

*“Call to the path of thy Lord with wisdom and goodly exhortation,
and argue with people in the best manner.” (Holy Quran, 16:125)*

The Light

AND

ISLAMIC REVIEW

**Exponent of Islam and the Lahore Ahmadiyya Movement
for over eighty years**

April - June 2006

In the spirit of the above-cited verse, this periodical attempts to dispel misunderstandings about the religion of Islam and endeavors to facilitate inter-faith dialogue based on reason and rationality.

Vol. 83

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Published on the World-Wide Web at: www.muslim.org

احمدیہ انجمن اشاعت اسلام لاہور

◆ *Ahmadiyya Anjuman Isha'at Islam Lahore Inc., U.S.A.* ◆
P.O. Box 3370, Dublin, Ohio 43016, U.S.A.

The Light was founded in 1921 as the organ of the AHMADIYYA ANJUMAN ISHA'AT ISLAM (Ahmadiyya Association for the Propagation of Islam) of Lahore, Pakistan. *The Islamic Review* was published in England from 1913 for over 50 years, and in the U.S.A. from 1980 to 1991. The present periodical represents the beliefs of the worldwide branches of the Ahmadiyya Anjuman Isha'at Islam, Lahore.

ISSN: 1060–4596

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The main objective of the A.A.I.I.L. is to present the true, original message of Islam to the whole world — Islam as it is found in the Holy Quran and the life of the Holy Prophet Muhammad, obscured today by grave misconceptions and wrong popular notions.

Islam seeks to attract the *hearts and minds* of people towards the truth, by means of reasoning and the natural beauty of its principles.

Hazrat Mirza Ghulam Ahmad (d. 1908), our Founder, arose to remind the world that Islam is:

International: It recognizes prophets being raised among all nations and requires Muslims to believe in them all. Truth and goodness can be found in all religions. God treats all human beings equally, regardless of race, nationality or religion.

Peaceful: Allows use of force only in unavoidable self-defence. Teaches Muslims to live peacefully under any rule which accords them freedom of religion.

Tolerant: Gives full freedom to everyone to hold and practise any creed or religion. Requires us to tolerate differences of belief and opinion.

Rational: In all matters, it urges use of human reason and knowledge. Blind following is condemned and independence of thought is granted.

Inspiring: Worship is not a ritual, but provides living contact with a Living God, Who answers prayers and speaks to His righteous servants even today as in the past.

Non-sectarian: Every person professing Islam by the words *La ilaha ill-Allah, Muhammad-ur rasul-ullah* (There is no god but Allah, and Muhammad is the Messenger of Allah) is a Muslim. A Muslim cannot be expelled from Islam by anyone.

Hazrat Mirza Ghulam Ahmad taught that *no* prophet, old or new, is to arise after the Holy Prophet Muhammad. However, *Mujaddids* will be raised by God to revive and rekindle the light of Islam.

About ourselves

Ahmadiyya Anjuman Isha'at Islam Lahore has branches in many countries including:

U.S.A.	Australia
U.K.	Canada
Holland	Fiji
Indonesia	Germany
Suriname	India
Trinidad	South Africa
Guyana	

Achievements:

The Anjuman has produced extensive literature on Islam, originally in English and Urdu, including translations of the Holy Quran with commentaries. These books are being translated into other languages, including French, German, Spanish, Dutch, Russian, Chinese, and Arabic. The Anjuman has run several Muslim missions around the world, including the first ever in Western Europe.

History:

1889: Hazrat Mirza Ghulam Ahmad founds the Ahmadiyya Movement.

1901: Movement given name *Ahmadiyya* after Holy Prophet Muhammad's other famous name *Ahmad*.

1905: Hazrat Mirza appoints central body (Anjuman) to manage the Movement.

1908: Death of Hazrat Mirza. Succeeded by Maulana Nur-ud-Din as Head.

1914: Death of Maulana Nur-ud-Din. Ahmadiyya Anjuman Isha'at Islam founded at Lahore as continuation of the original Anjuman. Maulana Muhammad Ali elected as Head.

1951: Death of Maulana Muhammad Ali after fifty years of glorious service to the cause of Islam. Maulana Sadr-ud-Din (d. 1981) becomes Head.

1981–1996: Dr Saeed Ahmad Khan, an eminent medical doctor and religious scholar, led the Movement, at a time of intense persecution.

1996–2002: Prof. Dr Asghar Hameed, a distinguished retired University Professor of Mathematics, and learned Islamic scholar, served as Head.

2002: Prof. Dr Abdul Karim Saeed Pasha elected Head.

Women: Love, Marriage and Property

A Rebuttal to Chapter 8 of the book Unveiling Islam

By Dr. Hamid Rahman

[The U.S. branch of the Lahore Ahmadiyya Movement has been compiling responses to each chapter of the popular book ‘Unveiling Islam’ by Caner and Caner for the purposes of publishing a detailed response to the common allegations made against Islam found therein and repeated by others as authority. In this article, Dr. Hamid Rahman, Professor of Finance and Economics at Alliant University in San Diego California, provides a rebuttal to the chapter that deals with the status of women in Islam. He first reviews the rules of interpretation required to examine the various contentions in their proper context. He then systematically provides an overview of the Islamic position on each topic addressed by Caner and Caner, evaluates the validity of the specific allegations made, and finally, as a comparative analysis, reviews the Bible’s position on each of the topics. Part 1 of this article is produced herein and part 2 will be published in a forthcoming issue]

Summary

The authors Caner and Caner make the following points in this chapter:

- Islam teaches that women are inherently inferior to men – spiritually and intellectually.
- Women are regarded as both harmful to men and a bad omen and are by nature unclean.
- Unequal treatment of men and women: women have fewer rights and privileges in Muslim societies - property rights and evidence in lawsuits, unequal punishment in adultery.
- Polygamy is sanctioned in Islam.
- Criticism of Prophet Muhammad on account of his marriages – multiplicity of the Prophet’s wives, marriage with Aishah and Zaynab and “super-normal” marriages.
- Wives are considered as the husband’s sex objects in marriage and abusive treatment of wives is sanctified.
- Islam prescribes a code of dress for women.

In support of the above contentions, the authors quote from the Quran and *Hadith*, make some statements with-

out reference and provide their own interpretations. Before discussing the above issues in detail, it is essential to establish the rules of interpretation and the Islamic context of relationship between the sexes – men and women generally and husbands and wives particularly.

Rules of Interpretation

Rule #1

Quran is the fundamental source of Islamic faith, practice, and law. Muslims believe it to be the final word of God for the guidance of mankind. The Quran was written down as it was revealed and memorized in full by thousands of people from the earliest times. For this reason, the Quran has been preserved in its pristine purity and the 1.1 billion of Muslims in all corners of the world read from the same Arabic text. The Quran is, therefore, akin to the constitution of the Muslims. Just as the U.S. Constitution is one document but has been understood differently at different times and even differently by different Supreme Court Judges at the same time, so too Muslim groups have interpreted some portions of the Quran differently. However, the fundamental rule here is that the interpretation must be consistent i.e. no interpretation is acceptable if it contradicts a clear rule given in the Quran.

The second source of Muslim practice and law is the *Hadith*. These are books compiled by various scholars, after whom they are named for ease of identification, and consist mostly of reports about what Prophet Muhammad said (*Hadith*) and what he did (*sunnah*). The early Muslims during the time when the Quran was being revealed and for many years afterwards were so careful not to compromise the integrity of the Quran that the writing of any religious text except the Quran was strongly discouraged. The Muslims incorporated the *sunnah* into their daily practices immediately and this part of the tradition was therefore preserved very well. The *hadith* were transmitted by narration and it was not till about a century and half after the Prophet that *hadith* were written down and it was another century and half before a systematic compilation of the *hadith* and *sunnah* took place in the form that is used generally today. During this time, some *hadith* were distorted and some invented. The compilers of the *hadith* applied some tests of authenticity to weed out the non-genuine from genuine *hadith* but no one can categorically state that all the *hadith* included in the books of *hadith* are genuine. The widely used and eminently reasonable test of acceptance of a *hadith* is that it should be accepted if it does not contradict the Quran. If there is an apparent contradiction, it should be interpreted in a way that it does not contradict

the Quran and if such an interpretation is not possible then the *hadith* should be rejected. It may be added that this is the same test that courts use when the constitutionality of federal or state laws is challenged.

Rule #2

Islam lays the highest emphasis on the sanctity of marriage and a moral and stable household. The existence of such an environment is essential not only for the husband and wife to maximize their spiritual potential but also to lay the foundations for the spiritual growth of their children. For this reason Islam encourages Muslim adults to stay in the married state and considers marriage as the best antidote against sexual permissiveness and a morally debased and depraved society. Islam shares these values with the Judeo-Christian tradition and indeed with most of the religions of the world.

In order to ensure harmonious relationship between husband and wife, Islam defines the rights and responsibilities of the two parties to a marriage contract. It encourages that decisions affecting the family be made by mutual consent but provides rules for tiebreakers where the parties cannot agree on a common course of action.

The husband has been made responsible for the economic welfare of the household and the woman for its efficient operation. These two roles are not mutually exclusive but each party can help the other. Thus, women can work to supplement the household income and men can perform household tasks to help the wives in the running of the household.

Rule #3

Islam lays the highest emphasis on moral behavior. This emphasis is a corollary of what Islam states as the objective of creation i.e. to serve Allah and thereby elevate oneself spiritually for His blessings in this world and the next. In order, to achieve a moral society conducive for moral behavior, Islam puts restrictions on the free intermingling of sexes. It does not prescribe a segregationist society but only one in which men and women do not deliberately expose themselves to situations that may be destructive for their spiritual development. Thus, Islam allows women to work, go to places of worship, help out in the field and even to accompany men to war. In doing this, they should be properly attired so as not to be deliberately provocative.

Rule #4

Many criminal acts have been done in the name of religion. Just because an act is done in the name of religion

does not mean that the religion sanctifies it. What is presented here is the correct position of Islam on issues under discussion. Many countries purport to be Islamic but their conduct is not. It is not the intention here to defend the actions of such tyrannical and repressive regimes even if they allege to be acting according to Islam.

The wisdom of these rules is self-evident and it is in this context that the issues raised by the authors of *Unveiling Islam* will be discussed.

Contention No. 1: Islam teaches that women are inherently inferior to men, spiritually and intellectually

Under the title, “A Woman’s Genetic Inferiority,” the authors state that Islam teaches that women are inherently inferior to men. In support, they quote one verse of the Quran and a few *hadith*. The Quranic verse quoted is from *Surah 2:228* as follows: “Women shall have rights similar to the rights against them, according to what is equitable; but men have a degree over them.” Before this verse, which is really the Magna Charta for women’s rights, is discussed more fully to understand its meaning and import, it is conducive to discuss the status imparted to woman by Islam and to compare it with those of other religions.

Islam enunciates the great truth that man and woman have come from the same essence and are one and the same in that respect:

O people, keep your duty to your Lord, Who created you from a single being and created its mate of the same (kind), and spread from these two many men and women. And keep your duty to Allah, by Whom you demand one of another (your rights), and (to) the ties of relationship. Surely Allah is ever a Watcher over you. (*Surah 4:1*)

It is obvious that if man and woman are created of the same kind or essence, which is another significance of the Arabic word *nafs*¹ used in this verse, then there can be no question of genetic inferiority either spiritual or intellectual.

Spiritually, Islam raised woman to the position of man. No other religious book and no other reformer has done one-tenth of what the Holy Quran or the Holy Prophet Muhammad has done to raise the position of woman. The Quran accords good and righteous women the same position as good and righteous men. Both sexes are spoken of in the same terms. The highest favor that God has bestowed upon mankind is the gift of Divine revelation, and the Quran accords several instances of women receiving revelation. Some examples are:

And We revealed to Moses' mother, saying: Give him suck; then when thou fearest for him, cast him into the river and fear not, nor grieve; surely We shall bring him back to thee and make him one of the messengers. (28:7)

When We revealed to thy mother that which was revealed. (20:38)

And when the angels said: O Mary, surely Allah has chosen thee above the women of the world. (3:42)

Where the Holy Quran speaks of the great prophets of God, saying: "And mention Abraham in the Book" (19:41), "And mention Moses in the Book" (19:51), and so on, it speaks of a woman in exactly the same terms: "And mention Mary in the Book" (19:16). No other religious book has given such a high spiritual position to woman.

The Quran makes no difference between man and woman in the bestowal of reward for the good he or she does:

I will not suffer the work of any worker among you to be lost whether male or female, the one of you being from the other. (3:195)

And whoever does good deeds, whether male or female, and he (or she) is a believer – these will enter the Garden, and they will not be dealt with a whit unjustly. (4:124)

And whoever does good, whether male or female, and he is believer, these shall enter the Garden, to be given therein sustenance without measure. (40:40)

Whoever does good, whether male or female, and is a believer, We shall certainly make him (or her) live a good life, and We shall certainly give them their reward for the best of what they did. (16:97)

The Quran leaves no doubt that women can possess the same good qualities as men can and with exactly the same consequences:

Surely the men who submit and the women who submit, and the believing men and the believing women, and the obeying men and the obeying women, and the truthful men and the truthful women, and the patient men and the patient women, and the humble men and the humble women, and the charitable men and the charitable women, and the fasting men and the fasting women, and the men who guard their chastity and the women who guard, and the men who remember Allah much and women who remember – Allah has prepared for them forgiveness and a mighty reward. (33:35)

In Islam, therefore, there is no moral or spiritual difference between men and women, and morally and spiritually they can rise to the same eminence.

The authors, Caner and Caner, also insinuate by quoting some *hadith* that women are considered in Islam to be deficient in intellect. This is *prima facie* against the teaching of Islam for if women possessed an inferior intellect than men, then a different yardstick would have been applied in judging women as compared to men. Even man made laws do not judge between a person deficient in intelligence and one of normal intelligence alike. Moreover, facts belie such an assertion.

Islam owes a great favor to the wives of the Holy Prophet for remembering and reporting many *hadith*. Many finer points of religion may not have been amplified in the same way without their reporting. In particular, the Lady Aishah had a marvelous memory and was, in addition, gifted with a clear intellect, by virtue of which she refused to accept anything that she did not understand. After the Prophet's death, his wives were considered authorities on religion because they had observed the Prophet at close range and were consulted on matters of religion. They taught and explained important aspects of religion and both men and women learnt from them.

When Caliph Umar, a devoted Companion of the Prophet, desired to ban big dowries during his reign, a woman in the audience silenced him by repeating the verse, "... and you have given one of them a heap of gold, take nothing from it," (4:20). The great Caliph Umar had to take back his orders saying that, "the women of Madinah had more understanding than Umar."

Next we look at the specific Quran and *Hadith* references used by Caner and Caner to justify their charges:

Quranic reference

Only one Quranic reference is cited under this charge. The verse reads:

Women shall have rights similar to the rights against them, according to what is equitable; but men have a degree over them. (2:228)

The context of the verse in the Quran shows that this verse relates to the mutual rights of husband and wife and not of any woman against any man. The rights of women against their husbands are here stated to be similar to those that the husbands have against their wives. The statement must, no doubt, have caused a stir in a society that never recognized any rights for the woman. This declaration brought about a revolution not only in Arabia but in the whole world, for the equality of the rights of women with those of men was never previous-

ly recognized by any nation or any reformer. The woman could no longer be discarded at the will of her “lord”, but she could either claim equality as a wife or demand divorce. The statement that “men are a degree above them” does not nullify the rights asserted in the previous passage. The words are added simply to show that superior authority to run the house must be given to either the husband or the wife, and it is given to the husband for reasons given in (4:34):

Men are the maintainers of women, with what Allah has made some of them to excel others and with what they spend out of their wealth...

The economic sustainability of the household has squarely been made the responsibility of the man. Women may voluntarily share this burden but the prime responsibility for providing for the family rests on the husband. Matters in the Islamic household must be decided by mutual consultation and consensus but where a consensus is not possible, a method has to be provided to break the tie. Since a large majority of disputes between husband and wife have economic consequences and since the husband is responsible for ensuring the economic well being of the family, therefore, the tiebreak vote has been accorded to the husband. This is just a matter of good common sense and has none of the insinuations of “genetic inferiority” and “women are inherently inferior to men” that Caner and Caner would like to impute. The fact that this is the only Quranic verse Caner and Caner quote about their charge of woman’s genetic inferiority is a measure of their desperation to find something to support their preconceived notions.

In support of their contention, Caner and Caner also quote some snippets from *hadith*; they give three references but the major points they make are all found in the following *hadith* and will be discussed in its context.

Abu Saeed Khudri narrated: The Messenger of Allah was proceeding towards the Eid congregation ground either on the occasion of the Sacrificial Eid or Eid ul Fitar when he passed by a group of women; he said, ‘Indulge in acts of charity because you (women) have been shown to me to be in the majority amongst the inhabitants of hell.’ They asked, ‘Why, O Messenger of Allah?’ He replied, ‘You curse a lot, are ungrateful to your husbands; I have not seen anyone more wanting in knowledge and faith than you.’ They enquired, ‘What is the imperfection in our faith and knowledge, O Messenger of Allah?’ He said, ‘Is the witness of a woman not half that of a man?’ They said, ‘Yes.’ He said, ‘This is because of imperfect knowledge. Does she not stop praying and fasting

when she has her periods?’ They said, ‘Yes.’ He said, ‘This is an imperfection in their faith.’²

Caner and Caner quote three snippets from this *Hadith* as follows:

“Muhammad asked some women, ‘Isn’t the witness of a woman equal to half of that of a man?’ The woman said, ‘Yes.’ He said, ‘This is because of the deficiency of the woman’s mind.’” (3.826)

“I have not seen anyone more deficient in intelligence and religion than you.” (2.541)

“I was shown the hell-fire and that the majority of its dwellers are women.” (Quoted without reference but alleged to be occurring “Three times in the *hadith*”)

The Books of *Hadith* are replete with repetitions. There are two main sources of repetition. The first arises because the Books of *Hadith* are arranged by subjects. If a saying of the Holy Prophet contains material relevant to two different subjects, the saying is repeated under both the subjects. Secondly, if two different narrators narrate the same saying then again the saying is reported separately attributing it to the relevant narrators. Thus a report occurring three times does not necessarily indicate three different incidents or conversations but could all be the result of the same one but reported by different narrators, each narration differing a little according to the understanding of the narrator. It is easy to see that the Caner and Caner quotes are all found in this single incident.

This *hadith* is reported by Abu Saeed Khudri and begins as follows: “The Messenger of Allah, peace be upon him, was proceeding towards the Eid congregation ground either on the occasion of the Sacrificial Eid or Eid ul Fitar...” This beginning is indicative of the lack of preciseness in the reporting of the *hadith*. If the narrator cannot remember with clarity at which one of the two important festivals of Eid the reported incident took place then it throws into doubt the accuracy of the detailed conversation reported in the incident. However, we will assume for the sake of argument that the rest of the narration is accurate and proceed to examine it on that basis.

As the *hadith* shows, the Holy Prophet was proceeding towards the ground where the multitude had gathered to offer the Eid prayers when he passed by a group of women. Ever the preacher, he found a teachable moment to preach against two evils commonly associated with the women of that society, namely, cursing and lack of appreciation for their husband’s efforts on their behalf and on behalf of the whole household. Both these traits cut across the fundamental basis of Islam, which

rests on the dual principle of fulfilling obligations to God and to mankind. Cursing negates the latter and ungratefulness the former. Ungratefulness is a trait that God does not love. If these traits are allowed to continue unchecked, the ultimate result would be hell-fire. It must be emphasized here that the Islamic concept of heaven and hell is not just confined to the next world. Heaven and hell are states that exist within a person in this world and will assume a more palpable form in the next. A woman who is ungrateful to her husband and cursing her neighbors and others is not a woman who is at peace with herself. She is, in fact, in hell. The Holy Prophet warns against these traits and advises acts of charity as an effective antidote.

Now there are two things that can effectively check such behavior – knowledge and/or faith. An intelligent person knows that such behavior is self-destructive and will create a veritable hell for oneself. If a person is not very intelligent but has a strong faith, he or she would also reach the same conclusion because this is the lesson that religion teaches as well. Thus, letting these traits persist indicates a lack of knowledge and faith. The rest of the conversation is an explanation of the environmental factors that result in these traits being found more commonly in women than men.

Based on the division of labor in a traditional household, man is the breadwinner and the woman is the caretaker of the house and children. The normal housewife is therefore not as business savvy as a man nor does she get the opportunity to become street smart and experience the rough and tumble of life like a man does. Further, giving evidence in court and the subsequent cross-examination is often brutal and far removed from the everyday experience of a housewife. Therefore, Islamic law provides that business contracts, wills and the like be witnessed by two men or one man and two women in verse (2:282). This is only a concession to environmental-social concern rather than a condemnation of women as being intellectually inferior. The Holy Prophet's reference to, 'Isn't the witness of a woman equal to half that of a man,' is meant to indicate the lack of vision and foresight in women as a result of experience confined to the house that does not enable them to see how destructive cursing and ungratefulness is.

Islamic ordinances exempt women from prayers and fasting while they are menstruating. Daily prayer at least five times a day is the preferred method in Islam to stay focused on God and stay within the confines of His commands. According to nature's division of labor, the responsibility of childbearing is that of the woman and nature prepares her once a month to fulfill this respon-

sibility. While this is a necessary requirement for the survival of the human race, it does take her away from prayer and fasting – two efficacious methods of spiritual development and strengthening of the faith.

Thus, this roadside sermon is full of wisdom. It points out a couple of destructive traits in those women, which if unchecked will create a veritable hell for them. Prescribes a method to counteract these traits and finally explains why these traits are more likely to develop in women than men. To infer 'genetic inferiority' and to assume that women are 'consigned to hell' from this *hadith* is not only farfetched but totally incorrect. Interpretation of the *hadith* must be according to the Quran and if such an interpretation is impossible then the *hadith* should be rejected. Our discussion from the Quran above has already demonstrated that spiritually men and women are created equal and can aspire to, and achieve the same heights of spiritual development and nearness to God. This is the fundamental and basic premise of Islam.

Bible on the inferiority of women

"Let the woman learn in silence with all subjection. But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence. For Adam was first formed, then Eve. And Adam was not deceived, but the woman being deceived was in the transgression."—*1 Tim. 2:11-14*

For a man ought not to cover his head, since he is the image and glory of God, but woman is the glory of man, for man was not made for woman, but woman from man, neither was man created for woman, but woman for man. [1 Corin. 11:7]

The leaden cover was lifted, there was a woman sitting, and he (the angel) said: this is wickedness. [Zech. 5:7]

And I find more bitter than death the woman who is a snare, whose heart is a trap and whose hands are chains. The man who pleases God will escape her, but the sinner she will ensnare....while I was still searching but not finding, I found one upright man among a thousand but not one upright woman among them all". [Eccles 7:26-28]

"...Christ is the head of every man, and a husband the head of his wife, and the head of Christ is God. (NIV)". Corinthians 11:3

"Give me any plague, but the plague of the heart: and any wickedness, but the wickedness of a woman." (Eccles. 25:13)³

"Of the woman came the beginning of sin, and through her we all die." (Eccles. 25:22)

“For from garments cometh a moth, and from women wickedness. Better is the churlishness of a man than a courteous woman, a woman, I say, which bringeth shame and reproach.” (Eccles. 42:13-14)

“Adam was not deceived but the woman was” (1 Timothy 2:11-14)

“Woman will be ruled over by the male” (Genesis 3:16)

Contention No.2: In Islam, women are regarded as both harmful to men and a bad omen and are by nature unclean

Under a title, “Consigned to Hell,” Caner and Caner state that in Islam, “...women are regarded as both harmful to men and a bad omen. ‘Muhammad said, ‘Bad omen is in the women, the house and the horse...after me I have not left any affliction more harmful to men than women.’”

This *hadith* is rejected by no less an authority than Lady Aisha, the wife of the Holy Prophet. When it was mentioned before her that Abu Huraira had narrated that the Holy Prophet had said that “Bad omen is in the women, the house and the horse,” she was very angry and said, “The Messenger of Allah (PBUH) never said this. What he said was that people in the Days of Ignorance (Pre-Islamic Period) considered the women, the house and the horse to be bad omens.”⁴ Apparently, the narrator of this *hadith* misunderstood or only partly heard the Holy Prophet’s discourse where he said that women, house and horse were considered as bad omens in the Pre-Islamic days. This *hadith* is, therefore rejected by commentators of the *hadith* and forms no part of the Islamic faith because it goes against the fundamental principles of Islam. The Quran states that man and woman are made from the same essence and not that one is made from a blessed essence and the other from an ill-omened one. The Holy Prophet granted the greatest respect to women. Just three of the many incidents that can be narrated are given below:

When Halima, who had wet-nursed the Holy Prophet as a baby, visited him, he would spread out his own shawl for her to sit on.

Muaviyah ibn Jahimah reported: Jahimah came to the Prophet (PBUH) and said, “O Messenger of Allah! I intend that I should enlist in the fighting force and I have come to consult thee. He said, ‘Hast thou a mother?’ He said, yes. He said, ‘Then stick to her, for paradise is beneath her two feet.’”⁵

Abu Hurairah said: “The Messenger of Allah (PBUH) said, ‘The most perfect of the believers in faith

is the best of them in moral excellence, and the best of you are the kindest of you to their wives.”

Besides being ill omens, Caner and Caner allege women are considered unclean by nature and quotes *Surah* 4:43 to prove his contention. This verse states:

O you who believe, go not near prayer when you are intoxicated till you know what you say, nor after sexual intercourse – except you are merely passing by – until you have bathed. And if you are sick, or on a journey, or one of you come from the privy, or you have touched the women, and you cannot find water, betake yourselves to pure earth, then wipe your faces and your hands. Surely Allah is ever Pardoning Forgiving.⁶

The ‘touching of women’ is a euphemism for sexual intercourse.⁷ Islamic law requires both men and women to take a bath after sexual intercourse and before prayer can be offered. *Surah* 5:6 essentially reiterates the same. To impute from this that women are by nature unclean is a travesty because the rule applies both to men and women. It could equally then be argued that men too by nature are unclean because women have to take a bath too. A *hadith* is narrated below to show that there is nothing unclean about contact with a woman:

Aishah said: The Messenger of Allah PBUH would cause his head to get to me while he was in the mosque, and I would comb his hair; ...⁸

Bible on the uncleanness of women

“Speak unto the children of Israel, saying, If a woman have conceived seed, and born a man child: then she shall be unclean seven days; according to the days of the separation for her infirmity shall she be unclean.” (Leviticus 12:2)

“But if she bear a maid child, then she shall be unclean two weeks, as in her separation: and she shall continue in the blood of her purifying threescore and six days.” (Leviticus 12:5)

“Who can bring a clean thing out of an unclean? not one . . .” Job 14:1-4

Mary is unclean after the birth of Jesus. Luke 2:22

When a woman has a discharge of blood which in her regular discharge from her body, she shall be apart seven days. And whosoever touches her shall be unclean until the evening. And every thing that she lies upon in her separation shall be unclean. Every thing also that she sits upon shall be unclean. And whosoever touches her bed shall wash his clothes and bathe himself in water, and be unclean until the evening. And whosoever touches any-

thing that she sat upon shall wash his clothes, and bathe himself in water, and be unclean until the evening.

And if it be on her bed, or any thing whereon she sits when he touches it: he shall be unclean until the evening. And if any man lie with her at all, and her flowers be upon him: he shall be unclean seven days, and all the bed whereon she lies shall be unclean.

And if a woman have an issue of her blood many days out of the time of her separation, or if it run beyond the time of her separation: All the days of the issue of her uncleanness shall be as the days of her separation, she shall be unclean. Every bed whereon she lies all the days of her issue shall be unto her as the bed of her separation, and whatsoever she sits upon shall be unclean, as the uncleanness of her separation.

And whosoever touches those things shall be unclean and shall wash his clothes and bathes himself in water, and he be unclean until the evening. But if she be cleansed of her issue, then she shall number to herself seven days, and after that she shall be clean. And on the eighth day she shall take unto her two turtles or two young pigeons, and bring them unto the priest to the door of the meeting tent. [Levi. 15:19]

If a man lies with a woman and has an emission of semen both of them shall bathe themselves in water, and be unclean until the evening. [Levi. 15:18]

Contention No.3: In Islam women are treated unequally to men – they have fewer rights and privileges in Muslim societies, particularly pertaining to property rights, evidence in lawsuits, divorce and punishment for adultery.

Caner and Caner make a number of charges regarding unequal treatment of men and women. These are addressed below:

Property rights

Under the title ‘Consigned to Hell’, it is stated, “*In apportioning inheritance, a woman should receive half of what a man receives.*” The Quranic verse quoted is: “Allah enjoins you concerning your children: for the male is the equal of the portion of two females;...” (196:11). Woman, in Arabia, had no rights of property; in fact, she was part of the inheritance, and was taken possession of along with other property. She had no right to the property of her deceased husband or father. The Quran took her from this low position and raised

her to a position of perfect freedom as regards her property rights and her right to inheritance, a position which, among other nations, she has only partly attained and that after centuries of hard struggle.

There is good logic behind fixing the share of a daughter at half that of a son. Islam makes the economic well being of a household the responsibility of the man. Thus the son has to support his family with his inheritance and thus share it with his wife and children. The daughter gets her share without any such strings attached. She is the sole benefactor from her inheritance, as she has to be maintained by her husband. Under the circumstances, the share of the woman is generous.

Bible on women’s property rights

Say to the Israelites, ‘If a man dies and leaves no son, turn his inheritance over to his daughter...’ Numbers 27:8

The Tenth Commandment considers a wife to be property: “Thou shalt not covet thy neighbor’s house, thou shalt not covet thy neighbor’s wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor anything that is thy neighbor’s.” Exodus 20:17

Evidence in lawsuits

Caner and Caner write under the title ‘Consigned to Hell’, “*In judicial proceedings, a woman’s testimony is given one-half the value and credibility as that of a man.*” The relevant verse quoted is 2:282, which is given below in somewhat greater detail than the brief snippet provided by the Caner brothers:

O you who believe, when you contract a debt for a fixed time, write it down...And call to witness from among your men two witnesses; but if there are not two men, then one man and two women from among those whom you choose to be witnesses, so that if one of the two errs, the one may remind the other...

As the context shows, witnessing a contract by either two men or one man and two women is a concession to the unfamiliarity that most women have with business dealings. It does not imply that “a woman’s testimony is given one-half the value and credibility as that of a man.” The idea is to provide witness support for women when faced with witnessing the technicalities of a business contract and later when giving evidence in a court of law if the need arises.

Let us examine the Islamic law of evidence in another context – adultery. Verse 24:4 provides:

And those who accuse free women and bring not four witnesses, flog them (with) eighty stripes and

never accept their evidence, and these are transgressors-

In a charge of adultery, there has to be four witnesses to prove the charge. Thus, if there are three male witnesses accusing a woman of adultery and the woman denies the charge, the charge will fail. The evidence of one woman negates the evidence of three men. Her credibility is given three times the weight of a man.

The idea in both the cases is to protect women. Neither implies the genetic inferiority or superiority of one sex over the other.

Divorce

Writing under the title 'Wives as Play Things' Caner and Caner state, "According to the *Quran*, women are not permitted to divorce their husbands under any circumstance." No Quranic verse is quoted to support the above contention. The reason is that none exists. The principle of divorce in the *Quran* is described thus:

And if you fear a breach (*shiqaq*) between the two, then appoint an arbiter from his people and an arbiter from her people. If they both desire agreement, Allah will effect harmony between them; surely Allah is ever Knowing, Aware (4:35)

This verse gives us not only the principle of divorce, which is *shiqaq* or a disagreement to live together as husband and wife, but also the process to be adopted when a rupture of marital relations is feared. The two sexes are here placed on a level of perfect equality. A "breach between the two" would imply that either the husband or the wife wants to break off the marriage agreement, and hence either may claim a divorce when the parties can no longer pull on in agreement. In the process to be adopted, both husband and wife are to be represented on a status of equality; an arbiter has to be appointed from his people and another from her people.

Hadith makes the woman's right of divorce even clearer. The wife of Thabit ibn Qais came to the Prophet and said: "O Messenger of Allah! I do not find fault in Thabit ibn Qais regarding his morals or faith but I cannot pull on with him." The Prophet said: "Wilt thou return to him his orchard (which he had settled upon her as a dowry)?" On receiving a reply in the affirmative, the Prophet sent for Thabit and ordered him to take back his orchard and divorce his wife.⁹

The right of the wife to claim a divorce is not only recognized by the *Quran* and *Hadith* but also in Jurisprudence (*fiqh*). The technical term for the wife's right to divorce by returning her dowry is called *khul*.¹⁰

Caner and Caner further state: "A man may divorce his wife, however, by simply verbally declaring his intent. If he changes his mind, he must wait until his wife has remarried and divorced again before he can marry her."

The correct process for divorce according to the *Quran* has been given above. Given the seriousness of divorce, the *Quran* has laid down a procedure, equally applicable to men and women, that provides for arbitration and ensures that divorce is not pronounced arbitrarily. Further safeguards have been provided for reconciliation and every chance is afforded to the parties to maintain the conjugal tie, even after differences have arisen leading to divorce. Every divorce must be followed by a period of waiting.¹¹ This waiting time is for about three months. The waiting period, among other purposes, affords the parties a chance of reconciliation. Though they are divorced, they still live in the same house, the husband being plainly told not to expel the wife from the house in which she has been living unless she is guilty of misconduct, and a similar advice is given to the wife not to leave the house.¹² This injunction clearly aims at restoring amicable relations between the parties. In fact, reconciliation is recommended in plain words during the waiting period, "And their husbands have a better right to take them back in the meanwhile if they wish for reconciliation." (2:228) Even after the period of waiting has passed, the two parties are allowed, even encouraged to remarry: "and when you have divorced women and they have ended their term of waiting, prevent them not from marrying their husbands, if they agree among themselves in a lawful manner..." (2:232) The condition is also laid down that such a revocable divorce, can be pronounced twice: "Divorce may be pronounced twice: then keep them in good fellowship or let them go with kindness." Before Islam, however, while the wife had no right of divorce, the husband had an unchecked license to divorce the wife and to reassert conjugal rights during the waiting period as many times as he pleased.¹³ Thus women were looked upon as mere chattel that could be discarded and taken at will. This had demoralized the whole institution of marriage. Islam not only gave the wife a right of divorce but also checked the husband's license to divorce as often as he liked. When a man and a woman have found by two experiments that they cannot live together as husband and wife, it is absurd on their part to think of remarriage again. Hence the *Quran* lays down that they shall not remarry after the second failure of the union, except in one case: "So if he divorces her (for the third time), she shall not be lawful to him afterwards until she marries another husband. If he (the second husband) divorces her, there is no blame on them both if they return to each other (by marriage), if they think that they can

keep within the limits of Allah” (2:230). If there be such a rare case, the parties to the marriage have probably learned a lesson, through another marital union, to the effect that they should behave better towards each other. Thus, Caner and Caner’s assertion, “A man may divorce his wife, however, by simply verbally declaring his intent. If he changes his mind, he must wait until his wife has remarried and divorced again before he can marry her,” is at best too simplistic and misleading.

Bible on Divorce

When a man taketh a wife, and marrieth her, then it shall be, if she find no favor in his eyes, because he hath found some unseemly thing in her, that he shall write her a bill of divorcement, and give it in her hand, and send her out of his house. And when she is departed out of his house, she may go and be another man’s wife. And if the latter husband hate her, and write her a bill of divorcement, and give it in her hand, and send her out of his house; or if the latter husband die, which took her to be his wife; her former husband, which sent her away, may not take her again to be his wife, after that she is defiled; for that is abomination before the Lord: and thou shalt not cause the land to sin, which the Lord thy God giveth thee for an inheritance. *Deuteronomy 24:1*

“...Anyone who divorces his wife and marries another woman commits adultery against her. And if she divorces her husband and marries another man, she commits adultery.” *Mark 10:11-12*

“...who marries the divorced woman commits adultery.” *Matthew 5:32*

“The woman he (the priest) marries must be a virgin. He must not marry a widow, a divorced woman, or a woman defiled by prostitution, but only a virgin from his own people.” *Leviticus 21:13-4*

Unequal punishment in adultery

Writing under the title ‘Wives as Play Things’, Caner and Caner write: “*In the case of adultery, one again sees a discrepancy in the treatment of men and women. Originally in the sharia a male adulterer’s punishment was limited to a flogging, while the woman was to be imprisoned until death. This law was later mitigated to eighty strokes for the man and one hundred strokes for the woman.*” As authority for this statement, Caner and Caner have cited M. Rafiqulhaq and P. Newton’s book *Al Nisaa Fil Islam*. Without the benefit of examining this book, it can confidently be asserted that either the work has been incorrectly cited or the learned authors of the book are in error about the punishment for adultery. The punishment for adultery is clearly set out in verse

24:2 of the Holy Quran as follows:

The adulteress and the adulterer, flog each of them (with) a hundred stripes, and let not pity for them detain you from obedience to Allah, if you believe in Allah and the Last Day, and let a party of believers witness their chastisement.

It is clear from this verse that there is no discrepancy in the treatment of men and women. The flogging is aimed more at disgracing the culprit than at torturing him. In the time of the Prophet, the flogging was carried out by beating with a stick or with the hand or with shoes.¹⁴

Bible on punishment for sex crimes

If any man take a wife, and go unto her, and hate her, and lay shameful things to her charge, and bring up an evil name upon her, and say, I took this woman and when I came nigh to her, I found not in her the tokens of virginity:...But if this thing be true, that the tokens of virginity were not found in the damsel: then they shall bring out the damsel to the door of her father’s house, and the men of her city shall stone her with stones that she die: *Deuteronomy 22:13,14,20,21*

If there be a damsel that is a virgin betrothed unto an husband, and a man find her in the city, and lie with her; then ye shall bring them both out unto the gate of that city, and ye shall stone them with stones that they die; the damsel, because she cried not, being in the city; and the man, because he hath humbled his neighbor’s wife: *Deuteronomy 22:23,24*

Polygamy is sanctioned in Islam

Caner and Caner write under the title ‘Marriage, Sexuality, and Desire’, “*Muslim men are allowed to marry two, three, or four wives, according to Surah 4:3*” The referred verse reads as follows:

And if you fear that you cannot do justice to orphans, marry such women as seem good to you, two, three or four; but if you fear that you will not do justice (between them) then (marry) only one.

This is the only passage in the Quran that speaks of polygamy. As a rule, Islam recognizes only the union of one man and one woman as a valid form of marriage. Under exceptional circumstances, it allows the man more wives than one but this permission is conditional. Polygamy is here allowed only when there are orphans to be dealt with, and it is feared that they will not be dealt with justly. This condition relates more to the welfare of society than to the needs of the individual. Historical circumstances made such a provision necessary. It was a

time when the Muslims were compelled to carry on incessant war against an enemy bent upon their extirpation. The breadwinners had all to take the field against the enemy, and many had been lost in the unequal battles that were being fought by the small Muslim band against overwhelming forces. Women had lost their affectionate husbands and young children their loving fathers, and these widows and orphans had to be provided for. If they had been left to the mercy of circumstances, they would have perished, and the community would have been weakened to such an extent that it would have been impossible to maintain the struggle for life. It was under these circumstances that the fourth chapter was revealed, allowing the taking of more wives than one, so that the widows and orphans may find shelter. If you fear, says the revelation, that you will not be able to do justice to orphans, marry women (the mothers of the orphans) up to four, but only on condition that you are just to all of them. That by 'women' here are meant 'the mothers of orphans' is made clear in verse 4:127:

And they ask thee a decision about women. Say: Allah makes known to you His decision concerning them; and that which is recited to you in the Book is concerning widowed women whom you give not what is appointed for them, while you are not inclined to marry them, nor to the weak among children, and that you should deal justly with orphans.

Polygamy in Islam is, both in theory and in practice, an exception, not a rule, and as an exception it is a remedy for many of the evils of modern civilization. It is not only the preponderance of females over males that necessitates polygamy in certain cases, but there is a variety of other circumstances which require polygamy to be adopted under exceptional circumstances, not only for the moral but also the physical welfare of society.

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It has to be admitted that the institution of polygamy, which was allowed by Islam only as a remedy, has largely been abused by sensual people, but then there are people in every society who would abuse any institution, however necessary it may be to the right growth of human society.¹⁵

Polygamy in the Bible

“After he left Hebron, David took more concubines and wives in Jerusalem, and more sons and daughters were born to him.” *2 Samuel 5:13*

“He (Solomon) had seven hundred wives of royal birth and three hundred concubines...” *1 Kings 11:3*

“And Lamech took unto him two wives: the name of the one was Adah, and the name of the other Zillah.” *Genesis 4:19*

“If a man have two wives, one beloved, and another hated, and they have born him children, both the beloved and the hated; and if the first-born son be hers that was hated: then it shall be, when he maketh...” *Deuteronomy 21:15*

“if he take him another wife; her food, her raiment, and her duty of marriage, shall her not diminish.” *Exodus 21:10* ■

[This article will continue in the next issue of “The Light”, July - September 2006.]

REFERENCES:

- 1 Maulana Muhammad Ali, The Holy Quran with English Translation and Commentary, Footnote 4:1a.
- 2 Maulana Muhammad Ali, Fazlul Bari Vol. 1. page 85 #230
- 3 Ecclesiasticus of the Apocrypha does not appear in most Bibles. However, in Catholic Bibles, the inferiority of woman still appears in the verses of Ecclesiasticus. These verses give only a sampling from this book that lowers the status of women.
- 4 Maulana Muhammad Ali, Fazlul Bari, Vol. 1 page 647, footnote 4.
- 5 Mufradat of Raghīb: 25:6
- 6 Translation from Maulana Muhammad Ali, The Holy Quran.
- 7 Maulana Muhammad Ali, The Holy Quran with English Translation and Commentary, Footnote 43d.
- 8 Bukhari 33:3
- 9 Bukhari 68:11
- 10 For a more detailed discussion of the wife's right of divorce see, The Religion of Islam by Maulana Muhammad Ali page 498.
- 11 Verse (65:1): “O Prophet! When you divorce women, divorce them for their waiting time.”
- 12 Verse (65:4)
- 13 Muhammad Fakhr al Din Razi, *Al Tafsir al-Kabir*, Volume 2 page 372.
- 14 Maulana Muhammad Ali, The Holy Quran with English Translation and Commentary, Footnote 24:2a page 698
- 15 For further details read the section on “Polygamy is an exception” in The Religion of Islam by Maulana Muhammad Ali, page 472.

Religious freedom in Islam

By Dr. Zahid Aziz

[In this article, Dr. Aziz presents an overview of the Islamic position on 'freedom of religion and belief.' He then addresses the particular allegation that Islam prescribes death as a punishment for apostasy. Dr. Aziz shows that, consistent with the firmly established principles of freedom and liberty in the Quran, there is no legitimate basis for this allegation. To the contrary, he explains, the freedom to choose one's belief is a protected human right in Islam, and it is only when a former Muslim joins enemy forces at war with Muslims, analogous to the crime of 'treason,' that such a person is at risk of punishment.]

No Compulsion in Religion

The Holy Quran altogether excludes compulsion from the sphere of religion. It lays down in the clearest words:

“There is no compulsion in religion — the right way is indeed clearly distinct from error.” — 2:256

In fact, the Holy Quran is full of statements showing that belief in this or that religion is a person's own concern, and that he is given the choice of adopting one way or another. If he accepts the truth, it is for his own good, and that, if he sticks to error, it is to his own detriment. Some quotations to this effect are given below:

“The Truth is from your Lord; so let him who please believe and let him who please disbelieve.” — 18:29

“We have truly shown him the way; he may be thankful or unthankful.” — 76:3

“Clear proofs have indeed come to you from your Lord: so whoever sees, it is for his own good; and whoever is blind, it is to his own harm. And I am not a keeper over you.” — 6:104

“If you do good, you do good for your own souls. And if you do evil, it is for them.” — 17:7

The duty of the Messenger of Allah, and, following him, the duty of every Muslim is only to deliver the message of truth and no more. This is indicated in the Holy Quran in passages of the following kind:

“If they accept Islam, then indeed they follow the right way; and if they turn back, your duty (O Prophet) is only to deliver the message.” — 3:20

“And obey Allah and obey the Messenger; but if you turn away, the duty of Our Messenger is only to deliver the message clearly.” — 64:12; see also 5:92

“Say (to people): Obey Allah and obey the Messenger. But if you turn away, he is responsible for the duty imposed on him, and you are responsible for the duty imposed on you. And if you obey him, you go aright. And the Messenger's duty is only to deliver (the message) plainly.” — 24:54

“O people, the truth has indeed come to you from your Lord; so whoever goes aright, goes aright only for the good of his own soul; and whoever errs, errs only to its detriment. And I am not a custodian over you.” — 10:108

“Surely We have revealed to you (O Prophet) the Book with truth for people. So whoever follows the right way, it is for his own soul, and whoever errs, he errs only to its detriment. And you are not a custodian over them.” — 39:41

“We have not appointed you (O Prophet) a keeper over them, and you are not placed in charge of them.” — 6:107

“Your duty (O Prophet) is only the delivery of the message, and Ours (God's) is to call (people) to account.” — 13:40

The Quran tells us that it is in the natural order of things that while some people believe others do not, and no human being can or should apply compulsion to others in this regard. The Holy Prophet Muhammad is told:

“And if your Lord had pleased, all those who are in the earth would have believed, all of them. Will you then force people till they are believers?” — 10:99

All nations are addressed as follows:

“For everyone of you We appointed a law and a way. And if Allah had pleased He would have made you a single people (or one religious community), but that He might try you in what He gave you. So vie one with another in virtuous deeds. To Allah you will all return, so He will inform you of that wherein you differed.” — 5:48

Why war was allowed

Muslims are allowed in certain circumstances to wage war. Every student of Islamic history knows that the Holy Prophet and his companions were subjected to the severest persecution, as Islam began to gain ground at Makka; over a hundred of them fled to Abyssinia, but persecution at home grew still more relentless. Ultimately, the Muslims along with the Holy Prophet had to take refuge in Madina, but they were not left alone even there, and the sword was taken up by the enemy to annihilate Islam and the Muslims. It was at that juncture that the Quran permitted them to fight:

“Permission (to fight) is given to those on whom war is made, because they are oppressed. And Allah is able to assist them — those who are driven from their homes without a just cause except that they say: Our Lord is Allah.” — 22:39, 40

Thus the object of allowing the Muslims to fight was not to compel the unbelievers to accept Islam, for it was against all the broad principles in which they had hitherto been brought up. No, it was to establish religious freedom, to stop all religious persecution, to protect the houses of worship of *all religions*, mosques among them. The above passage continues as follows:

“And if Allah did not repel some people by others, then cloisters and churches and synagogues and mosques in which Allah’s name is much remembered, would have been pulled down.” — 22:40

Thus Muslims are permitted to undertake war not only to stop their own persecution and to save their own mosques, but to save churches and synagogues as well; in fact, to establish perfect religious freedom. They are allowed to fight only those who fight against them, and to stop when the persecution ceases:

“And fight in the way of Allah against those who fight against you, but be not aggressive. Surely Allah loves not the aggressors.” — 2:190

“But if they desist, then surely Allah is Forgiving, Merciful. And fight them until there is no persecution, and religion is only for Allah.” — 2:192–193

“And fight them until there is no more persecution, and all religions are for Allah.” — 8:39

There should be no persecution on the score of religion and everyone must be at liberty to hold any belief he likes. The words *religion is only for Allah* or *all religions are for Allah* carry the significance that religion is a matter between man and his God, a matter of conscience, in which nobody has a right to interfere.

If the enemy offered peace, peace was to be accepted:

“And if they incline to peace, you must also incline to it, and trust in Allah.” — 8:61

The Holy Prophet made treaties of peace with his enemies; one such treaty brought about the famous truce of Hudaibiyah, the terms of which were disadvantageous to the Muslims. According to the terms of this treaty “if an unbeliever, being converted to Islam, went over to the Muslims, he was to be returned, but if a Muslim went over to the unbelievers, he was not to be given back to the Muslims”. This clause of the treaty cuts at the root of all allegations of the use of force by the Holy Prophet.

Offering security to enemy who wishes to learn about Islam

During a state of war with the Arab idolaters, the Holy Quran directed Muslims:

“If anyone of the idolaters seek your protection, protect him till he hears the word of Allah, then convey him to his place of safety. This is because they are a people who have no knowledge.” — 9:6

The explanation of this verse, as given in a classical Arabic commentary of the Quran written over a thousand years ago, is as follows:

“ ‘Then convey him to his place of safety’ means return him, after he has heard the word of Allah, if he refuses to accept Islam and is not admonished by the word of God that is read to him, to his place of safety, that is to say, to a place where he is safe from you and your followers, until he reaches his abode and joins his people, the idolaters.” (*Tafsir Ibn Jarir*)

George Sale, who produced the first English translation of the Quran directly from Arabic in the 18th century, and was a hostile critic of Islam, explains the meaning of this verse as follows in his footnote on this verse:

“You shall give him a safe conduct that he may return home again securely in case he shall not think fit to embrace Muhammadanism.”

What greater tolerance could there be than this, that an enemy soldier, on his request, is to be granted protection while he learns about Islam, and if he chooses not to accept it, Muslims must conduct him securely to his place of origin, where he is *safe from Muslims* and rejoins the very enemies whom the Muslims are fighting!

Relations of friendship with others

It is sometimes asserted that the Quran forbids relations of friendship with the followers of other religions. The fact is that, wherever there is prohibition against making friends with other people, it relates only to the people who were at war with the Muslims, and this is plainly stated in the Quran:

“Allah does not forbid you as regards those who do not fight you for religion, nor drive you forth from your homes, that you show them kindness and deal with them justly. Surely Allah loves the doers of justice. Allah forbids you only as regards those who fight you for religion, and drive you forth from your homes and help (others) in your expulsion, that you make friends of them; and whoever makes friends of them, these are the wrongdoers.” — 60:8, 9

No punishment for apostasy

It is generally thought that Islam provides a death sentence for those who desert the religion of Islam. Anyone who takes the trouble to read the Quran will see that there is not the least ground for such a supposition.

1. Several times the Quran speaks of people going back to unbelief after believing, but never once does it say that they should be killed or punished. In one place the Quran refers to the war being made upon Muslims by their opponents based in Makka and says:

“They will not cease fighting you until they turn you back from your religion, if they can. And whoever of you turns back from his religion, then he dies while an unbeliever — these it is whose works go for nothing in this world and the Hereafter.” — 2:217

This verse clearly speaks of a person as continuing to live after turning away from the religion of Islam until he dies while still an unbeliever. This verse also shows that force was being used *against Muslims* by their enemies to make them leave Islam, rather than being used by Muslims to keep the followers of Islam within its fold.

2. The Quran also says:

“O you who believe, should anyone of you turn back from his religion, then Allah will bring a people whom He loves and who love Him.” — 5:54

“Those who disbelieve after their believing, then increase in disbelief, their repentance is not accepted, and these are they that go astray.” — 3:90

“Those who believe then disbelieve, again believe and again disbelieve, then increase in disbelief, Allah will never forgive them nor guide them in the (right) way.” — 4:137

The last verse above speaks of certain people who switched back and forth between Islam and unbelief. They embraced Islam of their own accord, then left it of their own accord, then came back of their own accord, and finally left it and became confirmed in disbelief. No punishment was applied to them at the hands of the Muslims, nor prescribed to be applied. Only God would judge them.

3. The Quran also speaks of a plan of a group of Jews living in Madina to adopt Islam first and then desert it, thus creating the impression that Islam was not a religion worth having:

“And a party of the People of the Book say: Avow belief in that which has been revealed to those who believe, in the first part of the day, and disbelieve in the latter part of it, perhaps they may turn back.” — 3:72

Such a scheme, that they would first announce belief in Islam and then renounce it a little later, could never have been conceived by them while living at Madina, where the Government was Muslim, if apostasy, according to the Quranic law, were punishable with death.

4. In the *Encyclopaedia of Islam*, which is a production of a number of non-Muslim Western orientalist, it is stated at the beginning of the article *Murtadd* (‘Apostate’) written by Willi Heffening:

“In the Quran the apostate is threatened with punishment in the next world only.” (vol. 3, p. 736 of the old edition; vol. 7, p. 635 of the new edition)

Apostasy during war

The misconception that apostasy is to be punished with death seems to have arisen from the fact that people who, after becoming apostates, joined the enemy, were treated as enemies, or that, where an apostate took the life of a Muslim, he was put to death, not for changing his religion, but for committing murder.

The Holy Quran mentions a number of kinds of people who leave the cause of Islam during war (4:88–91), and instructs Muslims how to deal with each kind of case. Those who openly join the enemy, with whom the Muslims were at war, and fight against Muslims, should be fought in the same way as the enemy. Some other groups are mentioned as follows:

“those who join a people between whom and you there is an alliance, or who come to you, their hearts shrinking from fighting you or fighting their own people. ... *So if they withdraw from you and do not fight you, and offer you peace, then Allah allows you no way against them.*” — 4:90

Thus even in case of war, if anyone leaves the Muslim side but joins another non-Muslim people that the Muslims are at peace with, or he does not fight at all, then Muslims cannot harm him in any way.

Apostasy in Hadith and classical Islamic jurisprudence (*fiqh*)

The view that apostasy is punishable with death is derived by classical Islamic jurisprudence from various reports in books of Hadith. It should be noted that rulings in the books of jurisprudence are judgments arrived at by human beings and therefore cannot be treated as infallible.

However, even a careful study of Hadith leads to the conclusion that apostasy was not punishable unless combined with other circumstances which called for punishment of offenders, such as joining with the enemies with whom Muslims were at war. In any event, a Hadith report cannot be used to overturn principles clearly laid

down in the Quran. A report such as “Whoever changes his religion, kill him” must be treated subject to the principle that the change must be accompanied by some crime committed against the Muslim community.

The books of *Fiqh* seem to recognise that mere change of religion is not punishable in Islam, but consider that the apostate thereby necessarily places himself in a state of war with the Muslims and thus should be killed as a combatant. On this ground the famous book of jurisprudence, *Hidaya*, rules that a woman apostate cannot be put to death for the reason that she is not able to fight in war against Muslims. It also contains the following statements: “The killing for apostasy is obligatory in order to prevent the mischief of war, and it is not a punishment for the act of unbelief”, and: “For mere unbelief does not legalize the killing of a man”. The jurists have committed a clear error, and contravened the Holy Quran, by considering that a Muslim who leaves the religion of Islam has necessarily joined those who are at war with Muslims.

If the Holy Quran and the practical actions of the Holy Prophet Muhammad are regarded as the supreme authorities for determining the teachings of Islam, then it is undeniable that Islam grants complete freedom to everyone to adopt whatever religion they wish, and does not allow Muslims to apply any punishment whatsoever to someone who leaves Islam. ■

Reference works:

This article is based on, and borrows from, the following authoritative writings by Maulana Muhammad Ali, and further expands upon the material in these sources.

The English Translation of the Holy Quran with commentary (in particular the section *Liberal View of Other Religions* in the Introduction), 1951.

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Bayan-ul-Quran, the Urdu commentary of the Holy Quran, under relevant verses, 1922–1924.

Slavery in Islam

By Khwaja Kamal-ud-Din

[A booklet by this title, by Lord Headley and Khwaja Kamal-ud-Din, was published circa 1930s responding to the allegation that Islam institutionalizes, or at least permits, slavery. With the resurgence of criticism on this very issue, we reproduce this work in three parts in this periodical. The first part, written by Lord Headley, was published in the April-June 2004 issue. Part 2 is presented here and part 3 will be forthcoming.]

Slavery was another curse from which the world cried aloud for redemption at the advent of Islam. The

evil had been blackening human character from the very beginning, preying on a large number of humanity, but it never appeared as an evil to those who came before Muhammad to reform mankind.

For thousands of years the ignoble institution continued, sapping the lives of millions of the human race and reducing them to the most despicable conditions. Yet, successive civilizations, legislations, and religions did not think it worth while even to take notice of it, much less to contemplate its abolition. None of them even cared to do anything to ameliorate the condition of the poor victims to this ruthless institution. Nay it was upheld by almost all of them. It needed, in fact, a God-consciousness in the human frame, which could feel for the misery and the pain of others – the victims of slavery – as one feels for himself.

History does not refer to any person with that psychology before the Prophet of Islam. It needed a supermind to deal with a problem of such a gigantic nature and with such multifarious issues involved in it, an evil deeply rooted in all the nations of the world, honored by time and respected by authority. Aristotle held slavery to be necessary and natural and, under certain conditions, beneficial both to the slave and the master. After him, the Epicureans, the Stoics and other schools of thought in Greece held the same opinion. The very system of Roman life made slavery a most essential institution and, in the view of some, both natural and legitimate.

We might reasonably look to Moses with eagerness, and expect him to do something towards its abolition, seeing that he had found his own race drinking to the very dregs of misery and cruelty under the bondage of Egypt. Moreover, a part of his very mission was to liberate his people from slavery. But after they had been liberated, his laws meted out to others the same measure of slavery from which the “chosen people” had been redeemed. Slavery was upheld, as we read in Deuteronomy. Though the treatment accorded to slaves under the Hebrew Law was comparatively mild, nevertheless the subsequent bondage of the Jews, under Nebuchadnezzar and others, made them treat their slaves in the same way as they had been treated by their captors.

Slavery existed in its worst shape, alike in quality and quantity, when Jesus appeared. The ratio of the free population to slaves in Italy between 146 B.C. and 235 A.D. was 1 to 3, their respective numbers being about 6,994,000 and 20,832,000. A free man of the time of Augustus left as many as 4,116 slaves by his will. The construction of roads, the cleansing of sewers and the maintenance of aqueducts were the common employment. Personal chastisements of banishment from the town house to rural occupations were among the lighter punishments. Employment in the mill, relegation to the mines or quarries, men and women in chains, working

half-naked under the lash, guarded by soldiers, brought to obedience to their masters by means of systematic terrorism, gladiatorial combats, fights with wild beasts in the amphitheatres, internment in subterranean cells or exposure to the inclemency of the weather, while fixed in dirty fish ponds, slaves shockingly subjected to the brutality of their masters contributing to the impurities at that period and disgracing society. All of these were common occurrences in Roman life.

Seneca, just before the coming of Jesus, had raised his voice against these horrors. His cry proved a cry in the wilderness, for the Western world, where this abominable institution was playing the greatest havoc with humanity, found its attention absorbed by the appearance of another great personality – the so-called God Incarnate, who, in the person of Jesus, came, as some believe, to redeem the whole human race. He was declared to be the “savior” of the world. The least that could be said of his mission, he himself summed up in his own words: “Come unto me, all ye that labor and are heavy laden, and I will give you rest.” But who other than a slave could be imagined as undergoing the more oppressive kinds of labor in the days of Jesus? Who other than a bondsman could be rightly considered as heavy laden, or could have a better claim to the “rest” so proffered by Jesus? Did Jesus put these words into practice in the case of those in the most inhumane forms of bondage?

The condition of slaves was at its worst when Jesus is reported to have uttered these words, yet we do not find a little or a jot in his utterances enjoining compassionate treatment towards slaves, much less any hint as to their emancipation. Nay, he did not say a single word against the tortures inflicted on this most miserable class. He did not concern himself with them, though they were not beyond his knowledge. Perhaps they were “dogs” and “swine”, but there were slaves among his own people. Even they could not excite a sufficient degree of compassion to say anything on their behalf.

It is surprising to find Christian writers, even in these days of light and culture, blaming our Prophet for not abolishing slavery. Some, like Professor D.S. Margoliouth, go so far as to say that the idea of the abolition of slavery did not occur to Muhammad. These men ought to know better, and should respect the decency of a writer. They should appreciate that there are others as well who could easily test the truth of their assertions. It would have been more appropriate for Professor Margoliouth and those of his way of thinking, to say the same about their own god, who never raised his voice against the cruel treatment of slaves or against the disgraceful traffic so prevalent in his own time. This serious omission on the part of Jesus made Christianity, as a religion, quite indifferent for centuries to the severe tortures

and the degraded position of the enormous slave population, and subsequently it produced among its followers slave dealers of the worst type, who indulged in all possible inhumanities towards this unfortunate class as late as the dawn of the eighteenth century.

Reform, however, had begun before Christianity became a dominant religion in the Roman Empire. Hadrian, who came to the throne in 117 A.D. made a start by curtailing the sources of slavery and forbidding the kidnapping and sale of children under penalty of death. He took from masters the power of life and death and abolished the subterranean prisons. Even an emperor like Nero (54-68 A.D.) had already ordered the courts to receive complaints by slaves of ill treatment. The relations between the slaves and their masters had begun to come more directly under the surveillance of law and public opinion. But the salubrious wave of reform, the mitigation of the harshness of treatment which the vile abuses of the institution had caused, was impeded when the Pagan rule gave way to the Christian regime. Constantine came and renewed some of the old practices abolished by Hadrian and others. Slavery again began to flourish and continued so in Christendom for centuries. But the hunting and stealing of human beings to make them slaves was greatly aggravated by the demand of the European colonies. Africa was the popular field for this man-hunting. The native chiefs engaged in forays, sometimes even on their own subjects, for the purpose of procuring slaves, to be exchanged for Western commodities. They often set fire to a village at night and captured the inhabitants when trying to escape. Thus all that was shocking in the barbarism of Africa was multiplied and intensified by this foreign stimulation.

Germany, France and Spain all participated in the slave-trade. Captain John Hawkins was the first Englishman who engaged in the traffic. The English slave-traders were at first altogether occupied in supplying the Spanish settlements, but afterwards they began to supply their own colonies. The trade in England remained exclusively in the hands of companies for a long time, but in the reign of William and Mary it became open to all subjects of the Crown, though large parliamentary grants were made to the African Company. By the Treaty of Utrecht, the contract for supplying the Spanish colonies with negroes, which had previously passed from Dutch hands to the French, was transferred to Great Britain. In 1739, the contract was revoked – a circumstance that brought forth war with Spain. Between 1680 and 1700, 300,000 negroes were exported by the British African Company and other private adventurers. The British slave-trade was carried on principally from Liverpool, London, Bristol and Lancaster. The entire number of slave-ships sailing from these ports was 192, and in their space was pro-

vided for the transportation of 20,095 negroes. In 1791, the number of European factories on the coast of Africa was 40; of these, 14 were English, 3 French, 15 Dutch, 4 Portuguese and 4 Danish. More than half the slave-trade was in British hands. Things went on till the middle of the eighteenth century, when public opinion became awakened against the ignoble trade. But it needed more than half a century to make that public opinion fully alive to the urgency of the question; an enactment in 1811 brought the slave-trade to an end as far as the British Dominions were concerned. In the Danish possessions, the traffic ceased in 1802. At the Congress of Vienna in 1814, the principle was acknowledged that the slave-trade should be abolished as soon as possible. In short, the slave traffic continued in various Christian countries up to 1850. The statistics have been taken from the *Encyclopedia Britannica*.

I have just remarked that the movements towards reforming slavery, initiated by some of the later Pagan Emperors of Rome, were stifled in the reign of Constantine, the first Christian Emperor. Christendom since then continued to favor this horrible institution, and it was simply owing to the influence of Christian peoples on their Muslim neighbors that slavery did not die its natural death so soon as designed by Islam; similarly, if Africa still supplies slaves to others, it remains only as a sequence of the trade started and carried on vigorously by the European nations on the African coasts, as said before.

Christianity, in short, did nothing either to abolish or to mitigate the cruelties of slavery. Those among the Christian writers who have written on the subject have admitted it, though in an apologetic way. The Rev. Mr. Hughes says: "Although slavery has existed side by side with Christianity, it is undoubtedly contrary to the spirit of the teaching of our Divine Lord, who has given to the world the grand doctrine of universal brotherhood." I wish Jesus had done so, and in terms clear enough for his followers to act upon. A Prophet solely and wholly interested in "lost sheep" could not be expected even to think of matters of universal bearing. Apart from other considerations, it did not occur to him to think of the slaves amongst his own people. In his own lifetime he did not concern himself with people other than those of the house of Jacob, and the contrary report of St. Mark is decidedly spurious. Jesus is not with us today, but those who pass under his name, and should be expected to imbue themselves with his spirit, treat others as "swine" and "dogs"; and though they do not apply the word "slave" to any people, nevertheless the word "native," for all the implications it conveys to the Westerner, can rightly be bracketed with the word "slave." It is absurd to say that Jesus or his teaching ever had anything to do with the question of slavery. Those who passed under his

name, only a century before, committed more wrongs in this respect than any other people in the world.

Muhammad (may peace be upon him) was the first man in history of the world who felt commiseration for the slave class. He did so in a degree that was not even imagined by his predecessors in history; and Islam, his religion, was the first creed that made the liberation of slaves a matter of great virtue, and preached abolition of slavery. In fact, it changed the whole aspect of the world in this respect. This I say, advisedly, and I challenge our opponents to say anything against it.

Muhammad was neither a man of dreams nor a visionary. He as a man of action, and knew how to work rightly in the world. He would not confine himself to orations and homilies; he would survey the whole situation; he would appreciate all the obstacles in his way; he would then adopt means efficacious enough to bring out the best results. The problem of slavery and its abolition confronted him as the most stupendous task ever coped with by single individual efforts. Slavery was a most popular institution upheld by usage and past civilization everywhere; it supplied a most valuable form of property. It was interwoven with various aspects of the then social life, and its abolition would strike at the very foundation of the social fabric. Besides, the institution was in some respects not without redeeming features, and therefore could not be dispensed with totally.

Among its various sources, war was perhaps the most prominent. War, as yet, has not left the human race, and the only conceivable check to it would be to award, where possible, some deterrent punishment to the aggressor, when defeated. In olden days the males of the defeated camp were killed and mutilated; later on they were taken as slaves, and this was not a bad substitute for slaughter and mutilation. Indemnity, or captivity, came to be regarded as the natural demand of a conqueror from the vanquished; and modern civilizations uphold it as well. But the inhuman treatment awarded to captives everywhere in the pre-Islamic world made war-bondage identical with slavery. War-prisonership was indispensable, but something was needed to better the condition of the captives in order to save them in the indignity which the very word "slave" in itself has always conveyed. In other words, if the institution of war-bondage was a necessary appendage to human society, then some step must be taken that might ennoble such bondsmen in the eyes of their captors; for example, see Quran 47:4, 8:67. ■

[This article will continue in the next issue of "The Light", July - September 2006.]

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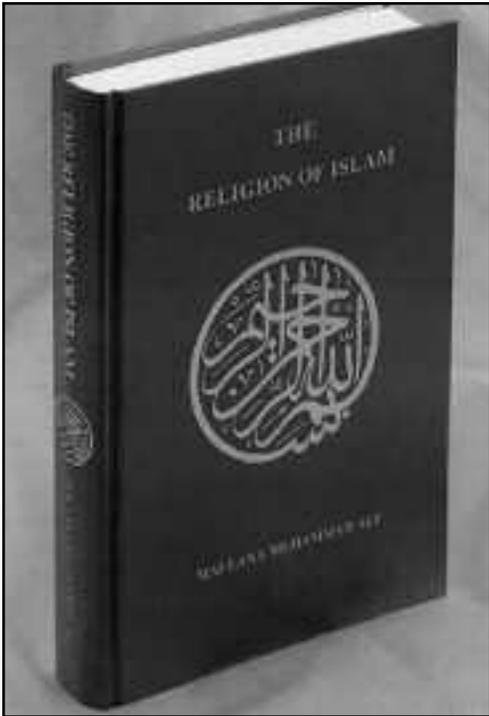
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