

Good News

And give good news to those who do good (to others) – Holy Quran 22:37

November 2019 Volume 10 No. 11

**The Holy Quran came to
'Liberate' NOT 'Subordinate'
Women
– A Reply to Critics
Ebrahim Mohamed**

BACKGROUND:

A while ago someone sent me eleven Quranic references *allegedly* advocating the *subordination* of females. Before dealing with the allegations *per se*, I have decided to present, briefly, *the broad theme* that runs throughout the Holy Quran with regard to the treatment of women in **Part 1** of my rebuttal and then dealt with the specific allegations in detail in **Part 2**.

PART 1

'Love, Compassion, Kindness, and Justice' make up the pivotal theme that runs throughout the Holy Quran with regard to the treatment of women.

Male/female relationships

I often struggle to fathom the mind of the critic that finds nothing other than vulgarity in the Holy Quran's dealing with male/female relationships. On the contrary, the Holy Quran beautifully elucidates such relationships in a language and manner that are unmatched for its sublimity and wisdom. Nowhere could I find cases of unfair, gender inequality either vetted or prescribed in the Holy Quran - as often alleged – **even in dealing with dire conflict situations**. In fact I found the opposite to be true. I learnt that the God-given emotions of *love* and *compassion* are the core ingredients of a secure and happy relationship.

'And of His signs is this that He created mates for you from yourselves that you might find *quiet of mind in them*, and He put between you *love and compassion*. Surely these are signs for a people who reflect' – (30:21)

Marriage counsellors and philosophers will benefit much from the pragmatism expressed in this verse. So

much so that I doubt that there is a single married couple in the world, who believes that *love* devoid of *compassion* is sufficient to keep the marriage in a joyous, peaceful state.

Let's face it, there is no perfect partnership. Humankind indeed has its imperfections and shortcomings. Therefore, the All-Wise made allowance for those inevitable *not-so-romantic* moments in the relationship by teaching mankind to have *compassion* when the need arises, and not to be impatient, lose one's tempers and resort to abuse.

Sexual needs to be treated with confidentiality and respect

When dealing with matters of a more intimate nature between husband and wife, the Holy Quran, using a subtle metaphor, describes their sexual needs in words that are difficult to surpass in its beauty and elegance:

'They (your wives) are an *apparel* (*garment* or *covering*) for you and you are an *apparel* (*garment* or *covering*) for them' – (2:187)

The close intimacy between husband and wife is beautifully expressed here as a *garment* that serves as a means of protection, comfort and even embellishment for each other; situations, where often the weakness of the one is made up by the strength of the other with a

deep sense of trust, respect and love for each other in the privacy of the marriage union. This sense of respect coupled with *love* and *compassion* for our loved ones form the basis of a peaceful and stable home according to the Holy Quran.

Treatment of women in conflict situations:

Most cases of abuse occur in *conflict* situations. This is an undisputed fact in all societies. Thus the next verse is very important as it deals with how a man should treat a woman *in a conflict situation*:

O you who believe, it is not lawful for you to take women as heritage *against their will*. Nor should you *straiten* them (**put them in a state of financial difficulty**) by taking back part of what you have given them (agreed dowries, allowances etc.), unless they are guilty of *manifest indecency*. And treat them *kindly*. Then if you *hate* them, it may be that you dislike a thing while Allah has placed *abundant good* in it – (4:19)

Just this verse should suffice to silence critics that insist that Islam is cruel towards women; for it can be seen that even in situations where the wife might be guilty of *manifest indecency*, (usually

cases just short of adultery) the emphasis, nevertheless, is laid on *kind treatment free of hatred*. Rather, remedial efforts on the part of the male are limited to retrieving portion of a dowry or gifts or withholding of allowances or maintenance. Therefore it is of paramount importance to note that *kind treatment* and NOT *violence* is the order of the day, in resolving conflict situations according to the Holy Quran, period!

Marriage of *slave girls* or *female captives of war*

The following verse lays down the rules of relationships with *slave-girls* and *captives of war* usually referred to in the Arabic idiom as *those whom your right hand possesses* meaning they are *legally* or *contractually* placed in one's care.

'And whoever cannot afford to marry free believing women (let him marry) such of your believing maidens as your right hand possesses. And Allah knows best your faith – you are (sprung) the one from the other. So *marry* them with the permission of their masters and *give them their dowries justly*, they being *chaste not fornicating* nor receiving (or treating them as) *paramours (i.e. concubines, mistresses, prostitutes etc.)*' - 4:25

Slavery, a product of pre-Islamic Arabia

Slavery was a product of pre-Islamic Arabia. Islam came to do away with it; but since it could not simply be *wished away* much like post *apartheid* racism in South Africa and the continued racial prejudices and injustices that still prevail in 21st century American/British/European societies, provisions for the rights of *slaves* especially *slave girls* who had no rights at all, had to be made. This included their rights to a proper marriage, with the normal securities and dowries etc. provided, similar to that of *free* women.

Thus, with the introduction of Islam in 7th century Arabia, any male who wished to marry a *slave girl* or a *female prisoner of war* was bound by the same Quranic law governing a normal marriage i.e. he was prohibited from treating her as a *sex slave, concubine, mistress, or prostitute*, under any circumstances, or force her or any other woman for that matter into marriage *against her will*.

Up till today nothing has changed except *slavery* is no more, but the same provisions for *prisoners of war* continue when such unfortunate situations arise.

Conclusion and Summation

Love, compassion, kindness, and justice underpin the broad-based theme that runs throughout the Holy Quran concerning the treatment of the *fairer sex even in conflict situations*.

It is in this context that all baseless allegations of *subjugation of the female sex* and 'so called' *patriarchy* in Islam should be examined. To summarize:

1. *Love and Compassion* constitute the basis of marriage in Islam – (30:21). By adding compassion, the Holy Quran has provided for the inevitable *off days* in the relationship.
2. Women should not be forced into marriage against their will. In a conflict situation, the female offender should be treated with ***kindness and without hatred*** and NOT subjected to any form of violence or physical abuse - (4:19).
3. Women have the right to call for a divorce or for an annulment of the marriage– (2:229)
4. The same conjugal rights pertaining to *free* women apply to slave girls and female prisoners of war as well i.e. they should NOT be *sexually abused nor* taken as *concubines, mistresses or prostitutes* by anyone including their masters. Instead they may be taken into marriage and given their dowries and enjoy the same rights as any free woman. (4:25)
5. The ***legal*** obligation of *bread-winner/maintainer* of the household falls on the male NOT the female who retains her financial independence. (4:34)

PART 2

REFUTATION OF ALLEGATIONS

When we now have a closer look at the *allegations*, we will immediately see that they are at complete variance with the broad, underlying Quranic theme of *love, compassion, kindness, and justice* towards women as pointed out above. We cannot thus help but conclude that such variances and contradictions are the result of a deliberate misrepresentation of the Holy Text, no doubt to mislead people to believe that Islam undermines the rights of women in favour of her male counterpart.

For the purpose of clarity and easy reference, I have quoted the allegation first exactly as I received it. I have given the Quranic reference in question in blocked brackets [] and then proceeded to give my comment. In most cases a fuller version of the actual Quranic verse and supporting verses are given by me to make the context clear.

ALLEGATION No. 1:

'A husband can have sex with his wife in any manner as a plow goes into a field.' - [2:223]

COMMENT:

Before we look at verse **2:223 in detail** we need to look at the preceding verse **2:222** *first* to get a better understanding of the context:

‘And they ask thee about menstruation.¹ Say it is harmful, so keep aloof from women during menstrual discharge and go not near them (sexually) until they are clean. But when they have cleansed themselves, go in to them as Allah has commanded you. Surely Allah loves those who turn much (to Him), and He loves those **who purify** themselves.’ – (2:222)

In Islam, the sexual act between *husband and wife* is based on purity of *body* and *soul*. After mentioning a temporary *restriction* here for hygienic reasons, the Holy Quran, *using a subtle metaphor*, then draws attention to the *unrestricted*, post-menstrual act of *copulation* permissible within the confines of the **sacred marriage union**:

‘Your wives are a tilth for you so go into your tilth when you like, and send (good) before hand for yourselves. And keep your duty to Allah’ – (2:223)

¹ Medically described as the release of harmful blood-waste

The delicate subject of sexual intimacy between husband and wife is beautifully illustrated where the wife’s unique reproductive attributes are likened to cultivated *soil* (tilth) where human seeds flourish. Nothing untoward to liken the female reproductive attributes to tilth after all about humankind the Holy Quran says:

‘And He began the creation of man from **dust**’ - 32:7

Also it is the female NOT the male that enables the planted *human seeds* to grow into new life as we know it. This is an *undisputed fact of nature*, we are all too familiar with, eloquently couched in metaphor which only the *vulgar* minded will find objectionable.

It is in this context that the male in the relationship, according to the Holy Quran, is charged with the duty of taking care of his female partner much like he would *a much treasured garden*.

It also shows that the real object of legitimate **conjugal relations** in Islam is not simply to satisfy *momentary lusts* as we find in a *free-for-all* Western society.

After the restrictions imposed during the menstrual cycle, the married couple is given the *unrestricted freedom* to engage in *a noble and blessed intimacy* with the one he or she loves and share responsibilities with. It entails such an intimacy that ultimately ensures the

procreation and thus *preservation* of the human species; a real threat facing many Western societies where marriage is increasingly frowned upon by a spoilt generation unable to bear the responsibilities that come with it.

Thus, the importance of this noble intimacy and the vital role it plays in the procreation of the human race, is further likened to a ‘duty to Allah’, which means it is special and dignified in the sight of God Almighty and thus the only *dirt* to be found in it is that fantasized of in the dark recesses of the *perverse* mind.

ALLEGATION No. 2 –

‘Husbands are a degree above their wives.’ - [2:228]

COMMENT:

The full text reads:

‘And the divorced women should keep themselves in waiting for three courses. And it is not lawful for them to conceal that which Allah has created in their wombs, if they believe in Allah and the last day. And their husbands have a better right to take them back in the meanwhile if they wish for reconciliation. And women have rights similar to those against them and men are a degree above them. And Allah is mighty Wise’ – (2:228)

It is obvious that this verse deals with the subject of *divorce* and thus mutual conjugal rights and obligations and the status of the parties in the marriage contract are the focus.

Attention is drawn to the added responsibility of *provider* or *maintainer* placed on the male in the union, which gives him an edge of authority over the female in the management of the household. Thus the critic’s ‘cherry-picked’ verse 2:228 should be read in conjunction with the following provision made in part of verse 4:34 which states:

‘Men are *the maintainers of women* with what Allah has made some of them to excel others (in wealth) and with what they spend out of their wealth’

It is in this capacity alone that men are said to be *a degree above the women*. And the reason for this is simple and straightforward; someone has to be in authority of the household otherwise there will be chaos especially when the burden increases with the entry of children – just another simple fact of life which all societies are subjected to.

Thus in Islam the *legal* obligation of *bread-winner/maintainer* of the household is placed on the husband *not the wife*, an important point to bear in mind especially in the case of divorce. On the contrary what the blinded critic fails to see

is that despite this necessary exception vital in the smooth running of the home, it does not take away any of the female's rights as shown in the very verse under contention and that is: '*And women have rights similar to those against them.*' And what, one might thus ask, are her rights in this context? In accordance with Islamic Law, she enjoys the privilege of not being loaded with the burden of *provider* or *maintainer* of the household and is free to work, contract and engage in business and use her money as she wishes and is under no legal obligation to spend it on the household. She thus enjoys complete *financial freedom and independence* a clear *advantage* over the husband; a privilege she did not have before Islam came to *liberate* her, and which she does not enjoy even today as we speak in Western societies.

This freedom persists even in cases where she might earn much more than the husband although nothing stops her from contributing to the household expenses out of her own free will. Thus we find that the Holy Prophet Muhammad (peace be upon him), early in his career, was employed by his first wife Khadija, a very wealthy business woman.

In South African law for example, unless stated otherwise by means of a pre-nuptial agreement, the female loses her pre-marital financial independence when

she marries since the marriage union automatically gives rise to '*community of property*' where the woman could be held legally liable for maintenance if she earns much more than the husband. Not so in Islam!

This shows that to read verses in isolation without due regard for the context and knowledge of basic Islamic Law, is irresponsible and careless to say the least.

To conclude, verse **2:228** in its broader scope as explained is therefore about female *liberation* and **NOT** female *subordination*.

ALLEGATION No. 3 –

'A male gets a double share of the inheritance over that of a female.' - [4:11]

COMMENT:

The verse deals with the subject of *inheritance*. The relevant part of the verse reads thus:

'Allah enjoins you concerning your children: the male is the equal of the portion of two females; but if there be more than two females, two-thirds of what the deceased leaves is theirs; and if there be one, for her is the half' (4:11)

Before giving any meaningful commentary, one need to look at the historical situation with regard to women's right to inherit that prevailed before Islam. Thus we find that in pre-Islamic Arabia all

mothers, daughters, widows, etc. were treated as a possession that could be obtained and discarded at will. Mothers, female and even male minors had no right to inheritance. Only the *males who could handle a spear* benefitted. Islam did away with these unjust practices.

Even prevailing Jewish Law did not come to better her position. Thus in the *Jewish Encyclopaedia, New York, 1904* we read:

‘There could have been no question in those days of a widow inheriting from her husband, since she was regarded as part of the property which went over to the heirs...Nor could there have been a question about daughters inheriting from their father, since daughters were given in marriage either by their father, or by their brothers or other relatives after the father’s death, thus becoming the property of the family into which they married.’

Reform brought about by Islam

Islam introduced a new law of inheritance which allowed - for the very first time - a female’s right to inherit and put widows and orphans on a level of equality with those who fought for the defence of the tribe or country. It is against this background that *fair minded* seekers of truth should judge the law of inheritance pertaining to females in Islam.

So why then does a male inherit more than a female?

As already explained, the Holy Quran has placed the *legal* obligation of *breadwinner* on the male and NOT the female - (4:34). The female thus has a *financial* advantage over the male on entering the marital union in Islam. Therefore, keeping in view his greater responsibilities, the Holy Quran assigns the male double the share of the female. The female, entering his household through marriage automatically has a *legitimate* right to his wealth whereas he has no *legal* right to hers.

ALLEGATION No. 4 –

‘*A woman’s testimony counts for half of a man’s testimony.*’ - [2:282]

COMMENT:

The relevant verse reads as follows:

‘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... – (2:282)

This verse deals specifically with contracts unfamiliar to some available witnesses. *Financial* matters especially

business transacting and trading, traditionally, was not the day to day past time of the average 7th century Arabian woman. In fact, writing too was not a common practice among the Arabs and just the lack of recording financial obligations accurately between parties often led to disputes that potentially ended in tribal wars and feuds that lasted for long periods.

This verse came to remedy such volatile situations by calling on the parties to write down the terms and conditions of the contract in the presence of *competent* witnesses whose evidence could be relied on in the case of a dispute. Since women, in this particular situation and context generally lacked the knowledge and understanding of such business transactions, a female *backup* witness was required to ensure that the *reliability* of the testimony was not compromised in case one of them *erred*. The requirement called for is thus a *situational-driven* imperative based on the *quality of the testimony* available to decision-makers, judges etc. at any given time that is addressed here and not a case of *forced* gender inequality and clearly not *all encompassing* , **as we will show**, as seemingly put forward by the critic.

In fact the legal principle provided by this verse serves as a sound basis for law-makers and jurists to use when dealing

with complex cases where the testimonies of competent witnesses are essential. Thus in this age where highly educated females abound - though still very much prejudiced in the corporate and political worlds – we might well find that in a case involving a complex transaction, legislators would opt for a single, highly qualified female witness. Then let's assume in such an instance only illiterate males are available as witnesses, it would not be unreasonable for legislators to call for two male witnesses instead of only one. The logical deduction made here is based on the fact that it is the *competence* of the witnesses in a particular case that reduces the risk of *error* and NOT gender. This is made even clearer elsewhere in the Holy Quran where high, ethical standards of the witnesses regardless of gender are added. For example:

1. In the case of a divorce:

‘Retain them with kindness or dismiss them with kindness, **and call to witness two just ones** from among you, and give **upright** testimony for Allah’ – (65:2)

Here sound *morals* and not *gender* are the criteria to qualify as a witness and ‘*two just ones*’ could be a male and a female, two males or two females.

2. Witnesses to a Will:

‘Call to witness between you...at the time of making the will, *two just persons* from among you or two others from among others than you.’- 5:106

Again ‘Two just persons’ here imply male or female. It could even be a non-Muslim *female* or *male*.

3. Testimony in the case of alleged adultery:

In the case of an accusation of adultery against a female, in the absence of witnesses, her *unsupported testimony* suffices and a judge is obliged to make a ruling based on it.

‘And it shall avert the chastisement from her, if *she testifies* four times, bearing Allah to witness, that he is of those who lie.’ - 24:8

‘And the fifth (time) that the wrath of Allah be on her, if he is of those who speak the truth.’ - 24:9

4. Testimonies about the life of the Holy Prophet Muhammad (pbuh)

The testimony of Ayesha, the Holy Prophet’s wife, is regarded as among *the most trusted* account of the Prophet’s life, by jurists and legislators over that of many

a male companion. The same goes for the Prophet’s daughter, Fatima.

Conclusion

The Holy Quran *lays stress* on *competence* and *moral integrity* as the main criteria to be looked for in a witness irrespective of gender at any given time. No judge in his sane mind would call for anything else in support of his judgment.

ALLEGATION No 5 –

‘A wife may remarry her ex-husband if and only if she marries another man, they have sex, and then this second man divorces her.’ - [2:230]

COMMENT:

The verse alluded to also deals with ‘divorce’ and provision for remarrying. To understand the context and the circumstances under which this provision is made, it is important to look at the preceding verse (2:229) first:

‘Divorce may be (pronounced) *twice*; then keep (them) in good fellowship or let (them) **go with kindness**. And it is not lawful for you to take any part of what you have given them, unless both fear that they cannot keep within the limits of Allah. Then if you fear that they cannot keep within the limits of Allah, there is no blame on them for what she gives up to

become free thereby. These are the limits of Allah, so exceed them not; and whoever exceeds the limits of Allah, these are the wrongdoers.’ - (2:229)

‘So if he divorces her (*the third*) time, she shall not be lawful to him until she marries another husband. If he 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)

Divorce in Islam

In order to get a clear understanding of the provisions made in these verses it is imperative to understand the divorce procedure introduced by the Holy Quran and the tremendous reform that it brought.

Before Islam, the wife had no right to divorce and the husband could divorce his wife and take her back a hundred times and she could be left in suspension for years and have no say in the matter. Islam put a stop to this inhumane, perpetual cycle of divorces by limiting the number of *revocable* divorces to *two* the *third* being *irrevocable* subject to certain specific conditions which will be explained later.

Another reform introduced by Islam was giving the wife the right to

divorce the husband as well, ‘there is no blame on them for what she gives up to become free thereby.’ Thus giving her a right she never had before the Quran came to *liberate* her.

We are told in these verses that after the first divorce, the parties have the right to resume marital relations with her husband within the period of waiting (i.e. three menstrual cycles or three months or till after pregnancy depending on the situation- see 2:228; 65:1, 4) or remarry her husband after the waiting period has lapsed.

A similar right is given to them after the second divorce, ***but not after the third.***

After the third divorce the same parties can only remarry unless the wife was married again to someone else and that marriage failed and she had subsequently gone through the prescribed process of divorce followed by the normal periods of restitution of approximately three months on average.

An important point to bear in mind is that the divorce procedure in Islam is geared towards *reconciliation* and NOT dissolution of the marriage. Each divorce is followed by a ‘cooling off’ period of approximately three months called ***iddah***. Arbitration and counseling are obligatory precursors before divorce is declared complete and final and a potential divorce

might still end up in an amicable restoration of a conjugal relationship with the current partner.

The Holy Quran therefore does away with the immoral practice of temporary marriage known as '*halalah*' where the sole object is that of legalizing the divorced wife for the first husband. The Holy Prophet (peace be upon him) '*cursed*' those who indulged in what he described as '*the evil practice*'. - (Tirmidhi 9:25).

So there is no staged '*quick fix*' marriage to make the wife eligible for her former husband as implied in the allegation, allowed in Islam.

As already explained clear rules and procedures for marriage and divorce are laid down in the Holy Quran and those who violate it will have it on their conscience and have to deal with it.

This is another case where female rights that were absent in a cruel male dominated society were introduced by Islam and female dignity restored.

ALLEGATION No. 6 –

'Slave-girls are sexual property for their male owners.'- [4:24]

COMMENT:

Again, this is yet another verse taken out of context. It must be read together with verses 4:23 and 4:25. Let us

look at the relevant sections of these verses:

'Forbidden to you are your mothers and your daughters...' – (4:23)

'And all married women except whom your right hands possess (are forbidden) – (4:24)

These verses appear in the section which deals with '*what women may or may not*' be taken in marriage. A whole list of 'prohibited' marriages is given in the full text of the verses. Blood relations and women already in a valid marriage with someone else are forbidden to you, except those free women or captives of war that you were already in a legally binding marriage with at the time of the revelation. The Arabic word *aimanu* idiomatically rendered here as 'your right hands possess' refers to that which is *contractually binding*. In this section of the Holy Quran that specifically deals with *lawful and forbidden marriages*, it signifies a *valid, legal* marriage with bilateral benefits and obligations.

The Quranic law governing the marriage with female captives of war and slave girls already adequately dealt with in Part 1 above, prohibits taking them as *concubines, sex-slaves, mistresses, prostitutes* etc. (See 4:25)

Thus the so called *sex slave* fantasy exists only in the mind of the *perverted* and NOT in the Holy Quran!

ALLEGATION No. 7 –

A man may be polygamous with up to four wives. [4:3]

COMMENT:

The answer is yes, as *an exception* under special circumstances and NOT as a rule.

Polygamy – an historical context

Unbridled polygamy was rife in the east especially so in Arabia prior to Islam. Even among the Israelites it was not uncommon to find a man with over 100 wives according to the Bible. Islam reformed this practice by not only placing a limit on the number of wives a man could take but also making it *an exception and not the rule* as was the prevailing practice.

Monogamy was made *the rule* and only under severe social conditions involving the plight of *widows and orphans* was limited polygamy allowed.

The verse reads:

‘And if you fear you cannot do justice to orphans, marry such women as seem good to you, two or three or four, but if you fear that you will not do justice then (marry) **only one** or that which your right hand possess. This is more proper

that you may not do injustice.’ – (4:3)

This verse must be read with the rest of chapter four and the preceding chapter three to put it into perspective.

Chapter four where this verse appears was revealed to guide Muslims how to deal with *post war* conditions such as the battle of Uhud where 70 men out of 700 Muslims were slain thus dramatically reducing the number of *breadwinners* and *guardians* of women and children. Any fair-minded student of the Holy Quran, will agree that one of the greatest humanitarian strides made by Islam was the care given to *widows* and *orphans*. About the rights of orphans the Quran clearly states:

‘And give to the orphans their property, and substitute not worthless (things) for (their) good (ones), and devour not their property (adding) to your own property. This is surely a great sin.’ – (4:2)

To give proper care to orphans left behind by war, (4:3) makes provision for their well-being by allowing eligible men to marry such widows up to four if they are able to do so. Verse 4: 127 confirms who was to benefit by this exception to the rule of monogamy:

‘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 (give) to the weak among children, and that you should deal justly with orphans. And whatever good you do, Allah is surely ever Knower of it.' – (4:127)

This verse makes it clear that the limited polygamy allowed in 4:3, is targeted towards alleviating the lot of the widow whom men were *not inclined to marry*. These would primarily be the widows left behind due to the ravages of war.

More recently we have seen how the illegal invasion of Iraq has left behind a staggering amount of widows and orphans. Limited polygamy as proposed in the Holy Quran would serve as a means of bringing some relief to the suffering.

In western societies where limited polygamy is illegal, *prostitution* rose dramatically after World Wars 1 and 2 and is still very much an endemic problem prevalent in that society even today.

ALLEGATION No. 8-

'Muhammad's "special" marriage privileges (Allah gave Muhammad special permission to marry as many women as he desired, or take them as slaves or concubines, just as in the pre-Islamic days of so-called "ignorance.") [33:50]

COMMENT:

The full text of the verse reads:

'O Prophet we have made lawful to you your wives whom you have **given their dowries**, and those whom thy right hand possess out of those whom Allah has given thee as prisoners of war, and the daughters of thy paternal uncles and the daughters of thy paternal aunts and the daughters of thy maternal uncle and daughters of thy maternal aunts who fled with thee and a believing woman, if she gives herself to the prophet, if the Prophet desires to marry her. (*It is especially for thee, not for the believers* – We know what We have ordained for them concerning their wives and those whom their right hand possess in order that no blame may attach to thee. And Allah is ever Forgiving, Merciful.' – (33:50)

The marriages of the Holy Prophet Muhammad (Peace and Blessings of God be upon him) have furnished his critics with the chief implement to attack him. The true facts underlying the Prophet's marriages can only be appreciated when viewed in its historical context and *not* through the lens of a jaundiced-eye critic.

As already stated uncontrolled polygamy was the way of life of the Arabs before Islam brought some much needed reform to improve the position of women especially those neglected widows and orphans discarded by society, mostly as a result of the ravages of war.

At the time verse 4:3 restricting polygamy to four was revealed, the Prophet (peace be upon him) was approximately 58 years old and had already contracted most, if not all, of his marriages. It was revealed to him that as the Prophet and Messenger of God the restrictions of 'limited' polygamy did not apply to him but to his followers meaning he was not required to divorce the excess number of women he had married up till that time. However the Holy Prophet was allowed to offer freedom to those of his wives who were unable to endure the material sacrifices expected of a Prophet's wife. Thus he was told to tell them:

O Prophet, say to thy wives: If you desire this world's life and its adornment, come, I will give you a

provision and allow you to depart a goodly departing. – 33:28

Although a similar choice was given to the Prophet – 'You may put off whom you please, and take to thee whom you please' (33:51) – none of his wives left him nor did he divorce any one of them and take others in their place. In fact between the age of 60 to 63 when he died no marriages were consummated. This now settled, he was commanded:

'It is **not** allowed to thee to take wives after this, nor to change them for other wives, though their beauty be pleasing to thee, except those whom thy right hand possess²' – (33:52)

A close look at the Holy Prophet's marriages

The Holy Prophet (pbuh) was 25 years old when he married his first wife Khadija. He lived a monogamous life with her for 25 years when she passed away. The Holy Prophet (pbuh) died when he was 63 years old. Even a hostile critic like Sir William Muir admits: '*all authorities agree in ascribing to the youth of Muhammad a modesty of deportment and purity of manners rare among the people of Mecca.*'³ What a remarkable testimonial for a young man in a country where people

² Refers to all the women he was already contractually married to at the time.

³ Muir, William *Life of Mohammed*

prided themselves on loose sexual relations.

Between the age of 50 to 60, he contracted marriages with the following widows Sauda; Hafsa; Zainab; Umm Salmah; Zainab; Umm Habiba; Juwairiya; Maimunah; Saffiya (a Jewish lady) and two virgins, Ayesha and Mary the Copt - not necessarily in this order.

These marriages of the Holy Prophet are accurately described by the Rev. Bosworth Smith in his *Mohammad and Mohammedanism*:

‘It should be remembered, however, that most of Muhammad’s marriages may be explained, at least, as such by his pity for the forlorn condition of the persons concerned as by other motives. They were almost all of them widows who were not remarkable either for their beauty or their wealth, but quite the reverse.’

ALLEGATION No. 9-

‘A polygamist may simply get rid of one of his undesirable wives.’ - [4:129]

COMMENT:

There is **nothing** about getting rid of ‘undesirable wives’ in verse 4:129. Both verses 4:128 and 4:129 in fact deal

with *reconciliation* where the wife fears ill-usage or desertion by the husband:

‘And if a woman fears *ill-usage* from her husband or *desertion* no blame is on them if they *effect reconciliation* between them. And reconciliation is better. And avarice is met with in men’s minds. And if you do good to others and keep your duty, surely Allah is ever aware of what you do’ – (4:128)

Here the husband is clearly told not to leave any of his wives in a state of fear of *desertion* and *ill-treat her*. He is called upon to amend whatever unsettled situation might arise in the relationship and to *do good* to them and not to act out of greed.

In the case of a polygamous marriage he is then told that even though his human limitations might make it difficult for him to act justly, he should nevertheless *not* leave his wives in suspense:

‘And you cannot do justice between wives, even though you wish (it) but be not disinclined (from one) with total disinclination so that you leave her in suspense. And if you **are reconciled** and keep your duty, surely Allah is ever Forgiving, Merciful’ – (4:129)

We see, here, nothing but very sound advice given to a husband in case, due to human weakness, unfair preference is given to one particular wife in favour of another in the household. He is firmly told not to keep a wife in suspense and to pursue restoration of amicable relations, for God is Forgiving, Merciful.

Thus the allegation, that a man in a polygamous union can simply get rid of a wife, again, amounts to nothing but a ludicrous figment of a *wasted* imagination.

ALLEGATION No. 10

'Husbands may hit their wives even for high-handedness⁴' - [4:34]

COMMENT:

The full verse reads:

Men are the **maintainers of women**, with what Allah have made some of them to excel others with and with what they spend out of their wealth. So the good women are obedient (to Allah) guarding the unseen as Allah has guarded. And (as to) those on whose part *you fear desertion*, admonish them, and leave them alone in the beds and chastise (*dharaba*) them. So if they obey you, seek not a way against them. Surely, Allah is ever Exalted, Great. - 4:34

This verse deals with the universal problem of conflict in a marriage and how to deal with it. In order to have a proper understanding of what the verse prescribes, it is important to keep in mind what has been proven thus far and that is the fact that the entire *theme* of the Holy Quran with regard to the treatment of women is that of ***love, compassion, kindness, and fairness*** even in cases where the wife is guilty of a '***manifest indecency***' (see **4:19**). Thus to say the Holy Quran allows *beating (dharaba)* of the wife, would be a clear contradiction of the broad theme of compassion to women as clearly shown.

The situation that is being addressed in this particular verse, all authorities agree, concerns a serious breach of the marriage contract by the wife. It involves such serious offences that are just short of adultery that upset the peace and stability of the home and threaten dissolution of the marriage. The husband is thus given the right to express his disapproval and refrain from sharing her bed until she comes to her senses. But if this fails and she persists in her ways, he might have to take firmer steps that might involve a degree of chastisement such as withholding of maintenance, portion of her dowry, or allowances, seek counseling etc

However, if all of these efforts fail in preventing the wife from breaking up the marriage, the parties must proceed

⁴ Subservience to authority

immediately to ‘*arbitration*’– 4:35. Even at this stage of the process, the wife is entitled to representation by someone from her family to protect her rights. Thus at all times all efforts should be made to restore *peaceful* conjugal relations:

‘And if you fear a breach between the two, 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

Meaning of *dharaba* in the context of verse 4:34

Depending on the context, an Arabic word may have a range of meanings. The word *dharaba* generally held to mean *strike, beat, chastise, prevent, set forth; turn away etc.* is no exception. Words derived from this same root appear about 55 times in the Holy Quran in a verb form and three times in a noun form. In each case the meaning of the word is rendered in such a way that fits the context otherwise, if taken literally all the time, it will, in many instances, make no sense.

For example in 2:273 we come across the phrase *dharaban fil ard.* Literally this means *strike* or *beat* the earth. However, contextually, it means to *go about* or simply *travel* in the land.

Similarly in 18:11 we do not say *beat their ears* but we say *prevent them from hearing*. In 14:24 we do not say *beat a parable* but *set forth a parable*.

Even when the English says he *beat* me in the race or *beat* a retreat or *beat* about the bush and so forth; only silly, dim wits will read any intended violence in these expressions.

As for the significance of *dharaba* in verse 4:34, in the broader context of the Holy Quran, it simply means to *take firm* steps with due *compassion* as commanded by Almighty God in (4:19) to *prevent* the marriage from disintegrating. In other words the seriousness of the situation requires action and should not be ignored.

We must, however, not forget that according to the Holy Quran ‘*women have rights similar to those against them*’ - 2:228, especially in situations where she ‘*fears ill-usage from her husband or desertion*’ - 4:128. In both instances the main aim according to the Holy Quran should always be to strive for reconciliation that will bring about *harmony* between the parties and peace in the home with divorce only as a final resort after all else fails.

Of notable relevance is the fact that there is not a single instance in the life of the Holy Prophet Muhammad (pbuh) which shows that he ill-treated his wives. On the contrary, he is on record as saying

that ‘*the best of you are the kindest to their wives.*’⁵ Of the mothers, he said, ‘*Paradise is beneath her two feet.*’⁶

OBJECTION No. 11 - Mature men are allowed to marry prepubescent girls.

[65:1, 4]

COMMENT:

Of all the allegations, this one ranks as one of the most shameless frauds of no doubt a very sick mind.

The Holy Quran makes it clear that the age of marriage takes place at the stage of *maturity* of intellect, which is *post* and not *pre* puberty as alleged.

‘He brings you forth as a child, then that you may attain your *maturity*, then that you may be old.’ – 40:67

‘And test the orphan until they reach *the age of marriage*. Then if you find in them *maturity* of intellect, make over to them their property’ – 4:6

The age of marriage is thus the age of *maturity of intellect*, which is post childhood as these Quranic references clearly show.

This is the Divine Law which the Holy Prophet Muhammad (pbuh)

religiously followed as commanded by Almighty God to tell to his people:

‘Say...I follow only that which is revealed to me.’ – 6:50

If we now look at the ‘so called’ objectionable verses (65:1, 4), we find they have absolutely nothing to do with what is alleged. In fact, contextually, it deals with the subject of *divorce* and the calculation of the *waiting* or *cooling off* period known as *iddah* in Islam. This is a reconciliatory period that provides the much needed space and time for both husband and wife to examine their feelings and make up their minds if they want to proceed with a divorce or reconcile.

However, the method of calculating the *waiting period* differs in the case of a *normal, menstruating woman* versus that of a *mature woman* whose menstruation has stopped because of *menopause, pregnancy* or is absent due to some abnormal condition such as the case referred to in medical terms as *amenorrhoea*. In an article that appeared in *Medical News Today*, *amenorrhoea* is described as a condition, ‘when menstruation is absent during the *reproductive* years between puberty and menopause.’ Keeping these background facts in mind, we will now examine the verses in question:

⁵ Tirmidhi 12:11

⁶ Nasa’i 25:6

1. Determining the duration of the *iddah* period in the case of a healthy, menstruating woman:

‘O Prophet, when you divorce women, divorce them *for their prescribed period (iddah)*, and calculate the period; and keep your duty to Allah, your Lord.’ – 65:1

‘The divorced women should keep themselves in waiting for **three courses**. (I.e. **three menstrual cycles**) – 2:228

2. Determining duration of the *iddah* period in the case of an incapacitated woman unable to menstruate

And those of your women who despair of menstruation (*menopause*), if you have a doubt, their prescribed time *is three months*, and of those too who have not had their courses (for e.g. due to *amenorrhea*). And the *pregnant* women, their prescribed time is that they lay down their burden. And whoever keeps his duty to Allah, He makes his affair easy for him. - 65:4

These verses refer to *mature* married women facing divorce. To say that it permits adult men to marry young girls who have not yet reached the age of puberty or *maturity*, amounts to nothing

more than a manifestation of a deeply disturbed and sick mind.

‘They desire to put out the light of Allah with their mouths, but Allah will perfect His Light, though the disbelievers may be averse (against it) – 61:8



We strongly condemn all forms of gender-based violence against women, human rights and environmental abuse. We especially condemn the ruthless killings of all innocent parties in the name of Religion or State!

The Good News

Editor : Ebrahim Mohamed

Contact Details: P.O. Box 13744

Goodwood, Cape Town, South Africa

7463

Email: emuhamed@mweb.co.za

Publications: Ahmadiyya .Anjuman

Isha'at Islam Lahore (South Africa)

Reg. P.B.O. 930050262