

## How Islam and the Khilafah Value and Protect Motherhood

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

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

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

[TMQ Luqman: 14]

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

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

﴿تَزَوَّجُوا الْوُدُودَ الْوُلُودَ فَإِنِّي مُكَاتِرٌ بِكُمْ الْأُمَمَ﴾ (رواه أبو داود)

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

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

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

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

«كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْنُولٌ عَنْ رَعِيَّتِهِ، وَالْأَمِيرُ رَاعٍ، وَالرَّجُلُ رَاعٍ عَلَىٰ أَهْلِ بَيْتِهِ، وَالْمَرْأَةُ رَاعِيَةٌ عَلَىٰ بَيْتِ زَوْجِهَا وَوَلَدِهِ...» (رواه البخاري ومسلم)

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

﴿وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ﴾

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

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

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

«مَنْ تَرَكَ مَالًا فَلِأَهْلِهِ وَمَنْ تَرَكَ دَيْنًا أَوْ ضِيَاعًا فَإِلَيَّ وَعَلَيَّ» (رواه مسلم)

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

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

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

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

Umar bin Al-Khattab, the second Khalifah of Islam, introduced the very first child benefit system in the world, providing an allowance to parents to aid them in the financial maintenance of their children.

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

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

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

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

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

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

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

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

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

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

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

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

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

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