Violence against Women in Qur'an 4:34: A Sacred Ordinance?

“Wife-beating” is considered to be one kind of violence against women. Some people claim that this abuse is excessively practiced by Muslim husbands because there is a verse in the holy Qur’an that—as claimed—orders or gives permission to husbands to beat their wives. However, this wrong and widely held impression is unjustified and arises as a result of misinterpretations of verse 4:34. This article intends to clarify certain misunderstandings that have arisen over this verse of the Qur’an. Violence against women is one of the most widespread violations of human rights that cuts across boundaries of culture, race, class, and geography. Globally, up to six out of every ten women experience physical and/or sexual violence in their lifetimes. A World Health Organization study of 24,000 women in ten countries found that the prevalence of physical and/or sexual violence by a partner varied from 15 percent in urban Japan to 71 percent in rural Ethiopia, with most areas being in the 30–60 percent range. Thus, violence against women exists in all communities and does not need to be legitimized by some holy “scripture.” In order to prevent these inhumane practices, more assertive, effective, and firm laws are needed, including legal intervention in family relationships, based on correct understandings of the holy text, so that nobody claims that Muslim men are violent as a result of their “Islamic faith” that orders them to beat women.

It is known that the majority of regulations and laws relevant to women's rights in countries where Islam is the predominant religion are derived from the interpretations of certain verses in the Qur'an. Of particular relevance here are the verses that define the relationship between married couples, i.e. marital issues such as the wife’s property, polygamy, divorce, alimony, custody, the situation of widows and so on.

This article attempts to analyze the verse (4:34) that has given rise to much controversy, either as a result of misinterpreting the precise meaning of its key concepts, or as a result of misusing it, whether deliberately or unintentionally. This leads to extending its meaning beyond the scope of the actual situation it came to address, which caused a dilemma that resulted in curtailing the role of women in society and marginalizing her capabilities, as well as subjecting her to a severe social, economic, and judicial oppression.

The subject matter of this article is the Qur’anic verse 4:34, which has been translated into English from al-Tabataba'i’s *Tafsir Al-Mizān* as follows:

Men are the maintainers of women because of that (with which) Allah has made some of them excel the others and because of what they spend out of their property; the good women are therefore obedient, guarding the unseen as Allah has guarded; and (as to) those on whose part you fear recalcitrance, admonish them, and leave them alone in the sleeping-places, and beat them; then if they obey you, do not seek a way against them; surely Allah is High, Great.2

The above paragraph is not the “text” of 4:34; rather it is an interpretation of the verse by one of the exegetes. According to our methodology of understanding the Qur’an, the words stressed above are misinterpreted and wrongly translated. Every concept in the verse should be understood within the context within which the verse came, i.e. its social, cultural, and historical context. It should also take into consideration that the fundamental essence of women’s dignity has been established by Islam, and this has been referred to either by some other Qur’anic verses, or by Prophet Muhammad’s (pbuh) sayings and prac-

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2 *Tafsīr al-Mīzān* by Muhammad Hussayn Ṭabāṭabā’ī (d. 1981), a noted Shi’a authority of the twentieth century. English translation available at: http://www.shiasource.com/al-mizan/ (accessed November 30, 2011). There are many different translations of the above verse which need thorough analysis to show how the translators as well as scholars have interpreted it according to their own cultural backgrounds and understandings; for more translations see: http://www.alltafsir.com (accessed November 30, 2011).
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Moreover, the verse should be understood as “one unit” that encompasses harmonious elements and refers to a specific subject. All this, taken together, would enable us to understand the precise message conveyed by the verse. Otherwise, the Qur’an’s credibility, and Islam’s inherent respect for women’s dignity, would remain subject to criticism and distrust, as it has been for decades.

As mentioned above, the meaning of verse 4:34 has been discussed widely by different scholars from varying points of view, both traditional and modernist, especially from feminist perspectives. Reviewing everything that has been said related to the meaning of this verse is beyond the scope of this paper. It would require further research to review and discuss scientifically all the respective opinions in this regard. This chapter will rather concentrate on understanding the meaning of the verse according to the method of the “Al-Tajdeed Society” for reading the Qur’an. Furthermore, it will discuss and argue some traditional exegetes’ points of view (from both Shi‘a and Sunni perspectives).

Methodology

To begin, I would like to point out that the methodology I am using to understand the verses of the Qur’an follows certain rules. These rules are derived from within the Qur’anic system and its unique structure; hence it is essential that they are taken into account and applied while trying to comprehend what each and every verse is saying.

First, the meaning of the verse should be understood in accordance with its socio-historical context because it has been delivered to a certain society at a specific time. Its purpose was to solve some existing problems or correct some problematic situations. Other verses were revealed in order to introduce new values to the society that Prophet Muhammad (pbuh) was seeking to establish. For example, in order to understand verse 4:34, it is crucial to know the nature of relationships between husbands and wives at that time and the social values of the

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3 Al-Tajdeed Cultural Society is a Bahraini NGO whose members believe that Islamic thought needs renewal. Their main focuses are human and women’s rights.

seventh century community in the Arabian Peninsula. Otherwise we will neither understand the true meaning of the verse, nor apply it properly in our contemporary societies.

Second, the chapter that the verse is set within should be taken into account. In this case, the verse is in the chapter, “Women” (al-Nisā’), and it starts with revelations about the creation of humanity. The first verse in this chapter states that both men and women have been created out of one living entity, which means that their creation is identical.5 Later, in the same chapter, other verses explain in detail most of the important issues concerning women and family affairs.

Third, the verse should not be taken out of its Qur’anic context. This means that it should be understood along with the verses that come prior to it and those that follow it in order to draw a full picture of the situation, and to prevent generalization or deviation from the verse’s scope or context. To give an example from the above-mentioned verse, the word “qawwwāmūn” refers to a special kind of relationship between husbands and wives in a very rare and specific circumstance. However, it has subsequently been applied to most spheres of human interaction.

Unfortunately, most scholars have used this verse to prove that men are superior to women in most aspects of life because they are physically and emotionally stronger and are allegedly more rational. However, the verse definitely does not validate this belief in any way.

I quote a translation of the above verse from Tafsîr al-Mizân as evidence of the above claim:

... The generality of these causes shows that the resulting principle (Men are the maintainers of women) is not confined to the husbands. In other words, it does not say that man is the maintainer of his wife, rather it gives authority to men, as a group, over the whole group of women, in common affairs which affect the lives of both sexes on the whole. The general social aspects which are related to man’s excellence as, for example, rulership and judiciary, are the things on which a society depends for its continuance. It is because of the prudence and judiciousness which are found in men in a higher degree than in women. Likewise, fighting and defense depend on strength and far-reaching strategic planning. In such affairs men have supremacy over women.

Consequently, the command, “Men are the maintainers of women,” is totally unrestricted and comprehensive, while the next sentence, “the good women
are therefore obedient . . .,” is apparently restricted to the relationship between a man and his wife, as will be explained later on. This next declaration has branched out from the above general principle; but it does not restrict its generality in any way.6

Fourth, each word in the Qur’an should be read and understood within its context. In the Qur’an, the same word could have different meanings according to various situations and relations. In the verse under discussion here, the word (qānitāt) has been interpreted as (submissive to their husbands) or (obedient ones), while the meaning of the word should rather be related to the subject of this verse, i.e. the bond between husbands and wives.

**Traditional Scholars’ Interpretations of the Key Concepts of this Verse**

Before proceeding with elaborating on the new understanding of the above verse, I will present a translation of it in order to point out some of the misunderstandings or misinterpretations that took place while the scholars were trying to explain the verse in their commentaries.

Men are in charge of, they have authority over, women, disciplining them and keeping them in check, because of that with which God has preferred the one over the other, that is, because God has given them the advantage over women, in knowledge, reason, authority and otherwise, and because of what they expend, on them [the women], of their property. Therefore righteous women, among them, are obedient, to their husbands, guarding in the unseen, that is, [guarding] their private parts and otherwise during their spouses’ absence, because of what God has guarded, for them, when He enjoined their male spouses to look after them well. And those you fear may be rebellious, disobedient to you, when such signs appear, admonish them, make them fear God, and share not beds with them, retire to other beds if they manifest such disobedien-

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5 "O mankind! Be careful of your duty to your Lord Who created you from a single soul and from it created its mate and from them twain hath spread abroad a multitude of men and women. Be careful of your duty toward Allah in Whom ye claim (your rights) of one another, and toward the wombs (that bare you). Lo! Allah hath been a watcher over you" (Pickthall).

ence, and strike them, but not violently, if they refuse to desist [from their rebellion] after leaving them [in separate beds]. If they then obey you, in what is desired from them, do not seek a way against them, a reason to strike them unjustly. God is ever High, Great, so beware of Him, lest He punish you for treating them unjustly.

From the above translation it is clear that key concepts of the verse have been altered to give meanings other than what it really meant and stated, such as:

_Qawwâmus_: Most scholars have interpreted this concept to mean “maintainers,” “care takers,” or “protectors.” Others have added to it explanatory phrases such as: “in charge of,” “keeping check on them,” and “having authority over them.” To summarize, most _tafsîr_ books explain this section of the verse to mean: men have guardianship over women at home, in the society, and in all spheres.

_Bi-mâ faḍḍala Allâh_: Some translated this phrase to mean “because of that with which Allah has made some of them to excel the others.” Others said it means “because God has given males superiority over women in knowledge, reason, authority, and otherwise.”

_nushûz_: This word has been referred to as meaning “the wife is being rebellious,” “recalcitrant,” “disobedient to her husband.” Some scholars even went so far as to call any wife that is disobedient to her husband “nâshîz.”

_qânîtâ_: Some of the scholars have suggested that the meaning of this word refers to women who are obedient to God’s orders; others applied it to the wife who is obedient to her husband (_qânîta_).

 sălîhât_: This word has been interpreted as “the good women who are fulfilling their religious obligations such as praying, fasting during the month of Ramadan” and so forth, while others interpreted it as “being obedient to their husbands.”

_idribîhunma_: Some said it means “beat them,” others “strike them,” which means that the husband has the right to discipline his wife by punishing her physically so as to obtain her obedience.

Other phrases in the verse also have been mistakenly interpreted. However, the above terms/phrases were highlighted due to their significant importance to the actual meaning of the verse.

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Shortcomings in the Traditional Understandings of the Verse

Most scholars ignored the word “some” and said that “all” men excel over “all” women while it is explicitly said in the verse that “some” excel over “some” others. Other scholars who recognized the importance of the word “some” said that it means “some” men are superior to “some” women. If this were true, then the verse should have been expressed differently. It should read “Bimā faḍdala Allāh ba‘ādahum (men) ‘alā ba‘ādihinna (women).” Therefore, even the scholars who have paid attention to the word “some” could not distinguish who are those “some” that have superiority over “some” others. Hence, the meaning that they suggest is irrelevant.

The words: qanītāt, sāliḥāt, qaawwāmūn, and almost every phrase in this verse have been given a much wider scope than what they actually mean. The verse has been misused to prove that women cannot have any leading or dominant role over men because the latter are their maintainers in family affairs and are superior to them in every other aspect. Some scholars have mixed up the meaning of (sāliḥāt) and (qanītāt) in the context of this verse with their meaning in other verses in the Qur’an. This misleading interpretation has resulted in the adoption of laws that act against women’s interests, such as the “house of obedience,”9 complete submission to the husband’s acts/decisions, and needing to seek the husband’s approval for every act taken by the wife.

It is important to note that most Islamic legislators were males and naturally they were influenced by the patriarchal culture that was dominant at that time. Surprisingly, there were women legislators and legal scholars in the early history of Islam. The Honorable ‘Ā’isha, wife of the Prophet Mohammed, was one of the most respected legal experts during her time. She delivered to her society great legal opinions and practices. Unfortunately, after the death of Prophet Mohammed and the rule by the early caliphs, the role of female activists in this regard diminished. In the present time, due to the paucity of women being involved in forming legal opinions regarding female roles and rights, the negative impact on society has been immeasurable.

8 Ibid.
9 The “House of Obedience” (bayt al-ta‘a) is a concept in Islamic law that gives husbands the right to demand obedience from their wives.
New Understandings of Verse 4:34

Looking at the verse, regardless of what has been said by previous scholars, it is apparent that it is dealing with a very particular situation, i.e. the “marital relationship” between husbands and wives. For that reason, the verse should be understood with this in mind.

In order to be precise and give the accurate meaning of the key concepts in the verse, each concept will be explained within its context, using a full sentence rather than a single word, so as to convey the true meaning of the verse.

The word “qawwâmūn” means: Men (husbands in this case) are responsible and entitled to prevent the about-to-be-unfaithful wives from committing the sin of adultery (infidelity) to preserve their faithfulness, by following the three actions below in a sequential order:

“Admonish them,” which is more than mere advice, means: “Show them the destructive and harmful consequences of that bad action, in order to convince them of giving up any behavior that leads to infidelity.”

“Do not share beds with them”; this means that there should be no intimate and sexual relationship with such a wife. This attitude is expected to make her feel guilty and untrustworthy, hoping that it will make her regret her course of action and put an end to the sinful relationship.

Finally, if the above two attitudes do not deter the wife from the act of infidelity to the sacred marital bond and she continues with the sinful relationship, the husband can use force, i.e. hit her, to stop her from engaging in illegitimate and adulterous sexual relations. The word used in Arabic, “darâba,” is more indicative than either “beat” or “strike,” because it implies using force wisely and not in a barbaric way, of which the latter unfortunately happens most of the time.

Once the wife is aware of her mistake and starts obeying her husband in the sense of giving up the improper relationship, then the husband does not have the right to continue any kind of violence against her (bearing in mind that divorce is not an issue here and could not yet be applied).

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10 This is the author's opinion [eds].
In fact, this verse is stating that any kind of violence against women (as wives) is prohibited no matter what a woman does except for one reason. That is when the wife’s ill conduct is threatening the marriage’s sacred bond (through the intention of infidelity). Therefore, the rational use of force is considered to be legitimate only when she is jeopardizing the matrimonial relationship. In this particular case, this act may save this conjugal relationship, and prevent the wife from harming herself and destroying her family, which will have a destructive impact on the society’s values and relations.\textsuperscript{11}

The verse states that men (only in their capacity as husbands) have this kind of power over their wives for two reasons:

Some (married men) have been granted something “extra” over some other (married men), that is: the option to have more than one wife (polygamy).

Men are entitled to prevent their wives and their houses from the intrusion of another sexual party (following the three above mentioned steps). They have been given this power because they are paying all marriage expenses such as dowry, maintenance, etc. However, the opposite is not true, i.e. women can only have one husband, and they do not have to pay any household costs.

Hence, husbands and wives have the same marital rights except for one, that is: the husband’s responsibility is to prevent his wife from having an affair with another man because it is illegitimate in every aspect, while the other way around is not always true (in logical terms). Hence, a wife cannot be granted the authority to prevent her husband from having an affair with another partner since the latter could be a legitimate spouse, and may be even the husband’s first wife!

Therefore, this is the only (extra) thing that men have over women (but it has nothing to do with superiority). This meaning has been expressed in another way when discussing divorce in verse 2:228: \textsuperscript{12} “…the rights of the wives (with regards to their husbands) are equal to the

\textsuperscript{11} Something similar to this idea has been said in \textit{Tafsir al-Mizān}: “she decides what she wants and acts as she wishes and man has no right to interfere in any way—except when she intends to do something unlawful,” and he continues, “and protect him in his absence—she should not betray him behind his back by having unlawful affairs with another man,” http://www.shiasource.com/al-mizan/ (accessed February 11, 2011).

\textsuperscript{12} “Women who are divorced shall wait, keeping themselves apart, three (monthly) courses. And it is not lawful for them that they should conceal that which Allah hath created in their wombs if they are believers in Allah and the Last Day. And their husbands would do better to take them back in that case if they desire a reconciliation. And they (women) have rights similar to those (of men) over them in kindness, and men are a degree above them. Allah is Mighty, Wise” (Q 2:228) (Pickthall).
husbands’ rights (with regards to their wives), and men have a degree (extra) over them (in this respect), and God is almighty, wise.” Since the husband is the one responsible for the marriage expenses, the first option to rescind a provisional divorce rests with him. That is the only extra degree the husband has over his wife. However, the wife has the right to either refuse or accept her husband’s willingness to rescind a provisional divorce. (The right to divorce is the other side of the coin of the same concept; because the idea in essence is to allow the wife to have a legitimate relationship with another partner, but only after dissolving the present bond completely and not before that.)

Other concepts and phrases in the verse likewise should be understood within the subject of the verse:

(salihat) means faithful and honest wives. In this case, being a faithful and good wife has nothing to do with being obedient to God’s orders such as praying and fasting.

(qanitat) here means the wives who treat their husbands as their only mates, or the ones who preserve their (chastity) to their husbands. Hence (qanitat) are those women who are dedicating or devoting themselves (sexually) to their husbands only. The rest of the phrase asserts this meaning as it says: “... they are guarding the (unseen) of them as Allah has guarded,” which means that they should guard their chastity and modesty.

This meaning is clearly stated in verse 24:31: “And tell the believing women to lower their gaze and to be mindful of their chastity,” and in another translation: “And say to the believing women that they should lower their gaze and guard their modesty.” This meaning has been interpreted in Tafsir al-Jalalayn as follows: “... guarding the unseen, that is, (guarding) their private parts and otherwise during their spouses’ absence, because of what God has guarded, for them, when He enjoined their male spouses to look after them well.”

As we can see, the above logic discloses itself easily and smoothly: Good wives—without teaching or preaching—always maintain their chastity; in the case of those wives who intend to be bad, their husbands are responsible for maintaining their chastity.

Moreover, the word “nushiz,” which has been translated as “being disobedient,” “rebellious,” “recalcitrant,” or “disloyal,” means “violating and breaching the marital relationship by the wife through introducing a third party into her relationship with her spouse” (i.e. commit-
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In other words, it means “unfaithful behavior which leads to an unlawful relationship outside of the marriage bond,” which calls for a series of actions in order to restore family unity and harmony to its regular constancy. It should be clear here that the aim is not to harm the wife but rather to warn her about the seriousness of the problem at hand.

The meaning of the word “nushūz” has been explained by the words of Prophet Muhammad on two occasions. First, when he affirmed that, “the best women (wives) are those who protect you in your absence in their persons and your property,” and then he recited verse 4:34, which means that the guardianship of a husband consists of preserving his wife’s chastity. Second, Prophet Muhammad confirmed this meaning in his farewell sermon (khutbat al-wada’a) when he said, addressing men: “... you have the right that your wives do not have sexual intercourse with anybody but you,” and then he recited, paraphrasing verse 4:34, “... if you fear their infidelity admonish them, and do not sleep with them and hit them in a way that you do not injure them...”

In addition, Prophet Muhammad emphasized that the best Muslims are those who are best to their wives: “the believers who show perfect faith are those who have the best character, and the best of you, are those who are best to their wives.”

In summary, this verse asserts that the only justification for a husband to use physical force against his wife is tied to her anticipated unfaithfulness, while aiming to preserve marital values. This permission is granted to him as a third option after admonishing her and after abandoning her in the marital bed. Logically, if the wife intends to violate...
the sacred marital bonds by getting involved in an illegitimate relationship with another man, she has the choice then to get divorced, but she cannot continue under any circumstances in the sinful relationship.

Nowadays, the force that a husband can impose upon his wife to prevent her from such behavior could be demonstrated in a different manner. For example: depriving her from the tools that help with the continuation of such an illegal relationship, such as a mobile phone, vehicle, the Internet, etc.

As a result, interpreting “nushüz” as being the wife’s refusal to have a sexual relationship with her husband is irrelevant, because this issue could not be solved by asking her husband not to sleep with her. This is obviously an illogical solution.

Men are responsible (qawwām) for keeping their wives satisfied sexually and financially in order to protect them from being unfaithful to them (nasḥiz). If the wife established a relationship with another man because her husband did not fulfill his duty well, then he is also to be blamed and is liable to rectify the harm that he had caused.

In brief, in some rare cases, some wives have sexual desires or financial needs that are not fulfilled by their husbands and it may lead them to commit some acts of infidelity. It is the husband’s duty to fulfill these needs and stay fully attentive and alert to guard this sacred relationship by protecting his wife from becoming engaged in a forbidden relationship with another man.

On the contrary, it is not the wife’s duty to prevent her husband from having a legal relationship with another woman (wife), because (some men) have been granted the permission—for special or historical reasons—to have more than one wife (polygamy). This is not allowed for women no matter what the condition is (in order to safeguard and protect the lineage and family values).

The good wives (ṣāliḥāt) know that they should devote themselves sexually to their husbands without being taught and without any guardianship from their husbands. Yet, there are some exceptions to this situation, where there are some wives who are about to become unfaithful to their husbands by an act of recalcitrance and by violating the sacred marital relationship by introducing a third party into an inherently dual relationship. This dangerous situation calls for the husband to prevent his wife from performing such an act (under the supervision of the social community).
First and foremost, the husband should act in secrecy in order to maintain his wife’s dignity and reputation. As stated earlier, he starts by admonishing her, then by not having any sexual relations with her. He should deprive her from all elements of contact or the supporting tools of the sinful relationship. Finally, if the aforementioned actions do not rectify the situation, the husband can practice any rational yet severe means that will help in restraining her (whether on his own or through an organization that specializes in dealing with such cases). If she obeys her husband then there will be no need for any severe measures to be taken against her or any acts of symbolic or actual violence.

In summary, the analysis of this verse (4:34) refutes the persistent belief that God in his divine book has ordered men to beat women because men are superior to them, and consequently women cannot have dominant roles over men in any sphere of activity!

In fact, as has been stated earlier in this article, this verse actually prohibits any act of violence against a woman except in a single case, that is infidelity, and even then this act should be performed under the supervision of a proper judicial system and process and only after failing to prevent her through the other means advocated in verse 4:34.

The question that imposes itself now is:

How did a very singular remedy to a very particular case (the wife’s infidelity) that prevents a husband from becoming a “cuckold” and a wife from turning into an “adulteress,” turn into a stick or a weapon in men’s hands to perpetrate acts of violence against all women?

Recommendations

The following recommendations address the above-mentioned misrepresentations and the consequent grievances:

Modify, amend, and change family law articles that contain an incorrect definition of the word “nushūz” and legitimize the “beating” of women for any reason, when this should be restricted to extreme cases such as those of open lewdness, and applied only under communal and legal control.

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18 The author appears to be suggesting the formation of civic organizations to deal with marital discord and, in this case, transgressions.
Put an end to male dominance over women, and to depriving them (women) from having decision-making positions under the illusion that this attitude is dictated by the term (qawwāmūn), and avoid using the concept of (being obedient) inappropriately in the “marriage contract,” which has been drafted in the form of a “sales contract” that results in keeping the wife under the domination of the husband.

Husbands’ and wives’ rights and obligations should be stated and documented very clearly in the “marriage contract” in order to establish a proper understanding of their rights and obligations in accordance with the Qur’anic verses, and to ensure that wives receive all their rights.

Condemn any illegal sexual relationship (for both parties). Also condemn any violence against women, because if force can be used solely in the case of preserving a wife’s fidelity, even then it is meant as a deterrent and definitely not as a means of justifying physical or emotional abuse.

The concept that the Qur’an has established in this verse is to protect the morality of society as a whole, and to stress that using force to prevent adultery should be considered a last resort, not a means to take revenge on a wrongdoer. All these actions should be supervised through legal, social, and human rights organizations which have expertise in handling marital conflicts.

Relevant organizations should intensify their efforts to increase awareness through public workshops and courses, and by offering psychological therapy and matrimonial counseling in a systematic and professional way so as to minimize the occurrence of cases that may result in the use of force.