

The Verse of Abuse Or the Abused Verse Al-Qur'an 4:34

Men shall take full care of women with the bounties Allah has bestowed on them, and what they may spend out of their possession; as Allah has eschewed each with certain qualities in relation to the other. And the righteous women are the truly devout ones, who guard the intimacy which Allah has ordained to be guarded.

As for those women whose ill-will you have reason to fear, admonish them [first]; then distance yourself in bed, and the tap them; but if they pay you heed, do not seek to harm them. Surely, Allah is indeed the Most High, the Greatest.

Role of family

The role of family in the overall social structure of Islam is great and if we fail to grasp its importance, the whole edifice will collapse.

In Islam there is no family without union or marriage and there is no marriage without rules and discipline. The family in Islam is a unit in which two independent persons unite and share life together. The husband's dignity is an integral part of his wife's dignity. Accordingly, neither of them is better than the other. To unite and share, there must be mutual love and compassion – a genuine feeling which, unless translated into action and behavior, would be mere illusion.

Women's rights in the family

From the very outset, Islam has been a liberating religion that uplifted the status of women and gave them rights that were considered revolutionary 1400 years ago. In spite of this founding spirit, Muslim practices today often oppress women and deny them the equality and human dignity granted in the Qur'an. The family should be the first essential area in which women's rights have to be secured.

The question that arises is that if Islam liberated women centuries ago, then why is it that maltreatment of wives is not a rare occurrence among Muslim people? Most likely, I suspect, it comes from misinterpretations of a Qur'anic verse and of some *ahadith*.

The institution of marriage

When Allah mentions marriage or the relationship between husband and wife in the Qur'an, He describes it as one of love, mercy, and harmony between two human beings who have entered into a mutual contract. For example, "*And among His wonders is that; He created for you mates out of your own kind, so that you may incline toward them, and He engenders love and tenderness between you; in this, behold, there are messages indeed for people who think.*" (Q 20:21) And, "*It is He who has created you out of one entity, so that one might incline (with love) towards the other.*" (Q 7:189)

Expression of love

According to the Qur'an, the relationship between husband and wife should be one of love, mercy and mutual understanding. Allah also commands men to treat their wives, *“And consort with your wives in a goodly manner, for if you dislike something about them, it may be well that you dislike something which Allah might yet make a source of abundant good.”* (Q 4:19)

The Qur'an speaks of the intimate and close relationship of the two spouses in these words: *“They are like garments unto you as you are like garments unto them”* (Q 2:187). This verse; by using the simile of garments, has explained two basic facts. First, dress is considered to be one of the most fundamental needs of human beings in all stages of life. Second, dress covers the nakedness of human beings and hides those parts which are to be kept hidden. Every person has his weakness and frailty and does not want them to be disclosed to others.

The two sexes working together, not only cover each other's weakness and frailty, but also enhance each other's capabilities and help each other make up their deficiencies. Men are told to be generous and liberal in their treatment of women under all circumstances, especially when the relations between the two are not very amicable. *Surah al-Baqarah* refers to this in these words: *“And do not forget liberality between yourselves”* (Q 2:237). Even in divorce, men are enjoined to be just and fair (*Ma'ruf*) to their wives. We read these words also in *Surah al-Baqarah*: *“When you divorce women, and they fulfill the term of their waiting (“iddah), either take them back honorably on equitable terms or set them free with kindness and goodness.”* (Q 2:229)

So, it is through the institution of marriage that true expression is given to what the Qur'an refers to as “love and mercy” (Q 30:21) between men and women; that men and women are like each other's garments (Q 2:187), that *“be you male or female, you are members of one another”* (Q 3:195), and that *“men and women are protectors, one of another.”* (Q 9:71)

Clarifying the terms *Darajah*, *Qawwamun*, and *Faddala*

Darajah, (*step, degree or level*) is something that is earned; acquired with responsibility.

When a level is granted to male or female on the basis of their good deeds or piety, there is no discrimination. This is demonstrated by the following Qur'anic concepts: *“Unto men a fortune from what they have earned and unto women a fortune from that which they have earned”* (Q 4:32). *“Whoever works righteously; man or woman, and has faith: verily to him/her will We give a new life, a life that is good and pure. And We will bestow on such their rewards, according to the best of their actions”* (Q 4:124). So when it comes to who has greater advantage with Allah in terms of deeds, there is no level or degree given to the male or female over the other.

The *darajah* for men over women occurs in the Qur’anic verse thus, “...*And (Walahunna) women shall have right similar to the rights against them according to what is equitable. But men have a degree (of advantage) over them. Allah is Exalted in Power, Wise.*” (Q 2:228)

This verse occurs among a series of verses referring to the required period of separation before claiming a divorce. The degree of advantage refers to man’s being able to individually initiate divorce, whereas a woman can seek divorce only after intervention of an authority. So the advantage is limited to the circumstances of divorce only. Why this advantage? Most likely, because it is he who is duty-bound to support to the wife and unborn baby, and the previous verses are referring to the possibility that during separation the woman may be expecting, and if so, the man needs to give due consideration to taking her back because of his responsibility towards the unborn child. Hence, he has the responsibility/ decision about validating the divorce or taking his wife back. Yet, in Muslim cultures, an unrestricted value attached to this concept of “advantage” and men generalize it to all aspects of life, claiming superiority over women.

This form of unrestricted value for all circumstances contradicts the equity established in the Qur’an, “*that each ‘nafs’ (man or woman) is responsible for what it earns*” (Q 4:32).

The Qur’an has emphasized the female’s rights (Q 2:228) with the words “*wa lahunna*” in order to neutralize the possible impression that could be created by the previous sentence of enhancing the position of men over women. Truly, it is the wondrous and miraculous expression of the Qur’an that enables it to maintain the delicacy of the problem and at the same time solve the most complicated issues in a very noble and subtle way.

Thus, in a superb manner, the Qur’an has untied the knot of this problem by saying that while men have a degree of *darajat* (advantage) in holding the key to divorce; in the enjoyment of human rights, both men and women stand equal.

Qawwamun does not convey the sense of governorship or rule over women, but rather signifies *men’s role as maintainers of women*, because they support and meet their material needs from their wealth. The *Shari’ah* has entrusted the responsibility of women’s material needs to men, who are held liable for meeting all the economic needs of the family, while women are held responsible for looking after the children, their nourishment, education, training, etc. This division of the work of the household between husband and wife is based on their respective natural abilities. Fulfilling these responsibilities are the primary duties, though not exclusive, yet allowing free and full participation in all social, political and ethical activities with due propriety.

Now the concept of “***Fadl***”, the verse reads; “**Men shall take full care of women with the bounties Allah has bestowed on them, and what they may spend out of their possession; as Allah has eschewed each with certain qualities in relation to the other. And the righteous women are the truly devout ones, who guard the intimacy which Allah has ordained to be guarded.**

As for those women whose ill-will you have reason to fear, admonish them [first]; then distance yourself in bed, and then tap them; but if they pay you heed, do not seek to harm them. Surely, Allah is indeed the most High, the Greatest.” (Q 4:34)

This verse is often quoted for justifying the ruthless dominance of patriarchal males demanding obedience from their wives- to the point of disciplining them through physical punishment!

But let us analyze it with Qur’anic wisdom. Firstly, the “*fadl*” or preference is related to responsibility, so there is reciprocity between this privilege and responsibility. The fact is that it is through Allah’s benevolence that he gets this “*fadl*” should make a man God-conscious. So, if he is given this authority or preferential responsibility, it is accompanied by a heavy mandate and obligation. He cannot abuse the “*fadl*”. The purpose of this “*fadl*” could be attributed to the fact that a family functions harmoniously when there is leadership and authority in it, manifested through fulfilling duty and mutual co- operation.

It is wrong to conclude from this that as men (or women) have some “advantage” in one respect, they are therefore superior to the other. The right attitude should be for each sex to think that it is deficient in certain aspects, which can only be complimented by the collaboration and co-operation of the other as essential for its perfection and healthy growth. In other words, it should never fancy such ideas as its own excellence, but should consider itself dependent upon the other for its own perfection. The Qur’an has beautifully described this relationship of the two sexes in these words: “*And among His signs is that He created for you mates from among yourselves, that you may dwell in tranquility with them, and He has put love and mercy between your (hearts). Surely in that are signs for those who reflect.*” (Q 31:21)

The issue of NUSHUZ

Verse 4:34 has commonly been used to Justify Wife beating. How can this can be explained?

NUSHUZ could be defined as *animosity, hostility, rebellion, ill- treatment, discord, violation of marital duties on the part of either husband or wife.* In this context, a wife’s “*ill-will*” implies a *deliberate, persistent breach of her marital obligations.*

The verse of *Surah Nisa’* has attracted great attention from both within the Beliving community and without: “*As regards those women on whose part you fear defiance and ill- conduct, admonish them (first), (next) separate in bed, (and last) tap them (if they still persist in their defiance); but if they cooperate and pay you heed, do not look for excuses to harm them. Note well that there is Allah above you all.*” (Q 4:34)

In the context of the above verse the most appropriate meaning for *nushuz* is *marital discord (ill- will, animosity etc.)* The process suggested is necessary, otherwise it is

inviting the likelihood of divorce without any reconciliation procedure, and this will contravene the Qur'anic guidance. The separation could be temporary or permanent depending on the reconciliation procedure, and this fits in very well with the divorce procedure outlined in the Qur'an. Therefore the more accurate understanding of the above verse would be: (4:34) "...As for those women whose animosity or ill- will you have reason to fear, discuss the matter with them, then separate in bed, then tap; and if they pay you heed, do not seek a way against them."

The verse following the above verse gives further weight to the above translation. (4:35) "And if you fear a breach between them (the man and the wife), appoint an arbiter from his folk and an arbiter from her folk. If they desire amendment, Allah will make them one of mind. Lo! Allah is Ever Knower, Aware."

An added weight to the meaning outlined above is given by verse (4: 128), where in the case of man the same word, *nushuz*, is also used. Note too that as ill- treatment emanating here is from the husband, a process of reconciliation is encouraged!

"If a wife fears ill- treatment (nushuz) or desertion (i'raad) on her husband's part, there is no blame on them if they arrange an amicable settlement between themselves; and such settlement is best..." (Q 4:128)

In the same *surah*, we read, "Whoever among you; men or women, are guilty of this crime (impropriety/ obscenity), punish them both; then if they both repent and reform themselves, leave them alone, for Allah is Most Generous in accepting repentance, and Merciful in forgiving sins." (4:16)

As previously mentioned, women could only be taken to task when they were guilty of open obscenity. The verse (Q 4:16) clearly states that whoever commits open licentiousness, man or woman, must be punished. It may here be mentioned that this open obscenity or licentiousness (*nushuz*) means obscenity short of adultery and fornication.

If a wife fears that her husband is going to be excessive, there is the same process for the wife too. She can advise him first. Psychological pressure of withdrawing closeness and intimacy? But why is there no reference to physical pressure, like a symbolic slap or the like? The wife is not required to slap her husband, guarding against the possibility of physical retaliation and its dire consequences. But she has use of an injunction, which is better than that; to sit down with respected members of the community, (if need be with a judge), and draw up a contract with the man, which says: *You have done this or that- if you do it again, these will be the consequences.* In other words, she is getting the community behind her.

Three steps for regaining marital harmony or an amicable settlement

We note that in the event that there is disruption of marital harmony, the Qur'an suggests three steps for regaining harmony. In order of preference, they are:

(Step 1) **Wa'z** (admonition, consultation and discussion).□This is the preferred method suggested for regaining marital harmony and is the same mechanism discussed in the Qur'an for the coordination of affairs between all groups of people.□Consultation can be between the parties (as in 4:34) or between the two parties with the help of arbiters or *hakim* (4:35, 4:128).□**Wa'z** or *admonition* implies advising and reminding one of the consequence of one's actions; this in a way that softens the heart of the listener (16:125) and making him/ her incline favorably to your words.

(Step 2) **Wahjur** (to separate in bed; time and space boycott, at least one night).□If consultation does not lead to marital harmony, the second suggestion is of time-out, a phrase to denote a separation in time and/ or space between two people.□This is a form of psychological pressure.□Note that it is avoidance in the house or in front of the family, children and so forth.

The purpose of that act is to solve the problem well- known not to belittle the woman or uncover the secrets that are going on.□However, it is a reaction to her act of *nushuz* and recalcitrance by avoiding her and turning away from her in hope that this will lead to reciprocity and togetherness.□It can be for an intermediate cooling off period only, or could presumably continue indefinitely, which in the context of marriage could only mean divorce.

(Step 3) **Daraba** (a gentle strike or tap: an expression of physical pressure) If the first two methods are used in their preferred order to the fullest extent, the need for the third method of a strike would not be reached.

A famous Multi- meaning word “Daraba”

The problem of abuse comes from the word “*Idribuhunne*” which is usually translated as “*beat them*”.□The root of this word is “**Daraba**”.□If one consults an Arabic dictionary you would find a long list of meanings ascribed to this word!

The list is one of the longest lists in the whole Arabic dictionaries and has so many different meanings.□In the Qur'an, depending on the context, one can ascribe different meanings to it, i.e:

To travel to get out: 3:156; 4:101; 38:44; 73:20; 1:273

To strike: 2:60; 7:160; 8:12; 20:77; 24:31; 26:63; 37:93; 47:04

To beat: 8:50; 47:27

To set up: 43:58; 57:13

To give (examples): 14:24-45; 16:75,76,112; 18:32,45; 24:35; 30:2858; 36:78; 39:27,29; 43:17; 59:21; 66:10-11

To take away, to ignore: 43:5

To condemn: 2:61

To seal, to draw over: 18:11

To cover: 24:31

To explain: 13:17

Thus, in the Qu’ran alone we witness the verb “*Daraba*” having at least ten different meanings. □ “*Daraba*” has also other meanings which are not mentioned in the Qur’an. For example in the Arabic language, you do not print money-- you “*Daraba*” money, you do not multiply numbers-- you “*Daraba*” numbers, you do not cease the work— you “*Daraba*” the work-

Webster’s □ Dictionary gives fourteen meanings to the verb “**strike**”: hit (against); ignite; (of snake) bite; (of plants) (cause to) take root; attack; hook (fish); sound (time) as bell in clock; affect; arrive at, come upon; enter mind of; discover (gold, oil etc.); dismantle; remove; make (coin); cease work as protest or to make demands. □ The same dictionary gives eight meanings to the verb “**beat**”: strike repeatedly; overcome; surpass; stir vigorously with striking action; flag (wings); make, wear (path); throb; sail against wind.

When we encounter a multi-meaning word, we select the proper meaning according to the context, form and common sense.

Why the “*Daraba*”?

Why has the Qur’an included the method of a “strike”? □ The Qur’an always emphasizes doing good and abstaining from evil. □ If the Qur’an is looked at as an integrated and cohesive text, situations can be identified where the Qur’an calls for the prohibition of certain things in stages. □ For example, whereas early revelations discourage the use of intoxicants (2:219, 4:43), the final revelation on this matter clearly condemns and prohibits them (5:93-94).

This is where there is a need to understand the historical context in which the Qur’an was revealed. □ It is known that in the pre-Islamic period known as the Age of Ignorance (*Jahiliyyah*), there were gross practices of physical and emotional abuse of females such as female infanticide (killing of babies) and the custom of inheriting the wives of deceased relatives against the will of the women. □ Verse 4:34, which refers to a strike/ tap, was revealed early in the Medinan period at a time when cruelty and violence against women were still rampant. □ Seen within this context the strike is a restriction on existing practice, and not a recommendation. □ As Muslim society in Madinah developed towards an ideal state, the final verse in the Qur’an on male – female relationship (9:71) regards

women and men as being each other's protecting friends and guardians ('awliyya) which emphasizes their cooperation in living together as partners.

In addition, this spirit can be used in viewing the *Hadith* and classical commentaries by Muslim jurists on the strike or *daraba*. □ *Hadith* on *striking in such a way as not to cause pain (ghayr mubarrih)* are reported by Muslim, Tirmidhi, Abu Daud, Nasa'ie and Ibn Majah. □ The authorities stress *that if a strike is resorted to, it should be merely symbolic such as a strike with a toothbrush or folded handkerchief* (Tabari and Razi). □ Imam Shaf'ie is of the opinion that *striking should preferably be avoided completely*.

It can thus be concluded that the call for the (single) strike is a restriction and not a recommendation; as when the first two steps are practiced effectively, there is no need for a third step.

Obedience misconstrued

The Qur'an does not order women to slavishly obey their husbands. □ It says good women are *qanitat* (have *qunut*). □ *Qunut* is used for both women and men (3:17, 33:35) and non-humans (39:9, 2:117). □ *Qunut* does not refer to the obedience of a wife to a husband or of any human to another. □ It refers to the spirit of humility before Allah. □ When the verse goes on to say "if they obey you," the Qur'an uses the term *ta'a*, which means for one human to follow the orders of another, referring not just to women obeying men, but men following orders as well (4:59). □ *Ta'a* is not used here in the command form for women, rather the Qur'an places a firm admonishment on the men: "*If they (female) pay you heed (male)*" *the males commanded "not to seek a way against (the women)"*. □ "*If they obey you*" does not mean that women have an obligation to slavishly obey men. □ Nor does it mean that if a woman disobeys, a husband can beat her. □ The focus is on the responsibility of men to treat women fairly, especially when women follow their suggestions. □

Most of the women beaten nowadays are not beaten because the first two conditions have been met with, but are in fact beaten because of the husband's anger over some petty issue. □ Such behavior is not that of a sincere Muslim and obviously has no sanction in the Qur'an whatsoever.

It is evident from many authentic traditions that the Prophet himself intensely detested the idea of beating one's wife, and said on more than one occasion, "*Could anyone of you beat his wife as if she is a slave, and then lie with her in the evening?*" (Bukhari and Muslim). □ According to another tradition, he forbade the beating of any woman with the words, "*Never beat God's handmaidens*" (Abu Daud, Ibn Majah, Ahmad Ibn Hanbal, Ibn Hibban, on the authority of 'Abd Allah Ibn Abbas; and Bayhaqi on the authority of Umm Kulthum).

Next to piety, the believer finds nothing better for him than a virtuous wife. □ If he bids her good, she obeys. □ If he looks at her she gives him pleasure. □ If she gives him a promise, she fulfills it. □ If he is absent from her, she guards herself and his property. □ (Ibn Majah).

This *hadith* states that the wife should obey her husband, but to what extent? Obviously, she cannot disobey her husband in anything that is *haram*. Not only that, but the obedience of the wife is in those duties listed above, viz. ...with regard to cohabitation, domestic matters, guarding his property, and not allowing others to violate her/his dignity or their belongings.

In summary, there is the following *hadith* from the Prophet on the rights of a wife. A person asked the Messenger of Allah, “*What right does the wife of one among us have over him?*” His answer was, “*It is that you shall give her food, you shall not slap her on the face, nor revile her, nor leave her alone except within the house*” (Ahmad, Abu Da’ud, Ibn Majah). This implies provision, residence, respect and security.

Appreciation

Some husbands get upset when their wives refuse to do this or that around the house. This has subjected many wives to physical mistreatment. But the following incident clearly shows that it is not the duty of the wife to tend after the house, and therefore, it can in no way justify any sort of retort on the part of the husband. In fact, the following quote would make it seem that many women nowadays should be the one’s complaining as they are forced to do work that they are not truly totally responsible for:

It is reported that a man once came to ‘Umar, the second Caliph, with the intention of bringing to his notice certain complaints he had against his wife. When he reached the door of ‘Umar’s house, he heard the Caliph’s wife railing against him. Hearing this he went back as he thought that the Caliph himself was in the same predicament and could therefore hardly be expected to set matters right for him. Umar coming out of his house, saw the person going back. So he called him back and inquired as to the purpose, which had brought him to his house. He said that he had come to him with some complaints against his wife, but turned back on finding that the Caliph himself was subject to the same treatment from his wife. Umar said to him that he patiently bore the excess of his wife because she had certain rights over him. *Is it not true that she cooks my food, washes my clothes and suckles my children, thus relieving me of the necessity of employing a cook, a washerman and a nurse, although she is not in the slightest degree responsible for this? Not only that, I enjoy peace of mind on account of her and I am protected from committing the sin of adultery. In view of these advantages, I put up with her excesses. You should also do the same.*

Having clarified some of the misconceptions, countered some distortions, we acknowledge, of course, that not all men or women are following the teachings of the Qur’an in their relationships. Rather than looking at the verse holistically, they only focus on it with a bias to their advantage and abuse it. Men exploit and women rebel. Where men have done so, and women have remained ignorant, injustices have taken place even to the point of physical abuse. Some women, in their ignorance on the issue, have taken this as their Islamic plight. So, for their own benefit, women need to acquire

knowledge from the Qur'an, become more aware, rally around it and assert themselves for fairness and justice.

Men should also understand the Qur'an with a fair and just mind without cultural filters and communicate with each other about it so that they can strive together for betterment in their spiritual path.

Prophetic Example

The *Hadith*, which we must realize is a record of the sayings and doings of the Prophet (pbuh), and the second source of Muslim law and practice, records the Prophet (pbuh) as saying: *“The best of you is he who is best to his wife.”* Aishah (RA) narrates that the holy Prophet never hit a servant or a woman.

The demeanor of the Messenger (pbuh) toward women, his attitude toward conflict resolution among couples, his exemplary treatment of his wives, his practice of gender-neutral consultation, his abhorrence of violence towards women, his love for all and his persistent efforts to alleviate the human condition; all bring us to the conclusion that he wanted to usher in freedom, dignity and equality; making everyone conscious of only one God- the God of all human beings, not a chauvinistic God.

The Qur'an does not discriminate between the two sexes in any way that undermines their full worth as equal human beings, nor does it give either of them; men or women, priority or superiority over the other in any manner whatsoever, neither does it endorse spouse abuse nor does it encourage spouse battering. Just as men have rights over women, likewise women have rights over men. Just as women have certain duties and obligations, likewise men have certain duties and obligations.

Research has shown that oppressive interpretations of the Qur'an are influenced mostly by cultural practices and values which regard women as inferior and subordinate to men. It is not Islam that oppress women, but human beings that have failed to understand Allah's directives.

The honor or superiority of any person cannot be established on the basis of color, race, nationality, gender or family. It must be judged on the basis of his or her piety, conduct and excellence of character, which must be good and virtuous in word and deed. The more a person is good and virtuous in word and action, the greater is his/her excellence; *“Surely, the most honored of you in the sight of Allah is the pious, the most righteous”* (49:13).

This excerpt was taken from Dimensions of the Qur'an, Volume 1; by Sa'dullah Khan. Sheikh Sa'dullah Khan is currently the Director of the Islamic Center of Irvine.