

Islamic Refutation of Those Who Use The Qur'an to Oppress Women

One of the most amazing facts of Muslim history is that the religious establishment has built its entire edifice of the oppression of women by men on one verse of the Qur'an, 4:34. According to traditional understanding of this verse, which is used as a weapon to subjugate women in the name of Islam, the Qur'an ordains that:

1. Men are the guardians (*qawwamun*) of women and hence their rulers.
2. Women must obey their husbands if they are to consider themselves good Muslim women.
3. After due admonition and punitive separation, the husband has the right to beat his wife if he fears willfulness (*nushuz*) from her. The more "liberal" of these scholars add that the beating should be light and should not leave a mark.
4. If the woman refuses to accept this form of subjugation, the husband can divorce her.

This ugly version of husband/wife relations is quite widespread in decadent Muslim societies. Obviously it makes women second class citizens in their own homes and sets the pattern for exploitation at the national level. Our scholars further embellish their interpretation of this verse by a few hadith, some of them fabricated and others taken out of their context. One such hadith goes to the extent of teaching, indirectly, the worship of the husband by the wife. Quite evidently fabricated, this hadith was not accepted by either Bukhari or Muslim. However, it is very popular in male-dominated Muslim groups. It teaches a form of *shirk* (the major sin of associating others with God), and reflects the Hindu-Iranian idea that the husband is an incarnation of God. Islam has strictly forbidden *shirk* and has warned Muslims to purify themselves of even its most subtle forms.

The hadith literature contains teachings urging husband and wife to take care of each other's sexual and spiritual needs. The male-oriented scholars, however, emphasize only the hadith which urge women to do so and leave out the commands of both the Qur'an and the hadith which teach the duties of husbands towards wives.

BASIC FALLACY OF TRADITIONAL VIEW

The traditional view of husband-wife relations, based on 4:34, is islamically incorrect, because it violates the principles which are fundamental to correct understanding and *tafsir* (interpretation) of the Qur'an. Let us look at these underlying principles:

1. Correct *tafsir* must not be based on an isolated verse taken out of context. The Muslim must see (and this is essential) that what else is the Qur'an saying on the same subject. In other words, the Qur'an, taken as a whole, is its own best *tafsir*.
2. The Qur'an was revealed in stages (as it itself states in 25:32 and 87:6) and the final verses on any issue must be taken as the Qur'an's final ruling on it.
3. Allah sent revelation and messengers to fulfil a holy purpose. If an interpretation goes against that purpose and leads us away from the Islamic world view, it must be rejected.
4. The *tafsir* of the Qur'an must interlock with the life and teachings of Prophet Muhammad (peace be on him), for in the words of 'Ayesha Siddiqua (Allah be pleased with her), he was "the living Qur'an".

As we shall see, the edifice of oppression of women built on 4:34 is totally undermined if tested against these principles.

4:34 IS NOT THE ONLY VERSE ON THE SUBJECT OF HUSBAND/WIFE.

Sura 4:34 is not the only verse in the Qur'an which states the kind of relationship Allah wants between men and women. There are other verses which make it quite clear that the

relationship between husband and wife is that of mutuality and equality, and that the husband and wife are incomplete without each other. It is certainly not a relationship in which one is in charge and the other is subservient. (Details will be given later in this discussion.)

TIME SPAN OF REVELATION.

Islam begins with a revolutionary message: rejection of false gods, human rulers, and others associated by human beings in indirect ways with the Authority of Allah. Islam teaches the acceptance of the One Who Creates, Nourishes, and Guides, and this acceptance comes about through rejection of all authority other than that of Allah (*min doon Allah*). With this revolutionary premise Allah helps humans to modify their behavior gradually towards perfection. Examples of this gradual movement towards perfection will help illustrate a key element in correct understanding and *tafsir* of the Qur'an which is often ignored when it comes to interpretation of verses about women in the Qur'an.

INTOXICANTS

The first revelation on this subject stated :

**They ask you concerning intoxicants and gambling. Say:
"In them is great sin and some profit for people; but the
sin is greater than the profit. 2 (al-Baqarah): 219**

The second revelation on the subject too did not prohibit intoxicants but brought about a sharp contradiction between the Islamic way of life, based on prayer, and the pre-Islamic way based on intoxicants.

**O you who believe! approach not prayer with a mind be-
fogged with intoxicants, until you can understand all that
you say. 4(an-Nisa): 43**

The final revelation on the subject prohibited and condemned the use of intoxicants.

O you who believe! intoxicants and gambling,

**(dedication) of stones and (divination by) arrows are an
abomination,—of Satan' handiwork: Leave aside such
(abomination) that you may prosper. Satan's plan is to
excite enmity and hatred between you, with intoxicants
and gambling, and hinder you from the remembrance of
Allah, and from prayer: will you not then abstain?**

5 (al-Maidah): 90-91

INTEREST

The Qur'an began its attack on capitalism (of the tribal variety) in Mecca, even at a time when the Muslims did not have the power to shape the economics of society, by saying:

**What you invest at usury to increase on (other) people's
wealth, does not find increase with Allah: yet what you
give in alms and charity, seeking Allah, will be doubled.**

30 (ar-Room): 39

The next step was to condemn the practice of classical usury, which involved the charging of doubled and redoubled interest:

**O you who believe! do not practice usury, charging
doubled and redoubled (interest): but have fear of Allah:
you may well attain salvation. 3 ('Ale Imran): 130**

Finally, after the socio-economic and political relations in Medina had been transformed, interest in all its forms was prohibited, and Islam declared its perpetual conflict with capitalism:

**Those who live on interest will not rise (at Resurrection)
but like a man possessed of the devil and demented. This
because they say trading is like usury, but trade has been
sanctioned and usury forbidden by Allah..**

2:275 (till 280)

FASTING

In some cases the Qur'anic commands on any one subject are placed so close to each other in the same sura, they could confuse a reader who does not know the principles of Qur'anic interpretation or one who does not know that the Qur'an is

related in its time-span of revelation to the struggle of the holy Prophet Muhammad (peace be on him) against an oppressive, materialistic society.

The verses on fasting best exemplify this case. The Prophet, according to reports in hadith, prepared the Muslims for self-discipline by urging them to fast three times a month. The first revelation about month-long fasting was so flexible that even those who could fast but did not do so were only urged to make up for it by feeding a poor person for each day missed.

Fast a (fixed) number of days, but if someone is ill or travelling (he should complete) the number of days (he had missed) and those who find it hard to fast should expiate by feeding a poor person.... 2:184

In the final revelation on the subject there is no scope for feeding a poor person in lieu of fasting:

....every one of you who is present during that month should spend it in fasting, but if anyone is ill, or on a journey, the prescribed period should be made up by days later.... 2:185

By analogy from 2:184, those with stomach-related diseases are allowed by some scholars to feed a poor person for each day of fasting missed.

CONCLUSIONS FROM THESE EXAMPLES

Thus, according to the correct process of Qur'anic interpretation, the final commands of Allah on any subject must be taken as normative and final. Earlier revelations are *mansukh* (abrogated) in the sense that they apply to the starting point of the Islamic movement only; they are retained in the Book because "starting points" occur whenever a new movement begins and the earlier verses remain relevant because they help the Muslim understand the process of *da'wah* and the methodology which leads to the transformation of society.

If someone quotes 4:43 to claim that the Qur'an permits wine drinking, we would not accept his claim because we know that the final verses on the subject are 5:90-91. Similarly if someone tries to claim on the basis of 3:130 that only classical usury is prohibited in Islam, we will have to quote 2:275-280 to show that interest is entirely *haram* (forbidden) according to the Qur'an.

The same method of interpretation is valid for a correct understanding of the Qur'anic verses about women. Unfortunately, many of our *Ulama* have disregarded this essential fact while discussing the status of women, in spite of the fact that they themselves cannot do without this process of interpretation in all other matters stated in the Qur'an.

HUSBAND / WIFE RELATIONSHIP

When Muhammad the blessed began his mission, the condition of women in Arabia (and the world) was very far from what Islam was to ordain for them. Parents hated their female children and the incidence of female infanticide was significant. The Qur'an contains powerful verses condemning this practice and the attitude which motivated it. In pre-Islamic society women were no more than the property of men. A son would inherit his father's wives along with his camels and sheep. The Qur'an prohibited such inheritance and amazed the unbelievers by giving women a share in inheritance.

The women who were products of the society of *jahiliyya* (Ignorance) were low in their own self-esteem. They were loose in their sexual morality and would open themselves to any man who would give them an attractive gift, as is indicated in the hadith literature related to *muta'* or temporary marriage (much like many women in America who are willing to accept a "one night stand"). This loose morality was specially prevalent among the slave and lower class women who were to be the main force of Islam in its initial stages.

FIRST STAGE OF COMMUNITY ORGANIZATION

In the initial stages of the organization of a proper Muslim community in Medina, the Qur'an taught the basics of decency and cohesion, telling men that they should protect their wives and take care of their needs. That is, men were being taught that if they are physically stronger than women, they also have the duty to protect and maintain their wives and spend of their wealth on them. In turn the oppressed women were taught to be strict in their morals and guard their chastity in the absence of their husbands.

Islam is very strict in its sexual morality. At a stage when women were still coming from a background in which sexual familiarity with non-spouses was a casual habit, Islam wanted husbands to take measures to stop such laxity. Sura 4 verse 34 belongs to that period of revelation. According to Bukhari, it was revealed early in the Medina period around the time when 'Ayesha (*radi Allah anha*) went to the Prophet as his wife.¹ The verse is usually translated thus:

Men are the protectors and maintainers (*qawwamun*) of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would have them guard. As to those women on whose part you fear disloyalty and ill-conduct, admonish them (first), (next) refuse to share their beds (and last) beat them. But if they return to you in obedience seek not against them means (of annoyance) for Allah is Most High, Great (above you all)... 4(an-Nisa'): 34

The text of the verse itself shows that the key point here is that women should guard "what Allah would have them guard", that is their chastity. An Islamic society cannot emerge as long as women allow men to take liberties with them.

Hadith related to this verse shows that the "disloyalty and illconduct" (*nushuz*) referred to here is sexual misbehaviour. According to Jabir ibn Abdullah (Allah be pleased with him), the holy Prophet (peace be on him) said:

Fear Allah concerning women because they come to you with Allah's trust (that you will fulfil their rights), and sexual intercourse with them has become permissible for you by Allah's Word. Your right on them is that they not let men whom you like not come to your beds. If they do such, beat them lightly in a way which would not leave a mark. Their right on you is that you provide their needs of food and clothing according to the best established way.²

GIVING UNDUE AUTHORITY TO THE HUSBAND

Our scholars, however, ignore these illuminating hadith and have taken *nushuz* to mean the wife's rebellion against the husband. By emphasizing "fear of *nushuz*" they have made the husband's subjective judgement the criterion for the three steps mentioned in verse 4:34. At the same time they have taken 4:34 to be the last word on husband-wife relations. They also take "obedience" here to mean obedience to the husband.

HARSHNESS TO WOMEN IS HARAM

In sura Nisa' itself there is evidence against the "husbandly" interpretation of our scholars. The Qur'an here expressly forbids any harsh treatment of women, *even if the husband dislikes the wife intensely*, except in cases related to sexual laxity:

O you who believe! you are forbidden to inherit women against their will. And do not treat them with harshness (*la ta' dulu hunna*), that you may take away part of the dower you have given them, —except where they have been guilty of open lewdness; on the contrary, live with them with kindness and justice (*a' shirunna bil-maruf*)

even if you dislike them. It may be that you dislike a thing and Allah brings about through it a great deal of good. (4:19)

Thus verse 4:19 not only rejects harshness towards wives (even in cases where a husband is working towards the break-up of the marriage), but also commands "live with them in kindness and justice" (*a'shiruhunna bil-maruf*). Thus harshness is strictly forbidden in this verse, and is permissible, as in 4:34, in cases of open immorality and adultery.

Commentators on the Qur'an from among the *shahaba*, as (companions of the Prophet), like ibn Masud and ibn Abbas, as well as from the generation following them (the *taba'in*) like Mujahid, 'Ikrima, and 'Ata, concur that 4:19 forbids harshness against wives except in cases of "open lewdness" (*fahishatin mubayyina*). They then add that this "open lewdness" is adultery. This meaning is accepted by the two commentators most renowned for their expertise in Arabic grammar, idiom, and style, that is Zamakhshari and Beidawi.³

FINAL VERSES ON SEXUAL IMMORALITY

Those who study the Qur'an know well that the final verses on sexual immorality and adultery are in sura 24 (un-Noor). In sura 24 the possibility of the husband beating the wife for sexual misbehaviour does not come up at all. Instead, all that the husband can do is to swear that his wife has been unfaithful and invoke the curse of God on himself if he is lying. The wife can rebut him by doing the same. (See sura 24, verses (6-10). Scholars agree on the basis of hadith and *qiyas* (analogical reasoning), that these proceedings would put an end to the marriage. Other than this solemn swearing by the husband, charges of immorality against a woman without four eye witnesses would lead to a punishment of 80 lashes for the accuser and a rejection of his her evidence "ever after". (See 24:4.)

RESOLUTION OF PERSONAL DIFFERENCES

The question then arises that if problems develop between husband and wife, how should they be resolved. As we have seen, physical pressure and harshness is not permitted by the Qur'an (*la ta'duluhunna*). The principle by which Muslims settle any issue is that of mutual consultation and the decisive references for a solution are the Qur'an and the teachings of the Prophet. According to the Qur'an, the Muslims are those :

..who conduct their affairs by mutual consultation. (42:38)

Differences are not forbidden and the way to deal with them is clearly indicated:

...if you differ in anything among yourselves, refer it to Allah and his messenger.....4:59

These basic principles apply to all Muslims, including husband and wife. However, owing to the emotional and subjective nature of spousely quarrels, outside advice and considerate interference is recommended. If the husband had been given the right to pressurize, isolate, and beat his wife, as our *mullas* claim on the basis of 4:34, the husband would have always been "right". The *mullas'* definition of *nushuz* is a very subjective one and asserts all forms of self-assertion by the wife as "rebellion". Our interpretation is that when differences occur, the spouses should talk to each other and seek Guidance from Allah and from the example of Allah's messenger. If the differences and consequent unhappiness persist, the Qur'an says:

If you fear a breach between them, appoint arbiters from the people of the man and from the people of the woman. If they wish to have a settlement, then Allah will reconcile them, for Allah is all-Knowing and Acquainted with all things. 4:35

In most societies women are weak and oppressed. In such situations there is a possibility that the husband will take advantage of a woman's weakness after marrying her. For

instance he could be cruel by neglecting her or divorcing her when she grows old or by turning away from her sexually, or by obstructing her physical, spiritual, or mental development. To guard against meanness of this sort, Allah gives the wife the right to have a settlement with her husband which could take the form of a written agreement:

If a woman fears ill-treatment from her husband, or his tiring of her (sexually), there is no harm if they make a peaceful settlement; and peace is an excellent thing. Yet avarice is part of man's nature. If you do good and fear Allah, Allah is cognizant of all that you do...4:128

OBEDIENCE TO THE HUSBAND OR TO GOD?

In verse 4:34 Muslim women are described as "devoutly obedient" (*qanitat*). Our scholars claim that this obedience is obedience to the husband. In fact without this willingness to obey the husband, a wife would not submit to beatings and still want to stay married to the man who beat her. Such is our scholars' male-oriented view of marriage. In other words, our scholars want Muslim women to accept subjugation and oppression as a command from God.

The Qur'an, however, teaches obedience to Allah and His messenger. It does not teach the acceptance of physical or other coercion. In fact the description of Muslim women as "devoutly obedient" (*qanitat*) is part of a description of believers in a verse in sura 33 (al-Ahzab) which leaves no doubt that *qanitat* means devoutly obedient to Allah. This verse also shows that Muslim men and women are equal participants in all aspects of Islamic life. One is not mentioned as subservient to the other in any way, and Muslim men are expected to be as "devoutly obedient" (*qaniteen*) to Allah as Muslim women are supposed to be. The idea that women should be obedient to their husbands is an invention of our scholars and fits into the general pattern of a system ruled by kings and despots :

For Muslim men and women,—for believing men and women, for obedient men and women (*al-qaniteen walqanitat*), for true men and women, for men and women who are patient and constant, for men and women who humble themselves (before God), for men and women who give in charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engage much in remembrance of Allah—, for them has Allah prepared forgiveness and great reward. 33:35

FINAL VERSE ON DUTIES OF WOMEN

Obedience to the husband is certainly NOT one of the duties of the Muslim woman. This is evident from the pledge which Allah commands the Prophet to take from Muslim women. The verse in which this command is given clearly defines the limits of a Muslim woman's behaviour in the most intimate matters. It is the final verse on the issue. It omits even an indirect possibility of obedience to the husband and sharply restricts the meaning of the Prophet himself (peace be on him). Revealed in the 8th year of the Hijra, a little before the conquest of Mecca, the verse commands:

O Prophet, when believing women come to you and pledge to you on oath, that they will not associate anything with Allah, nor steal, nor fornicate, nor kill their children, nor accuse others for what they have (illegitimately) conceived, nor disobey you in any just matter—then you should accept their allegiance and pray to Allah for the forgiveness (of their sins): For certainly Allah is Forgiving and Kind.

60 (al-Mumtahina): 12

This oath was administered at the conquest of Mecca to 457 women.⁴ There are numerous hadith relating to the taking of this oath which indicate that just about every Muslim woman

took this oath. The women of Medina also took this oath as is evidenced by hadith narrated by 'Asma, the daughter of Yazeed Ansari (Allah be pleased with her).⁵ The Prophet (peace and blessings of Allah be on him) made sure that Muslim women knew exactly what limitations Allah has placed on their behaviour.

While omitting all mention of obedience to husbands (or the acceptance of beating or pressure from them), this verse sharply limits the meaning of obedience even to the messenger of Allah. It urges the women to pledge that they "will not disobey you (i. e. the Prophet) in any just (*ma'ruf*) matter".

Ma'a'ruf means the clear teachings of Allah and their implementation by the blessed Prophet. So the obedience in Islam is to Allah alone; the Prophet too is to be obeyed only in clear teachings supported by revelation. Thus there is no obedience in Islam to human beings, even if they are great scholars—let alone obedience-to husbands. Acceptance of functional commands comes about through mutual consultation and clear delegation of freely accepted authority such as that of the *Ameer* who fulfils a freely accepted mandate.

This interpretation is backed by clear hadith of the holy Prophet reported by Hazrat' Ayesha:

'Ayesha (Allah be pleased with her) narrates: I swear by Allah that the messenger of Allah (peace and blessings of Allah be on him) never asked women to accept anything except what Allah commanded him.⁶

OBEDIENCE OF SUBJUNCTIVE COMMANDS FORBIDDEN

Several hadiths graphically describe how the Prophet, ﷺ, limited the obedience and acceptance of sub-junctive commands to Allah. One such hadith is reported in Sahih Muslim.

"Allah (Allah be pleased with him) narrates that the messenger of Allah (peace and blessings be on him) sent out for an armed expedition and made a person his