

Rights of Children and Parents in Holy Quran

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Abstract

Human rights are the basic standards that people need to live in dignity. In addition to the rights that are available to all people, there are rights that apply only to children. Children need special rights because of their unique needs; they need additional protection that adults don't. The United Nations Convention on the Rights of the Child is an international document that sets out all of the rights that children have – a child is defined in the Convention as any person under the age of 18. On the other hand Islam recognises family as a basic social unit. Along with the husband-wife relationship the Parent-child relationship is the most important one. To maintain any social relationship both parties must have some clear-cut Rights as well as obligations. The relationships are reciprocal. Duties of one side are the Rights of the other side. So in Parent-child relationship the Rights of parents are the obligations (duties) of the children and vice versa, the Rights of children are obligations (duties) of parents. Islam clearly defines the Rights of Parents (which mean duties of children) and obligations of parents (which means Rights of children).

Key Words: Children rights, Duties of children, Holy Quran.

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Introduction

Children's rights are the human rights of children with particular attention to the rights of special protection and care afforded to minors (1), including their right to association with both parents, human identity as well as the basic needs for food, universal state-paid education, health care and criminal laws appropriate for the age and development of the child, equal protection of the child's civil rights, and freedom from discrimination on the basis of the child's race, gender, sexual orientation, gender identity, national origin, religion, disability, color, ethnicity, or other characteristics. Interpretations of children's rights range from allowing children the capacity for autonomous action to the enforcement of children being physically, mentally and emotionally free from abuse, though what constitutes "abuse" is a matter of debate. Other definitions include the rights to care and nurturing (2).

"A child is any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier" (3). According to Cornell University, a child is a person, not a *subperson*. The term "child" often, but does not necessarily, mean minor, but can include adult children as well as adult nondependent children (4). There are no definitions of other terms used to describe young people such as "adolescents", "teenagers," or "youth" in international law (5), but the children's rights movement is considered distinct from the youth rights movement.

Historic definitions of children's rights



Sir William Blackstone (1765-9) recognized three parental duties to the child: maintenance, protection, and education (6). In modern language, the child has a right to receive these from the parent.

The League of Nations adopted the *Geneva Declaration of the Rights of the Child* (1924), which enunciated the child's right to receive the requirements for normal development, the right of the hungry child to be fed, the right of the sick child to receive health care, the right of the backward child to be reclaimed, the right of orphans to shelter, and the right to protection from exploitation (7).

The United Nations General Assembly adopted the *United Nations Declaration of the Rights of the Child* (1959), which enunciated ten principles for the protection of children's rights, including the universality of rights, the right to special protection, and the right to protection from discrimination, among other rights (8).

Consensus on defining children's rights has become clearer in the last fifty years (9). A 1973 publication by Hillary Clinton (then an attorney) stated that children's rights were a "slogan in need of a definition" (10). According to some researchers, the notion of

children's rights is still not well defined, with at least one proposing that there is no singularly accepted definition or theory of the rights held by children (11).

Children's rights law is defined as the point where the law intersects with a child's life. That includes juvenile delinquency, due process for children involved in the criminal justice system, appropriate representation, and effective rehabilitative services; care and protection for children in state care; ensuring education for all children regardless of their race, gender, sexual orientation, gender identity, national origin, religion, disability, color, ethnicity, or other characteristics, and; health care and advocacy (12).

Children have two types of human rights under international human rights law. Firstly, they have the same fundamental general human rights as adults, although some human rights, such as the *right to marry*, are dormant until they are of age. Secondly, they have special human rights that are necessary to protect them during their minority (13). General rights operative in childhood include the *right to security of the person, to freedom from inhuman, cruel, or degrading treatment*, and the *right to special protection during childhood* (14). Particular human rights of children include, among other rights, the *right to life*, the *right to a name*, the *right to express his views in matters concerning the child*, the *right to freedom of thought, conscience and religion*, the *right to health care*, the *right to protection from economic and sexual exploitation*, and the *right to education* (15).

Children's rights are defined in numerous ways, including a wide spectrum of civil, cultural, economic, social and political rights. Rights tend to be of two general

types: those advocating for children as autonomous persons under the law and those placing a claim on society for protection from harms perpetrated on children because of their dependency. These have been labeled as the *right of empowerment* and as the *right to protection* (11).

In a similar fashion, the Child Rights Information Network, or CRIN for short, categorizes rights into two groups (16,17):

Economic, social and cultural rights, related to the conditions necessary to meet basic human needs such as food, shelter, education, health care, and gainful employment. Included are rights to education, adequate housing, food, water, the highest attainable standard of health, the right to work and rights at work, as well as the cultural rights of minorities and indigenous peoples.

Environmental, cultural and developmental rights, which are sometimes called "third generation rights," and including the right to live in safe and healthy environments and that groups of people have the right to cultural, political, and economic development.

Parental powers

Parent are given sufficient powers to fulfill their duties to the child (6).

Parents affect the lives of children in a unique way, and as such their role in children's rights has to be distinguished in a particular way. Particular issues in the child-parent relationship include child neglect, child abuse, freedom of choice, corporal punishment and child custody (18,19). There have been theories offered that provide parents with rights-based practices that

resolve the tension between "commonsense parenting" and children's rights (20). The issue is particularly relevant in legal proceedings that affect the potential emancipation of minors, and in cases where children sue their parents (21).

A child's rights to a relationship with both their parents is increasingly recognized as an important factor for determining the best interests of the child in divorce and child custody proceedings. Some governments have enacted laws creating a rebuttable presumption that shared parenting is in the best interests of children (22).

International law



The Universal Declaration of Human Rights is seen as a basis for all international legal standards for children's rights today. There are several conventions and laws that address children's rights around the world. A number of current and historical documents affect those rights, including the 1923 Declaration of the Rights of the Child (7), drafted by Eglantyne Jebb and her sister Dorothy Buxton in London, England in 1919, endorsed by the League of Nations and adopted by the United Nations in 1946. It later served as the basis for the Convention on the Rights of the Child.

Convention on the Rights of the Child

The United Nations' 1989 Convention on the Rights of the Child, or CRC, is the first legally binding international instrument to incorporate the full range of human rights—civil, cultural, economic, political and social rights. Its implementation is monitored by the Committee on the Rights of the Child. National governments that ratify it commit themselves to protecting and ensuring children's rights, and agree to hold themselves accountable for this commitment before the international community (23). The CRC is the most widely ratified human rights treaty with 190 ratifications. Somalia and the USA are the only two countries which have not ratified the CRC. The CRC is based on four core principles (24), namely the principle of non discrimination, the best interests of the child, the right to life, survival and development, and considering the views of the child in decisions which affect them (according to their age and maturity). The CRC, along with international criminal accountability mechanisms such as the International Criminal Court, the Yugoslavia and Rwanda Tribunals, and the Special Court for Sierra Leone, is said to have significantly increased the profile of children's rights worldwide (25).

Methods and Materials

The current study is a review survey which was conducted to evaluate some of children's rights that is mentioned in Islam and Quran by studying Quran and religious science texts. To evaluate the texts, the singular or combination forms of the following keywords were used: "Quran", "Rights", "Parents", "Islam" and "Children". To evaluate the electronic Persian databases the following websites

were searched: Google, scientific information database (SID), ministry of healthcare, medical articles library of Iran (medlib.ir), Iranian research institute for information (Iran Doc), publication database (Magiran, Iran medex), and also search in other electronic databases such as Google Scholar, Scopus and PubMed. Also, library search was performed by referring to the journal archives of libraries, and evaluating the available Persian references such as religious books and Quranic texts, and also articles of research-scientific and educational journals, and articles of the annual seminar of medicine and Quran.

Results

Rights of Parents

It is clear that after Allah parents are the persons who give us innumerable favors. They provide protection, food and clothing to the newly born. The mother sacrifices her comforts and sleep to provide comfort to her children. The father works hard to provide for their physical, educational and psychological (and spiritual) needs. It is a matter of common courtesy that if a person does you some favor you feel obliged to him. Verbally you say 'thank you' to him. You try to repay and compensate him for his gifts and favors. You feel a sense of gratitude towards him. So it is with Allah and with parents. Allah's favors cannot be counted or repaid except by thanking Him and obeying His orders. After Allah our parents deserve our thanks and obedience for the favors they had done us. That's why Quran lays stress on feeling grateful to parents, and doing good to them.

And the Lord hath decreed that you worship none but Him and that you be kind to parents, (behave kindly with them and do

not compel them to bring their needs to your attention; but fulfil their requirements before they have to tell you, even though in reality they are not in need of your assistance); if one or both of them attain old age in thy life, (and be-come angry with. you) say not to them a single word of contempt, and (*if they beat you*) repel them not; but address them in terms of honour (and respect, i.e., say to them 'May Allah forgive you') and, out of kindness, lower to them the wing of humility (and whenever you look at them, look with gentleness and kindness; do not raise your voice upon their voices, nor your hands above their hands; nor walk before them); and say:

"My Lord! bestow on them Thy Mercy even as they cherished me in childhood" (24). This explanation covers all three rights of parents: To cheerfully bear the hardship inflicted by parents, to talk to them gently, and not to raise your hands and voice above theirs and not to pre-cede them in any way, all these injunctions cover the obedience by the body. To look at them with kindness and mercy and always to ask Allah's Mercy for them shows love. And to fulfil their needs before their demand concerns the rights on wealth. And thus the similarity between the rights of Almighty Lord and these metaphorical lords reaches the last point of completion.

What does a 'good turn' mean? It includes obeying and respecting them, speaking softly and kindly, avoiding harsh words or harsh tone, giving them company when they are lonely, caring for their physical and psychological needs (especially in their old age), and praying to Allah that He may bless them and have mercy on them.

The only thing above respect to Mother, is the worship of Allah Subhanahu wa ta'ala

(SWT) , it is mentioned in Surah Isra, Verse No.28-29, it says that:

"Allah has ordained for you, that you worship none but Him, and to be kind to our parents and if any one or both of them reach old age do not say a word of contempt or repel them but address them with honour, and speak to them with kindness, and lower your wing of humility and pray to Allah (SWT)-My Lord, bless them as they have cherished me in childhood" (25).

Surah Nisa, Verse No.1 says: "Respect the womb that bore you" (26).

Also, Surah Nisa , Verse No.36 says: "And worship Allah and join not any partner with Him and do good to parents . . . (27).

Surah A'nam, Verse No.151, says: "You have to be kind to your parents" (28).

Again in Surah Luqman, Verse No.14; it again says the same thing that: "We have enjoined on the human beings to be kind to his parents. In travail upon travail, did their mother bore them and in years twain was their weaning" (29).

A similar thing is repeated again in Surah Ahqaf, Verse No.15: "We have enjoined on the human beings to be kind to his parents. In pain did their mother bore them and in pain did she give them birth" (30).

It seems that the lordship of parents is a mirror of the Lordship of Allah. Right from birth to weaning, and from protection to upbringing, at every stage it is the parents who are the means of conveying the Grace of Allah to the child. Like-wise, the rights of the parents are very much akin to the rights

of Allah (SWT).

Based on Islamic narrations, some of the rights that children have on their parents are as follows:

1. Choosing a suitable potential-mother/father for one's children. A Muslim man must search for a believing and righteous woman to marry as the future mother of his children, and vice versa.
2. Giving them a good name.
3. Providing shelter, clothing, food and other necessities for them.
4. Properly training and upbringing them.
5. Teaching them the Quran.
6. Endeavoring to get them married.
7. Teaching them to swim.
8. Teaching them how to ride a horse.
9. Teaching them how to shoot a bow and arrow.

In short, raising them to be the best they can be in all aspects of life, especially to be obedient servants of God (31).

Rights of Children

Now let us see the other side of the coin. We have mentioned that Parent-child relation is a reciprocal one. The Rights of Parents (discussed above) are the Duties of children. Now let us see what are the Rights of Children (and Duties of Parents) in Islam.

The word "children" stands for sons and daughters, who are entitled to indisputable rights of rearing represented in promoting their religious orientation and ethical approach in order to be armed with both merits. Allah, the Almighty, says:

"O you who believe! save yourselves and your families from a Fire whose fuel is Men and Stones,..." (32).

Children are a trust put in the hands of parents who will be answerable before Allah on the Day of Judgment about their children as they are enjoined to satisfy their offspring's spiritual and religious urges in order to produce righteous men and women, to be a consolation for the eyes of their parents in both the present world and Hereafter. Allah, the Almighty says:

"And those who believe and whose families follow them in Faith,- to them shall We join their families: Nor shall We deprive them (of the fruit) of aught of their works: (Yet) is each individual in pledge for his deeds" (33).

- Defending the children and all those who are weak and oppressed on earth is an obligation for the believers:

"Why should you not fight in the cause of God when weak men, women, and children are imploring: "Our Lord, deliver us from this community whose people are oppressive, and be You our Lord and Master" (34)

- Killing any human is strictly prohibited by God in Quran, but killing innocent souls who cannot defend themselves in the name of religion, or out of fear of poverty is a vicious crime and a gross sin according to God:

"You shall not kill your children due to fear of poverty. We provide for them, as well as for you. Killing them is a gross offense "(35).

"The girl who was buried alive is asked: For what crime was she killed? "(36).

Adopted children are also well cared for in Quran. Their genetic heritage has to be preserved for all health objectives, and they

are to be regarded, nourished and cared for just like our own children:

"You shall give your adopted children names that preserve their relationship to their genetic parents. This is more equitable in the sight of God. If you do not know their parents, then, as your brethren in religion, you shall treat them as members of your family. You do not commit a sin if you make a mistake in this respect; you are responsible for your purposeful intentions. God is Forgiver, Most Merciful "(37).

- Caring for the children is also highlighted in the divorce laws. Divorced women must wait for three months before considering another marriage to be sure they are not pregnant. If they are, it is unlawful to hide the information from the fathers. For the well being of the unborn child, a righteous woman should know that the genetic father is preferred to raise him/her and would consider reconciliation (38).

If the parents mutually agree to go with the divorce, the divorced mothers shall nurse their infants for two full years (39), reflects the utmost care of those helpless infants while parents are finalizing and going through their divorce. Maintaining an amicable relation between divorcees and providing all means of comfort and support for the divorced mother will be reflected in the care for the child and his/her well being:

Divorced mothers shall nurse their infants two full years, if the father so wishes. The father shall provide the mother's food and clothing equitably. No one shall be burdened beyond his ability. No mother shall be harmed on account of her infant, nor shall the father be harmed because of his infant. (If the father dies), his inheritor shall assume these responsibilities. If the infant's parents

mutually agree to part, after due consultation, they commit no error by doing so. You commit no error by hiring nursing mothers, so long as you pay them equitably. You shall observe God, and know that God is Seer of everything you do (39).

- It is noteworthy that both marriage and divorce are based on choice and mutual agreement of both parties, the man and the woman (40-43). A certain level of wisdom and maturity is needed to reach for agreements and to make decisions. The claim documented in man-made history books of Hadith& Sunna that prophet Muhammad married a nine years old child cannot be validated in the light of Quran. That myth is a direct violation of all the divine ethics to guard for the children and to preserve their innocence as in (44). It is also against the divine DECREE for a man and a woman to mutually agree with marriage or divorce.

- Forcing girls to be prostitutes is a betrayal of morality decreed in Quran (45) and is prohibited by God:

"...You shall not force your girls to commit prostitution, seeking the materials of this world, if they wish to be chaste. If anyone forces them, then God, seeing that they are forced, is Forgiver, Merciful" (46).

- Orphans are placed in the spot light when it comes to caring for needy and helpless children. Among the eligible categories that is ranked right after our parents and the relatives to receive our charity is the orphans. This charity to feed and spend from our provisions on the orphans is mentioned by God in seven different verses (47-53). However, bringing them up as righteous candidates of the community, honoring them just like our own family members, and

sympathizing with their fragile emotions and wounded hearts due to the loss of their parents is decreed by God in another six verses (54-59). Another important aspect of caring for the orphans is guarding their money and properties until they become eligible to manage them on their own. This is emphasized in five other verses (60-64). Wronging our souls and cheating them out of their own rights because of their helplessness or dependence while observing such a duty is an abomination with a shameful and miserable penalty:

"Those who consume the orphans' properties unjustly, eat fire into their bellies, and will suffer in Hell" (64).

The story of Moses and the knowledgeable servant of God in chapter eighteen and what this servant did to protect the treasure left for two orphaned boys sets a powerful reminder for us to go out of our ways, above and beyond, in protecting the rights of the orphans:

"As for the wall, it belonged to two orphan boys in the city. Under it, there was a treasure that belonged to them. Because their father was a righteous man, your Lord wanted them to grow up and attain full strength, then extract their treasure. Such is mercy from your Lord. I did none of that of my own volition. This is the explanation of the things you could not stand" (65).

Discussion

Taking inspiration from the Holy Quran, now we will discuss the rights which children have on their parents. Whenever the Quran speaks about a certain matter, right afterwards it speaks about its opposite. For example, whenever it talks about paradise, it also talks about hellfire. Whenever it speaks

about the nonbelievers and their traits, it also speaks about the believers and their qualities. In this way, the Quran places two sides of an argument before us and leaves it up to us to choose the best one. Therefore, if we spoke about the rights of parents, then it is only fair to also talk about the rights of children. When referring to this miraculous scripture, we might think that there are numerous verses which talk about the rights of parents, but not as many that deal with children's rights. On the contrary, there are verses which warn parents of the dangers that come with having children. Certainly, their intent is not to discourage people from having children. Islam emphasizes having legitimate children. It counts it as one of the greatest blessings which God bestows on His servants.

Children have the right to be fed, clothed and protected till they grow up to adulthood. It is, primarily, the duty of the father to do that. Mother can provide help if necessary. Protection means protection against physical as well as moral and intellectual harm. Parents are duty bound to see that the child's personality develops in all fields. So if the parents have to resort to strictness for the sake of disciplining the children and protecting them from intellectually, morally and religiously undesirable behaviour, children should not resent their strictness. Let them perform their duty as parents. Children's duty is not to protest or be rude but to listen and obey. Their's not to question why; their's but to do and die. Children have the right to education. In Islam education is not limited to bookish knowledge but includes moral and religious training also. It means healthy all-round growth of child's personality. Parents must not only provide for children's education in schools and colleges but should also take personal interest in their studies, helping

them if they can. Parents should sacrifice their own comfort and social activities and must spare some time to take interest in children's studies, especially when they are young. And of course, parents should not forget or neglect imparting religious/moral training to children. A little sacrifice on part of parents will save children from moral disasters. Effective moral training comes not from sermons, advice and precepts but from parents' personal examples of good behaviour. Also, children have many psychological needs also. Small children need to be loved, caressed, kissed and hugged.

Conclusion

The divine morality in Quran sets the highest standards of ethics and compassion. God, the Most Merciful, the Source of true Justice, speaks on behalf of all the children and stands for their rights. Utmost care, love, protection and honor are granted to all dependent kids-orphans, adopted kids, needy children of the community and our own children. As parents, guardians and community members, raising helpless children as dignified and righteous submitters is a sign of our reverence of God and a validation of our belief in Him. These are brief outlines of the Rights and Duties of both parties in the Parent-child relationship. If the parents and children act according to these guidelines they can make the family environment most conducive to peace and satisfaction for the parents and healthy personality growth for children. One important aspect in raising good children is to familiarize them with the Quran. Parents must teach their children to read the Quran. If they are unable to, then they must take them to a teacher who can. They must follow the teachings of the Quran in their

homes and encourage their children to follow it.

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