status and position of women. Now, an attempt is made to point out some main dissimilarities between these two great religions in regard to the above mentioned topic.

- i. In the eye of Islam, women enjoy the right to individuality and identity. A Muslim woman is always known by her family's name as an indication of her individuality and her own identity. There is no process of changing the names of women be they married, divorced or widow. Hazrat Mohammad (sm.), the perfect model of mankind, gave women the chance to develop their own individuality, independence and talents. For instance, Sauda developed her skill in fine leather work and earned a good income therefrom; Umm Salama, bright and cleaver, acted as a political adviser to the Messenger. Moreover, Aisha was regarded as a judge and was very often consulted on religious affairs in the absence of the Prophet.²²⁷ All these examples prove women's right to individuality and identity. However, in Hinduism, a woman does not enjoy the right to keep her own identity as well as individuality. This is because a Hindu woman has always been entitled by law to take her husband's name. After marriage, she has no right to retain her family name. She is always known by her husband's name. Therefore, in the eye of Hinduism, a woman does not enjoy the right to individuality and identity.
- ii. According to Islam, both boys and girls are equal in respect of their rights and privileges. Nevertheless, good treatment of female children is strongly emphasized both in the Qur'an of Almighty Allah as well as *Sunnah* of Hazrat Mohammad (sm.). The teachings of Islam advise the Muslim to show love, affection, gratitude and consideration for female children, particularly young girls. This is because girls are models of affection and sympathy. According to the Prophet of Islam, 'if a daughter is born to a person who brings her up, gives her a good education as well as trains her in the arts of life, I shall myself stand between

²²⁷ See, Naila Minai, *Women in Islam: Tradition and Transition in the Middle East* (London: John Murray, 1981), p. 18; also see, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 13.

him and hell fire.’²²⁸ Therefore, in the eye of Islam, a girl is considered as a blessing to the family. On the contrary, treatment of male children is strongly emphasized in Hinduism.²²⁹ It also asserted the right of a female child not to be treated on an equal footing with her brother. This is because a son, in the eye of Hinduism, has the right to keep his family name. He is always known by his family’s name. Moreover, a man’s immortality depends on the begetting of a son.²³⁰ Thus, a son is regarded as a blessing to the family in Hinduism.

- iii. Islam recognizes women’s full freedom of expression. She has always been treated as a human being without any discrimination. She enjoys the full right of managing her own affairs, expressing her view as well as participating in private and public affairs.²³¹ On the other hand, although women enjoyed much freedom in the Vedic time, in the epics and the law-books, her status became degraded. She does not enjoy any freedom in the society and has no right to do anything of her own. In the words of Manu, ‘by a girl or by a young woman or by a woman advanced in years, nothing must be done, even in her own dwelling place according to her mere pleasure. A woman should never seek independence.’²³² Therefore, Hindu women never enjoy free atmosphere of life as like as man.
- iv. In regard to religious duties and obligations, both Islam as well as Hinduism do not treat women equally. In Islam, women enjoy full religious right just like a man.²³³ On the contrary, women achieved all religious privileges just like men during the Vedic age. The *Smritis* and the epics are repeated with evidences which are indicative of this fact.²³⁴ However, women’s religious right gradually became degraded from the time of Manu. He forbade women from reading or listening to

²²⁸ Quoted in, Mohammad Mazheruddin Siddiqi, *Women in Islam*, op. cit., p. 16; also quoted in, Haifaa A. Jawad, *The Rights of Women in Islam: An Authentic Approach*, op. cit., p. 12.

²²⁹ For details please see, Manu, 3: 13; also see, 3: 15-18.

²³⁰ See, Brian K. Smith, “Hinduism” in Jacob Neusner (ed.), *The Ethics of Family Life: What Do We Owe One Another?*, op. cit., p. 104.

²³¹ Vide, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 206; compare this freedom of expression enjoyed by a Muslim woman of Arabia in the seventh century with that of an American woman who had no right to vote until the advent of the 19th Amendment in the US constitution in the twentieth century.

²³² For details please see, Manu, 5: 147-148.

²³³ See, Al-Qur’an, 33: 35.

²³⁴ Vide, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., pp. 195-199.

the Vedas. For this cause, *Shankarachari* of Puri Swami Nischalanda publicly stopped a woman, *Brahmin* by caste, from reciting verses of the Veda at a function held in Calcutta on 16 January 1994.²³⁵ Thus, the rights of Hindu women in religious affairs are very limited.

- v. According to Islam, woman enjoys full economic right. She has the right to own and manage her own property as well as has no responsibility to afford her wealth to the family affairs. However, according to Hinduism, although Hindu woman enjoys the full right of *Stridhana* i.e. ornaments, Jewelry and other costly apparels as well as has an exercise of absolute control over such gifts, some Hindu Jurists like Manu thinks that women have no right to own any property. Her income belongs to the man to whom she belongs i.e., husband for wife, father for a girl and son for a widow.²³⁶ Thus, Hindu women enjoy their proprietary right in a narrower sense.
- vi. In regard to the status of women as a widow, both religions do not treat women equally. In Islam women holds a dignified position as a widow. She has the right to remarry²³⁷ and get maintenance during that time.²³⁸ Moreover, she also enjoys the inheritance right.²³⁹ Therefore, according to Islam, a widow has the full right to lead normal life just like a married woman. On the other hand, according to Hinduism, the position of a widow is not up to the mark. She had no right to remarry as well as was required to immolate herself on the funeral pyre of her husband. Moreover, she was also required to have the custom of tonsure. In a word, the status of a widow in Hinduism was miserable. However, Hindu widows get the right of remarriage by enactment of Act XV, 1856 and the custom of *Sati* becomes illegal by regulation XVII of 1829. Nevertheless, in the earlier period, when the *Sati* custom was unknown and remarriages were allowed, a widow's fate was somewhat better but she is still regarded as inauspicious.²⁴⁰

²³⁵ See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 195.

²³⁶ Vide, Manu, 8: 416; also see, Mutahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 191.

²³⁷ For details see, *Sahih Muslim*, tr. op. cit., Vol. 2, p. 714, Hadith no. 3303.

²³⁸ See, Al-Qur'an, 65: 6.

²³⁹ Vide, *ibid.*, 2: 240.

²⁴⁰ See, A. S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, op. cit., p. 162-165.

- vii. According to Islam, not only a male, but also a female can be a witness. The Holy Qur'an is repeated with evidences which are indicative of this fact.²⁴¹ In contrast, Hinduism does not think so. According to Hinduism, only a man can be a witness, and even virtuous women should not be regarded as competent witnesses as they are fickle.²⁴² Thus, in regard to the woman's position as a witness, both Islam and Hinduism express opposite view.
- viii. In Islam, a wife has the right to get a gift i.e. dowry or *Mahr* from her husband at the time of marriage²⁴³ and her husband has no right over his wife to get dowry. The wife can exercise absolute control over such gifts. However, women, in Hinduism, do not enjoy any kind of gifts from her husband at the time of marriage.
- ix. In Islam, the custom of *Sati Daho* or widow-burning is absolutely unknown. A Muslim woman is never required to immolate herself on the funeral pyre of her husband. She leads honorable life after her husband's death and by performing Islamic *Sharia* she can achieve *Najat* or salvation in life hereafter by herself. On the contrary, the custom of *Sati Daho* in Hinduism was in vogue and a widow who burns herself to death gets immense benefit i.e., she will get Paradise (and remain in Paradise with her husband 35,000,000 years by destiny). Furthermore, the wife who commits herself to flames with her husband's corpse shall reside in heaven.²⁴⁴ Although, this custom is not practised nowadays at present, the Hindus still regarded the custom of *Sati Daho* as honorable.

²⁴¹ Vide, Al-Qur'an, 2: 282, 5: 106, 4: 15.

²⁴² See, Manu, 8: 77; also see, Maganlal A. Buch, *The Principles of Hindu Ethics*, op. cit., P. 107.

²⁴³ Vide, Al-Qur'an, 4: 4.

²⁴⁴ For further details please see, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study*, op. cit., p. 197.

6.13. Concluding Remarks

In view of the above explanation, it is remarked that there are some similarities as well as dissimilarities between these two religions. In Islam, a woman has well-defined rights. She enjoys equal rights of social, economic and political status. She also enjoys equal rights to contract a marriage or to dissolve it, the equal right to own or dispose of property without interference from the other, the equal right to choose her own profession or way of life. In Islam, both male and female should be equal in responsibility as much as in freedom. Thus, a Muslim woman enjoys equal rights just like a man. However, it is noted that equality does not mean identity. It is absolutely absurd to consider men and women biologically equal. Men will never experience pregnancy just like women who, on the other hand, can never experience having full beards. Therefore, Islam has provided certain principles as well as rules for both men and women. In addition to this, in Hinduism, a woman has also well-defined rights. Although she enjoys social, economic and political rights, mixed expression is found regarding the status and position of women in Hinduism.

Chapter: Seven

Conclusion

The discussion in the foregoing chapters on Islam and Hinduism formulates some basic ideas. In this chapter, an attempt has been made first to present a comparison between the basic ideas of Islam and Hinduism which are discussed below:

Islam is the Arabic name of the revealed religion which was preached by all the messengers of Almighty Allah since the dawn of human civilization. Furthermore, Islam got its full body of beliefs, rituals, rules and regulations from Prophet Hazrat Mohammad (sm.). In contrast, the development of the beliefs and rituals of Hinduism took a very long period of time and still it has not reached a durable position. The creed, teachings, rules and regulations of Hinduism could not get any definite form and as a result Hinduism became a basket which contains everything for everybody.¹ Further, Islam claims to be a revealed religion and it is comprehensive and precise. On the other hand, Hinduism does not make such a claim i.e., it is a non-revealed religion. It utterly lacks in precision and cannot even be defined. Most of the Hindu scholars think that Hinduism was not a religion but a way of life.

Islam is the proper name given by Almighty Allah in the Glorious Qur'an and this religion was propagated by the Prophet of Hazrat Mohammad (sm.). The word 'Islam' is not derived from or coined with the name of any geographical location or area, whereas the word 'Hinduism' is derived from the name 'Indus' from which the words 'Indu' and later on 'Hindu' are derived. Thus, Hinduism means religious beliefs of people called 'Hindus' because they live around Indus river or valley in this sub-continent. Furthermore, Islam is an original word used from the very beginning as the name of a particular religion, while Hinduism simply indicates the religion of Hindus. In addition to this, Islam is the Arabic name of the eternal religion chosen by Allah for mankind but the Hindus have no specific name for their religion; sometimes it can be named as *Vedic Dharma* (religion of the Veda), sometimes *Sanatana Dharma* (eternal religion) and so on.

¹ For details please see, Jawaharlal Nehru, *The Discovery of India* (22th Impression, New Delhi: Jawaharlal Nehru Memorial Fund, Teen Murti House, 2002), pp. 74-76.

In Islam, in order to become a Muslim, one should depend on *iman* and *aml* at first. To believe in *Tawhid* (belief in Oneness of Allah), *Risalat* (belief in Prophet Mohammad (sm.)) and *Akirat* (belief in life after death) are the most essential factors to become a Muslim. In a word, anyone who accepts Islam is a Muslim. The word 'Hindu' is alien and given by Muslims to the ancient people of India. In addition to this, the terms 'Islam' and 'Muslim' are used in the Holy Qur'an, the most sacred scripture of Islam, while the words 'Hinduism' and 'Hindu' were not used in Hindu scriptures; both the words were counterfeited by non-Hindus i.e., 'Hindu' by the Muslims and Hinduism by the Christians.

In Islam, the sources of Islamic teachings are the Glorious Qur'an, the *Sunnah* of the Prophet, the *Ijma* or the consensus of the jurists and the *Qiyas* or analogical reasoning. Each and every element of Islam is from the sources of its laws. There is no room for an individual, whatever may be his or her scholarly attainments, to add anything to the body of Islam. The Prophet of Islam very strictly closed the door of innovation in Islam. That is why, Islam retains its originality. However, the case of Hinduism is just the opposite. This is because although there are some sources of Hindu teachings i.e., the Bhagavad Gita, the Mahabharata, the Ramayana and so on, Hinduism, in the absence of generally accepted rules, gives license to everybody to do whatever he or she likes in the name of religion. As a result, whatever a Hindu does could become an element of Hinduism. The Hindus believe in anything and everything, if it is said in the name of religion. They never question the logical basis or authenticity of the source of what is said or done in the name of religion. There is no criterion to judge the authority and veracity of a religious statement or book or the reliability of a person speaking or writing for the religion.

The origin of the scriptures of Islam i.e., the Holy Qur'an and the Hadith is surely established on authenticity. Even the occasions, dates and places concerning the revelation of the verses of the Qur'an are recorded in a special branch of Islamic literature known as '*Uloom al-Qur'an*' or 'Sciences of the Qur'an'. Likewise, the detailed information about the narrators of the Hadith, starting from one who listened to the Prophet of Islam to one who compiled it, has been preserved in a special branch of Islamic literature known as '*Asma al-Rijal*' or 'Particulars of the Narrators'. On the contrary, all the Hindu scriptures have a mythical origin

and nobody knows for sure when and how they got their origin as well as by whom they were compiled. In addition to this, the scriptures of Islam remained intact and completely free from any change. The Qur'an remains well-preserved and intact in written form in such a manner that there is no difference between its first edition and the most recent edition. At the same time, it remains preserved in the hearts of millions of Muslims and it is a startling fact that since its revelation, there has passed not a single moment when it is not recited by thousands of its followers. On the other hand, the scriptures of Hinduism are full of changes, distortions and interpolations over time. There is no doubt that these scriptures include the high intellectual and philosophical values, but same contradictions and confusing ideas are also available in it. For example, the Veda, the most sacred scripture of Hinduism, presents different number of deities at different places and the same is true for the Puranas and the Upanishadas. Therefore, Hindu scriptures are not intact at all. Moreover, sometimes ambiguity, confusion and contradictory contents of Hindu scriptures are also observed. The Veda, for instance, gives confusing as well as contradictory ideas about the god advocating both monotheism and polytheism. However, the contents of the scriptures of Islam are crystal clear, precise and in full conformity with reason. The basic concept of Islam such as *Tawhid*, *Risalat* and *Akhirat* and all other religious teachings always have full consistency everywhere with the same tone and emphasis. Furthermore, the scriptures of Islam received unparalleled care and attention for their preservation, interpretation and application in real life. These efforts made by Muslim scholars led to the development of a large number of academic disciplines which fall under the category of Islamic literature. The Hindu scriptures, in contrast, have little practical use.² This fact implies that Hinduism is not so emphatic to say what was its original shape and what changes have been made in it from time to time.

The life of Hazrat Mohammad (sm.) is well-preserved. Not only this, the biographies of those who were directly or indirectly involved in the collection and compilation of his sayings, actions or any other information relating to him, also have been written properly and are available to any reader for scrutiny. Therefore, it remains above and beyond any shadow of doubt that the records about the Prophet, which came down to us over centuries, are all

² See, Murtahin Billah Fazlie, *Hinduism and Islam: A Comparative Study* (Saudi Arabia: Abdul Qasim Publishing House, 1997), p. 225.

correct. However, an opposite picture is found in Hinduism. The *rishis* who are believed by Hindus to have received parts of the Vedas from earlier thinkers and communicated the same orally to the later generations over centuries is not well-preserved. Hinduism does not provide detailed as well as reliable information about these people. In addition to this, there are some traces of information about the origin and activities of some of the *rishis*, but these are not authentic.

In Islam, the concept of God is perfect, precise, clear and in complete accord with reason. It is remarked that the whole universe is regulated as well as controlled by a definite law. The uniformity, regularity and complete obedience to a firm law in all fields of nature indicates that there is one and only single authority who governs the universe. This single and absolute authority is Almighty Allah. On the other hand, the concept of God in Hinduism is not clear and perfect. Although the Hindus believe in one God, but they also believe in 330 millions of deities of whom about 400 deities have got some descriptions in the scriptures and the rest are not known even of their names. Furthermore, there is no clear indication in the scriptures as to who is the most superior among them. As a result, a Hindu selects one who seems to be the most favoured to him and regards him or her as the most superior. For instance, the *Vaishnavas* regard Vishnu as the most superior and the *Saivas* consider Siva as the most superior. In addition to this, in Islam, Allah is regarded as Most Merciful, Most Gracious and there is no intermediary between Him and a person. There is no bar to establish direct relation with Him. He exhorts human beings to seek His forgiveness, because He is always ready to offer forgiveness to His adherents. On the contrary, in Hinduism, there is no direct relation between a devotee and his god. A devotee must approach his chosen deity through a priest. Further, the Hindus believe in incarnation, but Islam strongly discards it.

From the above consideration, it is obvious that Islam is a revealed religion which has most specific code of conducts in respect of its beliefs and practices. On the other hand, Hinduism is a non-revealed religion which does not have any specific code in respect of its beliefs and practices. Thus, to compare between the moral precepts of Islam and Hinduism is not an easy task. Nonetheless, an attempt has been made below to present a comparison regarding the basic similarities as well as dissimilarities of Islam and Hinduism in respect of their moral

precepts. Moreover, an attempt has also been made to present a summary of the previous discussions and also some concluding remarks based on the previous study.

- i. According to the teachings of Islam, moral status of an action depends absolutely on the command of Allah or divine revelation, rather than on human conscience. Rightness or wrongness, goodness or badness and praiseworthiness or blameworthiness in Islamic ethics are regulated by the commandment and will of Almighty Allah. It means that whatever He wills or commands will be regarded as right and good in the eye of Islamic ethics, whether it is compatible or not with reason or common sense or ordinary moral knowledge. Therefore, religious belief plays a vital role in Islamic morality. On the other hand, in Hinduism, moral values of an action do not depend upon the command of god, although Hinduism believes in one supreme God, but at the same time, it also believes in many gods and goddesses. For this reason, a man could neglect any one of the prescribed duties of his group and could select anyone who seems to be the most favoured to him and still he is regarded as a good Hindu. Therefore, Hindu morality depends on many gods and goddesses. Sometimes, it also depends upon the thinking of the sages like Manu and so on. That is why, in Hindu ethics the standard of rightness or wrongness, goodness or badness is the will or commandments of gods and goddesses as well as of sages. From the above discussion, it can be said that secular moral thinking of worldly people plays a more vital role in Hindu morality rather than that in theological morality.
- ii. Both Islam and Hinduism hold that moral teaching is very much practical rather than theoretical. The Glorious Qur'an, the Tradition of Hazrat Mohammad (sm.), the Bhagavad Gita, the Hindu law books and the books written on Islamic and Hindu moral teachings by Muslim and Hindu scholars are filled with moral lessons. However, the foremost aim of these is to actualize these moral lessons practically in the lives of mankind. Both religions encourage their followers to practise the prescribed moral precepts in their lives. Both Islam and Hinduism think that moral precepts are not a matter of dissertation, but of practice. Hence, it can be said that both religions emphasize on practical ethics rather than theoretical ethics.

- iii. Both Islam and Hinduism ordain their followers to practise moral virtues and avoid vices. According to both religions, responsibility, sincerity, forgiveness, moderation, honesty, kindness, truthfulness, faithfulness, humility, kindness, patience, equality, non-attachment, brotherhood, tolerance, mercy, non-violence, compassion, sacrifice, modesty and gentleness, hospitality, charity, politeness, purity, self-sacrifice, love, hope, goodness, beauty, cleanliness, helpfulness, swearing and so forth are the major moral virtues concerning individuals. In order to be a good Muslim and a good Hindu, it is not only important to achieve and practise all the above mentioned virtues, but at the same time, it is mandatory to abstain from all kinds of vices. In Islam and Hinduism, vices are generally known as hypocrisy, boasting, lying, greed, anger, jealousy, aggressiveness, injustice, impatience, malice, falsehood, gambling, ungratefulness, despair, cowardliness, misery, killing unjustly, oppression and impurity, ignorance, cruelty, unkindness, cheating, stealing, robbing, immodesty and so on. If the Muslims and the Hindus lead their lives according to the prescribed guidelines given by their respective religions, they will be considered as good Muslims as well as good Hindus. Not only this, they will be regarded as the best examples for mankind in terms of morality. However, if they do not follow these guidelines, an unfortunate future waits for them.
- iv. In regard to the virtue, charity is regarded as one of the central virtues in both Islam and Hinduism. According to Islam, charity does not mean only helping the needy, but it indicates anything which is of good to others. Similarly, according to Hinduism, charity does not consist merely of helping the poor from a limited income, but it has a diverse meaning i.e., charity means to remove the fatigue of a fatigued person, to attend the sick, to adore the feet of a worshipful person and to worship the celestials etc. Therefore, both Islam and Hinduism think that the underlying principle of charity is helpfulness to others. In addition to this, the teachings of Hinduism encourage its followers to give charity.³ At the same time, it also thinks that non-acceptance of charity is the best thing. Such concept, on the other hand, is not found in Islam.

³ Vide, Maganlal A. Buch, *The Principles of Hindu Ethics* (Delhi, India: Bharatiya Kala Prakashan, 2003), pp. 264-271.

- v. Both Islam and Hinduism think that only through marriage, the family comes into existence and it is the only allowable system to make a valid relationship between a male and a female. Moreover, both religions prefer marriage to virginity or celibacy. In Islam, married life is always preferable and to observe celibacy in spite of having physical and financial capabilities is not permitted. Similarly, Hinduism does not support celibacy, because marriage is absolutely incumbent for men and women. A man completes himself through marriage and this is the only sacrament that can be performed only for woman. In regard to the purpose of conjugal life, both religions share almost the same views i.e., enjoying mutual love and co-operation, creating a comfortable home for spouses, finding security and peace of mind, protecting one's morality through sexual satisfaction, lawful procreation and upbringing of the children and so forth. Regarding the conditions of marriage, both religions consider that matrimonial relationship between the same sexes i.e., homosexual marriage and lesbian pair is not permitted. It means that both Islam and Hinduism support matrimonial relationship between the opposite sexes i.e., one party be male and other party be female. In addition to this, in respect to the procedure of marriage, both religions think that consent of both parties especially, women's consent, witnesses of marriage etc. are essential. Both religions put some restrictions to marriage with persons of a different religion i.e., a Muslim can marry a woman from the Jewish or the Christian communities, but he cannot marry a Hindu woman unless she is converted to Islam and similarly a Hindu cannot marry a Muslim woman unless he is converted to Islamic faith. However, a Hindu cannot marry a woman other than his religion. Both Islam and Hinduism think that marriage between near relations is not allowable. According to both religions, sexual gratification is one of the important purposes of marriage and to fulfill this need, legitimate heterosexual marriage bond is essential. At the same time, both religions regard that procreation is the foremost purpose in marriage, because it helps to survive human beings. Therefore, it can be said that the sole purpose of human sexuality is procreation and sex for mere pleasure is not supported by both religions. Regarding ethico-medical problems of conjugal life, like birth control, abortion, surrogacy etc., both Islam and Hinduism do not agree

with all matters. Islam approves birth control by natural way, but birth control by natural way is more or less unknown in Hinduism. The teachings of Hinduism encourage procreation. In the case of surrogacy, Islam and Hinduism stand at opposite sides. It means Islam does not support surrogacy. This is because from the Quranic verses 16:72 and 58:2, it is noted that Islam permits procreation only in marital relation. However, Hindu conjugal ethics allows surrogacy, because it is approved by both religious point of view as well as the Indian High Court. Further, both religions think that abortion is not permitted, because it is a kind of killing and killing a person whether it is a fetus or a complete individual is a great sin according to both religions. Regarding the form of marriage, both Islam and Hinduism express the same view. Both religions think that polygamy marriage is permitted under certain circumstances, though the ideal form of marriage is monogamous marriage i.e., one husband and one wife. In regard to the dissolution of marriage, both religions think that marriage bond can be dissolved through divorce, though it is described as a hateful act.

In the eye of Islam, marriage is regarded as a social institution, not as a religious institution. There are some religious ceremonies in marriage and most of the rules and regulations pertaining to marriage are also laid down in the Holy Qur'an and the tradition of Hazrat Mohammad (sm.). Nevertheless, marriage, in Islam, is not considered as religious sacrament. However, in the eye of Hinduism, marriage is regarded as religious institution, rather than social institution. It thinks that marriage is the only compulsory duty for both men and women, because they can serve moral, religious and spiritual obligations only through marriage. Thus, according to Hinduism, marriage is a sacrament, not a contract between a male and a female. Furthermore, in Islam, there is no bar to marry a woman, whether she is rich or poor, since according to Islam all human beings are equal. In contrast, Hinduism believes in bar to wed a woman i.e., a man cannot marry a woman from a higher caste, but the opposite is considered at all. In regard to the polygamous marriage, Islam supports limited polygamy. Supporting polygamy for men is not only to serve men's interest in Islam, but women get benefitted to a large extent through this system. On the

contrary, Hinduism permits unlimited polygamy and through this system, men get benefitted to a large extent than women. In terms of condition of Muslim marriage, dowry or *Mahr* is essential and without it a marriage cannot be said to be valid. However, for the validity of a Hindu marriage, dowry is not regarded as an essential condition. Nevertheless, a custom like dowry is found in Hinduism where a large amount is made by the bride's parents to the prospective bridegroom, though this custom of giving dowry sometimes creates evils. Besides this negative side of dowry, there is a positive side i.e., dowry is considered as a symbol of the father's affection towards his daughter. A Hindu woman has no right to enjoy her parent's property. It means that she is deprived of the inheritance right. Hence, a father who loves his daughter very much, gives a share of his property in the name of dowry to his daughter. Thus, a Hindu daughter enjoys her father's property through the custom of dowry.

- vi. In respect to family life, both Islam and Hinduism think that family is the foundation of a social, cultural and religious structure in the society. According to both religions, without family it is impossible to create legitimate progeny, upbringing of the children, proper nourishing of them like education, socialization as well as making up a competent next generation. Besides these purposes of marriage, another foremost aim of marriage for an individual, according to both religions, is a means of avoiding evil deeds as well as purifying one's soul of sins. Thus, in both religions, the purpose of marriage should be searched for in the spiritual context i.e., acquiring nearness to God. Moreover, there are some members except husband and wife in a family. Both religions want to maintain a loving and peaceful relationship among them. For these reasons, both Islam and Hinduism prescribe specific codes and essential guidelines for the respective followers. Therefore, intra-familial relationship is also supported by both religions.

In Islam, the nature of a Muslim family can be both patriarchal and matriarchal. Islamic family ethics does not support any gender-based dictatorship. Hinduism, on the contrary, supports patriarchal family i.e., the head of a family must be the father.

- vii. In regard to the status of women, a primary difference between these two religions can be seen. In the light of the Quranic verse 16:59-60, it is clear that Islam levels direct criticism at those who favor sons over daughters, chastising those who consider it a matter of shame to have daughters. The Holy Qur'an insists that son and daughter are to be equally cherished and treated. In contrast, among children a son is always given priority than a daughter by Hinduism. Moreover, Islam treats men and women with respect and honour. None is superior to other on the basis of his or her profession, race, colour or gender. The dignity and honour is for all and not for any particular section of the people. However, among human beings the status of male is very high in the eye of Hinduism. Furthermore, Islam also rejects the complete control of women, insisting that women be given inheritance shares and that their dowries be given to them, rather than to their families. Although wives are required to be obedient to their husbands in Islam, but husbands have no right to interfere with their wives' private property. In Islam, women enjoy equal rights of social, economic, educational and political status. A Hindu woman, on the contrary, also enjoys social, economic, educational and political rights, but a mixed expression is found considering the status and position of women in Hinduism. In regard to the religious right of women, both Islam and Hinduism do not treat women equally. Islam admits women's full religious right just like a man. However, an opposite picture is found in Hinduism regarding women's religious right. Regarding the status of women as a widow, a Muslim widow enjoys full right to lead normal life just like a married woman. However, the status of a Hindu widow is not up to the mark compared to a Muslim woman. Another finding of this research work is that both religions admit a very high position of a mother. In Islam, the status of woman as a mother is unparalleled. In Hinduism, although women enjoy a mixed expression regarding their rights and privileges, Hindu thought in terms of mothers, at least as expressed in the Code of Manu, comes closer to the Islamic attitude. In fact, the claim that 'the mother is more important than a thousand fathers' is very much similar to the popular Islamic Tradition that 'Paradise lies at the foot of the mother.'

Finally, I would like to say that although some differences between the moral precepts in Islam and Hinduism are found, these differences are not powerful, distinct, significant and forcible compared to the similarities between these two religions. Since the origin of both religions is completely different i.e., Islam is a revealed religion and Hinduism is a non-revealed religion, it is natural to have some differences between them. Therefore, we should not give much importance to the differences between the moral precepts in Islam and those in Hinduism. In addition, both religions want to make a bridge of peace among human beings by preaching their moral precepts. One of the foremost teachings of Islam is social cooperation and unity. Islam wants to spread peace for all. It wants to tie all human beings with the rope of brotherhood. Similarly, Hinduism gives a message of '*Vasudhaiva Kutumbakam*' which means all human beings are the members of one family. In this way, if the followers of the respective religion try to spread peace among mankind, then world peace will be established, ethnic clashes in the name of religion will be removed and people from all religions will lead a happy, peaceful, harmonious, delighted, prosperous and successful life.

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