



தமிழ்மணம் சர்வதேசத் தமிழ் ஆய்விதழ்

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## Human Rights and Cultural Deviations: An Analysis of Un-Islamic Practices in Tamil Nadu

Ms. K.Thahira Banu<sup>ID\*</sup>,

Assistant Professor,  
PG & Research Department of History,  
Holy Cross College (Autonomous),  
Tiruchirappalli.

\*Correspondence: [thi2023m03@hcctrichy.ac.in](mailto:thi2023m03@hcctrichy.ac.in).

### ABSTRACT:

Islam offers comprehensive guidance for all human situations, emphasizing practical acts of worship and ethical principles intended to meet the spiritual, physical, psychological, and social needs of individuals. However, within Tamil Nadu's Islamic society, several entrenched social practices—such as the dowry system, extravagant marriages, and domestic violence—have become widespread despite having no basis in the Qur'an or Sunnah. These customs stand in direct contradiction to Islamic teachings and represent clear cultural deviations that undermine fundamental human rights. The persistence of these un-Islamic practices can be attributed to limited knowledge of authentic Islamic teachings, societal pressures, and the desire to maintain social status. This paper seeks to highlight the gap between the true principles of Islam and the lived practices of many Muslims in the region, while working to dispel misconceptions and misunderstandings that contribute to these harmful traditions.

**Key Words:** Non-Islamic, Social Customs, Practices, Quran, Sunnah

### Introduction

Islam is the religion of perfection and practicality. It teaches and guides its followers to the straight path and ultimately to success. It understands the nature of human beings and gives them the practical solution for all their problems in life. The Quran and *Sunnah* (Traditions of Prophet Mohammad) have clearly shown the way for the humanity to lead a successful life. But in practice the Muslims are not practicing the true teachings of Quran and Sunnah (Traditions of Prophet Mohammad). There are many social practices and customs following by the Muslim community which are un-Islamic and leads to many social evils. Many misconceptions and imaginary practices are included in the Muslim society. Un-Islamic social customs and practices like Dowry system, Grand marriage, Domestic violence, Oppression of Women, Triple Talaq, Gender discrimination, Restriction of women to go for higher education and work etc are deep rooted in the Islamic society. The bitter fact is that many loyal Muslims knew that these are un-Islamic practices but still they are following it only because they wanted to satisfy the people in the society and to main their social status. Here the Muslims forgot that their social customs and practices are related to the religion that

they follow.

### Objectives

- To study the nature of Islam and Islamic traditions and practices.
- To throw light on the Non Islamic social customs and practices in the Muslim society.
- To explain the concept of dowry in islam.

### Methodology

As the main objective of the study was to analyse the non-Islamic practices prevailing in the Islamic society the researcher adopted the descriptive and analytical methods.

### Data Collection

The data which is required for the study is collected by both primary and secondary sources. Interviews were conducted with the religious leaders, heads of various associations etc... The data were also collected from various books and journals. Information collected from the internet were also used for this study. Personal observation was also used for this research work.

### Dowry System

Dowry system is a deep-rooted practice in the society regardless of religion, caste, creed and colour. Normally dowry is given by the bride and her parents to the bridegroom and his parents in the marriage ceremony. Here the dower is the bride and her family members. Dowry system is totally new to true Islamic traditions and customs. There is no space for the concept of dowry in Islam. Quran and *Sunnah* strictly prohibit the customs of getting dowry from the bride's parents and burdening them with economic downfall. But in reality dowry system is an integral part of the marriage ceremonies of Muslim society. Without dowry it is impossible for a bride to get married. The bride's parents are asked to give a sum of money, gold ornaments for groom and his sisters, household items and bedroom furniture. Rich family in the Muslim society demands 100 sovereign of gold and other household items and Rs. 10,00,000/-. Middle class family expects a cash of Rs. 5,00,000/-, 50 to 80 sovereign of gold and other household items from the bride. Even the poor family expects Rs. 10,000/-, 10 sovereign of gold and bedroom furniture. Dowry demands made the life of Muslim women very miserable. Many Muslim women are unmarried only because of dowry which is purely un-Islamic.

Islam strictly prohibits getting dowry from the bride instead Islam orders bridegroom to give marriage gift which is called Mahr in Islam to the bride and take her as his wife. According to Islamic a man should give dowry to the woman whom he likes to get married. Here the dower should be the bridegroom and his family. *Mahr (Marriage gift)* sanctioned by Quran is a sum of money (or) property which the wife is permitted at the time of marriage by her husband. The *Mahr(Marriage gift)* is meant to protect the wife against the arbitrary exercise of the power of the husband to divorce.

The *Mahr* means marriage gift in Islam. The marriage gift is given by the bride groom to his bride. It represents respect and honor to the marriage relationship and to his wife. It creates commitment and the sense of responsibility in the minds of the husband at the beginning of a new life. The man has to take initiative on his part in order to get married. The *Mahr* is mentioned in the Quran in various names. They are as follows.

- *An – Nihla* : Gift
- *Al-Faridha* : Prescribed amount or obligation
- *Al – Hibaa* : Gift or present
- *Al – Ajr* : Payment or compensation
- *Al – Uqr* : Indemnity
- *Al – Alaaq* : precious things, provision

- *As- Sadaqa* : Sincere gift or charity
- *At – Tawl* : Ability
- *An – Nikah* : Marriage.

The most common name for Mahr is *Al – Sadaq* which comes from the word *sidq* meaning honesty or sincerity. In the real sense *Mahr* indicates the honesty, effort and commitment of the husband which expresses his desire to marry his wife.

The following verse in the Quran is a Proof that the *Mahr*(*Marriage gift*) is obligatory in times of marriage. Allah says in the Quran: “And give the women their dowries with a good heart....”(Noble Quran 4:4)

This verse is addressed to either the husbands or the guardians. *Mahr* is to be paid by either the husband or the guardian of the husband. Giving *Mahr* is the sole responsibility of husband or the guardian.

The Quran verses which stress the importance of dowry which is mandatory for the husband are as follows:

“....so far that pleasure which you have enjoyed from them, give them their prescribed compensation....”(Noble Quran 4:24)

“.... All others have been made lawful for you provided you seek (them in marriage) with your property....” (Noble Quran 4:24).

Prophet Mohammad advised his companion who was very poor who wanted to marry to give an Iron ring as a mark of responsibility and sincerity.

In Islam at the time of marriage women should be on the profitable side. A man has to pay the dowry not the bride and her family. Islam called *Mahr* as a gift from the husband. The wife has the full right on the marriage gift and it is considered as her property. Nobody has the right to snatch the marriage gift from her. She has the whole right in spending the marriage gift. At the same time husband should not be burdened with highest demands, Marriage gift should be given according to the financial status of the husband.

There is no fixed amount of *mahr* (*Marriage gift*) in Islam. The prophet Mohammad emphasised that “The best woman is the one whose *mahr* (*Marriage gift*) is the easiest to pay”. He also stated that “The best of *Mahrs*(*Marriage gift*) is the simplest (most affordable.). The minimum *mahr* is ten dirham (the price of a goat today)

The Quran instructs the believers “And give the women (Whom you marry) their dower (obligatory Bridal gift) happily”(4:4 Holy Quran)

According to Islam the fathers need not to worry about dowry as there is no concept of Dowry in Islam.

It is acceptable in Islam if the parents of bride willingly give their daughters some amount of money, Jewells and household things etc. But the bride groom and his parents have no rights for asking dowry from bride and her parents. They should not be compelled to give dowry to the bride groom. It is certainly against the teaching of Islam to make marriage difficult for young people by making excessive demands of dowry, housing and furn

### Grand Marriages:

The first thing to be considered for the marriage proposal is the commitment of the person towards Islam. Prophet Mohammed said, “A woman is normally sought as a wife for her wealth, beauty, nobility or religiousness but choose a religious woman and you will prosper”.

In Islam the man has the right to see the face of the women before agreeing to marry as messenger of

Allah said, “Go and look at her (the woman you are considering marrying) because this will help your time together to be strengthened.” (Ahamad)

Islam strongly prohibits the expensive and grand marriages. Prophet Mohammad said that “The most blessed of marriages are those without financial burden.” In Islam husbands and wives are to be chosen for excellence in religion and moral character not for social status or wealth “.

Islam always believes in simple marriages without financial burden and huge expenses. In Islam wedding ceremony components are:

### 1. Consent:

The consent of both men and women is very much important for marriage. Both the men and women should give their consent wholeheartedly for the marriage. Islam prohibits the marriage by force. The parents should not compel their sons and daughters for the marriage. Especially women are given the right to choose their husband and their consent is very much important for the marriage.

### 2. The Wallee (Womens' Guardian)

Prophet Mohammad said that “There is no *nikaah* (marriage) except with a *wallee*.” The guardian of the bride must be present at the marriage ceremony.

### 3. Two Witnesses:

Prophet Mohammad said, “There is no marriage except with a *wallee* and trust worthy witnesses.” The marriage ceremony without two witness is invalid in Islam.

### 4. The Mahr:

*Mahr* is a marriage gift given by the men (groom) to women (bride) as a token of love and friendship at the time of wedding. The woman is not obliged to give the man anything at the time of marriage.

The above-mentioned components are the basic requirements for a marriage in Islam. But in reality many western cultures and practices are included into this at present. There is no marriage without spending less than 5 lakhs. People made the marriage ceremonial very difficult and expensive while Islam made it very simple. Expensive marriages are the most serious social evil prevailing in Islamic society.

### Domestic Violence against Muslim Women:

Islam must be considered as whole, as a paradigm that cannot be fragmented and whose teachings cannot be analyzed in Isolation, Muslims are abide by the text of the Quran which is accepted as the word of God as well as the life example of the prophet Muhammad. The Quran describes the relationship between spouses as one founded on mercy, companion, and tranquility. Another verse describes spouses as being garments for one another emphasizing the mutuality in the relationship. Multiple verses remained men to treat women with kindness and justice as do many teachings of the prophet Mohammed. Islam insist kind treatment and companionship. The Quran states “.... But consort with them in kindness, for if you hate them it may happen that you hate a thing wherein God has placed much good.” (Noble Quran 4:19)

Prophet Mohammad said, “The best of you is the best to his family and I am the best among you to my family.”

As far as domestic violence is concerned it is an issue that has been dealt with from a preventive stance since the Quran clearly prohibits any kind of injustice or oppression. There are verses that specifically prohibit behaviors that constitute emotional and psychological abuse such as paying, intimidating, name calling, insulting and black – mailing. As an example to Muslims the Prophet Mohammad was known to have never hit women, nor to have treated them harshly or with disrespect and he strongly discouraged others from doing so.

### Conclusion



The above mentioned issues and problems such as dowry system, Grand marriages, Domestic Violence against Women are not advocated or insisted by Islam in any such a way in fact Islam severely oppose and condemns these social practices and customs and gives a strict warning to its followers who include false ideologies and practices in Islam. It is the Muslims out of ignorance and lack of Knowledge on Quran and *Sunnah* follow these non Islamic social practices and customs. It is the Muslim who should understand the true teachings of Islam and leave all the non Islamic social customs.

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\*I declare that there is no competing interest in the content and authorship of this scholarly work