

**EARLY MARRIAGE IN KURA TOWN: A SURVEY AND ANALYSIS
FROM ISLAMIC PERSPECTIVE**

BY

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DECLARATION PAGE

I UsainaIliyasu hereby declare that, this work “Early Marriage inKura town: A survey and analysis from Islamic Perspective” is the product of my research effort under the supervision of Dr. *Aminu Isma’il Sagagi*. It has never been presented anywhere for the award of any degree or certificate.

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APPROVAL PAGE

This thesis, Early Marriage in Kura town: A survey and analysis from Islamic perspective by Usaina Iliyasu (SPS/MIS/14/00035), meets the requirement for the award of masters degree in Islamic studies, Department of Islamic Studies and Shaaria of Bayero University, Kano.

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DEDICATION

I dedicate this research to my parents

Alhaji Iliyasu Ahmad and Hajiya Hauwa'u Ahmad.

May Allah reward them abundantly.

LIST OF ABBREVIATION

AHI	Action Health Incorporated
CGC	Choice for Girls Center
CS	Caesarean Section
ECCED	Early Child Center Education Development
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
IBID	(derived from Latin word <i>ibiden</i>) meaning as before
LGA	Local Government Area
LGEA	Local Government Education Authority
NCE	National Certificate of Education
NDHS	National Demographic Health Survey
OPCIT	Is Latin word <i>opus citatum</i> or <i>opera citato</i> , meaning source just mentioned
PBUH	Peace Be Upon Him
RA	Radhiyallahu ‘anhu
RVF	Recto vaginal Fistula
SWT	Subhanahu waTa’aala
SUBEB	State Universal Basic Education Board
SAW	Sallallahu Alaihi wa sallam
UNFPA	United Nation Population Fund
UNICEF	United Nations Children’s Fund
USAID	United State Agency for International Development
VVF	Visico Vaginal Fistula
WHO	World Health Organization

GLOSSARY

AJNABI	Who is neither no husband nor a close relative to a woman.
AMR-BIL MA'RUUF	Order to perform good deed
FARD' AINI	Obligation upon a person in particular
FARD KIFAYA	Obligation upon some members of the community/some People
FATWA	Legal opinion
FUQAHA'	Islamic Scholars
HADEETH	The actions, deeds, sayings and silent approval of the prophet (SAW)
HARAM	Prohibited things
HIJAB	Clothing that covers the whole body of a woman.
IBADAT	Worship
'IDDAH	A waiting period of the divorce or widows during which she may not re-marriage (prescribe time)
IHSAN	perform good deeds, favor, kindness etc.
ISLAMIYYA	Islamic Modern School
ISTIHBAB	Recommended
KAYAN NA GANI INA SO	Some properties sent to the bride's house indicating interest to marry.
KAYAN LEFE	Betrothal gifts
KAYAN MIYA	Soup Ingredients
MAKARANTAR ALLO	Traditional Quranic recitation School.
MAKARANTAR DARE	Pupils' Islamic School conducts at the night (8.00pm-9.00pm or 10.00pm)

MUFASSIRUN	Some people who give the Quran in different expressions
MUHRIM	A person during performing Hajj.
MUHARRAM	Male relative, whom is not allow to marriage
MUHSINA	A chaste woman
MAKRUH	Dislike
MANDUB	Desirable
MUKAATAB	A slave who wants to pay his ransoms
MUSLIM	The followers of Islamic Religion
NAHYI ANILMUNKAR	Stay away from evil and sin
NIKHAH	Marriage
OPCIT	Is a Latin word means a source just mentioned
QURAN	The Devine book of Islam
SAHABI	Companion
SHARIA	Islamic Law
SUNNA	The mode of life of the prophet
SURA	Chapter
ULAMA'	Islamic teachers
TABI'UN	The successor
TAFSIR	Explanation, Clarification
TSANGAYA	A modern Quranic school
WALI	In charge in marriage or legal guardian
WALIMA	Wedding feast
YARINYA	A girl
ZINA	Adultery, fornication.

Early Marriage in Kura Town: A Survey and Analysis from Islamic Perspective

ABSTRACT

This research work is aimed at examining the impacts of early marriage on the individual and the society from Islamic perspective, with special reference to Kura town of Kano state Nigeria. The research however put emphasis on explaining the rulings of *Sharia* on early marriage and its impacts on the individuals and society. The research applies descriptive analytical methods of research. The findings of the research include identifying the social and religions factors for early marriage in the case study and the effort of the international bodies in reducing the rate of early marriage in Muslim communities through the education policies and propagation through the modern media. In the conclusion the research suggest that despite the positives impacts of early marriage in the Muslim communities, government should intervene with some policies that may contribute in managing and controlling it, in order to avoid the negative outcomes that may due to uncontrolled rampant of early marriage.

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INTRODUCTION

Allah is the creator, He created us from single soul and created the mates *azwaj* and from that brought up male and female.

[illegible]

He also created us from water and made us to be relatives and in-laws¹

[illegible]

Since the man has been chosen as the best of creature, Allah has laid down the foundation of marriage and reproduction in order to allow sexual desire to be

² Ibid, Al-Hilali and Khan, Noble Quran Translation P 484

fulfilled through a legitimate manner.³It is emphasized in Islam that people get marry as soon as possible, this is more do for women because it is believed that women have a stronger sexual urge than men, and this urge should be satisfied at an early age but in a legal manner in order to avoid falling into illicit relationship as a result of not being able to get married.

It is narrated from *Sayyadi Ali* (RA) that:

Allah the Al- mighty and glorified Has created desire in ten parts, nine of these parts are in women and one part is in men. Had not Allah (SWT) given more power to her modesty than over these parts of desire then every man would find himself with nine women attach to him⁴

The Qur'an does not specify a minimum age for marriage. A girl can be married even if she is in cradle.⁵Many young girls have married at an early age and attained higher education after marriage with the financial and moral support from their husband, relatives or government scholarship. They become mothers with higher education, leaders and professionals in different fields.

This study focused on the early marriage in Kura town: a survey and analysis from Islamic perspectives. It highlights the practical values of an early marriage in Kura Local Government. The research identifies the importance of early marriage to the girls in particular, family and society in general. It also clarifies some of the

³Hudda, A., Islamic Marriage Guide Book: The Religion of Al-Islam and marriage, <https://www.amazon.com/Religion-Al-Islam-Marriage-Arifa-Hudda/dp/1546864636>.Date visited10/10/2016 11:00 am.

⁴The value of early marriage <http://www.mutah.com/earlymarriage/early.htm> Date visited: 10/10/2016, Time: 11:15am.

⁵ Al -Saidi, A.,View Content What Drives Child Marriage in the Arab World and how the world is combating the problem , (2015), P

14. http://scholarship.shu.edu/cgi/viewcontent.cgi?article=1779&context=student_scholarship

misconception about early marriage and answers the critics made against early marriage in Islam.

1:1 BACKGROUND OF THE STUDY

Marriage is important in human life. It brings harmony, self esteem, dignity, and procreation of increasing number of people who the prophet (SAW) will be proud with on the Day of Judgment.

The prophet (SAW) says:-

قال رسول الله ﷺ:
"تزوجوا الودود الولود فاني مكثربكم الامم يوم القيامة"⁶

The prophet (SAW) said:

Marry who are loving and very prolific, for I shall be Proud of the great number of you (Muslim nation) in comparison with other (nation) on the Day of Resurrection.

Marriage is the *Sunna* of the prophet (SAW) and his companions (RA) and called upon his people to marry and those who denied or turn from this *Sunna* is not with him.

قال رسول الله ﷺ:-
النكاح سنتي فمن رغب عن سنتي فليس مني⁷

Prophet (SAW) says:

Marriage is my recommended *Sunna* whoso ever turns away from my recommend *Sunna*, is turn away from me.”

⁶ IMAMAN- Nisa'i: Ahmad bin Shu'aib bin Ali, Sunan Al NasaiAssughra, Published by Ministry of Auqaf and Islamic affairs, Saudia, 1st edition, 1420 AH = 1999, pp:446, Hadith No: 3229.

- Imam Abu Dawud, Sulaiman bin al Ash'ath as Sijistani, Sunan Abi Daud, published by Dar Al-Hadharah, Riyadh Saudia, 2nd edition 1436 ah =2015,pp: 263, Hadith No: 2050.

⁷ Al Imam Al-Bukhari, Muhammad bin Ismail, Sahih Al Bukhari, Dar Ibn Kathir, Demashqm Syria and Beirut Lebanon, 1st edition 1423 AH =2002. P 1292, Hadith No: 5063.

- Imam Muslim bin Hajjaj, Sahih Muslim, Dar Al Salam, Riyadh, Saudia, 2nd edition 1421 ah =2000, P 586, Hadith No: 1401.

Marriage is used to eliminate many aspect of indiscipline and it is a means to bring the mate together for the fulfillment of sexual urge and failure of its fulfillment will lead to either deviation or maladjustment which is prohibited in Islam.

Prophet (S.A.W) says:

قال رسول الله ﷺ:
يا معشر الشباب من استطاع منكم الباءة فليتزوج فإنه أغض للبصر
وأحصن للفرج ومن لم يستطع فعليه بالصوم فإنه له وجاء"⁸

O you young people, men and women! Whosoever can bear the burden of marriage, let him or her get married. It (marriage) is indeed contentment to the eye and a protection to the modest parts. And whoever cannot afford, let him practice fasting for it is indeed prevention to him (or her).

The existence of procreation of mankind on the earth is upon the existence of marriage in Islamic perspective and to have a marriage as soon as early age to have many children because the time of reproductive of women will expire when a woman reaches menopause (within a short period of time)

Early marriage is a traditional practice in many places both Islamic and non Islamic communities. Kano state being predominantly Muslims the practice of early marriage is adopted and accepted religiously and traditionally. Long ago, the early marriage is the predominant social culture of people in Kura Local Government Area of Kano State, but now a days due to influence of westernization and propagation against early marriage they started practicing delay in marriage.

⁸Opcit, Sahih A-Ibukhari: Hadeeth no 566.

-Opcit, Sahih Al-Muslim : Hadeeth no 1400

1:2 STATEMENTS OF THE PROBLEMS

The research tries to answers the following questions relating to early marriage:

1. What are the traditional/religious origins of the early marriage in Hausa culture, especially in Kura community?
2. What are the clear impacts of the early marriage on the education render of the women of this community?
3. Does early marriage deprive girls' right for higher education?
4. Does early marriage clear out the problem of VVF?

1:3 AIM AND OBJECTIVES

1. To highlight the Islamic value of early marriage.
2. To shade light through practical observation on early marriage.
3. To examine the negative aspect of delay in marriage.
4. To highlight the causes and advantages of early marriage.

1:4SCOPE AND LIMITATION

This study is limited to early marriage from Islamic perspective. However in some cases the study clears some of the misunderstanding about early marriage and defends some criticism against early marriage. The study is also limited to Kura town as a case study; although it may bring some instances that took place in other place wherever the need arises.

1:5 SIGNIFICANCE OF THE STUDY

The significance of the study can be seen through the following:

1. More enlightenments given on the concept and practice of early marriage
2. The research serves as defense to critics to early marriage in Islam.
3. Provision of proper evidence based on Islamic law on the practice of early marriage in Kura community.

4. It will shade light on the importance and advantages of early marriage.
5. It will dispute misunderstanding of the role of early marriage and prove the minimizing of moral decadence in the society.
6. It will equip researchers with some hint on how to eradicate indecency in society.
7. It portrays the importance of parent/ guardians marrying out their daughters earlier.

1:6 CONTRIBUTIONS TO KNOWLEDGE

The research contributes to the knowledge in the sense that:

1. It will enrich the library with practical aspect of early marriage, its importance and how it helps in reducing the rate of immoralities and moral decadence in the society.
2. It disproves the fallacy of those who accuse early marriage.
3. The field research proved the benefit of early marriage.
4. To propose some solutions of the problems base on the Islamic perspective.
5. It enhances the appreciation of the *Shari'a* law to be implemented fully not only on criminal offences but also all aspect of people adhering to it.

1:7 METHODOLOGIES

In order to achieve the objectives of the study, two method of data collection are used, fieldwork and library method. The method used in this research is mainly fieldwork, however in order to elaborate Islamic perspective, library method added to the fieldwork.

The researcher used foot note and MLA style when given references. The researcher however follows these procedures in citation as follows:

1. Mentioning the full information of the reference in the first use, then in the later use will only mentioned the name of the author, title of the reference than page.
2. In case of *Quranic* verse, name of the surah followed by verse number.
3. If it is *Hadith* all the information of the reference will be mentioned, then only summarized title of the book and *Hadith* number will be mentioned.

CHAPTER TWO

LITERATURE REVIEW

Throughout the consultation of libraries and other works as regards to the research, the researcher observed that there is a scarce number of academic works on the issue of early marriage in Islam. However the researcher was able to find some researches which are relevant to this research as follow:-

2:1 Innovators (MatanKwarai). By Adebusoeye Paulina Makinwa This is an on line publication <http://www.actionhealthinc.org/publications/docs/innovators.pdf> date visited: 11 June 2018, time 1: 27 pm. Printing by fine print limited. The research comprises of two parts, the first part is data analysis from National Demographic Health Survey NHDS, (2008). It focused on early marriage in the core Northern states (North east and North West) It discusses the difference in education attainment, timing of first marriage between Northern and Southern Nigeria and some notable changes. The second part is special survey conducted by Action Health Incorporation AHI that identifies the strategies that could be adopted to ensure women that realize their potentials. And summaries of the life stories of innovators (some women from Yobe, Adamawa, Bauchi and Borno states) marries at a young age returned to school and achieved major goals in their life and their reflection on the importance of female education⁹.

The relevance to this research is the issue of early marriage and married off some women at young ages without attaining their desire educational level. Many were withdrawn from school to marry according to prevailing tradition, yet most of

⁹Adebusoeye Paulina Makinwa Innovators (Matan Kwarai) ,
<http://www.actionhealthinc.org/publications/docs/innovators.pdf> date visited: 11 june 2018, time 1: 27 pm.

them attained higher education after marriage and achieved major goals in their life.

The differences are the Adebuseye's research is focused in some northern states in Nigeria and this one is focused on some women in Kura community of Kano state Nigeria which highlighted the positive and negative impacts of early marriage.

The research benefited from Adebuseye's work and this placed more emphasis on Islamic point of views on the values of early marriage.

2:2 زواج السيدة عائشة و مشروعية الزواج المبكر والرد على منكري ذلك

Zawaj As-Sayyidah Aisha wa mushru'iyatuz zawaj al-mubakkir warrad ala munkiriy zalik. **(The marriage of Aisha, the legality of early marriage and the respond its critics)** .By Al-Khadhir, K., .I., M zalik, hukukuddhba'alildaar, first edition 1405

The research is a response and disprove (*radd*) to Dr.Addhawil, Sayyid Rizq's article of *Madina* news paper, 1st Sha'baan,1404.Title karhaya Islamiyya, topic Ma hukmul Islam fi zawaj al-mubakkir' Pp 4/5 and questioned: Ma za yakulul ulam' fiz zawaj (Annabiy (SAW) with Aisha (RA). The research focused on three sub-topics: Evidences and proofs on the legality of early marriage. The age of consent and consummate of the prophet (SAW) marriage to Aisha (RA).And the response/disprove *radd* on the false impression and suspicion of the Dr.Addhwil's article against the age of marriage of the prophet(SAW) with Aisha(RA)¹⁰.

The relevance of the researchers is their proofs and evidences on the legality of early marriage in Islamic perspective as well as the importance of early marriage and negative aspect of delay in marriage in Islam. They differed by the sense that

¹⁰Al-Khadhir, K., .I., M., Zawaj As-Sayyidah Aisha wamushru'iyatuzawaj al-mubakkirwaradd ala munkiriyzalik, hukukudddba'a lil daar, first edition 1405.

Al- Khadhir's research is focused directly to at an early age of marriage and this one is on the early marriage in Kura town: Analysis from Islamic perspective. However the research significantly benefited from his work.

2:3 Why did the Prophet marry Aisha the young girl. By Al-Ghoudairy Fawzy on line, [016https://islamhouse.com/en/books/331/](https://islamhouse.com/en/books/331/) Date visited: 11 June- 2018 time: 1: 30.pm

The research focused on why the western media critics and blame the marriage of prophet (SAW) to Aisha (RA) at a young age, while it is general phenomenon which appear before Islam and continues after it. It is still exist in the 21st century and practiced by Europe and Christian in the 21st century and also allowed the marrying a girl of three years. Judaism also allowed making a sexual relationship with a Girl of three years. Most countries worldwide also allowed the age of consent and sexual intercourse at an early age.¹¹

The researchers are relevant on allowance the marrying of a young age girl and the age of consent in general term. Their differences are *fauzy's* research focused to identify the existing and practiced of marriage at an early age before the advent of prophet (SAW) and after it. Also it's mentioned the age of consent and sexual relationship in some religions and countries. While ongoing one is the analysis of early marriage from Islamic perspective in Kura town.

2:4 Early marriage and its effect on girls' formal education in rural Ethiopia.

By Emirie, G., is a dissertation of Doctorate Grade in Ethnology (social and cultural) Anthropology to the Faculty of Social Sciences, Georgin August University of Goettingen June, 2005. The research examined issues pertaining to early marriage and its effects on girls' education among the Peasant communities

¹¹Fauzy Al-Ghoudairy Why Did Prophet Muhammad (SAW) Marry Aisha The Young Girl, [016https://islamhouse.com/en/books/331/](https://islamhouse.com/en/books/331/) Date visited: 11 June- 2018, Time: 1: 30.pm

of Mecha woreda in West Gojjam Administrative Zone of the Amhara Region of Ethiopia.

The research elaborated more about the socialization, formal schooling. Customs and practice of marriage ,prevalence, causes, consequences of early marriage and its effect on girls' formal education among the peasant communities of MechaWoreda in west Gojjam administrative zone of the Ambara Region of Ethiopia.¹²

The relevance of the researches is the causes and consequences of early marriage. Their difference is that, the emerie's research focused on effect of early marriage on girls' formal education in mecha woreda in Ambara region of Ethiopia. While this one put more emphasis of early marriage from Islamic perspective limited to Kura town of Kano State Nigeria.

2:4 الزواج المبكر Az-zawaj Al- Mubakir (Early marriage).By **Sa'im Najatu**<http://kenanaonline.com/files/0080/80320/4A.pdf> Date visited: 11 - June – 2018, Time: 1:30 pm. The research focused on early marriage in Yemen. It highlighted the causes, consequences as well as some positive impacts of early marriage and negative aspects of delay in marriage. The research also studies the high rate of spreading early marriage, minimum age, standard of education and its relationship with education, preferable age of marriage and the constitutions about early marriage in Yemen¹³.

All researches focused on early marriage and their difference is this one about the analysis and survey from the Islamic perspective on early marriage in Kura town and Najatu's research is about early marriage in Yemen and how to reduce it.

¹²Emirie, G., Early Marriage and Its Effect on Girls Education in Rural Ethiopia case In Mecha Woreda in West Gojjam, North-Western Ethiopia, 2005, <https://ediss.uni-goettingen.de/bitstream/handle/11858/00-1735-0000-0006-AF02-9/emirie.pdf?sequence=1> Date visited: 11- June- 2018, Time: 1:30 pm.

¹³Sa'im Najat Azzawaj Al-Mubakkir <http://kenanaonline.com/files/0080/80320/4A.pdf> Date visited: 11 - June – 2018, Time: 1:30 pm

However this research will benefit from the experiences of Yemen community being an Islamic society similar to that of Kura town.

MARRIAGE IN ISLAM

Islam means surrender or submission to Allah (SWT). Muslims are to submit to the will of God which derived in 7th century by the Prophet Muhammad (SAW) purposely was to bring forth the word of God, which exists through Quran. The concept of marriage is important for the progress of both individual and society.

13

And indeed we sent messengers before you (O Muhammad (SAW), and made for them wives and offspring. And it was not for messengers to bring a sign except by Allah's leave. (For) every matter there is a Decree (from Allah)¹⁶.

Some jurists defined marriage as follows:

It also defined as:

EARLY: As the word implies refers to at or near the beginning of time or course of event or expected time.¹⁹

There are many verses in the Quran directly or indirect calls for marriage, among them are:

And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry) the *salihuun* (pious fit and capable one)

14

In praising the habits of good believers, Allah says:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَزَوَّجْتُمْ فَاغْنُوا عَيْنَيْكُمْ وَاجْعَلُوا بَيْنَكُمْ وَبَيْنَ أَمْوَالِكُمْ حُجْرًا حَائِثًا لِكُلِّ وَاحِدٍ مِّنْكُمْ مَّا تَرَكَ إِذَا تَزَوَّجَ مِنْكُمْ وَهُوَ عَلَىٰ حُدُودِهِ لَا خَالِفَ فِي الْأَمْوَالِ الَّتِي كَسَبَتْ هَٰذَا صَدَقَ اللَّهُ عَزَّ وَجَلَّ ۚ

And those who say: "Our Lord grants us in our wives and our offspring the comfort of our eyes, and makes us leaders of the *muttaqun* (the pious)."²⁴

There are many Traditions ascribed to the Prophet Muhammad (SAW) in which the practice of marriage is encouraged. These include:

The prophet (SAW) said:

قال رسول الله ﷺ: النكاح سنتي فمن رغب عن سنتي فليس مني²⁵
Marriage is my recommended custom. Whoso ever turns away from my recommended custom is turning away from me".

قال رسول الله ﷺ:
"تكاثروا تكاثروا فإني مباه بكم الأمم يوم القيامة"²⁶
Get married so you multiply. I shall indeed be proud of your multitude on the Day of Resurrection.

In another *Hadith* the prophet (SAW) said:

قال رسول الله صلى الله عليه وسلم:
"يا معشر الشباب من استطاع منكم الباءة فليتزوج فإنه أغض للبصر وأحصن للفرج ومن لم يستطع فعليه بالصوم فإنه له وجاء"²⁷
O you young people, men and women! Whosoever can bear the burden of marriage, let him or her get married. It (marriage) is indeed contentment to the eye and a protection to the modest parts. And whoever cannot afford, let him practice fasting for is it indeed prevention to him or her.

There is an indication from a certain *Hadith* that Allah (SWT) has promised to help any person who aspires to marry in order to avoid sinning. The *Hadith* is reported by *Abu Huraira* where the Prophet (SAW) said:

²⁴ Opcit, Al-Hilali and Khan, P487

²⁵ Ibid, Sahih Al-Bukhari, Hadeeth no 5063. Ibid, Sahih al-Muslim, Hadeeth no : 1401.

²⁶ Ibid, Sunan An-Nisa'i, hadeeth no: 3229. Ibid, sunan Abu Daud hadeeth no:, 2050.

²⁷ Ibid, Sahih Al- Bukhari, Hadeeth no: 566. Opcit, Sahih Al- Muslim, Hadeeth no: 1400

قال رسول الله ﷺ:
 "ثلاثة حق على الله عونهم: المجاهد في سبيل الله، والمكاتب يريد الأداء،
 والنكاح الذي يريد العفاف"²⁸

Three people have right upon Allah to help them: fighter for Allah's cause, a *mukatab* (a slave) who want to pay himself off and one who seeks marriage for the purpose of protecting his chastity.

With regard to the above, one may come to understand the legality of marriage in Islam, being supported by *Quranic* verses and prophetic traditions. It is also the consensus of *ulama'* that marriage is an institution which is legally accepted and practiced throughout all generation as follows:

1. Majority of the *fuqaha* 'of *malikiyya*, *Hannafiyya* and *Hambaliyya* say that, marriage is a *Sunna* not obligatory.
2. *Zahiriyya* and few among the *Hannafiyya* and *Hambaliyya* say it is obligatory.
3. *Shafi'iyya* says it is preferable to engage in seeking knowledge and worship for one does not afraid of committing *zina* than marriage. But preferable for one afraid of committing *zina* than worship or seeking knowledge.²⁹

Scholars categorized the legality of marriage into five as follows:

1. Marriage is obligatory *wajib* when a person afraid of committing sin (*zina*) and capable to afford it, as marriage is means of chastity and avoidance of what Allah prohibited. This is the view of the majority.

Ibn uthaymin says:

If one is in need of marriage and he fears of committing a sin by leaving it. One may give priority

²⁸ Imam Tirmithy: Muhammad Ibn Isa Ibn Surah, Sunan Al- Tirmithy, Published by Dar Ihya' Al-Turath Al- Arabi, Beirut, Lebanon, (No Date), Vol. 3, P 660 Hadith No: 1376.

²⁹ Khadhir, A., M., New trends in marriage contract in the light of Islamic Jurisprudence and the personal law, master's thesis presented to the school of Post graduate Studies, Department of Fiqh and Shari'a, Al-Najah National University, Nablus, Palestine, 2010, Pp 26-28.

to get marriage over performing obligatory pilgrimage³⁰.

2. Marriage is prohibited *Haram* when somebody cannot afford it, either because he cannot deal justly with the wife, he has no urge naturally or its gone by suffering illness or old age or because of his inability of satisfying her while she is in need of that.

The scholars have two different opinions and evidences on this issue: Marriage is recommended *Istihbaab*. And it is *haram* if the right of marriage is not been fulfilled.³¹

3. Marriage is dislike *makruh* when a person is afraid of not affording it, either because he is afraid of not dealing justly with the wife or his inability of satisfying her sexually.
4. Marriage becomes recommended *Istihbab* when somebody's desire is neither afraid of committing *zina* nor afraid of dealing justly with a wife. (He is moderate) As marriage involved many benefits for both male and female.
5. Marriage becomes *mandub* desirable when there is desire, but there is no fear of committing unlawful sexual intercourse, as marriage involves many benefits for both male and female.³²

3:3 OBJECTIVES OF MARRIAGE

There are some objectives or advantages behind this sacred institution.

Some of them are:

3:3:1. PROCREATION: Marriage contributes through legitimate means to the continuity and preservation of the human race. The sexual urge serves the function of bringing the mates together for the fulfillment of this basic objective.

³⁰ Al-Fauzan, S., A Summary Of Islamic Jurisprudence, Al-Maiman Publishing House, Saudi Arabiyyah, Riyadh, (No Date), Vol.2, P369.

³¹ Mansur, I., M., Ahkamuz Zawaj Fi Sharia Al- Islamiyya, Pp 4-7.

³² Ibid, Al-Fauzan, Pp 369-371

The procreation has four objectives aspects as follows³³:

I. To fulfill the will of God: Allah the almighty says:

يَا أَيُّهَا النَّاسُ اتَّقُوا اللَّهَ الَّذِي تَعَالَى إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ
 ذُو الْفَضْلِ وَالْكَرَمِ الَّذِي خَلَقَ لَكُمْ أَنْفُسَكُمْ وَأَنْفُسَ النَّسَاءِ ۚ

O mankind! Be dutiful to your Lord who created you from a single person (*Adam*) and from him (*Adam*), He created his wife (*Hauwa*) (*eve*), and from them both He created many men and women; and fear Allah through whom you demand (your manual right, and (do not cut the relations of) the wombs (kinship). Surely, Allah is ever an all-watcher over you³⁴.

II. To seek the love of the Prophet Muhammad (SAW): The prophet (SAW)

called upon his nation to marry. Prophet (SAW) says:

يَا مَعْشَرَ الشَّبَابِ مَنْ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصَرِ
 وَأَحْصَنُ لِلْفَرْجِ وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وَجَاءٌ³⁵

O you young people! Men and women! Whosoever can bear the burden of marriage, let him or her get married. It (marriage) is indeed contentment to the eye and a protection to the modest parts. And whoever cannot afford, let him practice fasting for is it indeed prevention to him or her.

III. To benefit from the prayer of the child: The Prophet (SAW) says:

قال رسول الله ﷺ: "إذا مات ابن آدم انقطع عمله إلا من ثلاثا، صدقة
 الجارية أو علم ينتفع به، أو ولد صالح يدعو له"³⁶

:

When the son of Adam dies, nothing would be of any more benefit to him except three things: a continuous

³³Abulra'uf, M., Marriage in Islam is marriage Diserable?, Fifth Printing 1993, Published by Saadawi publication, P.O.Box 4059, Alexandria, Va, U.S.A., 22303, P1.

³⁴Ibid, Al-Halali and Khan, 106

³⁵ibid, Sahih A-I Bukhari: Hadeeth no 566.

-Ibid, Sahih Al- Muslim : Hadeeth no 1400

³⁶ Ibid, At- Tirmithy, Hadeeth no:1376

charity, some useful knowledge he has left behind and a child who may pray for him

IV. To profit from its intercession on behalf of its parents³⁷.

A child (who dies before reaching puberty) leads the parents to

Paradise. The Prophet (SAW) related to have said:

قال رسول الله ﷺ: "يقال للولدين يوم القيامة ادخلوا الجنة، قال: فيقول: يا رب حتى يدخل آباؤنا وأمهاتنا، قال فيأتون قال: فيقول الله عز وجل ما لي اراهم محبطين ادخلوا الجنة قال فيقولون: يا رب آباؤنا وأمهاتنا" قال: فيقول: ادخلوا الجنة أنتم وآباؤكم"³⁸

A child will be brought on the Day of Judgment and told "get into paradise." But he stands reluctantly and angrily at its gate and say: "I am not going to enter paradise without my parent". It will then be said "let his parents enter paradise with him."

3:3:2. Fulfillment of the Natural Urge:

The sexual urge is the most powerful human inclination. Allah (SWT) Has declared the concept of marriage is the legal gate way to fulfill the natural urge and other rather than this is forbidden legally.

Allah has putting this natural desire and attraction of sex in human being to fulfill the mission of procreation and continuity of mankind up to term appointed by him. Fulfillment the urge is the most enjoyable and absorbing of human experiences. Failure to fulfill this urge is likely to lead either to deviation which is forbidden in Islam.

Therefore, the Prophet (SAW) calls upon youth, saying:

³⁷ Ibid, Abulra'uf, M., Marriage in Islam is marriage Diserable?,p1.

³⁸ Ibid, Sahih AL-Bukhari, Hadeeth no: 5066, Ibid, Sahih Al-Muslim, Hadeeth no:3384.

"يا معشر الشباب من استطاع منكم الباءة فليتزوج فإنه أغض للبصر وأحصن للفرج ومن لم يستطع فعليه بالصوم فإنه له وجاء"³⁹

O you young people! Men and women! Whosoever can bear the burden of marriage, let him or her get married. It (marriage) is indeed contentment to the eye and a protection to the modest parts. And whoever cannot afford, let him practice fasting for is it indeed prevention to him or her.

So, the practice of marriage is the way to remove evil and protect against shameful failure. Therefore the Prophet (SAW) commanded that:

"إذا أبصر أحدكم امرأة فليأت أهله فإن ذلك يردّها في قلبه"⁴⁰

Whenever a man sees a woman and feels attracted to her, he should go and release his urge with his own wife in order to remove the evil thoughts from his mind. The Prophet sometimes added, "His wife surely can offer as much as this woman does.

عن أنس بن مالك رضي الله عنه أن رسول الله صلى الله عليه وسلم قال: "من رآه الله امرأة صالحة فقد أعانه على شطر دينه فليتق الله في الشطر الثاني"⁴¹

It was narrated from *Anas bn Malik (RA)* the messenger of Allah said:

One who Allah blessed with a righteous wife, surely He assisted him on the half of his religion, so let him fear God regarding the remaining half.

It was narrated that *Ibn Abbas*, a cousin of the Prophet, once noticed a youth staying behind after a lecture he had given, when the other members of the audience had gone. When *Ibn Abbas* asked him about his problem, the reluctant youth complained that when he was overwhelmed by sexual excitement, he released himself by performing masturbation. *Ibn Abbas* was horrified and condemned the act, but said that the practice was less abominable than fornication.⁴²

³⁹ Ibid, Bukhari, 566, Ibid, Muslim, 1400

⁴⁰ Ibid, Sahih Muslim, 1403

⁴¹ Al-Albani, Muhammad Nasirud-deen, Sahih At-Targhib Wat-Tarhib, DarulMa'arif, Riyadh, Saudia, First Edition, 1421ah-2000, Vol. 2, P124, Hadith No 1916

⁴² Ibid, Abdurrauf M., Pp1/2

It was because of fear of the danger which might arise from an unfulfilled sexual urge and the importance of marriage that the early Muslims did not hesitate to rush to new marriage once they became widowed.

قال عبد الله بن مسعود: "لو لم يبق من الدهر إلا ليلة لأحببت
أن يكون لي في تلك الليلة امرأة".⁴³

Abdullahi bn Mas'ud (RA) said: If it is remain only one night in my life,
I wish to have a wife at that night.

3:3:3. A HEALTHY RELAXATION:

There are many aspects in marriage that relieves the heart from its burdens and make the mind better able to concentrate more especially during worship. In marriage, there is comfort to the soul, beauty to look at, company, play, joking and relaxation all of which relieve the heart from its burdens. To deprive the soul of its joy is boring to the heart and could blind it. Relaxing the company of the spouse is healthy.⁴⁴

قال رسول الله ﷺ:
حُبُّ إِلَى النِّسَاءِ وَالطِّيبِ، وَجَعَلْتُ قُرَّةَ عَيْنِي فِي الصَّلَاةِ.⁴⁵

The Prophet (SAW) said: Women and perfume are made
beloved to me, but the light of my eye is in prayers.

3:3:4 ESTABLISHMENT OF HEALTHY ENVIRONMENT FOR FAMILY:

It is through marriage a healthy nurturing and rearing children is established. Our children are the leaders of tomorrow. Through lawful marriage we furnish them with love mercy, compassion and guidance that they need for proper growth and development.⁴⁶

3:3:5.COMFORT AND PLEASURE:

⁴³ Ibid, Jami' Ahkam An-Nisa' P18

⁴⁴ opcit, Abdurra'u., M., p2

⁴⁵ Ibid, AN- Nisa'i, 3940.

⁴⁶ Ibid, Tanko, Y., p 18

The relationship of two sexes should be based on the mutual cooperation love, mercy and kind for each other, so that they enjoy comfort, pleasure, peace, happiness and comfortable.

Moreover, provides co-operation in the household and greatly relieves one from worries. Spouses co-operate in the management of the house in it up keep. The Qur'an describes the spouse as a source of mutual comfort⁴⁷

Allah (SWT) says:

چڈ ژ ر ژ ک ی د گ گ گ گ گ گ گ گ گ گ گ
گ گ گ گ □ الروم: ۲

And among his signs is that, He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy. Verily, in that are indeed signs for people who reflect⁴⁸

قال رسول الله ﷺ:
خير النساء التي إذا نظر إليها □ وجهها سرته، وإن أمرها أطاعته، وإذا غاب عنها حفظته في نفسها وماله"⁴⁹

The prophet(SAW) said: The best among your women is the one who when her husband looks at her she pleases him, if he gives her command she obey him and if he is absent she guards him, as regard to her honor her (chastity) and his property.

3:3:6.SOCIAL IMPORTANCE:

There are some responsibilities upon each of the spouse. By adding responsibilities upon the individual, marriage enhances his status in society and gives him an opportunity for training in bearing the hardships of life. Each party helps the other in the exercise of the virtues of patience and forbearance. The

⁴⁷ ibid, Abdurra'uf, M., p3

⁴⁸ Ibid, Al-Hilali and Khan, P 542

⁴⁹ Al- Hakim Muhammad bn Abdullah, An-Naisabury, Al-Mustadraks Alas- Sahihaini, Dar Al-Kutub Al-Islamiy, Beirut, Lebanon, Second Edition, 1422=2002, Vol.2686

responsibility of rearing children and the need to earn for their living are added meritorious aspect arising from marriage.⁵⁰

عن سعيد بن أبي وقاص قال: قال رسول الله ﷺ:

"إنك أن تنفق نفقة تبتغي بها وجه الله إلا أجرت عليها حتى اللقمة تضعها في فم امرأك"⁵¹

It is narrated from *Sa'ad bn Abi Waqqas*: said the prophet (SAW) says:
A man will be rewarded for what he spends on his wife,
even for putting a morsel of food into her mouth.

عن أبي سعيد الخدري قال: قال رسول الله ﷺ

"من حسنت صلاته وكثرت عياله وقل ماله ولم يغترب المسلمين

كان معي في الجنة كهاتين"⁵²

It is narrated from *sa'id Al- Khudry* said: the prophet (SAW) says:

whoever performs his prayers correctly, and spends on his children in spite of his modest means, and does not speak ill against others, will be in Paradise as close to me as these (two fingers of mine)

عن ابن عباس رضي الله عنه قال: قال رسول الله ﷺ: "من عال ثلاث بنات فأنفق عليهن وأحسن إليهن حتى يغنيهن الله عنه، أوجب الله له الجنة إلا أن يعمل عملاً لا يغفر له"⁵³.

It is narrated from *Ibn Abbas* (RA) said: the prophet (SAW) says:

Whosoever is given three daughters, spends on them and treats them well . . . surely God will reward him in Paradise.

3:3:7 PROTECTION OF THE MORAL OF PEOPLE:

The first objective of the Islamic law of marriage is to protect the moral of the people. Islam forbids adultery and fornication. It compels both man and woman to discipline their natural desire in a way that protects them from indecency. The Qur'an calls the man who contracts a marriage as *muhsin* (a protected man) and the

⁵⁰ Opcit, Al-Hilali, and Khan P3

⁵¹ Ibid, Sahih Al- Bukhari, Hadeeth 56, Ibid Sahih Al- Muslim, Hadeeth 1628

⁵² Al-kharaa'idiy, S., M., J., M., Kitab Mukarim Al-Akhlaaq, MaktabaturRushdi, Al-riyadh, As-Saudiyya, first edition , 1427=2006, Vol.1, P 1454, Hadith no

قد جعل الله لكم ما تصدقون؟ إن بكل تسبيحة صدقة وبكل تكبيرة صدقة، وبكل تهليل صدقة، وبكل تحميدة صدقة، وأمر بالمعروف صدقة، ونهي عن منكر صدقة، وفي بضع أحدكم صدقة، أرايتم لو وضعها في حرام أكان عليه شيء؟ كذلك إذا وضعها في حلال كان له أجر".⁵⁸

A *Hadith* reported by Abu ZarAl-Ghiffari (RA) that some of the companions of the prophet (SAW) complained to him:

O Allah's messenger! The wealthy people have taken all the reward, they pray as we do and fast as we do, and they offer charities from their extra wealth. The messenger of Allah replied:" Has Allah not given you that which you may offer as a charity... inter course (with your wife) is a charity".

The companion asked: "O the messenger of Allah (SAW) does person even receives a reward for fulfilling his desire"? He responded: "Assume that he directed it toward a prohibition *zina* would that not result in a burden for him"? They reply "yes indeed. "He deduced. Therefore, if he directs it toward that which permissible (his wife) he gets a reward for it.

3:3:10. PRESERVATION OF KINSHIP

Marriage is contrary to *zina*, it established the paternal relationship between the children and their parents, giving them all the feeling of dignity and self-esteem that strengthen the feeling of love within the society.⁵⁹

3:3:11.SAFE GUARDS THE SOCIETY FROM VENEREAL DISEASES

Marriage is an important means to protecting the society from venereal diseases which are easily transmitted, such as gonorrhea syphilis, venereal ulcer and the most dangerous HIV/AIDS.⁶⁰

3:3:12. SAVES THE NATION FROM ALLAH'S WRATH

⁵⁸ Ibid, Abu Dawud, Hadeeth no: 1256

⁵⁹ Ibid, Tanko, Y., P18

⁶⁰ Opcit, Tanko. Y,P 18.

consume it not wastefully and hastily fearing that they should grow up.⁶⁸

There is an enormous agreement among Islamic scholars as to what is the marriageable age. The Scholar *Abdullah bn Abbas* who is considered an expert in *Tafsir* has interpreted the phrase “marriageable age” to mean the age of puberty.⁶⁹

Jalal Al-Din Al-Mahalli, interprets the phrase to mean “until they reach the age of marrying.” That is, until they have become eligible for it through puberty or (legal) age, which according to *Al-iShāfi‘ī*, is the completion of fifteen years.⁷⁰ Dr. *Saleh bn Fawzan* holds the opinion that: There is no minimum age for marriage; a girl can be married even if she is in cradle.”⁷¹

Many have questioned this *fatwa* arguing that by consummating His marriage with Aisha when she was nine years instead of six years (when He married her) the prophet Muhammad (SAW) effectively sets a limit.

عن عائشة رضي الله عنه قالت: تزودني رسول الله
ﷺ لست سنين وبني بي وأنا بنت تسع سنين⁷²

It is narrated from Aisha

The Prophet married me when I was six years old and he consummated his marriage when I was nine years old.

"عن عبد الله بن مسعود رضي الله عنه قال: "كنا مع النبي
صلى الله شبابا لا نجد شيئا، فقال لنا رسول الله يا معشر الشباب
من استطاع منكم الباءة فليتزوج، فإنه أغض للبصر وأحصن للفرج
ومن لم يستطع فعليه بالصوم فإنه له وجاء"⁷³.

It was narrated from *Abdullahi bn Mas'ud*, he said:

We are with the prophet (SAW) when we were young, we have nothing, the prophet said: O you young people, men

⁶⁸ Ibid, Al- Hilali and Khan, P107

⁶⁹ Ibid, Akram Al Saidi, P 14

⁷⁰ Opcit, Akram Al-Saidi, p 14

⁷¹ Opcit, Akram Al-Saidi, p 1

⁷² Ibid, Sahih Al Bukhari, hadith: 64

⁷³ Opcit, Sahih Al- Bukhari, Hadeeth no:566, Ibid, Sahih Al- Muslim, Hadeeth no:1400

and women! Whosoever can bear the burden of marriage, let him or her get married. It (marriage) is indeed contentment to the eye and a protection to the modest part. And whoever cannot afford, let him practice fasting for is it indeed prevention to him (or her).

The prophet (SAW) married off his three daughters *Zainab*, *Rukayya* and *Ummu Kulthum* at their early age before the advent of Islam.⁷⁴ Also when the prophet (SAW) married *Safiyya* (RA) she did not exceeded 17 years and before, she is already married two different husbands.⁷⁵

The best friend and the second caliphate of the Prophet (SAW) married his daughter Aisha at her younger age to the prophet when she was six years. Also *Aliyu bn Abi Dalib* married his daughter *Ummu Kulthum* to *Umar bn Khaddab* (RA) in her early age.⁷⁶

Abdurrahman bn Awf married *Sahla bnt Asim bn Adiy* on a day when she was born. It was narrated from Sahla that she said:

I was born on the day of opening *khaibar* and brought me to the Prophet; He called me with the name *Sahla* and said: *Sahhalallahu amriki* “Allah makes your acts easy,” then *Abdurrahman bn Awf* married me.⁷⁷

It was narrated from Aisha (RA) that she married off an orphan girl lives in her room *Alfari’a bnt Asad bn Zararah* to *Al- Ansar man*⁷⁸. It was narrated that *Kudama bn Math’un* married *Zubairu’s* daughter on a day when she was born and said:

⁷⁴Ibid, Al-Khadhir, Zawaj As-Sayyida Aisha, Pp 17-18

⁷⁵Opcit, Al-Khadhir, Zawaj As-Sayyida Aisha, P19

⁷⁶ opcit, Al- Khadhir, Zawaj As-Sayyidah Aisha, p 24

⁷⁷Opcit, Al-Khadhir, Zawaj As-Sayyidah Aisha, Pp 19-24

⁷⁸Opcit ,Al-khadhir, Zawaj As-Sayyidah Aisha, P 24

whosoever fears Allah and keeps his duty to Him, He will make his matter easy for him⁸².

However, some might argue that the age of puberty cannot fix at fifteen since some girls attain puberty at a younger age. While some among the scholars agreed that, puberty is the proper age for a girl to consider marriage.

Puberty is a natural phenomenon that occurs at varying ages in different individuals. Research in global human behavior seems to indicate that, girls and boys who are born and live in warmer parts of the world are more likely to reach puberty earlier, than their peers living in the colder regions climates of the world. For example, those who live in the Middle Eastern Arab countries tend to reach puberty at an earlier age when compared to those who live in Northern European countries⁸³.

However, reaching the age of puberty should not be considered as the only criteria for deciding on an appropriate age for marriage. Other factors such as the overall maturity of a person, and his or her ability to discern between what is good or bad, such that the personal approval or disapproval is important decisions and has to be taken into consideration.

However, on the regards to puberty and the age girls have their first menstrual cycle. *Abdul-Hamid Siddiqi* says:

Islam has laid down no age limit for puberty, for it varies with countries and races due to the climate, hereditary, physical and social conditions. It may be possible that in some cases by the age of 14, a girl may be mature enough to shoulder the responsibility of family-life and motherhood, but a woman of 30 years may not yet be mature enough to do so! Therefore, what is important in determining the ripe age for marriage is one's own level

⁸² Ibid, Al- Hilali and Khan, p766

⁸³ Ibid, Islam Marriage guide Book, P4

of maturity and readiness, whether one has reached the legal age for marriage or not.⁸⁴

In the present world with the greater intermingling between sexes, nutrition, educational facilities and more awareness due to advanced mass media, children are reaching maturity much earlier than ever before; and considering these factors, raising the legal age of marriage for boys and girls is quite unjustifiable.

It is concluded that a suitable age for marriage would be the time of physical and mental maturity in a person. Islam has specified the age of physical maturity but it is not specified the time of mental maturity. Rather, it has left it open to the discretion of the parents and children themselves.

However the minimum age is not last for a long, due to the religious and tradition. In some countries such as Yemen, was altogether by a powerful group of conservative, parliamentarians arguing that setting a minimum age would lead to the spreading of immorality, undermine” family value” and would be contrary to *Sharia* law.⁸⁵

3:5 BENEFIT OF EARLY MARRIAGE

In our social well being we usually adopt some aspect of traditions and turn it to become part of our culture to the following:

- i. It has become a tradition.
- ii. The tradition is built on the Islamic tradition
- iii. It has become culture of the society
- iv. It benefit over shadow its adverse implication, disadvantages
- v. The adverse implication like denial to education, lack of experience in marriage life could be corrected with care.

Below are some benefits of early marriage

⁸⁴ ibid, Mehri Zinhar, P3

⁸⁵ Ibid, view content, Pp 20-22

Position of *Qawwama* protector and maintenance of the complete responsibilities of his wife Allah says:

چ ا ب ب ب ب پ پ پ پ پ پ پ پ پ پ ن ج النساء: ۳۴

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,⁸⁸

While from an Islamic perspective, the husband is given the leadership role in the marriage relationship, this does not mean that he can run the family life like a dictator. Allah (SWT) commended in the Qur'an that, men are the maintainers of women because Allah has made some of them to excel others and because they spend out of their property.

The Muslim does not over react and become angry, but to follow the example of the prophet (SAW) and remember his character that remind him to be generous, kind and tolerant. He should not stop at showing kindness and generosity toward his wife.⁸⁹ It must be remembered that, in Islam a leader is one who serves, manages, provides and nourishes. A leader must also have humbleness and humility and deal with all of those under his care and protection with justice and equality. A husband exercises the right kind of leadership by listening and consulting with his wife. Also, a husband is bound to follow the rules of the Qur'an and *Sunnah* of the Prophet (SAW). Differences in opinion should be referred back to these sources instead of becoming a source of tension and problems.

Both partners in marriage should treat one another in a kind fashion in order to maintain a harmonious atmosphere in the home. The husband exercises his authority in rough or arrogant way, might encourage the wife to react by being

⁸⁸ Ibid, Al-Hilali and Khan, p 113

⁸⁹ Hashim, A., M., *The Ideal Muslim: The true Islamic personality as defined on the Quran and Sunna*. Translated by Nasruruddeen Al- Khattab, revised by Ibrahim, M., and Abu Aya Sulaiman Abdus-Sabur, International Islamic Publication House, P 55.

intentionally disobedient.⁹⁰ Not only the duty of the head of the house to make sure that the material needs of the family and order are kept, but it is also his duty to protect himself and his family from the fire of hell.

Allah (SWT) says:

يَا أَيُّهَا الَّذِينَ آمَنُوا وَارْزُقُوا نَفْسَكُمْ وَأَهْلَكُمْ نَارَ جَهَنَّمَ الَّتِي يُفْقَسُ بِهَا النَّاسُ وَالْأَنْجِلُ
يُؤْتُونَ بِهَا السَّيِّئِينَ ۖ وَالَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ لَهُمْ أَجْرٌ عَظِيمٌ ٦

O you who believe! Ward off yourselves and your families against a fire (Hell) whose fuel is men and stones, over which one (appointed) angels stem (and) severe, who disobey not, (from executing) the command they receive from Allah, but do that which they are commended.⁹¹

Therefore, the head of the house must make sure that he has proper Islamic knowledge to keep himself away from the hell and more importantly, guide his wives and children to the straight path and keep them on this road. In this regards, the husband has four important duties:

- A. To invite his wife and children and any others under his care to obey Allah. The husband should call his family to follow the religion and encourage them in this regard.
- B. Teach those under his care their religious duties and obligations, of course this means the husband must first and foremost know his own religion and beliefs. If he is not well acquainted with his religion, then he must employ or invite one to teach them.
- C. Encourage the family members to perform good deeds *Amr bil ma'ruf*, as not only is this one of the obligatory acts in our religion, but it will also help the family both in the short term and long term. If they know their

⁹⁰ Philipps, A., B., and Jones, J., Matrimonial life in Islam, International Islamic publishing house, king Fahd International library cataloging-in-publication data, second edition, Riyadh, p 27.

⁹¹ Ibid, Al- Hilali and Khan, p 769

D. Husband/father must also make sure and remind other members of his family to stay away from evil and sin *Nahy Anil Munkar*. Again, this is a part of our beliefs and without doubt, that home in which people are not plagued with committing sins and evil acts is one in which Allah looks favorable upon and blesses the inhabitants of it.⁹²

قال رسول الله ﷺ:

"لو كنت أمرا أحدا أن يسجد لأحد لأمرت المرأة أن تسجد لزوجها"⁹³

3:5:3 TAXES BENEFIT FROM CHILDREN: Muslim has to respect and kind treatment to their parents. To treat parent with kindness and respect is one of the greatest commandment of Islam as it is clearly confirmed in the *Quran* and *Sunnah*.

Allah (SWT) says:

چ گ گ گ گ گ گ گ گ گ گ چ النساء: ۳۶

Worship Allah and join none with him in (worshiping),
and do good to parents,⁹⁴

Children are the apple of the man's eye, the scare of the great joy and companionship. They make life sweet and after their blessing bring rizq and an abundance of rewards. But this depends on the children having good solid

⁹²Islamic Marriage Guide Book; Marriage Survival Guide Bhimji S. P10

⁹³Ibid, At-Tirmithiy, Hadeeth no: 11599.

⁹⁴ Ibid, Al- Hilali and Khan,P 113

background which will make them respectful, kind and source of happiness. In this respect parent are truly be joy of this life.

الْمَالُ وَالْبَنُونَ زِينَةُ الدُّنْيَا وَالْبَاقِيَاتُ الصَّالِحَاتُ خَيْرٌ عِنْدَ رَبِّكَ ثَوَابًا
18:46 وَخَيْرٌ أَمَلًا

Wealth and children are the adornment of the life of this world. But the good righteous deed, of that last, are better with your lord for rewards and better in respect of hope.⁹⁵

But if the parents neglect their children's upbringing, the result will be disastrous. The children will be the source of annoyance, frustration and constant concern not mention night of lost sleep.⁹⁶

When parent reach the age of senility and conformity they are under the care of their children and must to be careful and avoid altering a word of complain or anger. The attitude toward them should be one of the respects, humanity obedient and pray for their unforgettable favors' they done, as they took care of their children when they are small. Allah (SWT) says:

۲۴ **سُورَةُ الْاِسْرَاءِ: ۲۴**
 And say: My Lord bestows on them your mercy as they
 did bring me up when I was young.⁹⁷

3:5:4.MORE LIKELY TO DESCRIBE MARRIAGE AS HAPPY: It is important for a man and woman to live together. Husband is ordered to live with his wife on a footing of kindness.

However a wife must regard obedience to her husband as a religious duty whose execution will help in the life and the next. The prophet says:

عن عبد الرحمن بن عوف رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: "إذا صلت المرأة خمسها وصامت شهرها وحفظت فرجها وأطاعت □ وجها قيل لها: أدخلى الجنة من أى أبواب الجنة شئت⁹⁸

⁹⁵ Ibid, Al- Hilali and Khan, P 391

⁹⁶ Ibid, Hashim, The Ideal Muslim, p57

⁹⁷ibid, Al- Hilali and Khan, p 371

⁹⁸ Imam Ahmad bin HANBAL Al-Musnad, Mu'sasatuKurdabi, Al-Kahira,(No Date), Vol.191, 1661.

The major concern of the woman is to make her husband happiness, comfort and welfare of her spouse. She might consider her duty to her husband as one of the road to paradise. They should treat each other with kindness in their marital life as Allah ordered:

And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable.⁹⁹

قال رسول الله ﷺ:

The best of you is he who is best to his family and I am the best among you to my family.

The Prophet (SAW) encourages people to marry a virgin. (Young) When one among his companion *Jabir bn Abdullah* informed Him about his marriage. He (SAW) said:

¹⁰¹interviewed with Malam Rabi Hussain, 52 years, Lecturer Al- Kalam University Katsina, Karofi, Interviewed On 5\4\2017, 11:00am.

"هلا تزوجت بكرا تلاعبك وتلاعبها"¹⁰²

Why have you not married a virgin so that you may play with her and she may play with you?

Marrying a virgin involves absolute intimacy and affection as she has no ex-husband to whom her heart might be attached affecting her desire and affection for the present husband.

3:5:6 CARRY LESS BAGGAGE: There are many verses in the Quran to uphold the ties of kinship and avoiding neglecting it Allah (SWT) said:

[illegible]

And give to the kinsman his due and to the *misikin* (poor) and to the wayfarer. But spend not wastefully (your wealth) in the manners of a spendthrift.¹⁰³

Islam calls to kind treatment to parents and relatives.

عن أنس بن مالك رضي الله عنه قال: قال رسول الله ﷺ: "من أحب أن يبسط له في ريقه وينسأ له في أثره فليصل رحمه"¹⁰⁴

Prophet (SAW) says:

Whoever likes his rizq (provision) to be increased and his life to be extended should uphold the ties kinship.

With regard to this, if a person get marriage his baggage to his relative, will less as he has necessity responsibilities and maintenance (wife and children)which Allah has place upon him. Also on the part of wife's parent, a mouth less and shifts the economics burden to the husband and his family.

3:5:7: SOCIAL UPBRIGING: Parents have the responsibilities for providing their children with sound Islamic education, upbringing base on noble

¹⁰² Ibid, Sahih Al-Bukhari Hadeeth no: 4791. Ibid, Sahih Al- Muslim, Hadeeth no:715.

¹⁰³ Ibid, Al- Hihali and Khan, P 371

¹⁰⁴ Ibid. Sahih Al- Bukhari. Hadeeth no: 1487.

characteristics which the prophet confirmed that had been sent to complete and spread among people. The prophet (SAW) says:

رسول الله ﷺ قال انما بعثت لا تما مكارم الاخلاق:66

I have only been sent to make righteous behavior complete.¹⁰⁵

The house is the first environment which little are grow. It is where attitude and personality found. The parent has important role in nurturing and paying attention to physical, mental and spiritual well being of their kids. The person should be in the habit of being involves in treating the children with love, kindness and joking with them as more as he can whenever he find opportunity, so that their heart will be filled with happiness.

Islam care about childhood and Muslim regard children as gift/trust from Allah (SWT), parent will be held responsible for this trust on the Day of Judgment. Hence Islam pays particular attention to rights of children and to the proper manner in which to raise them, so that they will be equipped to face the difficulties of life.¹⁰⁶

A child has a right has a right to be breast fed by its mother directly in a manner that he should be satisfied physically, psychologically and emotionally. In Islam mother should nurse and breast feed her newly child. It will be sinful fail her responsibility toward her suckling infant who is utterly helpless on its own.¹⁰⁷

قال رسول الله ﷺ: 108
"كفى بالمرء إثما أن يضيع من يقوت"

The prophet (SAW) said:

It is a grave sin for one to neglect a person whom he is responsible sustaining.

¹⁰⁵ Ibid, Al- Hakim, Al-Mustadrak:4180, Ibid, Ahmad:8729

¹⁰⁶ Ibid, Tanko, Y., P 170

¹⁰⁷ Ibid, Tanko, Y., P175

¹⁰⁸ Ibid, Abu Dawud,

The Quran speaks clearly about suckling child and taking care of him as regards to all his responsibilities, where it states:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ وَعَلَى
الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ

The mother shall give suck to their children for two whole years,(that is) for those (parents) who desire to complete the term of suckling, but for the father of the child shall bear the cost of the mother's food and clothing on the reasonable basis. 2:233¹⁰⁹

A child has a Right for a proper upbringing from his parents, the parents must take care of teaching their children the duties of Islam and other virtues that are recommended in the *shari'a*, and worldly matters that they need in order to live a decent life in this world, such as kind, just, wise, freedom, loving, righteous, noble, faithful, dutiful hard working and educated Muslim youth.¹¹⁰

In nursery house in Europe children and parents are not endowed with these exalted statuses. They abandonment their children and they are not together to treat them or upbringing them, they left their children to fend for themselves and rendering them likely to fall into evil ways and left their obliged duties to whom they can treat them and fail to treat them.

In Europe, mothers bring their children to the nursery; the house corresponded to these of the factory (where the work was arranged in three shifts. The mothers could breast their babies twice with an interval of three and a half of four hours. Some of the babies were bottle fed with sugar, water and milk.¹¹¹

¹⁰⁹Ibid,Al- Hilali AND Khan P 51

¹¹⁰Opcit,Tanko, Y., P176

¹¹¹ The Negative Impact of Nursery House In Europe ,<https://www.britainsfinest.Co.uk> visited on12/6/2016, time 3.00pm

CHAPTER FOUR

KURA TOWN AND EARLY MARRIAGE

4:0 INTRODUCTIONS

Having undergone a survey among the people of Kura local government in their practices of early marriage to their female children for different reasons would be analyse to see how relevance or otherwise. This could be proven to the reflections in Islamic perspectives as follows

4.1 Kura was among the 44 Local Government Areas of Kano state Nigeria, and is geographically located in the southern part of the state along the dual express way Zaria-Kano Road, on the distance of about 35Km from the state capital. It is located at 11⁰ 46' 17" N to 8⁰ 25'49"E and covers an area of about 206km² Square Kilometers (80 sq mi) of cultivable land with a population of about 144,6 according to the 2006 census. It also shares common boundaries with *Garun Malam* local Government Area from the west, *Madobi* Local Government Area from the North, *Dawakin Kudu* Local Government Area from the East and *Bunkure* Local Government Area from the South¹¹²

Kura situated in the southern part of Kano state, which was a very good side of farming and seasoning animal raring centuries ago. Certainly it is difficult to find the exact year or the era which the Kura peoples dwelled themselves in that fertile land. But what is known was that, Kura comes to being probably in 18th century onward after discovered as a route and encampment for Arabs and Tuareg caravans and traders. Around that time, people were only found in places like *Alkalawa*, *Limamai*, *Yalwa*, *Rimindaddo*, *Unguwar Gandu*, *Unguwar Bugu* etc. Their local businesses was trading; farming, dyeing, weaving, hunting and

¹¹²Lawan A History Of Kura <https://Abubakarlawankura.Wordpress.Com> 18/2/2017, 4.00pm –
-Sani A., I., Contribution of Madarasatul IrshaduI Ibaadi Kura in spreading Arabic Civilization P 11, Oct, 2010.

blacksmithing. Kura peoples were known far and wide through their courage and commitment on those traditional and local occupations. The place was endowed with expanse of fertile land and good vegetation.¹¹³ Over 99% of the entire populations of the people were Muslim. They are predominantly Hausa, Kanuri and Fulani tribes.¹¹⁴

Kura Local Government lies in the savanna region and become the most intensively irrigated Local Government in the State due to the introduction of irrigation system in the area. As an agricultural town Kura was known for the production of food stuffs and vegetable crops both during dry season and rainy season. The dry seasons mostly start from October to April, while the rainy season begins from April to September with an average annual rainfall of 134. The people of the local government are 80 percent farmers who are engaged in mixed farming in both the seasons. Some of the cash crops produced in the area are Rice, Wheat, Maize, Millet, Guinea-corn, Beans, Tomatoes, Onions, Sugarcane, Cucumber, Cabbage, Water melon, etc.

The locally made turban *Rawani Dan Kura*, is famous and important clothing item produced and known for sale as *Rawani Dan Kura* centuries ago. The turban was used by traditional rulers, Elders men, Rich men and Islamic Scholars. They export it especially to West Africa such as Ghana, Niger, and Libya etc.¹¹⁵

Kura has numerous of social amenities range from Schools, Health facilities, *Shari'a* and magistrate court, Banks, Tertiary Institutions, etc. Kura was also

¹¹³Ibid, Abubakar Lawan

Ibid, Sani Abdurrauf P 12

¹¹⁴Opcit, Lawan, A., p 1

¹¹⁵Ibid, Abubakar Lawan

- Ibid, Sani Abudurra'uf, P13

connected to National Grid Line during *Alhaji. Abubakar Rimi's* regime and received Radio and Television transmission and services of all Nigerians communication company such as MTN, GLO, AIRTEL, ETISALAT etc. and have three operational Banks (Sky Bank, Access Bank and Micro finance Bank).

Kura local Government has a total of thirty five (35) Health Facilities among them 2 are private, 2 constructed by Kano State Government, 1 by community and 30 by the Local Government council.¹¹⁶ In term of Education, Kura has the total of 113 primary schools registered with the Local Government Education Authority, 10 private schools.¹¹⁷ Also there was about 21 secondary schools (10 for female, 11 for male) and 6 tertiary Institutions.¹¹⁸

4:1 MARRIAGE IN KURA TOWN

It is prevalent practices around the world to marry a girl in a young age, over centuries ago, even before and after the advent of prophet (SAW) by both Muslim and non Muslims, it is not criticized but encourage. Judaism allowed marrying a three years and a day child. Europe also allowed the marrying of a young girl especially for the kings and rulers. Many of them married a young girl at the age of 8, 9, 12, 13 and 14years.¹¹⁹ People married in Biblical time in an early age. The wife was to be taken from the large family circle (usually at outset of puberty around the age of 13years) in order to maintain the purity of the family line”.¹²⁰

¹¹⁶Interviewed with Binta Hassan, 44 years, Ward Technical Officer Kura Local Government Area, Unguwar Gandu Q 2\4\2017, 10:20am

¹¹⁷Interviewed with Ayuba Ali, 57 years, Assistant Planning, Research And Statistics Kura Local Education Authority, subeb, kano, Interviewed On 15/4/2017, 11:00am.

¹¹⁸Interviewed with Bashir Yusif Kura, 58 years, Head Of Department, Planning, Research And Statistics, Zonal Education Office Kura, Kano State Senior Secondary Schools Management Board, 9/2/2017, 12:00.

¹¹⁹Ibid, Al-Qhoudairy Fawzy Why Did Prophet Muhammad Marry Aisha The Young Girl Pp1-3

¹²⁰ The young marriage of Aisha <https://www.islamicawareness.org/polemics/aishah.html> p5, on 12/6/2016, 3:00pm.

After 14 centuries from the marriage of the prophet Muhammad (SAW) to Aisha (RA) it was found that, the age of consent is still early in the various places.

¹²¹Islam has permitted marriage of girls below the age of 10, because some provision of *Sharia* is based in part on the life and practices of Prophet Muhammad (SAW). Prophet married Aisha (RA), his third wife, when she was about age of six and consumed the marriage when she was nine years. Aisha may God be pleased with her, narrated that the Prophet (SAW) was betrothed *zawaj* to her when she was six years old and He consummated *nikah* His marriage when she was nine years old, and then she remained with him for nine years¹²².

Some of the companions of the prophet married and married off their daughters at a young age, even some are married a day when a girl delivered. Example *Abdurrahman bn Awf* married *Sahla bnt Asim bn Adiy* on a day when she delivered.

Kura as a Muslim town, adopt marrying their daughters at a young age. There is no doubt, a long time ago, 100% of the girls at Kura town were married at a young age more especially among the Fulani tribe, they makes promises or bequest *wasiyya* for marriage of their daughters at the age of 2-4 or even before birth.¹²³

Religions and tradition are the most important reasons for practicing early marriage in Kura town; the practice is upheld generation after another, based on that prophet (SAW) and those followed him practiced it. Early marriage doesn't mean under aged marriage, going by the definition of the word "early-at or near the beginning of a period of time or expected time."

¹²¹ibid, Why Did Prophet marry Aisha the Young, P6

¹²²ibid, Sahih Bukhari, 15

¹²³interviewed with Malam Mai Kurna Muhammad Ahamad, 68years, Retired Lacturer of Sa'adatuRimi College Of Education and Chief Imam of Friday Mosque KofarArewa Kura, Interviewed On 17/1/2017, 10:30am.

Parents from rural area tend to marry their daughters earlier than the urban area. The Urban people married their daughters about 1 $\frac{1}{2}$ or 2 years later than rural girls. Male also marry 5-7 years than female children. The influence of people whose residents in rural and urban areas are quite different of not participate or enrolling their children in modern education and there is low level of education. They sent male children to town and girls stays at home helping their parents in domestic activities.

In Kura town like any other Muslim communities parent prefer to enroll their daughters in *Makarantar Allo*, *Islamiyya* schools and *Tsangaya* model schools. However, some parents send their wards to conventional school but were dropped out from the school for marriage.¹²⁴ Below are random statistics indicates the drop out/withdrawal of some girls from the secondary school before completing:

School	Year	Enrolment	Drop out
Government Girls Arabic	2011-2012	200	—
Senior Secondary School	2012-2013	200	—
<i>Tanawa</i> ¹²⁵	2013-2014	190	10
	2014-2015	184	6
	2015-2016	125	59
	2016-2017	125	15

¹²⁴Ibid, Bashir Yusif, interviewed

¹²⁵Khalid Abba, age 55, Senior Master, Government Girls Senior Secondary School Tanawakura. a written document on 15/5/2018.

School	Year	Enrolment	Drop out
Government Girls Arabic	2011-2012	113	
Senior Secondary School	2012-2013	100	13
<i>SaniMasha</i> ¹²⁶	2013-2014	100	
	2014-2015	99	1
	2015-2016	93	6
	2016-2017	92	1

School	Year	Enrolment	Drop out
Government Girls Arabic	2011-2012	123	—
Senior Secondary School	2012-2013	123	
RiminDaddo ¹²⁷	2013-2014	115	8
	2014-2015	100	15
	2015-2016	90	10
	2016-2017	85	5

The table above shows the dropout of some students from some different schools in Kura town. The dropout mostly occurred in senior secondary school than junior secondary school. The total dropout of *Tanawa* senior secondary school student from 2011-2016 is 80 students. *Sani Marshal* secondary school has the total dropout of 21 students from 2011-2016. The dropout students of *Rimin Daddo* from 2011-2016 is 38 students. Husbands usually allow and encouraged them to acquire higher Education.

Nowadays, the age and practice of early marriage in Kura changed with the following factors:

1. **WESTERN EDUCATION:**

Education in its broadest sense is a mechanism of socialization. In any society, there are socially recognized ways in which the norms and values of the

¹²⁶ Sani Bashir , age 42years, Senior Master, GGASSS, Sani Marshal kura, a written document, on18/5/2018.

¹²⁷ musbahulsma'il, age 50years, Senior Master, GGASSS,a written document on 10/5/2018.

society are inculcated into the new members. Without some processes of socialization the society itself would cease to persist¹²⁸

Education involves both informal (traditional) education and formal education (schooling). Informal education occurs primarily in the family groups, the agents are not specified and it may occur at any time and at any place. Formal education, on the other hand, is entirely institutionalized. Both formal and informal education systems help the child to acquire various skills, knowledge and attitudes, which will prepare him/her for personhood and the important roles he/she is expected to play in a certain society.

Western education and level of education played a role in changing the issue of early marriage. Children from educated family were mostly enrolled in western modern schools and allows them to complete their primary school, secondary schools and some allowed to obtain high level of education such as Diploma, National Certificate of Education (NCE) and some to be graduated in various universities. Others were sent to abroad before or after marriage.

2.URBANIZATION:

Kura Local Government Area is situated 33km from the state capital. There are many social amenities in Kura, range from schools, health facilities, *Sharia* and magistrate court, Bank, Tertiary Institution, NAPA, Radio and Television transmissions and services of all Nigerian communication companies such as MTN, GLO, and ETISALATE etc. Many of the young children at Kura studies in the field of Sciences, Law, Mass Communication etc that leads them to delay in their marriage as the duration of completion (graduation) is six to seven years.

¹²⁸Ibid, Emirie, G., P 54

.4:2. FORMS OF EARLY MARRIAGE IN KURA TOWN

Early marriage before and during adolescence, has different forms of arrangements at Kura town. They are:

- A. Promissory marriage whereby a family promises their new-born (or not yet born), daughter to another family which formally proposes marriage.
- B. Child marriage whereby children under the age of ten are wedded in one of two ways. In one case, the bride groom is given to her in-laws immediately after the wedding ceremony. In the other case, the girl stays with her parents until such time as the two families agree that she is mature enough to go to live with her husband.
- C. Early adolescent marriage: This takes place between the ages of 10 to 15.
- D. Marriage of a young girl to an elderly man where the man is typically between the ages of 40 and 50 or 60.
- E. Late adolescent marriage: It takes place between the ages of 16 to 20.

In each of the above mentioned types of marriage, are arranged after negotiations between two families. ¹²⁹

4:3 CAUSES OF EARLY MARRIAGE IN KURA TOWN

In Kura town, early marriage is practiced for various reasons. Among the major causes are as follows:

¹²⁹-Interview, with AminuInuwa, age57, Arabic Senior Support Officer Kura Local Education Authority SUBEB, Kano State, on 20/1/2017, 11:00am.

-Interview, with Kabir Imaam, age52, Arabic Support Officer Karfi Cluster, Kura Local Education Authority, Kano, 3/3/2017, 10:30am

-Interview with, Uba Abubakar Imam, age57, Arabic Support Officer Dalili Cluster ,Kura Local Education Authority, Kano , 20/2/2017, 11:15am

- A. Avoid pre marital sex or loss of virginity and its consequences. Once known that a girl had pre marital sexual relationship, could be quite difficult to find suitable boy who will be willing to marry her. Parents willing or unwillingly arrange early marriage to avoid such unpleasant situation.
- B. Pledge: When the parents had a pledged or bequest to give their daughters in marriage especially when the girl is too young or even birth
- C. Strengthen ties between the marrying family more especially the notable such as religiously, *ulama 'a*, wealthy etc
- D. Compelling request when the family or elders sent by the bride groom's family, a negative response is unthinkable
- E. Avoid the perpetuation of non-marriage status, if girl is not married beyond a certain age she is considerate as undesirable. To avoid this and ensure girl get husband, families agree to a request even when they might not consider the girls old enough.
- F. Parents needs to marry their daughters before menstruation appears
- G. Parents want to marry their daughters in early age to have many children and grandsons before they pass out.
- H. Religious and traditional practice.
- I. Unavailability of female children at that time.¹³⁰

4:4. COMPATIBILITY OF EARLY MARRIAGE IN KURA TOWN WITH ISLAMIC ROLE

When Islam emerged, there were certain marriages practiced during the time of *jahiliyya* but abolished by the prophet (SAW) some of them were even practiced

¹³⁰Ibid, Aminu Inuwa, interviewed

-Interview with Halima Inuwa, 55 years, Head Mistress Choice For Girl Center Kura LGEA. 12/4/2017

up to the time of the prophet but later prohibited. Some of these kinds of marriages are as follows:¹³¹

- A. Marriage of *Al-Istibda'*: It is kind of marriage where a man sent his wife after period to sleep with another man so that he might have a child in the noble breed.
- B. The marriage of *radha'*: Is a kind of marriage where a group of less than 10 would have sexual relationship with a woman, if she become pregnant and after delivery the child would be attributed to one among them and he would not deny.
- C. Marriage of *baghaya*: This is a marriage where women used to fix banners at the door as a sign of prostitutes. More people would enter upon a woman and she would never refuse.
- D. Enjoyment/Temporary marriages (*Nikah Al-mut'*): This is a marriage contract by two persons (male and female) to last for specific period of time.

عن الربيع بن سبرة الجهني أن أباه أحدثه أنه كان
مع رسول الله ﷺ، فقال رسول:
يا أيها الناس إني قد كنت أذنّت لكم في الاستمتاع من النساء،
وأن الله قد حرم ذلك إلى يوم القيامة فمن كان عنده منهن شيء
فيخل سبيله ولا تأخذوا مما آتيتموهن شيئاً¹³²

The prophet (SAW) Said:

From Rabi'a bin Subrah al- Juhani, (he) narrated from his father, that he (His father) was with the messenger of Allah (SWT) when he said: O people I had (earlier) given you permission to enjoy with (through temporary marriage). But indeed, Allah has forbidden you to the day of resurrection. So who ever has anyone of them should let her off, and do not take anything from what you had given them as (dowry).

¹³¹ Ibid, Tanko, Y., Pp 55-61

¹³² Ibid, Sahih Muslim, hadeeth no: 3458

The early marriage in Kura town competed with Islamic type in following:

4:4:1 CHOISE OF THE SPOUSE:

People of Kura town marry their daughters to a person among the notable family. It is an act of *Sunna* to marry a religious chaste woman of a noble origin.

قال رسول الله ﷺ:
"تتبح المرأة لأربع: لمالها، ولحسبها، ولجمالها، ولدينها
فاظفر بذات الدين تربت يداك" ¹³⁶

The prophet (SAW) said:

A woman is married for four reasons; for her wealth, for her for family status, for her beauty for her religious, so, you should marry the religious one you may be successful.

Moreover, it is stated that, the Prophet (S.A.W) forbidden marrying a woman for the sake of something than religiousness.

لا تزوجوا النساء لحسنهن، فعسى حسنهن أن يرديهن،
ولا تزوجوهن لأموالهن فعسى أموالهن أن تطغيهن،
ولكن تزوجوهن على الدين، ¹³⁷.

The Prophet says:-

You should not marry women for the sake of their beauty, for it might lead them to ruin (through arrogant and conceit), nor should you marry them for the sake of their wealth, for it might lead them to transgression. Rather, you should marry them for the sake on religiousness

Although the person advice to look for a religious woman this does not mean he should ignore his preference regarding physical beauty. The prophet (SAW) encourages seeing a woman before finalizing the marriage. So that a person will not find himself trapped in a marriage with a woman he finds unattractive.

عن المغيرة بن شعبة ا نى خطب امر اة فقال رسول الله ﷺ:

¹³⁶Ibid, Sahih Muslim, 3708. Abu Dawud, 2049. Nisa'i, 3230. Ibn Majah, 1858

¹³⁷Ibid, Ibn majah, 1859

"أنظرت إليها؟ قال لا، فقال عليه السلام، اذهب وانظر إليها فإنه أحرى،
أن يؤدم بينكما أن يؤدى إلى الموافقة الملائمة"¹³⁸

From Al- *Mughirah bn Shu'bah* I got engaged to a woman at the time of the prophet (SAW). He asked me: "have you seen her"? I said "no." "He said: "Go and have a look at her because it is more fitting that the love and compatibility be established between you.

Islam is not allow the secularism of two person (male and female that are not Muharram) because *Satan* will be the third person among them.

قال رسول الله ﷺ: "لا يخلون رجل بالمرأة
إلا كان ثالثهما الشيطان"¹³⁹

The prophet (SAW) said:

A man and a woman should never be together alone,
expect that the third party must be the Satan.

Also the looking is permitted only to a person who is likely to respond for his proposal of marriage, and look at what usually appear of the body.

عن جابر رضي الله عنه قال: قال رسول الله ﷺ:
"إذا خطب أحدكم امرأة فإن استطاع أن ينظر الي بعض ما يدعوه
إلى نكاحها فليفعل"¹⁴⁰

The prophet said:

¹³⁸Ibid, Tirmithiy, 1087.

-Ibid, Ibn Maja ,1865

¹³⁹ Opcit, Tirmithiy, 2165.

¹⁴⁰Ibid, Abu Dawud, 2082

When one of you gets engaged to a woman if he can look at what will induce him to marry her; should do so.

Fuqaha said :

It is deemed allowable for a men who intends to get engaged to a women and believes that she is likely to consent to look at what usually appears of her body without sitting privacy with her, provided that he feels secure again temptation.”¹⁴¹

Most of the jurists are of the view that, what is allowed to see are only face and hand. Because it is through them one can confirm the beauty, fertility and smoothness of her body. But *Abu Hanifa* was of the view that the suitor can see even the feet. While according to *Hambali* School, he can see the six organs which appear when she performs certain duties. These are; the face, neck, hand, feet, head and legs.¹⁴²

The people of Kura are not allows their daughters to attain many persons. Rather than they restricted them to only one person engages in marrying their daughters until he reject or allow some body to engage.

As it was prohibited for a Muslim to propose to a women who has already engaged to another Muslim thus who ever proposes to a women and his proposal is answer, it become prohibited to another one to engage until the first suitor gives him permission or reject.

قال رسول الله ﷺ

¹⁴³ولا يخطب على خطبة اخيه حتى يد ر

The prophet (SAW) said:

¹⁴¹Ibid, Al-Fauzan Salih, A Summary of Islamic Jurisprudence, P 375

¹⁴²Ibid, Tanko, Y., p20

¹⁴³Ibid, Bukhari, 5744., Ibid, An-Nisa'i , 3241.

None should ask for the hand of a woman who is already engaged to his (Muslim) brother but one should wait and see if the first suitor will marry or leave her.”

Also if a person is not attainable to look for a woman, he may send a trustworthy woman to see her on his behalf and describe to him. This is based on the *Hadith* related by Imam Ahmad stating that the prophet (PHUB) once sent *Ummu Sulaym* in order to see and examine a woman¹⁴⁴.

4:4:2. THREE INTEGRALS PARTS OF MARRIAGE

The practice of early marriage in Kura is compatible with Islamic mode in three integrals part of marriage, namely:

1. Free from any barrier that may deter the validity of marriage: The spouse at Kura town are free from any barrier that may deter the validity of their marriage Example woman must not be one of those whom is prohibited to marry such as being close blood relative (lineage), being a sister through having being breast feed by the same mother (fosterage), in-law or because of marital relations, as married woman, a widow or divorced woman under her waiting period, or prohibited by matrimonial relation with another or other women, or by a situation one find himself, as idolatress or Idolater, one in Ihram etc¹⁴⁵.

B. The bride's consent must be verified: It is expressed through the spoken form uttered by the legal guardian or any one of his place he says to the groom: “I marry you so and so.”

1. The groom's acceptance must be verified: it is expressed through the spoken form uttered by the groom in reply to the guardian namely: I marry her or accept her marriage.

¹⁴⁴ Ibid, Al-Fauzan, P 375

¹⁴⁵ Opcit, Al-Fauzan, p362, ibid, Tanko, y., Pp31-52

4:4:3 PILLARS AND CONDITION OF MARRIAGE

The early marriage in Kura town was strictly conveyed with the Pillars and conditions of marriage in Islam as:

1. Accurate specification of the two spouses: Each of the two spouses must to be accurately specified while referring. Accordingly, the spouse referred must be accurately specified either by mention his/hers name or by pointing or mentioning a certain quality that distinguishes his/hers. It is insufficient for a bride father to say: I marry you my daughter or I marry my daughter to your son, as he has many children.¹⁴⁶

The practice of early marriage at Kura town, was strictly adopted the correct form of offer and acceptance and accurate specification of the spouses that is why they tries to mention the exact name and familiar one to avoid confusion.

2. Mutual consent: There must be a mutual consent between two spouses. Marriage is not valid if any of the two forced to accept.

قال رسول الله ﷺ:
"عن أبي هريرة أن رسول الله ﷺ قال: "لا تنكح الأيم
حتى تستأمر، ولا تنكح البكر حتى تستأذن، قالوا يا رسول الله وكيف
إذن قال: "أن تسكت".¹⁴⁷

Abu Huraira narrated that, the Prophet (SAW) said:

A previous marriage woman should not be given in marriage except after consulting her, and a virgin should not be given in marriage except after her permission.”
They (the companions) said messenger of Allah (SAW) what is her permission? He said: If she remains silent.

The young age girls in Kura were married mostly by their parent choice. Even though, the parents request the consent of their children, inform them and marry them without their consent.

¹⁴⁶ Ibid, Al-Fauzan, p364

¹⁴⁷ Ibid, Bukhari, 5136 , Ibid, Muslim, 3458.

No marriage (is valid) without (permission) of a guardian and the [presence of two just witnesses”

These conditions are followed by the people of Kura town. They maintain that no marriage is valid without the presence of witness. Apart from two witnesses, they made public announcement for more people to attend and be witnessed in order to prevent unnecessary suspicion or rumors which may circulate among the people who might see the newlyweds together. It is the *Sunna* marriage be publicized. *Abdullahi bn Zubair* said that, the messenger of Allah said:

قال رسول الله ﷺ:
اعلنوا النكاح
“Announce the marriage.”¹⁰³

5. Dowry: Is a kind of compensation specified in the marriage contract or after concluding it, and to be paid by the husband. As its ruling, it is obligatory according to Quran, *Hadith* and the consensus of the Muslim scholars. Allah the exalted said:

يَجْزِيكِ اللَّهُ فَهِيَ مِثْلُ حَظِّ الرَّسُولِ
And give to the woman (whom you marry) their *mahr* obligatory--.”¹⁵¹

The prophet (P.H.U.H) never left a marriage be consummated in his life without a dowry. In the regard He said:

أن رسول الله ﷺ قد قال للخاطب: التمس
ولو خاتم من حديد”¹⁵²
Find something (to give to the bride as dowry) even if it is iron ring.

¹⁵¹Ibid, Al-Hilali, p106

¹⁵² Ibid, Bukhari, 5078. Ibid, Muslim, 4372.

Islam does not specify minimum or maximum amount of dowry, whatever is valid to be given as a price or wage is valid to be given as a dowry. Giving a large amount of dowry is not deemed detestable as large as it is not out of boastfulness and extravagance, and it does not burden the groom causing to ask others for financial help and such like.

There is a *Hadith* narrated by Aisha for the simplicity and easiness in dowries.

Aisha (RA) narrated that, the prophet (SAW) said:

قال رسول الله ﷺ:
عن عائشة رضي الله أن رسول الله ﷺ قال:
"أقل النساء مهور أكثرهن بركة"¹⁵³

The most blessed of women are those with less expenditure dowries, marriage, living etc.

The legal purpose behind the dowry is that it considered as a compensation given to the women due to the husbands sexual inter course with her and a sign of honor granted to the wife showing is respected and highly esteem by the husband.

There is no any marriage carried out in Kura without dowry. Some time, the parents by their selves used to pay the dowry of their children when intend to marry them to somebody as *sadaka* known that it will not be valid without it.

4:4:4. EQUALITY IN MARRIAGE

In Islam the spouses must be equal in four things:

¹⁵³ Ibid, Ahmah, 24999, Ibid, Al- Hakim, 2791

an adulterer-fornicator, then she is either an adulterer-fornicator, or mushrika (female polytheists, pagan, idolatress). And such a thing is forbidden to the believers of (Islamic monotheism).¹⁵⁷

2. Freedom : A slave (or slave is partially free due to his agreement with his master to be fully free after the payment of a certain amount of money or after his master is death) is not a suitable match for a free women, as the former is inferior due to the slavery.

3. Profession: One of the professions, such as a cupper or a weaver, is not suitable match for a daughter of one profession such as a merchant or a business

4. Solvency: The groom should be solvent enough to affect the dowry and marriage expenses that are insolvent man is not suitable match for a prosperous women, as this causes her harm owing to his inability to meet her due expenses.

Accordingly, if the condition of the two spouses are different from that of the other with regard to any of the above mentioned for matters equivalent is violated. However this does not affect the validity of marriage as is not a condition for it validity, the prophet instructed Fatima *bint Qays* to marry *Usamah bn Zayd* regardless of their inequality. Yet it is still regarded as condition required for a spouse's commitment to the marriage agreement. If a woman was given in marriage to one who is not suitable match for her, she or any of her legal guardians who do not consent to such an inequality may counsel the marriage. It was happen at the life time of prophet (SAW) that, a man married his daughter to his nephew in order to raise the letter's meanness and low status, so the prophet (PHUP) gave her the right of option weather to stay with him or to be separated.¹⁵⁸

¹⁵⁷ Ibid, AL- Hilali and Khan, p 467

¹⁵⁸ Ibid, Fauzan, p 385

Equivalence in marriage in Kura town was mostly considered by the parent when marrying their daughters at an early age .They do not give the marriage of their children to a stranger or to the unequivalent person or class. The daughters from the scholars or Imam's house, married to the scholars or Imam's house. This is based on the Quranic verse which Allah (SWT) said:

سَيُؤْتِيهِمْ مِنْ فَضْلِهِ كَيْفَ يَشَاءُ ۚ لَوْلَا دَعَا النَّاسُ لِبِئْسَ مَا كَانُوا يَفْعَلُونَ
 ٢٦

Bad statements are for bad people (or bad women for bad men) and bad people for bad statements (or bad men for bad women). Good statements for good people (or good women for good men) and good people for good statements (or good men for good women; such (good people) are innocent of (every) bad statement which they say: for them is forgiveness, and *rizqun karim* (generous provision i.e. paradise).¹⁵⁹

There are some customs that are established before wedding ceremony such as *kayan na gani Ina so*, *kayan-lefe*, *kayan kunshi* etc and many other unnecessary marital expenses such as purchase of expensive clothes and jewelries, holding expensive wedding reception and banquets etc. In fact, such matter involves nothing, but extravagance and wastefulness as they are void of any benefit to any of the spouses. Undoubtedly, such matters are considered among the burdens obstacle standing in the way of marriage.

Some of the rituals in marriage ceremonies are absolutely *haram* like mixed gatherings without proper *hijab*. One must avoid them if they are against the *Shariah*, even if some people are displeased.

4.4.5 Finally in this chapter, it has been observed the people of Kura town have not in any way violates the Islamic principles in their practices of given out their daughters to marriage. Hence, the marriage it self is an institution that prevents them into danger and equally promote their socio-economic well-being. We

¹⁵⁹ Ibid, AL-hilali and Khan, p 470

learned as well how western Christian culture are going in the same directions with Islamic Nigeria cultures specifically in Kura local government.

CHAPTER FIVE

ANALYSIS OF EARLY MARRIAGE

5:0 INTRODUCTION

Many organizations are working on highlighting the negative impacts of early marriage through all means of information and transmission. And also tries as much as possible to end the child marriage by creating policies. The analysis under the Islamic perspective will bring out positive impacts of early marriage contrary to those organizations' assumptions.

The effort of many organizations and individual who oppose to child marriage or early marriage both in America and Europe and their supporters in Africa and other continents could be summarized as follows:

- It is violation of human right
- More likely to be illiterate
- Low social status
- No access to finance resources
- Health risk for mother and child
- Early pregnancy
- pregnancy-related complication such as VVF
- limiting the opportunities for career and vocational advancement
- limiting their ability to obtain information on reproductive health, contraception, HIV, and other sexually transmitted infections (STIS)

Almost all of these points are explained in the impacts of early marriage

5:1 ENFORCEMENT OF SOME ORGANIZATION TO END THE CHILD MARRIAGE: Here are some attempt by UNFPA and other organizations creating policies and laws to end the child marriage as follows:

- Enforce existing laws and policies. Although laws against child marriage exist in many countries, the implementation and enforcement of such laws is often weak. Technical assistance is needed to increase the number of in-country professionals who can appropriately monitor and evaluate programs to better implement, review, and update laws and policies intended to prevent child marriage. A committed multispectral approach that integrates action plans from the health, education, legal, economic, and labor sectors can help reduce the incidence of early marriage and pregnancy.
- Provide economic incentives for delayed marriage. In certain settings and cultures, addressing the economic factors associated with early marriage, such as dowry practices, is essential to developing successful programs that delay the age of marriage among girls.
- Implement community-based mobilization programs. Advocating for changes in social attitudes and norms through multisectoral and integrated community-based programs such as through religious institutions and associations, health institutions, other local civic organizations, and schools are the best channels for raising awareness of the negative consequences of early marriage and the many economic, social, and health benefits of delaying marriage.
- Create safe spaces for girls. Social networks and civil society organizations play a critical role in developing sustainable safe spaces for girls to meet to share information and ideas and obtain support and guidance. Using public facilities, such as schools after hours or places of worship during non-

worship hours can offer catch-up education, financial literacy instruction, savings clubs, and health services either directly or on referral.

- Support education beyond primary school. Investments must be made to support girls' education. Evidence suggests that educated girls are less likely to agree to marry at a young age. Development programs need to be creative in implementing programs that support a girl through the critical drop-out period, along with secondary and vocational opportunities that are acceptable to the girls' families.
- Provide safe and nonexploitative means of livelihood outside the home. Education and professional training that build the capacity of girls and young women to generate income can enable them to postpone marriage. When education is not a feasible option, income-generation programs can empower women and girls with the skills and tools to reduce their dependency on family members and gain some autonomy.¹⁶⁰

There is no other right beside the Islamic right. Children's right cannot be separated from human right because children are the future generation. Taking care of the coming generation by protecting their dignity and providing them their needs is the most important things.

Historians have argued that childhood, to a large extent, is a social construct. The concept of childhood emerged relatively recently, in the past 400 to 600 years. This means the emergence of western concept of child rights came 1338 years after the establishment of Islamic child rights. It was in the latter part of the twentieth century, and specifically the 1970s and 1980s that the concept of the

¹⁶⁰ UN Human Right www.ohchr.org/documents/issues/womenwrsgs/forcedmarriage/NGO/savethechildren.docx
Accessed 7/03/2018 8:35pm

Children's rights emerged¹⁶¹.

Islam is extremely concerned to establish the ideal society. This is by providing the essential conditions and necessities that ensure and guarantee for individual in society their full rights. Child security is of the utmost importance. The rights of a child in Islam, begins even before birth.¹⁶²

There is a hiding mission on the concept of early marriage which at the last for them (united nation) to achieve their ambitions. Allah (SWT) said:

وَلَنْ تَرْضَىٰ عَنْكَ الْيَهُودُ وَلَا النَّصَارَىٰ حَتَّىٰ تَتَّبِعَ مِلَّتَهُمْ قُلْ إِنَّ هُدَىٰ اللَّهِ هُوَ الْهُدَىٰ وَلَئِنَّ
اتَّبَعْتُمْ أَهْوَاءَهُمْ بَعْدَ الَّذِي جَاءَكَ مِنَ الْعِلْمِ مَا لَكَ مِنَ اللَّهِ مِنْ وَلِيٍّ وَلَا نَصِيرٍ

Never will the Jews nor the Christians be pleased with you (O Muhammad (SAW) till you follow their religion say: “Verily, the Guidance of Allah (i.e. Islamic monotheism) that is the (only) Guidance. And if you Muhammad (SAW) were to follow their (Jews and Christians) desires after what you have received of knowledge (i.e. the Quran) then you would have against Allah neither any *Wali* (protector or guardian) nor any helper. 2:120¹⁶³

5:2 POSITIVE IMPACTS OF EARLY MARRIAGE IN KURA

There are many positive impacts of early marriage, among them are as follows:

1. PRESERVATION OF CHASTITY: The prophet (SAW) exhorted young people to get married early because the sexual urge of young is strong than

¹⁶¹ Ibid, Tanko, y., Pp 169-170

¹⁶² opcit, Tanko, Y., p69

¹⁶³ Ibid, Al- Hilali and Khan, p23

that of an old age person. Marriage guards one's private parts against committing adultery. The prophet said :

قال رسول الله ﷺ:
يا معشر الشباب من استطاع منكم الباءة فليتزوج فإنه أغض للبصر
وأحصن للفرج ومن لم يستطع فعليه بالصوم فإنه له وجاء"¹¹⁷

O you young people, men and women! Whosoever can bear the burden of marriage, let him or her get married. It (marriage) is indeed contentment to the eye and a protection to the modest part. And whoever cannot afford, let him practice fasting for is it indeed prevention to him (or her).

2. SEXUAL SECURITY: Early marriage is a security to sexual initiation which prevents having Pre- marital sex, cohabitation, unlawful pregnant, abortion, giving birth to a child out of lock and contacts with complications diseases such as HIV/AIDS, cervical or vaginal laceration, uterine perforation etc.¹⁶⁴

The common knowledge is that 80%of HIV/AIDS transmission is through sexual intercourse. Islam has the best answer to the prevention of the sexually transmission infection including HIV/AIDS. Islam has taken steps against sexual immorality, which include homosexuality, lesbianism and sex before and outside marriage. Islam took the practical steps of asking believers to lower their gaze at the opposite sex and fear Allah as contained in the Quran¹⁶⁵

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ اللَّهَ
خَبِيرٌ بِمَا يَصْنَعُونَ 24:30

Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts). That is purer for them. Verily, Allah is All-Aware of what they do.24:30¹⁶⁶

¹⁶⁴ Perceptions on Implication of Delay Marriage.A Case Study OF Married Adults In KaulaLumpa Vol.6, Number 8,Aug.2016 Pp 1-7,<https://www.researchgate.net>

¹⁶⁵ Early marriage in Islam: Reproductive Health Issue in Nigeria, P19,www.ajmhs.org.com,23/8/2-16 9:00am

¹⁶⁶ Ibid, Al- Hilali and Khan, p470

Islam in uncertain terms condemns adultery and homosexuality and speaks in the strongest term possible insisting that they engender not only diseases but the destruction of the entire humanity.

Nowadays studies revealed that, puberty is occurring earlier in girls around 12 years. The prolonging period between puberty and marriage may involve the young children to pre marital sex which results to cohabitation, contact with some transmitted diseases, HIV/AIDs etc¹⁶⁷.

Kura town is preventing this problem because their children got marriage as soon as possible.

3. HIGH RATE OF FERTILITY: There is a saying: “As younger you get marriage as more fertile you have.” If you marry at early age, you may deliver many children than to marry at later time. Because the time of delivery for women is limited, is not more than 40-50 years of life.

Moreover it is considered as an act of *Sunna* for one to marry a fertile woman.

عن معقل بن يسار قال: جاء رجل إلى النبي ﷺ فقال: إني أصيب امرأة ذات حسب وجمال وإنها لا تلد، أفأتزوجها قال: لا، ثم أتاه الثانية فنهاه ثم أتاه الثالثة فقال: تزوجوا الودود الولود فإني مكاثر بكم الأمم يوم القيامة¹⁶⁸.

The prophet (SAW) said:

It is reported by Ma'kal bn Yassar that one among the companion of the prophet (SAW) came to Him and asked him that he found a noble and beautiful woman but she doesn't giving birth and want to marry her. He came two times, the prophet not allowed him and came again for third time, than He told him. Marry who are loving and very prolific, for I shall be Proud of the great number of

¹⁶⁷Ibid, Kelani Karamat, P 3

¹⁶⁸Ibid, Abu Dawud, 2050

you (Muslim nation) in comparison with other (nation)
on the Day of Resurrection.

Also the prophet (SAW) did not permitted one of his companions to marry a woman who does not giving birth when he asked the prophet that he want marry her.

Fertility decline would have an impact on the reduction of young people that are seen as an investment in the future. The woman delayed in marriage may delay in childbearing which consequently impact on having fewer children or become infertile.

There are many children and high rate of fertility in Kura town. To prove that when make a visit to the schools in the town, there is high rate of pupils' enrolment and over crowd of pupils in their classes.

4.PSYCHOLOGICALLY: marrying a virgin would bring absolute intimacy and affection as she has no ex- husband to whom her heart might be attached affect her desire and affect for the present husband.

Marrying a virgin involve a young age children. There was a lot of joyful, playful, understandable, self esteem and feeling competences than the mature/adult one.

The prophet (SAW) recommended marrying virgin. He (SAW) said to Jabir (RA)

هلا تزوجت بكرا تلاعبك وتلاعبها¹⁶⁹

Why have you not married a virgin so that you may play with her and she play with you.

The old age man wishes to marry a young age girl to have a full satisfaction. Some accommodates her in separate house to revive their youth.

¹⁶⁹ Ibid, Bukhari , 4791 ,Ibid, Muslim, 715

5. THE ADVANTAGES OF THE AGE GAP BETWEEN THE HUSBAND AND THE WIFE: Since there is a difference in the age of puberty of girls and boys, they don't reach mental maturity at the same age either. Moreover, since women lose their sexual desires relatively earlier than men, about 5 to 6 years age gap between the husband and wife seems to be appropriate. With this age gap, women reach men spouse when the sexual desires of men have somewhat subsided. This would add to the possibility of the success of their marriage and increase the spirit of sacrifice and intimacy between them.

If the man happens to be much older than his wife, in that case he could end up treating his wife like a daughter and the wife may think him to be more of a father than a husband. As a result there may lack of compatibility and friendship between the two.

On the other hand if the wife happens to be much older than the husband, she may be more of a mother to him and not be able to play the role of a wife. This could lead to indifference and anger, for, there doesn't exist a mental and physical balance between the two. Under such circumstances they would be unable to perceive each other's needs. So a healthy age difference between the husband and wife is very important for a happy and successful marriage.

6. UPBRINGING AND EASE AT TRAINING: Women / girls marry at young age, will give birth as earlier and grow up together with her children in the same generation and situation. This would be easier and simplest in training the children, because parent at that time are healthy, strong, aware and familiar of what is going on.

When the parents become old or weak and their energy level drops while their children are still small need a guardian, counseling, supporter etc. How they help them while they are in needs?

It was reported that, older mothers feels distance from their younger children and also children have a sense of separation and lack of intimacy when they reach adulthood.¹⁷⁰

7. PARENTAL POWER: Parents have an absolute power over their children. They are commanded to obey them in any aspect in life unless if it validates the law of Allah (SWT) Allah (SWT) says:

And your lord has decreed that you worship none but Him. And that you be dutiful to your parents. If one of them or both of them attain old age in your life, say not to them a word of disrespect, nor shout at them but address them in terms of honor.¹⁷¹

*Hanna*fi School has said that, a girl who reached the age of puberty has the right for choosing her husband. While *Malik*, Shafi’I and Hambal; said that the father has the right to force a girl who reached the age of puberty to marry the

¹⁷¹ Ibid, Al- Hilali and Khan p 371

9. A SPECIAL CARE FOR A YOUNG AGE MARRIED IN ISLAM: It is the responsibility upon the parent to train their children moral obligation of Islam from their childhood to their adulthood.

With regard for the above the female children has three different stages of training; firstly under their parents, secondly under their husbands and thirdly under their male children.

The man married a young age girl who is not matured enough, has double types of training to that wife; to train her as his daughter with sympathy, compassion, pity; love etc in a position as her parents. Also to train her as his wife with respect, dignity, kindness fairness etc

It is the responsibility of husband to train his wife to adhere with the Islamic characteristics, moral, good conduct in all aspect of life such as religiously, morally, psychologically, mentally, physically and socially

10. GUIDANCE AND COUNSELLING: A husband has to direct his wife toward the straight path of Islam which is in complete harmony with the true nature of mankind. He recognizes her inclination, desires, moods, and tries to reconcile between them.

11. ADAPTATION OF SUNNA: The prophet (SAW) married and married off his daughters at young age and exhorted the young to marry.

رسول الله ﷺ:

"يا معشر الشباب من استطاع منكم الباءة فليتزوج فإنه أغض للبصر وأحصن للفرج ومن لم يستطع فعليه بالصوم فإنه له وجاء"¹⁷⁶

O you young people, men and women! Whosoever can bear the burden of marriage, let him or her get married. It (marriage) is indeed contentment to the eye and a protection to the modest parts. And whoever cannot afford, let him practice fasting for it is indeed prevention to him (or her).

¹⁷⁶ ibid, Sahih Al- Bukhari, Hadeeth no: 566. Opcit, Sahih Al- Muslim, Hadeeth no: 1400

1. DEPRIVE THE RIGHT TO EDUCATION: Girl who marries young is more likely to be illiterate and to have no conventional educational opportunity. In the sense that education is overall well being of the people in their life and it is a clear differences among the people. Allah (SWT) said:

Say: Are those who know equal to those who know not? It is only men of understanding who will remember (i.e. get a lesson from Allah' Sign and Verses.)¹⁷⁷

Allah (SWT) said:

And follow not (O man i.e. say not, or do not, or witness not) that of which you have no knowledge. Verily; the hearing, and the sight and the heart of each of those one will be questioned (by Allah).¹⁷⁹

"طلب العلم فريضة على كل مسلم ومسلمات"¹⁸⁰

78

It is compulsory upon every Muslim (male and female) to seek knowledge.

The prophet (SAW) encouraged both male and female to seek knowledge, that is why He fixed a time and a day when the women of medina gathered in his house to get knowledge.

Aisha (RA) the prophet's wife being the young, she was able to keep the principles of Islam from the Prophet (SAW). She gained wider knowledge in religion and became a teacher for the old and new companions concerning the Holy Quran, Jurisprudence, Interpretation and Prophet's traditions. She was one of the greatest scholars.

In Islam education is of two types; *Fard Ayn and Fard al-Kifaya*. *Fard al-kifaya* is compulsory upon every one that is how to worship God (Ibadat) and Quranic recitation. The other one is upon any one in the community. That is any knowledge that will help us in our life or useful in the religion and life.¹⁸¹

Education involves formal and informal. Literate person is who will be able to read and write. Children at Kura town, has an opportunity to acquire education both formal and informal .Female daughters are mostly enrolls in *Islamiyya* primary school, *tsangaya* model and Quranic schools (*MakarantarAllo*.)

Early marriage is not depriving women / girls for further education. Their husbands allow and encourage them for higher education. The women achieved many goals at the same time; be a mothers, educators and professionals in different fields.

2. HEALTH RISK: Health risk from early child marriage contributed to the early pregnancy, early child birth, high rate of maternal motility or fetal/infant morbidity and fertanal motility and lack of child care. The girl's pelvis and birth canal are not

¹⁸¹Ulwaan Abdullah Naseeh Al-Tarbiyyatul Aulaad fil Islam Vol. 2, p239

fully developed at the time of delivery. It often endures labor that last for many hours or days. This may cause tearing of uncontrollable leak age of urine or feces. Vesico vaginal fistula or VVF is an abnormal fistulous tract extending between the bladder (vesico) and the vagina that allows the continous involuntary discharge of urine into the vagina vault.

In addition to the medical sequel from these fistulas, they often have profound effect on the patient emotional well being.

VVF is often caused by child birth in which case it is known as an (obstetric fistula) when a prolonged labor press the unborn child titly against the pelvis cutting off blood flow to the vesico vagina wall. The affect tissue may necrotized (die), leaving a hole. It can also be as a result from particular violent cases of rape especially those involving multiple rapists and/ or foreign object. It can also be associated with hysterectomy canser, operations, radiation therapy and conebiopsy. VVF are typically repaired either transvaginally or laparoscopically, although patients who have hard multiple trans-vaginal procedures sometimes attempt a final repair through a large abdominal incision or laparotomy. Some health centers in countries such as the democratic republic of Congo have begun to specialize in the surgical repair of vaginal fistulas.¹⁸²

VVF is not only occurring as a result of early marriage only. It is identified that girl is not being able to have pregnant unless she reach the age of puberty and at that time she is ready to conceive. Also the rate of having VVF problem when giving birth by young girl and adult women is almost the same or even more than the young girl.¹⁸³

Mothers /young age married at Kura town try as much as possible to eat good nutrition food and attains ante-natal and post natal where they get

¹⁸²Vesico Vaginal fistula: <https://medicine.Medscape.com.18/5/2016, 12:00am>

Interviewed with Gaji Salisu Usman age 57 years, Chief Metron Midwifery Kura General Hospital, Kano State, Kura Hospital Quaters, 8/5/2017, 12: 00am

information, lectures on how to take care of their self and their infant and takes immunization against some diseases.

3 EXPOSURE TO HOLD RESPONSIBILITIES AT AN EARLY AGE: The girl reaches puberty at which normally the husband may begin having sexual relationship with. She also holds household activities and child rearing at an early age.

Marriage in Islam can happen at any time. Hence there is no limit age for marriage. The focus should be on pre-mature consummation. The scholars discussed fully and concluded that, there is no age limit for marriage, but when it comes to consummation, husband is not allow to do so until the wife is able to bear the act psychologically and physiologically.¹⁸⁴

When a girl is married off at young age, she stays with her parents in-laws, they treats, guides and councils her as their daughter, she may only helps them with some household activities. Husbands are not much care to have a sexual intercourse with her, until she is mature enough to hold it.

4 VIOLENCE TO THE GIRLS: There is no any violence in marriage in Islam, any kind of sexual acts with the wife is permitted except one (to perform in the anus) Allah (SWT) says:

طُتَّجَّ وَ وَ وَ ي ي ب ب د نَا نَا نُه نُه نُو نُو نُو نُو نُو
تُوجُّ البقرة: ٢٢٣

Your wives are tilth for you, so go to your tilth, when or how you will, and send (Good deeds, or ask Allah to bestow upon you pious offspring) for your own selves beforehand. And fear Allah, and know that you are to meet him (in the hereafter) and give good tidings to the believers (O Muhammad (SAW)).¹⁸⁵

عن خزيمة بن ثابت قال: قال رسول الله ﷺ
"لا تأتوا النساء في أعقابهن!"¹³

¹⁸⁴Ibid, Reproductive Health Issues In Nigeria, P15.

¹⁸⁵ Ibid, Al- Hilali and Khan, p54

The prophet said:

“Do not go into women through their back passage.”

In another *Hadith*, He (SAW) said;

فقال رسول الله ﷺ: آتھا علی کل حال إذا كان فی الفرج"

“Have sex with her as you like, as long as that occurs in the vagina”.

There is no rape between husband and wife, but the court will punish the husband if he uses extra force that inflicts injury under *ta'azir*. Allah (SWT) says:

[illegible]

Except from their wives or the (women slaves), whom their right hands possess-for(then), they are not from blame worthy.¹⁸⁶

The husband is enjoined to be kindness. Considerate of the wife emotion and physical condition, emphasize with her and understanding of her inadequacies just as she also enjoined to do same for the husband.

[illegible]

And they (women) have right (over their husbands as regards living expensive) similar (to those of the husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them. And Allah is All –mighty, All wise.¹⁸⁷

There is no harm, because harming other is *haram*, it is more *haram* in case of harming ones wife. Husband shows kind treatment to their wives as Islam calls so, such as good attitude and do everything that may soften their heart toward him, because Allah says:

ط ڈیچ و و ئو یچ النساء: ۱۹

¹⁸⁶ibid, Al-Hilali and khan, p 786

¹⁸⁷ Opcit Al- Hilali and Khan, p50

ثُمَّ لِيُفَضِّلَ الْغَنِيُّ عَلَى الْفَقِيرِ ۖ وَلَا يُلْقِ اللَّهَ الْوِزْرَ عَلَى الْكَاهِنِ ۚ وَهُوَ يَوْمَئِذٍ يَتَذَكَّرُ الْغَنِيَّ وَالْفَقِيرَ ۚ
 ثُمَّ لِيُفَضِّلَ الْغَنِيُّ عَلَى الْفَقِيرِ ۖ وَلَا يُلْقِ اللَّهَ الْوِزْرَ عَلَى الْكَاهِنِ ۚ وَهُوَ يَوْمَئِذٍ يَتَذَكَّرُ الْغَنِيَّ وَالْفَقِيرَ ۚ

Let the rich man spend according to his means; and the man whose resources are restricted, let him spend according to what Allah has given him. Allah put no burden on any person what he has given him Allah will grant after hardship, ease.¹⁹⁰

6. RESTRICTION OF OPPORTUNITY: Early marriage restricts the opportunities to develop psychological and social necessary to make strategic decisions and life choices.

In Islam, there is no any development of the woman beside to leave faithfully in her matrimonial home. To have a good wife/husband is one of the greatest happiness in this life.

Allah (SWT) said:

ثُمَّ لِيُفَضِّلَ الْغَنِيُّ عَلَى الْفَقِيرِ ۖ وَلَا يُلْقِ اللَّهَ الْوِزْرَ عَلَى الْكَاهِنِ ۚ وَهُوَ يَوْمَئِذٍ يَتَذَكَّرُ الْغَنِيَّ وَالْفَقِيرَ ۚ
 ثُمَّ لِيُفَضِّلَ الْغَنِيُّ عَلَى الْفَقِيرِ ۖ وَلَا يُلْقِ اللَّهَ الْوِزْرَ عَلَى الْكَاهِنِ ۚ وَهُوَ يَوْمَئِذٍ يَتَذَكَّرُ الْغَنِيَّ وَالْفَقِيرَ ۚ

And among His signs is this, that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy. Verily in that are indeed signs for people reflect.¹⁹¹

7 PARENTAL CHOICE: The consent of the girl is not requiring because at that time she cannot be determined. *Imam Baghwi* said in: Educated holders *ahlililmi* agreed on the permissible of a father or grandfather to marry his small daughter without her consent based on the *Hadith* of married Aisha (RA) to the prophet (SAW) at six years by her father without her consent.¹⁹² It is narrated from *Ibn Abi*

¹⁹⁰Ibid Al- HILALI and Khan p767

¹⁹¹Opcit Al-Hilali and Khan p542

¹⁹²Ibid,Al- Khadhir, Zawaj As-Sayyida Aisha, P22

Shayba and *Abdurrazaq* from *Zuhry* and *Hassn* and *Katada*, they said: It is permissible for a father to marry his daughter”¹⁹³

Imam An-Nawawi said: The Muslim scholars agreed on the permissible of a father to give his small girl (virgin) in marriage based on the *Hadith* of married Aisha to Prophet. If she become mature, she has no choice by the views of *Imam Malik*, *Shafi’* and some of the *Fuqaha’ of Hijaz* and for the *Fuqaha’ of Iraq* that, she has a choice. ¹⁹⁴

It is narrated from *Baihaqi* and *Adha’* said:” If a man married off his small daughter the marriage is valid and no divorce” ¹⁹⁵

5:5. REAL EXAMPLE OF EARLY MARRIAGE IN KURA

There are some women at Kura town who married at a young age before completing their schools by withdrawal or drop out from school. Some returned back to school later. And some engages in some skills, trade, etc for earning something in their life in their matrimonial home and achieved many goals in their life.

Below are the life histories of some of them:

AMINA ALIYU ADAM Was a mother, competitor and a teacher. Born in 1985 and married at 16 years in 2001 before completing secondary school to her teacher by her parental choice. She returned back to school when she has 2 children. She completed secondary school in 2004 and proceeded to Diploma in 2009-2011.

She is among the famous Quranic recitation competitors in Kura local government, local government zone, Kano state zone, National and International.

¹⁹³Opcit Al-, khadhir,Zawaj As-Sayyida Aisha, P26

¹⁹⁴Opcit, Al-, Khadir,Zawaj As-Sayyida Aisha, P21

¹⁹⁵Opcit,Al- khadhir, Zawaj As-Sayyidah Aisha, P 26

She won 1st position 2nd and 3rd respectively. She also participated in Quran recitation competition, *Tafsir* category when she was in her husband's house and won a 1st position in Edo state and 3rd in *Bauchi* state respectively.

When she has 3 children, she represented Nigeria in Quranic competition with tafsir held at *Malaysia* in 2009, and won the 10th position out of 24 countries. Also she participated at *Libya* in 2010, *Dubai* in 2016 and won 10 positions out of 64 countries.

Currently she is a teacher in the College of Quranic Studies Kura. She stated that:

There is no any problem in my pre-natal and post natal, I delivered successfully without any problem, no miscarriage or caesarean section (C.S). I am grateful with moral and financial support from my husband.¹⁹⁶

AISHA ABDULLAHI: Was born in 1974 and married in 1992 at the age of 18 years after completed secondary school in 1992. She got her first born in 1993. She got an admission to School of Hygiene in Kano state from 1994 to 1996 after married under her husband's financial support.

When she had 8 children she got an admission for Higher National Diploma (HND) at School of Health Technology. Now she has 9 children, delivered without a health or obstetric problems. All are alive, healthy and physically fit.

She is mother, house wife and a nurse. She is the Environmental Health Officer at Kadani Health Clinic in Kura Local Government Area.¹⁹⁷

¹⁹⁶Interviewed with Amina Aliyu Adam, 32 years, Teacher College Of Quran Kura, Zonal Education Office, Kano state Senior Secondary School Management Board, Karofin Kusfa Kura, interviewed On 2/1/2017, 11:45am

¹⁹⁶Interviewed with Aisha Abdullahi, age 43 years, Environmental Health Officer, Kadani Kura, Tafasa Quarters Kura, interviewed on 16/1/2017, 10:00am.

BINTA HASSAN: Was born in 1973 and married at 16 years in 1989 when she was in form 3 (JSS3) at secondary school. She returned back to school and completed in 1990 when has 2 children. She got an admission to School of Health Technology in Kano state from 1995 to 1997.

She has 12 children, gave birth of twines two times, 3 children died when they are 4, 6 and 12 years. She stated that:

“I delivered all my children at home normally and sometimes I am alone”.

She further state that:

“ I advice women to marry their children at a young age and to attain pre-natal clinic, general care of their body, good nutrition and to have a rest when they are pregnant.”

Currently she is a Ward Technical Officer in Kura Local Government Area.¹⁹⁸

ZAINAB UBA IMAM: Married off when she was 11 years before completing primary school and gave birth to a baby boy 2 years after her marriage.

She is a full house wife with having total support of her maintenance from her husband. She sells some item (provision) at her home such as sugar, Omo, Soap, Maggi, Salt etc. Always she has some income to solve some of her problems, her children's and even some of relatives' problems.

Now she has 8 children, only one child died at the age of 17 month. She did not encounter any problem during delivering or post natal, she is physically fit.

She stated that:

Who depends solely on her husband for all her need, will have some problem.¹⁹⁹

¹⁹⁸Interviewed with Binta Hassan, 44, Ward Technical Officer. Unguwar Gandu Kura interviewed on 6/1/2017, 11:15am.

¹⁹⁹Interviewed with Zainab Uba Imam, Trader, unguwar Gandu Kur, On 17/3//2017,10:45am

This means there is need to engage the young girl in education, business, handworks or any provision for survival.

TASIDI NASIDI married off at 13 years old in 1990 before completing primary school with her cousin by her father's choice, and gave birth one year after her marriage.

She returned back to primary school after she has four children. She is a full house wife with 11 children and four grand children. She did not experience any health problem.

She is professional in making women hand bags, travelling bags and purses. She gives training to female in her house on how to make different kind of bags. Sometimes she was assign (contract) to make over one hundred thousand bags.

She stated that:

Being an illiterate is really bad and you should learn skills in order to be a productive member of society. Seek knowledge, so that we can help our children and family.

She also stated:

I am proud to be a wife with a number of these children and grand children at my age.²⁰⁰

RUKAYYA MUSA SHU'AIB: Born in 1965, married at the age 14 before completing primary school

She is a full house wife, used to sell *koko* and *kosai* in her house, she possessed many things and live in a good lively hood.

She returned back to school in 2002. when she finished primary school, she proceeded to secondary school. When she has 9 children in 2003, she got an admission to *El-Tayeeb* Institute Kano Nigeria, where she obtained Diploma, and Advance Diploma in 2009 at *Munazzamatu Al- Da'awa* Kura.

²⁰⁰Tasidi Nasidi, age 42, house wife/Toilor. Babban Karofi Kura. On 4/3/2017

She had delivered all her 13 children successfully. There is none among her children died. No problem in her pregnancy, she delivered successfully.

Currently she is a head mistress at *Tarbiyyatul Aulad* Kura. She stated that:

No matter how long the woman may spend in her husband's house and no matter how many children she has given birth to, she should try to go back to school or she should identify a vocational training that will enable to build up her children.²⁰¹

SA'ADATU SULAIMAN: Born in 1965, married at the age of 16 in 1981 by her grandfather's choice. She gave birth to a baby girl in 1983. She returned back to school in 1987 and completed her secondary school. She was employed as a class room teacher in 2002 after completing Diploma.

She has 11 children 9 were Alive and got miscarriage twice. She has not encountered any problem in her pregnancy or delivery, only that she had uncounted with a problem during her last born delivery. Now she is a class room teacher and Early Child Centre Education Development (ECCED) co-ordinator in her school.²⁰²

Almost everything has an advantage and disadvantage; there will be a disadvantage beside the early marriage. Below are examples of some women regretted for being married at a young.

HAMAMATU MUHAMMAD: Was married off by her father's choice, to his house boy at the age of 11 years old.

She attended *Quranic* school (*makarantar allo*) and did not attained any modern school. Her father took all her responsibilities, being that the husband is

²⁰¹Interviewed with Rukayya Musa Shu'iab, 52 years, Head Mistress Tarbiyyatul Aulad Islamiyya Kura, Kofar Gabas, interviewed On 25/3/2017, 11:45am

²⁰²interviewed with Sa'adatu Sulaiman, age 52, Teacher And ECCED Co-Ordinator Sumakai Primary School, Kura (LGEA) interviewed, on 4/3/2017, 11:00am

his house boy. He used to send him other places such as Niger to carry out some business.

Five years after marriage, she got her first born baby. She has 11 children and three of them died. She did not encounter any problem either during her pregnancy or delivery. She regretted for being married at a young age for the lack of awareness on how to deal with her husband and take care of her new born baby because of her youngest at that time. Also she is not allow to attend anti-natal and post natal clinic that is why three of her babies died at their infant stage for the lack of immunization.²⁰³

BINTA ABDULLAHI: She was married at the age of 13 years by her father's choice, when she completed her primary school.

She has a dialogue with the man to be married at once, and did not inform her about the marriage until a day to the wedding *Fatiha*. She delivered a born baby after 3 years. She did not have any problem until after her third birth. There is no harmony and stability in the home. Always there is a quarrel between her, her husband and her partner (another husband's wife). When she got 5 children, the husband divorced her.

She said that:

I wish my parents allowed me to attend secondary school to get an employment to take care of myself and my children. My father died and my children are in bad condition.”²⁰⁴

ABDULLAHI AHMAD Married off his daughter Fatima Ahmad when she is in junior secondary school and gave birth to 5 children after 7 years of marriage. With time the marriage comes to an end. She could not get a marriage because of her children. She got a hire house to stay with her children because nobody among her

²⁰³ Interviewed with Hamamatu muhammad, age78, karofin kusfa, kura tow, interviewed on 8/6/2017, 4:30pm

²⁰⁴ Interviewed with Binta Abdullahi, 47years, house wife, Dirimin Alewa, Kura. Interviewed on 1/4/2017 4:00pm

relative or their father's relative take any one of the children. The children are not able to attend school regularly, because they are hawking to get some money to pay for the accommodation and buy some essentials commodities for their surviving.²⁰⁵

ABDULKADIR SANI: Is a farmer in Kura town, married off his daughter Aisha Sani when she completed junior secondary school (JSS) at the age of 15 years.

She does not encounter any problem with her husband, parents-in-laws and his relatives, but she had faced problems with her partner (other husband's wife) where she has no any freedom at the home. She uses to cheats her and allowed her children to cheats her too.

They stayed about 2 to 3 years in this situation. The problems come to an end by the death of that woman (her partner). She leaves faithfully with her husband in love and kindness.

He state that:

Though patience is a virtue to be display but, not to be extent of fatalism, precaution and preparation must be provided for future.²⁰⁶

HALIMA IBRAHIM: Married her daughter Amina, at the age of 15 years before completing secondary when her father died in order to protect her chastity.

Amina was a careless girl, she faced a problem with her husband because of her inability to manage or plan her house hold activities. He uses to assists her to carry out some of the activities at home.

He returned her back to school, and attained entrepreneurship center and became an expert in tailoring. She completed secondary and proceeded to Diploma.²⁰⁷

²⁰⁵ Interviewed with Abdullahi Ahmad, 47 years, a Farmer, Rinji Kura. Interviewed on 3/4/2017, 11:00

²⁰⁶ Interviewed with Abdulkadir Sani, age 66 years, a farmer at Kura town, Kofar Gabas, on 26/4/2017, 10:00am

BARAKA SANI: Is a mother of Laraba Inuwa who was married at the age of 13 years at *Yan Tudu* a rural area in Kura L.G.A.. Always she used to run away from her husband's house and not able to handle many of the house hold activities. Laraba have a pregnant after two years of her marriage. She does not attain anti-natal clinic because of its unavailability in the area. She spent about three day in labour at home. She took to the hospital when she became unconscious and delivered a dead baby boy.²⁰⁸

5:6 ANALYSIS OF THE RESEACH FINDINGS

The analysis of the experiences of women married at an early age could be deduced from the stories and interviews with some girls, women, teachers, parents, Imams and some members in the community.

Most of the women interviewed married around the age of 11-18 years. Many of them do not face any problems either from their husbands, parents-in-law or their relatives. Instead they received good care considering their age. Also there are some few exceptions of women who faced some problems in their marriage life or as a result of early marriage.

Early marriage time expected was mostly conducted by the parental choice, negative responds was not expected from the children, respectfully and obediently to their parents. Also they known that their parents will choose the best husband matched to them.

With regard to early pregnancy at that time, it was observed that, many of the girls married earlier do not have pregnancy unless after 2-3 or 5 years of marriage. Because they are not mature to conceive, or their husband keep distance

²⁰⁷ Interviewed with Halima Ibrahim age 50, a house wife Dalili quarters kura ,on 27/5/2018 , 4:00am

²⁰⁸ Interviewed with Baraka Sani age 48, house wife makera quarters Kura, 1/6/2018, 4:30am

away from sexual intercourse, just because of the shyness of their parents more especially when they are living together in the same house, or he goes for business or schooling or leave her to be matured enough.

The time of puberty occurs varying in different individual some at earlier while some at later age, as the same with pregnancy. The girl will not conceive unless she is ready or mature to do so.

There is no risk of maternal motility or fetal/infant morbidity. Children born from young age mothers are healthier than that of old age. Abnormal child birth was considered to be high possibly in case of older age.²⁰⁹ The chance of becoming pregnant reduces as one approach old age. So, the girl got married at young age has enough time of having being pregnant. And it will be difficult for a woman to be pregnant and have a healthy child as she approaches 50 years or more.

The effects of medical outcomes of maternal or fetal/infant and neonatal mortality and medical complication arising during pregnant, delivery or after delivery and permanent or large term deficits was extreme occurs to older woman than the young²¹⁰.

The study shows the negative effect of delay birth which associated with the delayed fertility. The outcome include maternal mortality, fetal mortality, neonatal mortality, long term negative health consequences for mothers, and long term negative health consequences for children²¹¹

Girls who got marriage earlier at Kura town are not denied access to educational, but they were encourages with full support by their husbands to further their education and even to get an employment. They have access of enquiring critical or vocational skills and develop their personal capacity to

²⁰⁹ Ibid, martin streven,p18

²¹⁰ Opcit, Martin Streven, Pp14-17

²¹¹ Opcit,martin streven,Pp20-22

manage adverse situation that may affect their overall welfare and economic well-being.

Children already received training about the matrimonial hood or house hood activities right from their homes. They would not find it difficult to hold, when they find their selves in matrimonial home. A girl of 14 years can shoulder the responsibility of family and motherhood by the courage and experience she got while the woman of 30 or 40 years who not have experience may not be able to do so.

Woman who married at young age focused more on the career and welfare of her husband and children at home, and carryout her duties and responsibilities successfully.

Allah SWT says:

ٹ ٹچ ج ج ج ج ج چ چ □ چچ الأحزاب: ۳۳

“And stay in your houses and do not display yourself like that time of ignorance.”²¹²

Women should stay at home and look after the internal responsibilities, management of all affairs at home, looking after children etc. Prophet (SAW) said:

قال رسول الله ﷺ:

158 "كلكم راع وكلكم مسؤول عن رعيته فالإمام راع ومسؤول عن رعيته والرجل راع على أهله وهو مسؤول عن رعيته والمرأة راعية على بيت زوجها وهي مسؤولة عن رعيته" ----

Verily, each one of you is a shepherd and each of you is responsible for his flock. The ruler is a shepherd and is responsible for his flock. A man is a shepherd of his family and responsible for his flock .A woman is the shepherd of her husband's household and is responsible for her flock.²¹³

²¹²Ibid, Al-Hilali and Khan, P 565

²¹³Ibid, Sahih Bukhari , 2419 Ibid, Sahih Muslim, 1829

The woman's submission to her husband's authority should be part and parcel of her religious duty whose fulfillment will help her to paradise.

قال رسول الله ﷺ: "إذا صلت المرأة خمسها وصامت شهرها وحفظت فرجها وأطاعت زوجها قيل لها: أدخلي الجنة من أي أبواب الجنة شئت".

159

The prophet (SAW) said:

If a woman conducts her five prayers, fast her month of Ramadan guard her private part and obey her husband, she may enter paradise by any door she like.

عن ام سلمة رضى الله عنها قالت:

قال رسول الله ﷺ ايما امرأة ماتت وزوجها راضى عنها دخلت الجنة

Ummu Salamah narrated:

Any woman dies while her husband is please with her will enter paradise.²¹⁴

The employment or other wise of the woman is not prohibit in Islam. If she desire to pursue goal outside of the home for personal or economic necessity, there is no blame on her if is under the consent and approval of her husband. Allah (SWT) says:

ثُمَّ لَكُمْ مِنْهَا مَثَلُ النِّسَاءِ ۚ فَسَبِّحْنَ اللَّهَ كَمَا سَبَّحْنَهُ فِي بُيُوتِكُمْ ۚ وَسُبحْنَ لَهُ قِيَامًا وَمَقَامًا ۚ وَذَكِّرْنَ بِهِ أَيُّ مَثَلٍ لَكُمْ فِي شَيْءٍ مِمَّا كُنْتُمْ تُخْفُونَ مِنَ النِّسَاءِ ۚ

And wish not for things in which Allah has made some of you to excel others. For men there is reward for what they earned (and likewise) for the women there is reward for what they have earned, (and likewise) and ask Allah for His bounty. Surely, Allah is Ever all- knower of everything.²¹⁵

The women are commended to go out in a decent dress, protect her charity and adhere the teaching of Islam. Allah (SWT) says:

ثُمَّ لَكُمْ مِنْهَا مَثَلُ النِّسَاءِ ۚ فَسَبِّحْنَ اللَّهَ كَمَا سَبَّحْنَهُ فِي بُيُوتِكُمْ ۚ وَسُبحْنَ لَهُ قِيَامًا وَمَقَامًا ۚ وَذَكِّرْنَ بِهِ أَيُّ مَثَلٍ لَكُمْ فِي شَيْءٍ مِمَّا كُنْتُمْ تُخْفُونَ مِنَ النِّسَاءِ ۚ

²¹⁴ Al-Tirmithiy, Mishkat Al- Masabih (Eng.Tras.) Vol.1 p 691

²¹⁵ Ibid, Al-Hilali and Khan, p 112

And stay in your houses, and do not display yourselves like that time of ignorance and perform *As-Salat* and give *zakka* and obey Allah and His messenger.²¹⁶

Even though, some organizations and individuals make effort to oppose and reduce child marriage or early marriage for its negative impacts, we found that it will prove the minimizing of moral decadence and eradicate indecency in the society.

There is an Islamic motion says:

“To prevent ill, is preferable than to seek for benefit”.²¹⁷

Despite the positive impacts of early marriage, government should intervene with some policies that may contribute in managing and controlling it in order to avoid the negative outcomes that may occur due to uncontrolled rampant of early marriage

CONCLUSION

The research: A survey and analysis of early marriage in Kura town from Islamic perspective began with chapter one up to chapter five. In chapter I is the introduction which comprises the background of the study, statement of the problems, aims and objective, scope and limitations, significance contributions as well as research methodology.

Meanwhile, in chapter two discussed the literature review the related literature.

Chapter three is about the marriage in Islamic, its definition, objectives, legality and early marriage and its benefits to the community of Kura local government area.

²¹⁶Opcit , Al-Hilali and Khan, p565

²¹⁷ Azzam, A., M., *Al-Qawa'id Al Fiqhiyyah*, Dar Al-Hadith, Cairo, Egypt, First Edition, 1426ah=2005, P145

Chapter four is where the analysis of the data collected and review of related literatures in relation to Kura people adaptations of time expected marriage is contrary to the notion of early marriage term as who do not comprehend are going to digested and found the fact in the chapter

In chapter five the policies of some organization such as UNFPA created to end the early marriage was introduced such as UNFPA . Where I suggested to observed the rational behind the peoples practices and urged them to understand the realities. My recommendations also appeared to have asked the husband to pay attention to allow their for further continue education or skills acquisition programmers.

RECOMMENDATIONS

- Parents should allow their children to get education however little is, especially girl before marriage.
- Husband should allow their wives to get education or skills acquisition especially after marriage.
- In Islam, parents are allowed to choose or give their daughters (virgins) in marriage without their consent. But this does not means they should force them to marry what they do not love or irresponsible person.
- The problems of VVF or RVF observed earlier on as the negative impact of early marriage it is not only occurring due to early marriage, but it happens by prolonging labour and negligence of some parents, husbands and nurses.
- The pregnant women should attain anti-natal and post- natal clinical care to reduce the problem of maternal motility, fetal/infant morbidity and some health complication problems during and after delivery.
- Children are reaching maturity much earlier than ever before.
- Female children should be enrolled in the school earlier

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APPENDIX

RESEARCH FORMATS

In the process of collecting materials, the researcher was able to have an interview with the following people:

1. Name: Abdullahi Ahmad

Position/Occupation: Famer

Address: Rinji Quarters, Kura Town

Age: 47years

Date: 3/4/2017

2. Name: Abdulkadir Sani

Position/Occupation: Farmer

Address: Kofar Gabas Quarters, Kura

Age: 66 years

Date: 26/4/2017

3. Name: Aisha Abdullahi.

Position/Occupation: Environmental Health Officer, Kadani Health clinic Kura

Local Government Area, Kano State

Address: Tafasa, Kura.

Age: 43 Years

Date: 16/1/2017

4. Name: Amina Aliyu Adam

Position/Occupation: Teacher, College of Quran Studies Kura.

Address: Karofin Kusfa

Age: 32 Years

Date: 2/1/2017

5. Name; Aminu Inuwa

Positions/Occupation: Arabic Senior School Support Officer

Address: Makera, Kura

Age: 55 Years

Date: 20/ 1/2017

6. Name: Ayuba Ali Imawa

Position/Occupation: Assistant Head of Unit Planning, Research and Statistics
Kura Local Education Authority

Address: Imawa Kura

Age: 57 Years

Date: 15 /4/201

7. Name: Bashir Yusif

Position/Occupation: Head of Unit Planning, Research and Statistics Kano State
Senior Secondary School Management Board

Address: SumakaiKofarGabas, Kura

Age: 58 Years

Date: 19/2/2017

8. Name Baraka Sani

Position/Occupation: House wife, age 47years

Address: Makera quarters, Kura

Age: 48yeras

Date : 1/6/2018

9. Name: Binta Abdullahi

Position/Occupation: House wife

Address: Dirimin Alewa, Kura

Age: 47 Years

Date: 1/4/2017

10. Name: Binta Hassan

Postion/ Occupation: Ward Technical Officer, Kura Local Government Area

Address: Unguwar Gandu

Age: 44 Years

Date: 6/1/2017

11. Name: Binta Idris

Position/Occupation: Arabic School Support Officer

Address: Kofar Kudu.

Age: 52 Years

Date: 8/5/2017.

12. Name: Gaji Salisu Usman

Position/Occupation: Chief Midwifery Officer, Kura General Hospital Kano State.

Address: Hospital Staff Quarters

Age: 55 Years

Date: 8/5/2017

13. Name Halima Ibrahim

Position/Occupation: House wife, *kayanmiya* seller

Address: Dalili quarters, Kura

Age: 55years

Date: 27/5/2018

14. Name: Halima Inuwa

Position//Occupation: Head Mistress, Choice For Girl Center (CGC) Kura LGEA, SUBEB, Kano State.

Address: Unguwar Gandu Kura

Age: 55 Years

Date: 12/4/2017

15. Name: Hamamatu Muhammad

Position/Occupation: House Wife

Address: Karofin Kusfa, Kura.

Age: 78years

Date: 8/7/2017

16. Name: Kabir Imam

Position/Occupation: Arabic School Support Office, Dalili Cluster

Address: Unguwar Gandu

Age: 52 Years

Date: 3/3/2017

17. Name: Khalid Abba

Position/Occupation: Senior Master, Government Girls Arabic Senior Secondary

School: Tanawa, Kura

Age: 55years

Date: 15/5/2018

18. Name: Mariya Baba Yaro

Position/Occupation: House Wife/Trader

Address: Dalili Kura (Fegi)

Age: 45 Years

Date: 25/3/2017

19. Name: Musbahu Isma'il

Position/Occupation: Senior Master Government Girls Arabic Senior Secondary

School: RimiDaddo, Kura

Age: 50years

Date: 10/5/2018

20. Name: Muhammad Mai Kurna

Position/Occupation: A Former Lecturer of Sa'adatu Rimi College Of Education,
Kumbotso Kano State And Chief Imam of Juma'a Mosque Kura

Address: KofarArewa, Kura

Age: 68 Years

Date: 17/1/2017

21. Name: Rabi'u Hussain

Position/Occupation: A Lecturer, Al-Kalam University Katsina state.

Address: Karofin Kusfa.

Age: 52 Years

Date: 5/4/2017

22. Name: Rukayyah Musa Shu'iab

Position/Occupation: Head Mistress, TarbiyyatulAuladIslamiyyaKofarGabas Kura

Address: UnguwarGandu, Kura.

Age: 52 Years

Date: 25/3/2017

23. Name: Sa'adatuSulaiman

Positio/Occupation: Teacher and ECC Co-Ordinator, Sumakai Primary School
Kura

Address: Harbatsa, Kura

Age: 52 Years

Date: 4/3/2017

24. Name: Sani Bashir

Position/Occupation: Senior Master, Government Girls Arabic Senior Secondary
School Sani Mashal, Kura

Age: 42 years

Date: 18/5/2018

25. Name: Saude Iliyasu

Position/Occupation: Nurse and Midwifery, Tofa General Hospital, Kano State

Address: Harbatsa, Kura.

Age: 47 Years

Date: 8/2/2017

26. Name. Tasidi Nasidi Ahmad

Position/Occupation: House Wife/Tailor

Address: Babban Karofi

Age: 40 Years

Date: 4/3/2017

27. Name: Uba Abubakar Imam

Position/Occupation: Ex- Co-Ordinator ZakkaCommision, Kura Local
Government Area and Arabic School Support Officer

Address: Unguwar Gandu

Age: 57 Years

Date: 20/2/2017

28. Name: Zainab Uba Imam

Position Occupation: House Wife/Trader

Address: UnguwarGandu

Age: 28 Years

Date: 13/3/2017