

---

( / / : / / : )

/ / : ) (

( : )

( / : )

: )

" "

( /

:

( )

“ ”

：

“ ”

“ ”

：

( )

: )  
( /

/ / /

:

.( / )

" "

( )" "

:

:

" "

"

"

/ / : )

.( / /

" "

" "

" "

:

"

"

: ) ...

.( /

:

" "

:

/ / : )

.( /

:

" " " " " "

:

" "

( " " )

/ / : )

" "

.( / /  
" "  
" " " "  
(" " : ) " " .( : )  
( )" " " "  
)" " " "  
( / / : ) ( "  
" " : .  
: ) .  
( / /  
: .  
/ / / / : )  
( / /  
( / / : )  
: .  
( : )  
/ / / / : )  
( / / " " "  
( / : ) "  
" "  
.  
:  
»  
!



.( / : )

:

:

( )

)

)

(

.(

( )

.( / : )

:

.( / / : )

:

( )

:



/ : )

.( / :

" "

( )

" "

( / : )

( / / : ) ( / / : )

( / : )  
/ : )  
( / / / :  
( / : )

( / : )

" "  
" "  
:  
/ : )  
/ / / / :  
( / /

/ : )

( /

( / / / : )

( )

:

/ / / / : )  
.( /  
: )

/ / / / /  
.( /

:

/ / / : )  
.( / / / /

( / : )

" "

:

: / / / : )  
 .( :  
 .( / : )  
 .( / : )  
 .( / : )  
 / / : )  
 .( / / / / / /  
 .( / ) ...: ( )  
 .( : )  
 .( / / : )

:  
 .  
 :  
 .  
 :  
 .  
 :  
 .

: ( / : )  
( : )

( / : )

( / : )

: )

( / /

( )

" "

" "

:

:( / ) ...

: )

:( / /

" "

" "

:( / : )

" "

:

:

( / )

:( : )

"..."

:

: )

.(

: )

.(

.( / : )

" " " "

...

/

/

: )

.( /

:

:



[ ]

[ ]

[ ]

( )

[ ]

[ ]



## The Qura'nic Verse of Hilya and Capability of Woman's Judgment

Abedin Momeni\*

Assistant Professor University of Tehran

(Received: 21 February 2006, Accepted: 14 March 2007)

### Abstract

The Prevailing view among Islamic sects negates the capability of women for becoming judges. They appeal to the Qura'nic verse of hilya, based on which women are raised in the ornament and are *ghayr mobin*, i.e., are incapable of overcoming in debates. On the contrary, another interpretation asserts that being raised in the ornament is not a deficient and *ghayr mobin* means in fighting and not in debates.

**Keywords** woman, capability, judging, hilya, ghayr mobin, deficiency.

### Bibliography

1. Abd Al-Aziz, Amir, *Al-Tafsir Al-Shamel*, Dar Al-Islam, Mesr, 1420 A.Q.
2. Abou Hayyan, Mohammad Ibn Yousof, *Al-Nahr Al-Mad Men Al-Bahr Al-Mohit*, Tahqiq Omar Asad, Dar Al-Beirut, Undated.
3. Ibid, *Tafsir Al-Kabir [Al-Bahr Al-Mohit]*, Tahqiq Moavvaz Wa Abd Al-Mojoud, Dar Al-kotob Al-Elmiyya, Beirut, Undated.
4. Baghavi, Abou Mohammad Hosein Ibn Masood Farra, *Maalem Al-Tanzil Fi Al-Tafsir wa Al-Taavil*, Dar Al-Fekr, Beirut, Undated.
5. Borasavi, Ismaeil Haqqi, *Tafsir Rooh Al-Bayan*, Dar Ehya Al-Toras Al-Arabi, 1405A.Q.
6. Dekhoda, Ali Akbar, *Loghat Name*, University Of Tehran, Tehran, 1341 A.H.
7. Dehlavi, Shah Vali Allah, *Tarjomeh Qoran Karim*, Habibyia, Pakestan, Undated.
8. Faqih, Yusof Ibn Ahmad, *Tafsir Al-Samarat Al-yanea wa Al-Ahkam Al-Vazeha Al-Qatea*, Maktaba Al-Toras Al-Islami, yaman, 1423 A.Q.
9. Fazl Allah Mohammad Hosein, *Men vahi Al-Qoran*, Dar Al-Melak, Beirut, 1419 A.Q.
10. Hava, saeid, *Al-Asas Fi Tafsir Al-Qoran*, Dar Al-Islam, Mesr, 1409 A.Q.

\* Tel: 021-88742574 - Fax: 021-88742632

Email: abedinmomeni@ut.ac.ir

11. Hoseini Bahrani, sayyid Hashem, *Al-Borhan Fi Tafsir Al-Qoran*, Al-Besa, Qom, 1417 A.Q.
12. Hoseini Haeri, sayyid kazem, *Al-Qaza Fi Al-Feqh Al-Islami*, Majma Al-Fekr Al-Islami, Qom, 1415 A.Q.
13. Hoveyzi, Abd Al-Ali, *Tafsir Noor Al-Saqalain*, Moassese Al-Tarikh Al-Arabi, Beirut, 1422 A.H.
14. Ibn Aashour, Mohammd Taher, *Tafsir Al-Tahrir Wa Al-Tanvir*, Moasseseh Tarikh, Beirut, Undated.
15. Ibn kasir, Ismaeil Ibn Omar, *Tafsir Al-Qoran Al-Azim*, Tahqiq Abd Al-Qader Ernaoot, Dar sader, Undated.
16. Khansari, sayyid Ahmad, *Jame Al-Madarek Fi Sharh Al-Mokhtasar Al-Nafe*, Moassese Esmailiyan, Qom, 1405A.Q.
17. Khatib, Abd Al-karim, *Al-Tafsir Al-Qoran Al-karim*, Dar Al-Fek Al-Arabi, Beirut, Undated.
18. Maraghi, Ahmmad Mostafa, *Tafsir Al-Maraghi*, Dar Ehya Al-Toras Al-Arabi, Beirut, Undated.
19. Marefat, Mohammad Hadi, "*Shayestegi Zanan Baraye Qezavat wa Manaseb Rasmi*", Majalle Hokoomat Islami, Dabirxhane Majles Khobregan, No.2, P. 46-50, 1372 A.H.
20. Ibid, *Shobahat wa Rodoud Haula Al-Qoran Al-Karim*, Moassese Al-Tamhid, Qom, 1423 A. Q.
21. Majlesi, Mohammad Baqer, *Behar Al-Anvar*, Dar Ehya Al-Toras Al-Arabi, Beirut, 1403 A. Q.
22. Mavardi, Abou Al-Hasan Ali Ibn Mohammad, *Al-Ahkam Al-Soltaniyya*, Tablighat Islami, Qom, Undated.
23. Moqaddas Ardebili, Ahmad Ibn Mohammad, *Majmae Al-Faedat Wa Al-Borhan Fi Sharh Ershad Al-Azhan*, Mossese Al-nashr Al-Islami, Qom, Undated.
24. Najafi, Mohammad Hasan, *Javaheer Al-kalam Fi Sharh Shraye Al-Islam*, Dar Al-Kotob Al-Islamiyya, Tehran, 1362 A. H.
25. Qasemi, Mohammad Ibn Jamal Al-Din, *Mahasen Al-Ta'vil*, Dar Ehya Al-Toras Al-Arabi, Beirut, Undated.
26. Qeysari Roomi, Mohammad Davood, *Sharh Al-Fosoos Al-Hekam*, Elmi Wa Farhangi, Tehran, 1375 A.H.
27. Qomi, Abou Al-Qasem [Mirzaye Qomi], *Ghanaem Al-Ayyam*, Lithography.
28. Qortobi, Mohammad Ibn Ahmad, *Bedayat Al-Mojtahed Wa Nehayat Al-Moqtased*, Qom, 1406 A.Q.
29. Qotb, sayyid, *Fi Zelal Al-Qoran*, Dar Al-Mashreq, Beirut, Undated.
30. Razi, Fakhr Al-Din Mohammad [Fakhr Razi], *Al-Tafsir Al-Kabir Av Mafatih Al-Gheib*, Dar Al-kotob Al-Elmia, Beirut, Undated.
31. Razi, Hosein Ibn Ali [Abou Al-Fotooh], *Roz Al-Janan wa Rouh Al-Janan Fi Tafsir Al-Qoran*, Unwhere, Undated.

32. Sa-aalebi Maleki, Abd Al-Rahman Ibn Mohammd, *javaheer Al-Hesan Fi Tafsit Al-Qoran*, Dar Ehya Al-Toras Al-Arabi, Beirut, Undated.
33. Samarqandi, Abo leis Naser Ibn Mohammad, *Bahr Al-Oloum*, Dar Al-kotob Al-Elmieh, Beirut, Undated.
34. Sanani, Abd Al-Razaq Ibn Hamam, *Tafsir Al-Qoran*, Dar Al-Kotob Al-Elmiyya, Beirut, Undated.
35. Shokani, Mohammad Ibn Ali, *Fath Al-Qadir Al-Jame Bayn Fannay Al-Revaye Wa Al-Deraye*, Dar Ibn Kasir, Beirut, Undated.
36. Syuti, Jalal Al-Din Abd Al-Rahman, *Al-Dorr Al-Mansour Fi Tafsir Al-Masour*, Dar Al-Kotob Al-Elmiyya, Beirut, Undated.
37. Tabari, Mohammd Ibn jarir, *Jame Al-Bayan Fi Tafsir Al-Qoran Al-Karim*, Dar Al-Kotob Al-Elmiyya, Beirut, Undated.
38. Tabatabaii, sayyid Ali, *Reyaz Al-Masael Fi Bayan Al-Ahkam Be Al-Dalael*, Aal Al-Beyt Le Ehya Al-Toras, Qom, 1422 A.Q.
39. Tabresi, Fazl Ibn Hassan, *Majma Al-Bayan Fi Tafsir Al-Qoran*, Dar Al-Maarefa, Beirut, 1408 A.Q.
40. Tayyeb, Abd Al-Hosein, *Atyab Al-Bayan Fi Tafsir Al-Qoran*, Unwhere, Undated.
41. Tousi, Abi Jafar Mohammad Ibn Hasan, [Sheikh Tousi], *Al-Tebyan Fi Tafsir Al-Qoran*, Dar Ehya Al-Toras Al-Arabi, Beirut, Undated.
42. Ibid, *Al-Khalaf*, moassese Nashr Islami, Qom, 1417 A.Q.
43. Vahedi Neyshabouri, Abo Al-Hasan Ali Ibn Ahmmad, *Al-Vasit Fi Tafsir Al-Qoran Al-Majid*, Dar Al-Elmiyye, Beirut, Undated.
44. Zamakhshari, Jar Al-Allah Mahmood Ibn Omar, *Al-Kashaf An Haqayeq Ghavamez Al-Tanzil*, Dar Al-Kotob Al-Arabi, Beirut, Undated.
45. Zoheili, Vahbat, *Al-Tafsir Al-Monir Fi Al-Aqidat Wa Al-Shariat wa Al-Menhaj*, Dar Al-fekr, Beirut, Undated.