

With the Name of Allah, All-Merciful, Most Merciful

HAVE YOU STOPPED BEATING YOUR WIFE?

**THE PLAIN TRUTH ABOUT DOMESTIC VIOLENCE & THE
“WIFE-BEATING” VERSE OF THE QUR’AN, INCLUDING A
HOLISTIC STUDY OF IMPORTANT BUT RARELY-QUOTED
HADITHS ON THE SUBJECT**

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CONTENTS

1	SUMMARY OF THIS STUDY	3
2	INTRODUCTION & BACKGROUND.....	5
3	THE QUR’ANIC VERSE REFERRING TO WIFE-BEATING.....	6
3.1	Notes on this verse	6
3.2	Ibn ‘Ashur’s Contextualisation of the Verse: Then and Now.....	8
4	SOME HADITHS RELATED TO THE VERSE OF WIFE- BEATING	9
4.1	An Apparent Difficulty	10
4.2	Resolution of the Difficulty	10
4.3	A Fundamentalist Interpretation	10
4.4	The Normative, Orthodox Interpretation	10
4.5	A Refutation of Alternative Interpretations of “Beat Them”.....	13
4.6	A Weak Hadith That Might Otherwise Justify Wife-Beating	15
5	CONCLUSION	17

1 SUMMARY OF THIS STUDY

1. There is a verse (*ayah*) of the Qur'an (*Surah al-Nisa'* or Chapter: Women, 4:34) that may appear to condone domestic violence against women.
2. Domestic violence is a problem in most, if not all, communities and societies. For example, current statistics indicate that approximately 1 in 3 British women experience domestic violence during their lifetime. Although the overwhelming majority of cases of domestic violence in Muslim households are due to wider human factors such as difficulties with relationships and anger-management, a handful of cases involve the husband feeling justified in using violence against his wife on the basis of this Qur'anic text.
3. Such an attitude is not uncommon amongst socially-conservative Muslims who are "religious" in a formal sense: for example, a conservative leader of Indian Muslims is said to have given a public statement in 2010 denouncing a new law in India that criminalised domestic violence, thus: "They are taking away our divine right to hit our wives."
4. This fundamentalist misinterpretation of the Qur'an is sometimes sanctioned by the legal system in Muslim-majority countries, for example, as in the UAE's Federal Supreme Court ruling of October 2010.
5. A large number of hadiths (traditions of the Prophet Muhammad, peace be upon him) contain the explicit, emphatic prohibition, "Do not beat your wives!"
6. These hadiths may appear to contradict the Qur'an, if the latter is read in a superficial, fundamentalist way.
7. A holistic reading of the Qur'an, Sunnah and Hadiths, taking into account the socio-historical context of the revelation of the Qur'an and of the Prophetic guidance preserved in authentic hadiths, shows clearly that God and Muhammad wished to ban wife-beating and domestic violence completely. As a temporary measure, and as a step on the way, an extremely limited, reluctant concession was given that only allowed minimal violence as a symbolic gesture of displeasure on a husband's part. This was in a strongly patriarchal society that used to bury baby girls alive because of their gender and where sons would inherit their fathers' wives. Such practices were outlawed by Islam, which also granted rights to women in 7th-century Arabia that were only achieved by European women in the 19th century, such as the independent right to own their property upon marriage.
8. The evidence for this interpretation is overwhelming, from the 8th-century AD Mufti of Mecca who ruled that "a man may not hit his wife" to the 20th-century

- Mufti of the Zaytuna in Tunis who ruled that the State may ban domestic violence and punish any man who assaulted his wife.
9. The “gradualist” approach of the Qur’an and Sunnah described in this case is a common feature in Islam. Other examples are the prohibition of wine, gambling, fornication and adultery. Modern reformers that the same principle applies to the abolition of slavery and the principle of gender-equality.
 10. Recently, a number of Muslim thinkers and scholars, unfamiliar with the holistic approach to the Qur’an, Hadith and Shari’ah embodied in the universalist *Maqasid* theory of Islamic law, have attempted to re-translate the “wife-beating” verse to mean something else. Alternative translations and interpretations include temporary separation of husband and wife, travelling and even making love as a way of solving marital disputes. A prominent example of this is Dr. Laleh Bakhtiar’s recent translation, *The Sublime Qur’an* (2007) that is largely-promoted precisely based on her translation of the wife-beating verse. Although well-intentioned, such interpretations and translations are either grammatically unsound or far-fetched, or both. Furthermore, they ignore the overwhelming evidence provided by the Hadith traditions and simply do not placate the critics of Islam. The normative, orthodox account of the issue in this study provides a thorough, honest and principled solution to the difficulties apparently posed by the wife-beating verse.
 11. The presence of hadiths with weak *isnads* (chains of narration) that would otherwise justify wife-beating may be evidence that some early Muslims themselves misunderstood the issue and either fabricated or misreported traditions on the subject. The value of the work of expert Hadith scholars throughout the ages who meticulously sifted genuine narrations from the weak ones, may be seen to be crucial. The work of al-Albani, a 20th century Hadith scholar, is especially valuable, for example his gradings for every hadith in the four famous *Sunan* collections of Sunni Islam. Albani concentrated more on the chains of narration than the meanings of the traditions, but nevertheless confirmed that all the hadiths banning wife-beating or only allowing a limited concession are authentic whereas all those justifying it absolutely are weak.
 12. This study highlights a fundamental problem with the way many Muslims, including some scholars and clerics, read the Qur’an. Rather than being read as a “textbook” or “instruction manual” as some superficial, populist, fundamentalist or Hadith-rejecting preachers advocate, it should be remembered for what it is: a collection of divine signs, guidance and wisdom revealed to the heart of the Prophet Muhammad, peace be upon him, by God via the Archangel Gabriel (*Jibril*), the Holy Spirit, peace be upon him. This guidance was always supposed to be manifested by people of piety and the remembrance of God, taking their situation and socio-historical contexts into account. A critical awareness of hadith and history has always been required, along with worship of God and service of humanity, to be guided towards the true way of following the Qur’an.

2 INTRODUCTION & BACKGROUND

There is a verse (*ayah*) of the Qur'an (*Surah al-Nisa'* or Chapter: Women, 4:34) that may appear to condone domestic violence against women. Domestic violence is a problem in most, if not all, communities and societies. For example, current statistics indicate that approximately 1 in 3 British women experience domestic violence during their lifetime.¹ Although the overwhelming majority of cases of domestic violence in Muslim households are due to wider human factors such as difficulties with relationships and anger-management², the author is aware of a handful of cases in the UK involving devout Muslims where the husband felt justified in using violence against his wife on the basis of this Qur'anic text.

Such an attitude is not uncommon amongst socially-conservative Muslims who are "religious" in a formal sense: for example, a conservative leader of Indian Muslims is said to have given a public statement in 2010 denouncing a new law in India that criminalised domestic violence, thus: "They are taking away our divine right to hit our wives."³ With such thinking still widespread amongst traditionalist clerics, it is not surprising that domestic violence attains a level of acceptability in some Muslim societies. For example, the UAE's Federal Supreme Court issued a ruling in October 2010 saying that "Although the husband has the right to discipline his wife in accordance with Article 53 of the Penal Code, he must abide by conditions setting limits to this right, and if the husband abuses this right to discipline, he shall not be exempt from punishment." In response, Nadya Khalife, Middle East women's rights researcher at Human Rights Watch, commented, "This ruling by the UAE's highest court is evidence that the authorities consider violence against women and children to be completely acceptable. Domestic violence should never be tolerated under any circumstances. These provisions are blatantly demeaning to women and pose serious risks to their well-being."⁴

The "wife-beating" verse is often highlighted, especially by non-Muslims and in inter-faith discussions, as a problematic text, as for example in Antony Thomas' film, *Inside the Koran* (2008). During the *Ways of Reading* conference organised by the Lokahi Foundation in 2007 in conjunction with the British Library's *Sacred* exhibition of texts from the Abrahamic faiths, the first Qur'an-related question on one of the days was about the wife-beating verse. Another illustration of this phenomenon is that Dr. Laleh Bakhtiar chooses precisely this verse to advertise the merits of her English translation of the Qur'an.⁵ Her translation of the verse will be critiqued later in this study.

¹ Interestingly, a General Practitioner told me recently that the woman is the perpetrator in about 10% of domestic violence cases in the UK.

² The UK-based *Mufti* Abdul Qadir Barkatullah stated at the Muslim Institute conference on Saturday 4th December 2010 that he had come across thousands of cases of domestic violence in Muslim households over the past 30 years, and that the Qur'anic verse was not a factor in any of them.

³ Quoted by Asghar Ali Engineer at the Annual Conference of the Muslim Educational Centre of Oxford, 12th June 2010.

⁴ See *UAE: Spousal Abuse Never a 'Right'* by Human Rights Watch, 19th October 2010, available at <http://www.hrw.org/en/news/2010/10/19/uae-spousal-abuse-never-right>, accessed 1st January 2011.

⁵ Cf. *The Sublime Qur'an*, <http://www.sublimequran.org/>, accessed 1st January 2011.

3 THE QUR'ANIC VERSE REFERRING TO WIFE-BEATING

Abdullah Yusuf Ali's original translation of the ayah in question (4:34) is as follows:

*Men are the protectors
And maintainers of women,
Because God 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 God would have them guard.
As to those women
On whose part ye fear
Disloyalty and ill-conduct,
Admonish them (first),
(Next), refuse to share their beds,
(And last) beat them (lightly);
But if they return to obedience,
Seek not against them
Means (of annoyance):
For God is Most High,
Great (above you all).*

3.1 Notes on this verse

This verse refers to a number of issues about gender relations. This study focuses primarily on the phrase, “beat them” (*idribuhunna*).

1. The primary meaning of the verb *daraba* is to hit, beat or strike. Abdullah Yusuf Ali translates it as “beat,” followed by the adverb “lightly” in parentheses, the latter being based on traditional *tafsir* (commentary). Perhaps a better translation would be “smack,” to denote an attempt at disciplining with minimal violence.
2. Imam Tabari, in all seriousness, argued that *wa hjuruhunna fi l-madaji'* does not, contrary to the vast majority of commentators, mean “refuse to share their beds” but it actually means, “tie them up in their beds, i.e. in their homes where their

marital beds are.”⁶ He bases this on the fact that *hajara* can mean the same as *rabata*, i.e. to tie up or bind, for example an animal. He adds that this applies especially when the husband goes out of a house containing a disobedient wife.

At this point, Tabari also quotes a particular hadith to support his argument. The hadith is as follows: Mu’awiyah asked the Prophet, peace be upon him, “What is a wife’s right over her husband?” He replied, “That he must feed her and clothe her, he must not hit her in the face, he must not curse her and he must not desert her, except at home (i.e. in the marital bed)” – except that for Tabari, the last phrase actually means, “... and he must not tie her up, except at home.”⁷

This illustrates that even great scholars may occasionally be guilty of making major howlers.

3. Tabari quotes, giving chains of narration from him to them, various authorities as saying that any hitting or beating must not leave any bruises or marks (*darb ghayr mubarrih*). These authorities include: The Prophet (peace be upon him), the Companion ‘Abdullah Ibn ‘Abbas and the Followers Dahhak, Sha’bi, Sa’id b. Jubayr, Hasan of Basra, Qatadah, ‘Ata’ b. Abi Rabah, ‘Ikrimah, Suddi and Muhammad b. Ka’b of the Banu Qurayzah. This explanation features widely in Muslim apologetics related to this verse and is often cited as the Shari’ah-approved limits to wife-beating, as in the case of the UAE ruling mentioned above.⁸ However, the Shari’ah-based argument can be extended further to ban domestic violence, as this study shows.
4. Tabari further quotes Ibn ‘Abbas as explaining how such minimal violence is to be accomplished: it is by using a *siwak* (tooth-stick) or similar implement. Again, this explanation is a favourite one in contemporary Muslim apologetics that nevertheless upholds the principle of domestic violence, however minimal or symbolic.

⁶ I am grateful to Prof. Fatima Mernissi for drawing attention to this interpretation by Imam Tabari, in her book *The Veil and the Male Elite*. The Tafsir of Tabari may be consulted in Arabic at <http://quran.al-islam.com>

⁷ Tafsir Tabari, 4:34. The last hadith is also in the *Mishkat*, no. 3259. It is transmitted by Ahmad, Abu Dawud and Ibn Majah, and its chain of narration is rated as sound (*hasan*) by Albani. A footnote in *Mishkat* adds that “he must not desert her” means that “he must not move out, away from her, or move her to another house” – but Tabari interprets this hadith differently. Note also that one narration of this hadith includes another admonition: “Do not beat your wives.” (Abu Dawud, no. 2144 – rated authentic or *sahih* by Albani.)

⁸ CNN and CBS News reported that the UAE court ruling allowed limited domestic violence as long as did not leave any bruises or marks. See http://articles.cnn.com/2010-10-19/world/uae.court.ruling_1_islamic-law-sharia-law-ruling?_s=PM:WORLD and <http://www.cbsnews.com/stories/2010/10/18/world/main6968844.shtml>, both accessed on 1st January 2011.

3.2 Ibn ‘Ashur’s Contextualisation of the Verse: Then and Now

Ibn ‘Ashur served as the leading authority (Shaykh) of the Zaytuna in Tunis, one of the oldest Islamic centres of learning, for much of the twentieth century. He was a master of Qur’an-commentary, producing the voluminous *tafsir* called *al-Tanwir wa l-Tahrir* (“Enlightenment and Liberation”), as well as of the *Maqasid al-Shari’ah*, the theory of the higher, universal objectives and principles of Islamic law.

In his commentary on this verse, Ibn ‘Ashur states that “it was revealed at a time when hitting one’s wife was acceptable in society and especially amongst the Bedouin, not construed as transgression, even by the women of that society.” He goes on to say that nowadays, the verse is easily misused by men, the majority of whom are liable to transgress against their wives if allowed to use any physical force. Therefore, he argues that the State would be within its rights to ban domestic violence and punish any man who assaulted his wife.⁹ This is a good example of the application of a Qur’anic verse being conditioned by time, place and societal context – a fundamental principle of *Maqasid*-based jurisprudence.¹⁰

Ibn ‘Ashur also quotes that ‘Ata’ (and he must be referring to Ibn Abi Rabah, the great Follower and Mufti of Mecca) ruled that a man may temporarily refrain from sex with his wife, but not beat her. He also quotes the Qadi Abu Bakr b. al-‘Arabi as saying that this illustrates ‘Ata’s great understanding of the Shari’ah, for he had deduced that the injunction, “refuse to share their beds” was advisory in certain cases, but that “beat them” was merely a permissibility, i.e. a limited concession as a last resort.¹¹ This interpretation is strongly supported by a study of the hadiths related to the topic, later in this study.

⁹ Ibn ‘Ashur, *al-Tanwir wa l-Tahrir*, under Qur’an 4:34.

¹⁰ For more examples of this, see Jasser Auda, *Maqasid al-Shari’ah – A Beginner’s Guide*, International Institute of Islamic Thought, London/Washington, 1429/2008.

¹¹ Cf. Ibn al-‘Arabi (468-543 H), *Ahkam al-Qur’an* (“Qur’anic Rulings”), ed. ‘Abd al-Razzaq al-Mahdi, Dar al-Kutub al-‘Arabi, Beirut, 1421/2000, 4 vols., vol. 2, p. 465 under Qur’an, 4:34, where Ibn al-‘Arabi also severely criticises Imam Tabari for his interpretation, “tie them up with ropes.” ‘Ata’s understanding of the wife-beating verse as a limited permissibility is similar to the verse, “When you are freed from the restrictions of the sacred state of pilgrimage, you may hunt.” (Qur’an, 5:2) In this verse, the verb “to hunt” is in imperative form, but in the sense of mere permission, not an encouragement or obligation.

4 SOME HADITHS RELATED TO THE VERSE OF WIFE-BEATING

1. Tabari quotes six narrations about the circumstances of revelation of this verse. Combining the reports, the story is as follows: an Ansari couple in Madinah had an argument, and the husband slapped his wife. She and/or her family complained to the Prophet, peace be upon him, who wished to rule that she had the right of retaliation (*qisas*), i.e. to slap him back. However, this verse was then revealed and the Prophet, peace be upon him, recited it to the couple and commented, “I intended one thing, but God intended another.” The authenticity of these narrations is not clear.
2. On the authority of Iyas b. ‘Abdullah, who said: The Messenger of Allah, may Allah bless him and grant him peace, instructed, “Do not beat Allah’s slave-women!” Then ‘Umar [b. al-Khattab] came to the Messenger of Allah, may Allah bless him and grant him peace, and said, “The women have rebelled against their husbands (and overpowered them).”¹² So he gave a concession in the matter of wife-beating. Subsequently, many women thronged to the family (or wives) of the Messenger of Allah, may Allah bless him and grant him peace, complaining about their husbands, upon which the Messenger of Allah, may Allah bless him and grant him peace, said, “Many women have thronged to the family (or wives) of Muhammad, complaining about their husbands. Those men are not the best amongst you.” It was transmitted by Abu Dawud, Ibn Majah and Darimi.¹³ The narration of Abu Dawud is rated authentic (*sahih*) by Albani.¹⁴

The narration of Ibn Majah has some slight but important differences, and is as follows: The Prophet, may Allah bless him and grant him peace, said emphatically, “Do not beat Allah’s slave-women!” Then ‘Umar came to the Prophet, may Allah bless him and grant him peace, and said, “O Messenger of Allah! The women have rebelled against their husbands, so allow them to be beaten.” Women were then beaten (by their husbands), and many women thronged to the family (or wives) of Muhammad, may Allah bless him and grant him peace. In the morning, he said, “Last night, seventy women crowded to the family (or wives) of Muhammad, each woman complaining about her husband: you will not find them to be the best of you.” This narration is also rated sound

¹² According to the footnote in the *Mishkat*, the word *dha’irna* used by ‘Umar means to rebel, revolt and overpower. According to a footnote in *Sunan Ibn Majah*, the word also refers to disobedience (*nushuz*).

¹³ Khatib Tabrizi, *Mishkat al-Masabih* (“The Niche of Lamps”), ed. Muhammad Nasir al-Din al-Albani, Al-Maktab Al-Islami, Beirut, 3rd ed., 3 vols., 1405/1985, vol. 2, p. 973, hadith no. 3261, Book of Marriage, Chapter: Treatment of Wives and the Rights of Each of the Couple, Second Section (hadiths from the *Sunan* collections).

¹⁴ Abu Dawud, *Sunan*, ed. Albani & Mashhur Hasan Salman, Maktabah al-Ma’arif, Riyadh, 1417 H, p. 325, hadith no. 2145, Chapter on Wife-Beating.

and authentic (*hasan sahih*) by Albani.¹⁵

4.1 An Apparent Difficulty

These hadiths are apparently problematic because, assuming that they are authentic, the first set of narrations describes a divergence between the preferences of God and His Messenger, with the latter being over-ruled by God. Furthermore, the second hadith states that the Prophet, peace be upon him, initially forbade wife-beating completely but later partially retracted this prohibition.

4.2 Resolution of the Difficulty

Assuming that all of the above hadiths are authentic or at least plausible in the eyes of the many great authorities who have transmitted them without critique or comment, the story in the hadith of Iyas must have preceded the story recounted by Tabari. There are two possible resolutions to the difficulties raised by these stories:

4.3 A Fundamentalist Interpretation

An incorrect and simplistic resolution is that God over-ruled and abrogated the Prophet's preference, so that wife-beating is a divinely-sanctioned husband's right for ever since it is mentioned in the Qur'an. This may be termed a "fundamentalist" interpretation since it does not take the context of time, place, *Maqasid al-Shari'ah* and societal norms into account. Furthermore, it ignores the numerous hadiths warning against and forbidding domestic violence. The understanding of 'Ata', an early Mufti of Mecca who learnt directly from numerous Companions of the Prophet, peace be upon him, confirms that this fundamentalist interpretation is seriously flawed and an example of fundamental misunderstanding of the Qur'an.

4.4 The Normative, Orthodox Interpretation

A true interpretation takes social science, history and *Maqasid* theory into account, based on a holistic reading of the ayah and the many hadiths transmitted about the issue, and confirms that the Qur'anic interventions in history must be seen as impulses towards long-term societal changes towards lofty ideals such as freedom, justice and gender-equality.¹⁶ This interpretation would be as follows:

¹⁵ Ibn Majah, *Sunan*, ed. Albani & Mashhur Hasan Salman, Maktabah al-Ma'arif, Riyadh, 1417 H, p. 343, hadith no. 1985, Chapter on Wife-Beating.

¹⁶ Proponents of this view of the Shari'ah include Prof. Gamal al-Banna of Cairo and Dr. Souad Saleh, the first female dean at Al-Azhar University. For the latter, see e.g.

1. The Prophet, Peace be upon him, never struck a woman, servant or child, as confirmed in numerous hadiths. In fact, the Prophet, Peace be upon him, appears never to have even struck an enemy soldier during his numerous battles and military expeditions. Even in battle, it was his Companions who gathered around him, defending and attacking, whilst the Prophet, Peace be upon him, remained serene amidst the fighting, like the eye of a hurricane, since he was a mercy to the worlds.
2. The Prophet wished to emphatically ban wife-beating, which was widespread in his people's society, completely and immediately. This is clearly shown in the first part of the hadith of Iyas, mentioned above.
3. There was something of a social power struggle over the rights of women, with many women coming to the Prophet's wives to champion their cause, whilst Sayyiduna 'Umar came to him to champion the cause of the men, who felt that the women were becoming too powerful. Thus, the Prophet, Peace be upon him, was caught in a difficult position, with the risk of serious social upheaval in Madinah, and so he compromised by giving a limited concession to the men who were used to wife-beating.¹⁷
4. The Prophetic compromise narrated by Iyas was endorsed by God with the revelation of verse 4:34, as shown by Tabari's story. However, this revelation was in the context of the Prophet's continuing efforts to give women equal rights, even to the extent of attempting to give them the right of physical, equal retaliation against their husbands.
5. The Prophet, Peace be upon him, continued to admonish men against wife-beating in order to minimise its occurrence and eliminate it completely. Hence the numerous hadiths with advice such as "How can you beat your wife like a slave and later make love to her in the evening?"¹⁸ and "Do not beat your wife the way you beat your slave."¹⁹ It should be remembered that the Prophet, Peace be upon him, repeatedly urged his people during his last days to treat women and slaves well, e.g. in his famous final sermon and during the illness leading up to his departure from this world.

<http://www.channel4.com/programmes/the-quran/articles/interview-with-antony-thomas>, accessed 1st January, 2011.

¹⁷ I am again grateful to Prof. Fatima Mernissi for this insight, in her book *The Veil and the Male Elite*. As a social scientist, Prof. Mernissi gives a fascinating reading of numerous traditions, mainly from Ibn Sa'd's *Tabaqat*, about the social politics of Madinah that were the context to the revelation of Qur'anic verses about veiling and wife-beating. Unfortunately, in her book *Rethinking Muslim Women and the Veil*, Dr. Katherine Bullock fails to engage with Prof. Mernissi's detailed analysis and appears to completely ignore it in her brief discussion of Mernissi's work.

¹⁸ *Mishkat*, opp. cit., hadith no. 3242.

¹⁹ *Mishkat*, opp. cit., hadith no. 3260.

6. Some people will object that the Divinely-revealed compromise (4:34) guarantees a “husband’s divine right to wife-beating” for ever. How can we be sure that this compromise was intended to be a temporary one? And how can we say that the Prophet, Peace be upon him, departed this world without accomplishing some of his objectives?
7. In answer to the previous question, there are many analogous examples, as follows:
8. Slavery is not prohibited in the Qur’an, although of course there are numerous verses encouraging the freeing of slaves, which can be seen as beginning a process towards the liberation of slaves and the abolition of slavery, which is to be welcomed. Fundamentalist interpretations, on the other hand, regard slavery as somehow a sacred and integral part of Shari’ah because it is allowed in the Qur’an (e.g. in the verses allowing a man to have sexual intercourse with a potentially unlimited number of unmarried, female slaves, captives and/or concubines - 23:6 and 70:30). The author of this study has come across many contemporary Western Muslims, converts and others, who have advocated the reintroduction of slavery because mediaeval texts about the jurisprudence of Jihad speak about the enslavement of captives as a possible option when dealing with prisoners of war!²⁰
9. The Prophet, Peace be upon him, famously said to ‘Aishah after the Conquest of Mecca that he would have rebuilt the Ka’bah upon its original foundations, were it not for the fact that most of the Muslims were recent converts who would not have been ready for this apparently-sacrilegious act.²¹ Although one of the Umayyad caliphs attempted (unsuccessfully) to fulfil this Prophetic wish, the wish remains unfulfilled today, 14 centuries after the Prophet’s departure from this world, Peace be upon him.
10. The insistence of the Companions and Followers upon minimising wife-beating, e.g. by demanding that it must never leave any bruises or marks and by reducing

²⁰ In fact, there is anecdotal evidence that a handful of the Muslim fighters in Afghanistan (1979-present) and Bosnia (1992-5) treated some of their non-Muslim captives as sexual slaves, in accordance with ancient and mediaeval practices worldwide, believing these to still be sanctioned by Islam, despite the Geneva Conventions. For example, the author of this study was present when Abu ‘Abdul ‘Aziz, commander of the Arab fighters in the Bosnian war, boasted at the annual Markazi Jamiat Ahl-e-Hadith conference at Green Lane Mosque, Birmingham, in the late 1990s, thus: “Look at the excellence of Jihad. When the Serbs kill, rape and loot, they are regarded as criminals. When I, as a *mujahid*, do the same thing, I am respected.” If some Muslim fighters did indeed rape women during these wars, their actions are as despicable as those of some Serb, US and African soldiers in the conflicts in Bosnia, Kosovo, Afghanistan, Iraq, the Congo, Rwanda and Darfur. However, some Muslim voices, especially Islamists, prefer to ignore the skeletons in the Muslim cupboard whilst constantly spewing politically-motivated, anti-Western rhetoric and hatred. This is especially strange when it comes from Muslims who are themselves Westerners, and utterly Western in their upbringing, customs, behaviour and thinking. Such people, including myself when I was younger, need to reconcile Islam in the West rather than seeing the two as incompatible.

²¹ Bukhari.

it to a largely symbolic act by recommending the use of a toothbrush-sized implement, actually supports the view that the long-term Islamic objective was to eliminate wife-beating completely, as per the Prophet's wish. By contrast, a dry, soulless, legalistic approach that did not take history and sociology into account might conclude that severe wife-beating was permissible since the text may mean, "beat them" without any restriction!

11. The aspect of "gradualism" in the introduction and objectives of Islamic law implied in this analysis is one that was well understood by the great authorities of Islam, from the Prophet (Peace be upon him) and his Companions onwards. One of the best expressions of this wisdom is by 'Aishah, who famously observed, as recorded by Bukhari in his *Sahih*, that had God revealed to the Prophet instructions to prohibit wine, fornication and adultery at the beginning of his mission, no-one would have listened: however, once sufficient ground had been prepared in terms of faith and spiritual development, these restrictions were readily embraced by the Companions some years later. Elimination of slavery (including sexual slavery), wife-beating and gender-inequality were obviously always going to be a far more difficult and long-term endeavour compared to proscribing intoxicants and extra-marital sex.

4.5 A Refutation of Alternative Interpretations of "Beat Them"

Over the last few decades, many scholars and thinkers, including Muslim feminists, have recognised the issues raised by the ayah of wife-beating, especially in Islam's encounter with the Western world, where ideas of gender-equality are sacrosanct. As argued above, the wife-beating ayah and the associated hadiths can be understood in a holistic way in the light of history, sociology and the higher, universal objectives of Islamic law.

An alternative approach is championed by some writers, especially those who are very suspicious or ignorant of hadiths in general and/or are unfamiliar with *Maqasid* theory. This approach points out that *daraba* (to beat) has many meanings in Arabic, and advocates adopting an alternative meaning that is devoid of the usual, violent words such as hit, strike, beat, smite, smack, spank, etc. Examples of alternative interpretations are:

1. The verse means, "separate from them," since *daraba* 'anhu means, "to turn away from" someone or leave them. Proponents of this view include ProgressiveMuslims.org, whose "Modern Literal Translation of the Quran" called *The Message* (iUniverse, New York, 2003) renders the verse as above. Dr. Laleh Bakhtiar renders the verse as "... go away from them," based on the same usage of *daraba* 'anhu in Lane's Lexicon.²² According to Daisy Khan, Dr. Bakhtiar also chose this translation based on the notion that every verse of the Qur'an was

²² *Verse in Koran on beating wife gets a new translation*, New York Times, 25th March 2007, <http://www.nytimes.com/2007/03/25/world/americas/25iht-koran.4.5017346.html>, accessed 1st January 2011.

embodied by the Prophet, Peace be upon him. Since he never struck any of his wives but separated from them all for a month during a domestic dispute, Dr. Bakhtiar argued that this must be his illustration of what the verse means.²³

However well-intentioned, this interpretation is grammatically incorrect since it requires the preposition ‘*an*, which is missing from the wife-beating ayah. Lane’s Lexicon itself makes this clear, since it cites Qur’an 43:5 as an example of this usage of *daraba*, and certainly not 4:34. Lane also points out that this meaning of “to turn something or someone away from” is based on the literal meaning of striking or hitting, from the action of a rider when he strikes an animal to change its direction.

Furthermore, although the Prophet, Peace be upon him, manifested the Word of God throughout his life and character, he did not manifest every detailed Qur’anic instruction that was conditional on certain situations. For example, he is neither known to have decapitated anyone in battle (47:4), nor to have been intoxicated and thus avoided prayer (4:43). Many other such examples could probably be found.

2. The verse means “to travel with them” since *daraba fi l-ard* means “to travel,” e.g. Qur’an 3:156 and 4:101. Again, such a translation would be grammatically incorrect because the preposition *fi* is missing from the ayah of wife-beating.
3. The verse means “make love to them,” since *daraba* can have a sexual meaning, especially when used for animal acts, e.g. *daraba al-fahl al-fahlah* or “the stallion copulated with the mare.”²⁴ This interpretation is grammatically sound, unlike the previous two, but extremely far-fetched. Prof. Khaled Abou el-Fadl describes the translation of *daraba* as “to spank” in this ayah to be “kinky” and “fantasising” by the translators.²⁵ However, to refer it to “making love” is even more kinky and fantastical, especially if combined with Imam Tabari’s rendering of the immediately-preceding part of the ayah as “tie them up in their beds.”

In conclusion to this section, the alternative translations are either grammatically incorrect or far-fetched, or both. The grammatically-incorrect translations are somewhat similar to saying in English that “beat them” means “beat it, i.e. go away” or that “hit your wife” means “hit on your wife,” i.e. to make a sexual advance, in contemporary slang.

²³ Daisy Khan, Q&A Session, *Muslim Women In 2010 - Meeting The Challenges Of A New Decade* (Conference), Inspire / Hounslow Council, 6th March 2010, <http://www.wewillinspire.com/index.php/sections/inspire-events> (accessed 2nd January, 2011).

²⁴ Prof. Nasr Abu Zayd, at a February 2010 seminar on Women’s Rights in Cairo organised by the Oslo Centre for Human Rights and attended by the author of this study, mentioned that some writers had offered this interpretation.

²⁵ *Verse in Koran on beating wife gets a new translation*, New York Times, 25th March 2007, <http://www.nytimes.com/2007/03/25/world/americas/25iht-koran.4.5017346.html>, accessed 1st January 2011.

Furthermore, the alternative translations simply do not “wash” with critics of Islam. It is far better, and more conducive to honest dialogue with critics, to accept the straightforward and obvious meaning of the ayah, but to read it holistically alongside the numerous hadiths on the topic and within a historical and social context, as described earlier in this study.

4.6 A Weak Hadith That Might Otherwise Justify Wife-Beating

As explained above, there are many authentic hadiths with the emphatic directive, “Do not beat your wives!” that need to be reconciled with the ayah that may appear to allow wife-beating. A principled, analytical reconciliation has been given above.

There is one more hadith on the subject that is possibly more well-known than the above-mentioned ones, due to it being included in a popular and highly-revered secondary collection of hadith. This hadith could easily be understood to give a *carte blanche* to wife-beaters. However, the hadith is not authentic. Details are as follows:

Abu Dawud transmits on the authority of ‘Umar b. al-Khattab that the Prophet, may Allah bless him and grant him peace, said, “A man will not be questioned (i.e. by God on the Day of Judgment) as to why he beat his wife.” The hadith is rated as weak (*da’if*) by Albani.²⁶

Ibn Majah transmits the same hadith with the following wording that includes slander and calumny about Sayyiduna ‘Umar’s character: on the authority of al-Ash’ath b. Qays, who said: I hosted ‘Umar one night. In the middle of the night he rose and beat his wife. I intervened as a barrier between them. When he returned to his bed, he said to me: O Ash’ath! Preserve from me something that I heard from the Messenger of Allah, may Allah bless him and grant him peace: “A man will not be questioned as to why he beat his wife ...” This hadith is also rated as weak (*da’if*) by Albani.²⁷

Imam Nawawi included Abu Dawud’s version of the hadith in his famous collection of Qur’anic passages and hadiths entitled *Riyad al-Salihin* (“Gardens of the Righteous”). However, he included it in a chapter encouraging self-discipline and God-consciousness. Thus, Imam Nawawi’s understanding seemed to be as follows: a man will not be questioned by God about wife-beating, so he should discipline himself and avoid wife-beating, holding himself to account. However, if the hadith is not genuine as stated by Albani, there is no need for this far-fetched interpretation.²⁸

²⁶ Abu Dawud, *Sunan*, ed. Albani & Mashhur Hasan Salman, Maktabah al-Ma’arif, Riyadh, 1417 H, p. 325, hadith no. 2146, Chapter on Wife-Beating.

²⁷ Ibn Majah, *Sunan*, ed. Albani & Mashhur Hasan Salman, Maktabah al-Ma’arif, Riyadh, 1417 H, p. 343, hadith no. 1986, Chapter on Wife-Beating. This example shows that even Sunni collections of Hadith contain narrations that impugn the character of some Companions. Again, the critical work of hadith scholars throughout the ages in sifting genuine narrations from the weak ones can be seen to be vital. Albani was only the latest in a long tradition of such scholarship.

²⁸ The Shaykh al-Albani declared about 60 hadiths in Imam Nawawi’s *Riyad al-Salihin* to be weak. Many of these also had problematic meanings. When, around 1993, JIMAS published Dawud Burbank’s English

The presence of hadiths with weak *isnads* (chains of narration) that would otherwise justify wife-beating may be evidence that some early Muslims themselves misunderstood the issue and either fabricated or misreported traditions on the subject.

translation of these conclusions by Albani, some of the fanatical followers of “traditional Islam” predictably attacked Albani and his followers, since this was soon after the publication of the ignorant, unjust and idiotic book entitled *Al-Albani Unveiled*. These people did not realise that since this work by Nawawi contains around 2,000 hadiths, Albani had verified that the book was around 97% reliable, and thus contributed a major service to Imam Nawawi’s book. The author of this study was a witness when Razmahwatta Razalli, a Cambridge undergraduate at the time, posted Albani’s conclusions on an internet discussion forum, only for a respondent to advise him to “Go and put your head in a grave rather than dare to criticise Imam Nawawi!” The phenomenon of confusing scholarly critique with *ad hominem* attacks, in both directions, is regrettably still very common.

5 CONCLUSION

Please see the Summary section at the beginning of this study.

Anything good and/or correct in this work is by the Grace of God. All mistakes are due to the author and to Satan.

May Allah bless all His Messengers, Prophets and Friends such as Noah, Abraham, Moses, Mary, Jesus Christ and Muhammad, and grant them Peace. May He also bless those who sincerely attempt to follow these enlightened souls and strive to know, love and worship Him.

All Praise is due to Allah, Lord of the Worlds.