



Educational and Moral Responsibilities of Guardians in Islamic and Contemporary Legal Frameworks: A Comparative Study on Ḥaḍānah (Custody)

Dr. Abdul Waheed Memon

Lecturer, Islamic Studies, Sukkur IBA University BBSIMS Dadu Campus,

abdulwaheed.dd@iba-suk.edu.pk

Raiss Fatima

Research Scholar, Iqra University main campus Karachi

raissabbas@yahoo.com

Ali Abbas Abidi

Assistant Professor, Shaheed Zulfiqar Ali Bhutto University of Law , Karachi

Abstract

This paper explores the educational and moral responsibilities of guardians (awliyā') towards children under their custody (ḥaḍānah) from both classical Islamic jurisprudence and contemporary legal perspectives. Drawing upon foundational sources in the Qur'ān, ḥadīth, and the juristic opinions of the four Sunni schools of thought Ḥanafī, Mālikī, Shāfi'ī, and Ḥanbalī the study highlights the legal, ethical, and educational dimensions of guardianship. Emphasis is placed on the obligation of the guardian to ensure not only physical protection but also the intellectual, spiritual, and technical development of the ward, including the provision of religious instruction, adab (etiquette), literacy, and vocational skills.

The paper further discusses the Islamic emphasis on the child's right to maintain contact with both parents post-divorce, analyzing the rules around visitation, maternal affection, and the prevention of emotional alienation. Contemporary Pakistani case law is examined to illustrate how judicial decisions prioritize the

best interests of the child, especially in relation to education and psychological well-being, within the framework of the Guardians and Wards Act, 1890.

The study concludes that ensuring a child's proper education and character development is a legal, moral, and spiritual responsibility of the walī, upheld in both Islamic jurisprudence and modern legal systems. Through a comparative lens, this research reaffirms the relevance of Islamic legal ethics in contemporary debates about child custody, guardianship, and welfare

Keywords; children, education, Custody, framework, .training.

The Guardian's Role in the Education and Training of the Ward (al-Ḥaḍānah)

Islam not only lays down rules for the nurturing (tarbiyyah) of individuals under the guardianship of a walī (guardian) but also formulates principles for their moral and educational upbringing. These principles aim not only at the physical care of children but also at adorning their character and habits with noble virtues. Among these virtues, the emphasis on education and training is regarded as one of the primary objectives of ḥaḍānah (guardianship). Therefore, the role of the walī concerning the education and training of the ward (maḥḍūn) is elaborated below.

In the context of educating and training the maḥḍūn, the following dimensions warrant specific discussion:

1. Instruction in manners and etiquette (ādāb)
2. Encouragement to practice religious teachings (ta'limāt dīnīyah)
3. Training in literacy (kitābah wa qirā'ah)
4. Provision of general and vocational education ('ilm 'āmm wa fannī)

When one parent holds ḥaḍānah, the other is granted access and visitation rights to ensure both parents participate in the child's tarbiyyah. This cooperative involvement is considered essential for balanced and effective upbringing. In the case of children of divorced women, this arrangement ensures both parental figures contribute to the child's moral and emotional development. However, in the case of orphans, it is the walī who assumes full responsibility to fill this vacuum.

Since the education and moral upbringing (ta'lim wa tarbiyyah) of the maḥḍūn is among the core responsibilities of wilāyah (guardianship), this subject will be examined in light of the Qur'ān, Sunnah, and the views of the classical fiqhī madhāhib (legal schools of thought).

Instruction in Etiquette and the Religious Duty of Education According to the Qur'ān and Sunnah.

The Qur'ān and Sunnah lay out essential principles regarding the upbringing and education of children under custodial care. These principles are outlined as follows:

1. Command in the Qur'ān to Save One's Family from the Fire

The Qur'ān addresses believers with the following command:

يَا أَيُّهَا الَّذِينَ آمَنُوا قُوا أَنْفُسَكُمْ وَأَهْلِيكُمْ نَارًا¹

“O you who believe! Save yourselves and your families from a Fire”

According to Imām al-Jaṣṣāṣ and Imām Ibn al-‘Arabī, this verse signifies that one is obligated to teach and discipline their family², so they may be safeguarded from Hellfire.

Imām al-Jaṣṣāṣ explains:

هَذَا يَدُلُّ عَلَى أَنَّ عَلَيْنَا تَعْلِيمَ أَوْلَادِنَا وَأَهْلِنَا الدِّينَ وَالْخَيْرَ وَمَا لَا يُسْتَعْنَى عَنْهُ مِنَ الْأَدَبِ³

“This indicates that it is obligatory upon us to teach our children and household members the religion, goodness, and essential manners that cannot be dispensed with.”

2. Ḥadīth: Each Parent Is a Guardian over the Family

In a ḥadīth narrated from ‘Abd Allāh ibn ‘Umar (RA), the Prophet Muḥammad ﷺ emphasized parental responsibility:

وَالرَّجُلُ رَاعٍ عَلَى أَهْلِ بَيْتِهِ وَهُوَ مَسْئُولٌ عَنْهُمْ، وَالْمَرْأَةُ رَاعِيَةٌ عَلَى بَيْتِ بَعْلِهَا وَوَلَدِهِ، وَهِيَ مَسْئُولَةٌ عَنْهُمْ

“A man is a shepherd over the members of his household, and he is accountable for them. And a woman is a shepherd over her husband’s house and his children, and she is accountable for them.”

Thus, just as parents are responsible for other aspects of their children’s lives, they are also accountable for their **ta‘līm** (education) and **tarbiyyah** (upbringing).

Imām al-Jaṣṣāṣ, commenting on this ḥadīth, states:

فَكَذَلِكَ عَلَيْهِ تَأْذِيْبُهُ وَتَعْلِيمُهُ

“Likewise, it is obligatory upon him to discipline and educate [the child].”

. Command to Teach Children Prayer at Age Seven

The Prophet ﷺ also instructed parents to command their children to pray beginning at the age of seven. The following narration is from **Imām Abū Dāwūd**:

مُرُوا الصَّبِيَّ بِالصَّلَاةِ إِذَا بَلَغَ سَبْعَ سِنِينَ، وَإِذَا بَلَغَ عَشَرَ سِنِينَ فَاضْرِبُوهُ عَلَيْهَا

“Command your child to perform ṣalāh (prayer) when he reaches the age of seven, and when he reaches ten, discipline him if he neglects it.”

This ḥadīth indicates that religious education and practical discipline are duties upon the guardians from a young age. These foundational teachings form part of a child’s moral and spiritual development as emphasized in both revelation and prophetic guidance.

The Qur’ān commands:

وَقَرِّفُوا بَيْنَهُمْ فِي الْمَضَاجِعِ

And separate them in their beds (at the age of ten).

This directive has been prescribed as a means of instilling ādāb (etiquette and discipline) in children from a young age.

Imām al-Jaṣṣāṣ, commenting on a ḥadīth about instructing a child to pray, explains the rationale as follows:

فمن كان سنه سبعاً فهو مأمور بالصلاة على وجه التعليم والتأديب

So, the one whose age is seven is instructed to pray as a means of education and discipline.

This indicates that the purpose behind such commands is not only worship but also the cultivation of good manners and religious awareness through habit formation.

Furthermore, Jābir ibn Samurah (raḍiy Allāhu ‘anhu) narrated that the Messenger of Allah ﷺ said:

لَأَنْ يُؤَدَّبَ الرَّجُلُ وَلَدُهُ خَيْرٌ مِنْ أَنْ يَتَصَدَّقَ بِصَاعٍ

"For a man to teach good manners to his child is better than giving a ṣā‘ in charity."

This narration clearly establishes that the ta’dīb (disciplinary training) of one’s child is superior even to ṣadaqah (voluntary charity).

In another ḥadīth, narrated by Imām al-Tirmidhī, it is reported that:

مَا نَحَلَ وَالِدٌ وَلَدًا مِنْ نَحْلٍ أَفْضَلَ مِنْ أَدَبٍ حَسَنٍ

"No father gives a better gift to his child than good manners.

From these narrations, it becomes clear that, according to both the Qur’ān and Sunnah, it is the responsibility of parents to provide their children with education, teach them religion, instruct them in virtuous conduct, and instill necessary manners. This ta’līm wa tarbiyyah (education and upbringing) is considered the best gift a parent can offer, surpassing even acts of ṣadaqah wa khayrāt (charity and good deeds).

Teaching Ethics and Vocational Skills: A Paternal Responsibility

It is the father’s duty to teach his child the fundamentals of moral conduct (akhlāq) and the essentials of education (‘ulūm).

4. A father may also arrange for his children under ḥaḍānah (guardianship) to be hired out (ijārah) in order to learn trade, craftsmanship, or vocational skills. Imām al-Jaṣṣāṣ states:

وَأَنْ يُؤَاجِرَهُ مِمَّنْ يُعَلِّمُهُ الصَّنَاعَاتِ وَالْجَارَاتِ وَنَحْوَهَا، لِأَنَّ جَمِيعَ ذَلِكَ قَدْ يَقَعُ عَلَى وَجْهِهِ الْإِصْلَاحُ

"And that he may hire him to someone who can teach him crafts, trades, and similar skills, for all these are considered means of correction and improvement."

In support of this, Imām al-Kāsānī highlights the educational and disciplinary value of vocational engagement:

إِنَّ فِي إِيجَارِهِ فِي الصَّنَائِعِ مِنْ بَابِ التَّهْذِيبِ وَالتَّأْدِيبِ وَالرِّيَاضَةِ

"Undoubtedly, hiring a child in craftwork falls under the category of refinement, discipline, and physical training."

Thus, in accordance with contemporary needs, it becomes necessary to engage children, under proper supervision, in various technical and vocational fields, so that they may acquire practical skills beneficial for their personal and societal development. This practice aligns with the principles of tarbiyyah (moral and physical upbringing) endorsed by traditional Islamic scholarship.

The Role of the Guardian in the Education and Discipline of the Child: A Shāfi'ī Perspective

According to the **Shāfi'ī madhhab**, the responsibilities of a **walī (guardian)** in the education and discipline of children under **ḥaḍānah (custody)** are defined as follows:

If the child chooses the mother, the father still retains the right of discipline and educational responsibility.

Imām al-Shāfi'ī states:

فَإِنْ اخْتَارَ أُمُّهُ فَعَلَى أَبِيهِ نَفَقَتُهُ وَلَا تُمْنَعُ مِنْ تَأْدِيبِهِ

*"If the child chooses his mother, then the father is obligated to provide for him, and she may not prevent him (the father) from disciplining the child."*¹⁷

He further elaborates:

وَيُخْرِجُ الْغُلَامَ إِلَى الْكُتَّابِ وَالصَّنَاعَةِ إِنْ كَانَ مِنْ أَهْلِهَا وَيَأْوِي عِنْدَ أُمِّهِ

*"The father will take the boy out to learn writing and crafts, if he is fit for them, and he will continue to reside with his mother."*¹⁸

According to **Imām al-Nawawī**, the guardian is **obligated** to educate and discipline the child. He states:

تَأْدِيبُهُ وَتَعْلِيمُهُ وَاجِبٌ عَلَى وَلِيِّهِ أَبَا كَانَ أَوْ جَدًّا أَوْ وَصِيًّا أَوْ قَيِّمًا

*"His discipline and education are obligatory upon his guardian, whether that guardian is his father, grandfather, executor (waṣī), or administrator (qayyim)."*¹⁹

In summary, even when the child resides with the mother, the father remains responsible for the child's **ta'dīb (discipline)** and **ta'lim (education)**.

2. If the child chooses the father, he may not prevent the child from meeting the mother.

Imām al-Shāfi'ī says:

وَإِنْ اخْتَارَ أَبَاهُ لَمْ يَكُنْ لِأَبِيهِ مَنَعُهُ مِنْ أَنْ يَأْتِيَ أُمَّهُ وَتَأْتِيَهُ فِي الْيَوْمِ

*"If the child chooses his father, the father has no right to prevent him from going to his mother or her from coming to visit him during the day."*²⁰

Imām al-Shīrāzī explains the rationale:

لِأَنَّ الْمَنَعَ مِنْ ذَلِكَ إِغْرَاءً بِالْعُفُوقِ وَقَطْعَ الرَّجْمِ، فَإِنْ مَرِضَ كَانَتْ أُمُّ أَحَقَّ بِتَمْرِضِهِ

*"Because preventing such interaction incites disobedience and severing of family ties. If the child becomes ill, the mother has greater right to nurse and care for him."*²¹

This clearly implies that the child may meet the mother, and the mother may visit the child, ensuring the child benefits from maternal compassion (shafaqat al-umm).

3. In the case of a girl, her mother should not be prevented from visiting her

Imām al-Shāfi'ī states:

وَإِنْ كَانَتْ جَارِيَةً لَمْ تُمْنَعْ أُمُّهَا مِنْ أَنْ تَأْتِيَهَا وَلَا أَعْلَمُ عَلَى أَبِيهَا إِخْرَاجَهَا إِلَيْهَا إِلَّا مِنْ مَرَضٍ فَيُؤْمَرُ بِإِخْرَاجِهَا عَائِدَةً

*"If the child is a girl, her mother should not be prevented from coming to her. I know of no obligation on the father to take the girl to her mother, except in the case of illness, in which case he will be instructed to take her to visit her mother."*²²

4. If the girl chooses her mother, she has full rights to her custody, and the father may only visit with conditions.

According to Imām al-Māwardī:

*If the girl opts for her mother, then the mother is entitled to keep her day and night, due to the girl's inherent modesty (ḥayā'), and to ensure her protection (ḥimāyah), she should not frequently leave the house. The father is allowed to visit her so that mutual affection (maḥabbah wa ulfah) may be maintained. However, during such visits, he should not stay long, and the meeting must occur in the presence of a **maḥram** male or **thiqah** (trustworthy) women to eliminate any suspicion of seclusion (khalwah) after divorce.*²³

In both scenarios, mutual visitation between the child and both parents significantly contributes to balanced upbringing (tarbiyyah) and emotional well-being.

Ḥanbalī Perspective on Guardianship, Education, and Upbringing

According to the **Ḥanābilah**, the role of the **walī** (guardian) in the education and upbringing (tarbiyah) of children under **ḥaḍānah** (custody) is defined by the following guidelines:

1. Domestic Training for Girls

A girl under custody should be educated in domestic skills such as spinning and cooking within the home. Imām Ibn Qudāmah states:

إذا كانت الجارية عند الأم أو عند الأب فإنها تكون عنده ليلاً ونهاراً لأن تاديبها وتخريجها في جوف البيت من تعليمها الغزل والطبخ وغيرها ولا¹ حاجة بها إلى الإخراج منه

If the girl is in the custody of the mother or the father, she remains with them day and night, because her discipline and training — such as learning spinning (ghazl), cooking (ṭabkh), and other skills — should take place inside the house, and there is no need to take her out.

This implies that a girl should attain proficiency in household skills. Accordingly, she should acquire knowledge particularly in **tailoring** and **cooking** to ensure success in practical life.

2. Visitation Rights and Medical Care

If the girl is with one parent, the other should not be prevented from visiting her. Imām Ibn Qudāmah further explains:

²ولا يمنع أحدهما من زيارتها عند الآخر من غير أن يخلو الزوج بأمرها ولا يطيل

Neither parent should prevent the other from visiting the girl in the custody of the other, provided that the former husband does not engage in seclusion (khalwah) with his former wife and does not prolong his stay.

He continues:

³وإن مرضت فالأم أحق بتمريضها في بيتها

If the girl becomes ill, the mother has greater right to nurse her in her own home.

These passages establish the following regulations:

1. Visitation rights must be granted to both parents.
2. The father must avoid **khalwah** (private seclusion) with his former wife.
3. The father is prohibited from prolonged stays during visitation.
4. In case of the child's illness, **the mother is preferred for caregiving**.

3. Division of Day and Night Custody

If, after the age of seven, the child chooses to stay with the mother, he shall stay with her at night, and the father shall take him during the day for educational purposes. Ibn Qudāmah writes:

⁴كان عندها ليلاً ويأخذه الأب نهاراً ليسلمه في مكتب أو في صناعة

He (the child) will stay with her (the mother) at night, and the father will take him during the day to place him in a school (maktab) or for industrial training (ṣinā'ah).

This highlights the father's responsibility to arrange for both **general and vocational education** for the child, even if the child stays with the mother at night.

4. Custody with the Father after Seven

If the child resides with the father after the age of seven, the child will remain with him day and night. However, he should not be prevented from visiting the mother. *Al-Mughnī* states:

⁵ولا يمنع من زيارة أمه لأن منعه من ذلك إغراء بالعقوق وقطيعة الرحم وإن مرضت الأم أحق بتمريضه في بيتها

He (the father) should not prevent the child from visiting his mother, for doing so incites disobedience ('uqūq) and severance of kinship (qaṭī'at al-raḥim). And if the child becomes ill, the mother is more entitled to nurse him in her home.

5. Illness or Death of One Parent

A child should not be prevented from visiting either parent during their illness or death. *Al-Mughnī* further states:

⁶وإن مرض أحد الأبوين عند الآخر لم يمنع من عيادته وحضوره عند موته سواء كان ذكراً أو أنثى

If one of the parents becomes ill while the child is with the other, the child should not be prevented from visiting, nor from being present at the time of death, whether the child is male or female.

The Role of the Guardian in the Education of Children in Custody: A Mālikī Perspective

1. Educational Arrangement under Maternal Custody

According to the Mālikī school, if a child resides in the **ḥaḍānah (custody)** of the **mother**, the **father** is still obligated to oversee the child's **discipline (ta'dīb)** and **education (ta'līm)** during the daytime. **Imām Sahnūn** narrates from **Imām Mālik**:

قَالَ مَالِكٌ يُؤَدِّبُهُ بِالنَّهَارِ وَيَبْعَثُهُ إِلَى الْكُتَّابِ وَيَنْقَلِبُ إِلَى أُمِّهِ بِاللَّيْلِ فِي حَضَانَتِهَا وَيُؤَدِّبُهُ عِنْدَ أُمِّهِ⁴

*“Imām Mālik said: The father disciplines the child during the day and sends him to the **kuttāb** (writing school), and the child returns to his mother at night under her custody, and she also instructs him in proper manners.”*

This indicates that even while the child is in the mother's care, the **walī (legal guardian)** typically the father must provide for both **moral discipline** and **basic literacy**.

Additionally, all **expenses** related to the **child's upbringing and education** are to be paid from the **minor's personal property**. If the child lacks such resources, then the one **obligated to provide nafaqah (financial support)** usually the guardian is responsible for these costs. This financial duty has already been established in earlier sections with reference to the juristic opinions.

2. Summary of Educational Principles Across Madhāhib

From the cumulative analysis of the **four Sunni schools (madhāhib)**, the following foundational principles emerge regarding the **education and training** of children under guardianship:

1. **The Qur'an and Sunnah** impose a clear obligation on **both parents** to educate and raise their children in accordance with moral, religious, and practical values.
2. According to all **four legal schools (madhāhib arba'ah)**, the guardian is responsible for providing:
 - **Moral discipline (adab)**, especially for boys,
 - **Literacy training (kitābah)**,
 - **Commercial (tijārah) and industrial (ṣinā'ah)** vocational education,
 - and any other relevant **technical skills** in accordance with the **child's potential and needs**.
3. In the case of **girls**, guardians must ensure:
 - Training in **feminine etiquette (adab al-nisā')**,
 - Domestic skills like **spinning (ghazl)** and **cooking (ṭabkh)**,
 - Education relevant to **family life** and future responsibilities.
4. If a child resides with one parent, the **other parent must be granted visitation rights**. This is crucial for the child's **emotional well-being** and **balanced development**, and is supported unanimously across the schools of law.

3. Judicial Rulings

Judicial precedents also determine the right of ḥaḍānah (custody) based on the welfare (*maṣlaḥah*) of the child⁵, where education and moral upbringing are considered fundamental aspects of well-being. The following notable cases highlight this emphasis:

1. *Mrs. Rubina Gilani v. Zahoora Akhtar Raja* Supreme Court of Pakistan

This case was heard by Justice Ajmal Mian, Justice Manzoor Ahmad Mirza, and Justice Chaudhry Muhammad Arif. The custody of three children (Umar, Haris, and Khalid), all above the age of nine, was with the father. However, due to their enrollment at Lawrence College, Murree, they were physically distant from their mother. The mother petitioned for custody due to limited contact, but the court ruled in favor of the father, citing better educational provisions. The judgment stated:

“Thus, considering the broad details of the present case and background of circumstances, we have no doubt that respondent by educating the children at Lawrence College Murree is providing them proper educational facilities, therefore, it would not be fair to disturb the right of respondent regarding their custody.”⁶

The court emphasized education as the basis of its decision and further acknowledged:

“However, we simultaneously feel that character of the child is not fully developed in the absence of maternal affection.”⁷

Accordingly, a visitation schedule was structured for the mother:

- The children would spend both summer and winter vacations with their mother in Lahore.
- With prior approval from the principal, the mother would be allowed to visit the children once a month at the college.

2. *Mrs. Aslam Khatoon v. Muhammad Munir* Lahore High Court

Presided over by Justice Syed Najam ul Hassan Kazmi, this case involved the custody of a nine-year-old boy and an eight-year-old girl studying at Lasani Cadet Public School. Due to appropriate schooling and good health, custody was awarded to the mother. The father was granted visitation rights on the first and last Monday of each month, within the court’s jurisdiction and official hours.⁸

3. *Mrs. Naseem Kausar v. Saleem et al.* Lahore High Court

This case, concerning the custody of Muhammad Aqib Saleem, was overseen by Justice Abdul Shakoor Paracha. Custody was granted to the mother, as she was found better suited to safeguard the child’s well-being compared to the father, who spent most of his time at a spare parts shop. The court observed that the child would otherwise be left in the care of a stepmother for extended periods. A structured visitation schedule was ordered:

- Biweekly visitation rights for the father, to be organized by the Guardian Judge.
- Additional visitation during Eid holidays and both summer and winter vacations.⁹

Key Inferences from Judicial Rulings:

1. **Educational and moral upbringing** is a core criterion for awarding ḥaḍānah, forming one of its essential objectives.
2. When one parent is granted custody, **the other must be provided structured visitation**, ensuring the child benefits from the affection and moral support of both parents.

These judgments reflect the principle that **the obligation of tarbiyah (education and training)** lies upon the walī (guardian), as mandated by the Qur’ān, Sunnah, the four Sunni schools of jurisprudence (*madhāhib*), and contemporary legal frameworks. Courts recognize quality education and psychological well-being as primary determinants of a child’s best interest in custody cases

Conclusion:

The study establishes that the institution of *ḥaḍānah* (custody) in Islamic law is not merely a legal framework for determining the physical care of a child but a holistic system that upholds the educational, moral, and emotional development of the ward. The responsibility of the *walī* (guardian) whether father, grandfather, or legal appointee is clearly defined in both classical Islamic jurisprudence and contemporary statutory laws. Across the four major Sunni schools—Ḥanafī, Mālikī, Shāfi‘ī, and Ḥanbalī scholars unanimously emphasize that guardianship encompasses *ta’līm* (instruction), *ta’dīb* (discipline), and the facilitation of both religious and worldly education, including vocational and technical skills.

Furthermore, Islamic legal tradition gives great importance to the emotional needs of children, especially the necessity of maintaining ties with both parents in post-divorce scenarios. The protection of maternal affection, visitation rights, and mutual parental involvement are seen as essential for the child's holistic development. This is equally recognized in modern legal systems, where the welfare of the child is the central criterion in deciding custodial matters. Judicial precedents in Pakistan also affirm that quality education, emotional stability, and consistent parental care are key factors in determining guardianship under the *Guardians and Wards Act, 1890*.

In conclusion, both Islamic teachings and contemporary legal frameworks converge on the understanding that guardianship is a trust (*amānah*) that extends beyond physical care to include moral cultivation, educational guidance, and emotional nurturing. Ensuring the intellectual, spiritual, and ethical upbringing of children under custody is not only a legal duty but a moral imperative rooted in both Sharī‘ah and modern human rights discourse.

References

¹ Qur’ān, Sūrat al-Tahrīm 66:6

² al-Jaṣṣās, Abū Bakr Aḥmad ibn ‘Alī al-Rāzī. *Aḥkām al-Qur’ān*. Karachi: Qadīmī Kutub Khāna, vol. 3, p. 697; Ibn al-‘Arabī, Abū Bakr Muḥammad ibn ‘Abd Allāh. *Aḥkām al-Qur’ān*. Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, vol. 4, p. 275.

³ al-Jaṣṣās, *Aḥkām al-Qur’ān*, vol. 3, p. 697

⁴ Ṣaḥnūn, ‘Abd al-Salām ibn Ḥabīb al-Tanūkhī. *al-Mudawwanah al-Kubrā*. Bayrūt: Dār al-Fikr, 1419 AH/1998 CE

⁵ Saghir Ahmad. *Guardians and Wards Act, 1890*. Lahore: Mansoor Book House, n.d.

⁶ Sheikh Abdul Halim. *The Supreme Court Monthly Review (S.C.M.R.)*. Church Road, Lahore, 1999, p. 1836.

⁷ Ibid.

⁸ Malik Muhammad Saeed. *The Monthly Law Digest (M.L.D.)*. 35 Nabha Road, Lahore, 2000, p. 1216.

⁹ M.A. Zafar. *Shariat Law Reports (S.L.R.)*. Justice Jameel Hussain Rizvi Road, Lahore, 2004, p. 40.