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Publisher's Note

The holy religion of Islam, which was presented to mankind by God through the last of the divine Prophets, Hadhrat Muhammad (S.A.W.), is a collection of tenets, ethics, and rulings. Encompassing the Muslims' practical duties, divine rulings are so comprehensive that they cover all individual and social aspects of their life. As being devised by the Exalted Allah, who is fully aware of all the things useful and harmful to mankind, these rulings are so consolidated that despite centuries passed they are still capable of responding to the human needs.

Among these divine rulings are those concerning children. As the most principal source of rulings for the Muslims, the Holy Qur'an has in various verses dealt with the children's issues and spoken about their rights as well as the parents' duties towards them, in detail. Furthermore, religious leaders, i.e., the Holy Prophet of Islam (S.A.W.), and the Infallible Imams (A.S.) have more extensively addressed these issues and examined them from various perspectives.

What is inferred from the collection of religious teachings is the justice-oriented approach of Islam towards the child's rights from the infancy up to the age of maturity. Accordingly, on one hand, the mother is obliged to breastfeed her child at least for 21 months; and the father, on the other hand is committed to provide for the material needs of the mother and the child in this period in the best way possible. This approach continues after the suckling period, too; the parents cooperate with one another to take care of their child and provide for their various needs so long as they grow old enough to be able to stand on their own.

Justice-orientedness and attending to the child's rights is carried on even through the period when parents are separated. Islam, on one hand, officially recognizes the mother's right to take care of her child and, on the other, emphasizes the father's right to his guardianship over his child. However, the child's right to enjoy the paternal and maternal affection and kindness is not ignored as well.

Child Custody in the Islamic Jurisprudence, written originally in Persian by the distinguished researcher Saeid Nazari Tavakkoli and published by The Islamic Research Foundation of Astan Quds Razavi in cooperation with The Center for Studying and Compiling University Books in Humanities (SAMT) in 2006, is considered as the first independent book concerning children's rights and custody, an

issue discussed with a Qur'anic approach on the basis of jurisprudential, exegetical, and hadith fundamentals of various Islamic sects.

Holding a PhD in philosophy and besides being familiar with Islamic jurisprudence, philosophy, and mysticism, the writer has for years been dealing with jurisprudential issues and is at present among those making research on bioethics and medical jurisprudence.

The author's works published by The Islamic Research Foundation of Astan Quds Razavi are:

1. *Al-Tarqi' wa Zar' al-A'dha' fi Fiqh al-Islami* (Arabic) [Organ Transplantation in Islamic Jurisprudence] (1380/2001)

2. *Payvand A'dha' dar Fiqh-i Islami* (Persian) [Organ Transplantation in Islamic Jurisprudence] (1381/2002)

3. *Hidhanat-i Kudakan dar Fiqh-i Islami* (Persian) [Child Custody in Islamic Jurisprudence] (1386/2007)

4. *Hadithi Wilayat, Nigarishi Naw dar Ma'na Shinasi* (Persian) [*Hadith* of Guardianship, a New Approach to Semantics] (1387/2008)

5. *Guzargah-ha dar Fiqh-i Islami* (Persian) [Passageways in Islamic Jurisprudence] (1388/2009)

6. *Hayvanat, Qavanin Himayati wa Hudud- Bahravari dar Islam* (Persian) [Animals; Protective Rules and Exploitation Limits in Islam] (Islamic Research Foundation & SAMT Publication – 1388/2009)

7. *Nazariyya Padayish-i Jahan dar Hikmat-i Yamani wa Hikmat-i Muti'aliya* (Persian) [Origins of the Universe in Transcendent Philosophy and the Yamani Wisdom] (1389/2010)

The IRF hopes that the English publication of **Child Custody in the Islamic Jurisprudence** is an effective step towards introducing the high capacity of Islamic jurisprudence in solving children's problems.

Islamic Research Foundation of Astan Quds Razavi

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