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**Wife Beating: Modern Readings of the Qur'ān  
(4:34)**

**By**

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## **Introduction**

It can be claimed that family violence has become a global phenomenon. According to the World Health Organisation, it exists in all cultures and affects up to 70% of women in the world.<sup>1</sup> A recent report broadcast on al- Jazeera TV reveals that a woman is killed every three days in France. Therefore, special phone numbers were given to women who face danger from their partners and are in need of help. Al-Ṭalibī also emphasises the widespread phenomenon of wife beating in all times and societies. This is attested to by the establishment of associations for women subjected to beating in the developed countries. Al-Ṭalibī gives the example of France, where two million women were subjected to beating not long ago. This was broadcast on the second channel of the French TV<sup>3</sup>.

The phenomenon of wife beating may be true of different western countries, e.g. domestic violence is the single major cause of injury to women in The United States of America. “Nearly one quarter of women in the United States - more than 12 million- will be abused by a current or former partner some time during their lives,” according to the American Medical Association; and, despite Islamic teachings of justice and compassion, many Muslim women in the United States and Canada are no exception.<sup>4</sup> However, few studies have been done on family violence within Muslim communities. These studies show that wife beating is the most common form of family violence.<sup>5</sup>

A report of the *New York Times* in March of 2007 includes a German judge’s argument that the Qur’ān grants husbands the right to discipline their wives physically, stating that “The Qur’ān sanctions such physical abuse”. Therefore, the judge denied a divorce to a German-Moroccan woman who was

physically abused by her husband.<sup>6</sup> However, the reporter, Mark Lander, clarified for his readers that most mainstream Muslims have long rejected wife-beating as a relic of the medieval age.<sup>7</sup> There is also a book by an imam in Spain, entitled *Women in Islam*, published in 2000, describing how Muslim men could beat their wives. The book is based on the Qur'ān (4:34). More than eighty Spanish women's organisations filed a legal suit against the author of the book charging him with inciting Muslim men to strike their wives.<sup>8</sup>

The verse (4:34) seems to sanction wife beating. This is because it is very often taken by critics of Islam literally, and thus misunderstood as making women submissive and inferior to men. For example, Jeffery understands (4:34) as making a woman always submissive and modest. Jeffery observes that without certain economic rights, 'the theoretical subjection of the wife to her husband is almost complete'<sup>9</sup> Kecia Ali also claims "... simply noting that the Qur'ān treats both male and female *nushūz* as problems does not automatically absolve the Qur'ān of preferring the male over the female the consequences for female *nushūz* are clearly differentiated in the text of the Qur'ān itself"<sup>10</sup> The verse (4:34) is not infrequently cited for criticizing Islam on the grounds that it is against human rights and is sexist.<sup>11</sup>

**The verse (4:34) reads:**

Husbands should take good care of their wives; with [the bounties] God has given to some more than others and with what they spend out of their own money. Righteous wives are devout and guard what God would have them guard in their husbands' absence. If you fear high-handedness from your wives, remind them [of the teachings of God], then

ignore them when you go to bed, then hit them. If they obey you, you have no right to act against them: God is most high and great.<sup>12</sup>

The verse (4:34) raises three main issues, including *Qiwāmah* or guardianship of men over women, the criteria of a righteous woman, *nushūz* or wife's recalcitrance and its consequences of disciplining measures. These disciplining measures include admonition, abandonment in bed and the permission to beat one's wife. This research will limit itself to addressing *nushūz* and the measures of rectifying it, particularly the alleged permission to strike a wife in the light of modern readings of verse (4:34). As a matter of fact, a lot of debates have been raised about the Qur'ān (4:34), particularly its part sanctioning husbands to discipline their wives through three consecutive measures: admonition, and then abandonment in bed and finally beating them. It is this third disciplining measure of beating which has received objections from some modern scholars.

The present article argues that had the normative methodology of Qur'ān's exegesis been pursued, the outcome of not beating one's wife in the literal sense of the word would have been reached on reading (4:34). What is meant by normative methodology is the methodology set and adopted by early authoritative scholars of Qur'ānic studies such as al-Ṣiyūṭī and al-Zarkashī.<sup>13</sup> This methodology reveals that the first step of interpreting the Qur'ān is to look into the Qur'ān itself according to the statement, 'Some parts of the Qur'ān interpret other parts.' The second step is to look into the Sunnah, Prophetic Traditions, which is the second source of interpreting the Qur'ān. Therefore, looking into the Qur'ān to interpret the word *ḍaraba*, "to beat," in the verse (4:34) indicates that the context of the use of the

word *daraba* does not allow its other meanings in other verses of the Qur'ān. Hence, the interpretation of *daraba* is given by the Prophet (pbuh), first by his behaviour towards his wives and then by his sayings, as will be elaborated upon.

### **Nature and Scope of *Nushūz***

*Nushūz* is derived from *al-nashaz* which means 'what rose from the ground.' Hence, when a woman makes *nushūz* towards her husband, she elevates herself over her husband, disobeys and hates him. Likewise, man's *nushūz* over his wife is to dislike, beat and harm her.<sup>14</sup>

'Abduh interprets *nushūz* in (4:34) as woman's feeling of superiority over her guardian husband and opposition to her nature of dealing with her husband. 'Abduh gives the reason for using the word 'fear' instead of saying 'those who make *nushūz*' that God wanted the life of the married couple to be that of love, friendship and harmony. Consequently, God does not attribute *nushūz* directly to women to imply that it should not be expected from women to have *nushūz*. This is an indication of the sublime position of women. Hence, the husband should treat his wife gently. 'Abduh adds that if the husband felt rebelliousness on the part of his wife, he should remedy it, first by admonishing her in an effective way. The second step of disciplining her is to abandon her in bed, which affects wives who love their husbands and find it hard to be apart from them in the marital bed.<sup>15</sup>

However, the rebellious wife will not find it difficult to be separated from her husband in bed. Otherwise, she would not have become rebellious. But, such desertion in bed can serve as an indication of the husband's anger and a cooling-off period between them; thus, their differences can be reviewed and

thought about very carefully.

‘Abduh criticises those exegetes, including al-Tabarī, who interpret *hajr* as tying them up. Those interpreters, in ‘Abduh’s view, do not know the character of a woman, for a woman may love her husband and foolishly become rebellious. A woman may become rebellious just to test her husband’s fondness for her, another woman may do the same to force her husband to meet her material needs, and still another woman may be urged by her family to become rebellious for a certain selfish purpose.<sup>16</sup>

*Nushūz*, Riḍā wrote, can be a wife’s refusal to sleep with her husband, going out of the house without his permission, refusing her husband’s request to put on make-up or being neglectful of her religious duties. Riḍā concludes that *Nushūz* is every recalcitrance on the part of a wife caused by arrogance and elevation of herself over her husband.<sup>17</sup>

Al-Nawawī similarly identifies the signs of *nushūz*, including her speech with a rough language after she used to speak a soft language with her husband. She may frown and scowl at him after she used to be cheerful and kind to him. She becomes *nāshiz* when she goes out of the house (without her husband’s permission), declines to live with him or refuses to have sex with him (without a valid excuse). Al-Nawawī does not include rudeness and vilification as a sort of *nushūz*.<sup>18</sup> Zaydān also takes the verse (4:34) as an evidence of the possibility of taking such punitive measures (admonition, abandonment in bed and light beating) against a wife who also neglects her religious duties.<sup>19</sup>

*Nushūz* is to take place, when a wife performs some actions and behaves in a way which, as ‘Āmir puts it, arouses the

jealousy of her husband and harms his honour and pride such as accompanying and receiving dishonest men at home or being absent from home for a long time without her husband's permission or going to unsafe and infamous places.<sup>20</sup> Barlas sees *nushūz* as a reference to a general state of marital disorder and not as the exegetes translate as disloyalty and ill-conduct.<sup>21</sup> Any kind of marital disorder cannot be, nonetheless, considered *nushūz* and thus entails the punishment. For instance, it is not permissible for a husband to beat his wife simply because she spilled his coffee, burnt his food, forgot to iron his clothes...etc.

The permission of beating is given as a last resort to save marriage before reaching the stage of divorce.<sup>22</sup> She is, nevertheless, prohibited to show any type of disloyalty or ill-conduct towards her husband, which may lead to serious marital disorder.

Abdel Haleem gives another interpretation of *nushūz* as a serious offence of infidelity. Such a *nushūz* is comprehended in contrast to those who are devoutly obedient to God and guarding what God has ordered them to guard<sup>23</sup> Abou El Fadl, similarly, interprets *nushūz*<sup>24</sup> by referring to the Prophet's proclamation in his farewell pilgrimage. The Prophet (pbuh) is reported to have said "O people, I command you to treat women with kindness for they are your support. You have no other rights over them unless they commit a grave and known sin (*fāhisha mubīna*). If they do, abandon them in bed and beat them lightly, but if they comply do not transgress against them." Abou El Fadl sees the Prophet's use of the expression *fāhisha mubīna* as equivalent to *nushūz*. *Fāhisha mubīna* is, according to Abou El Fadl, a grave sexual sin. It refers to a sexual activity short of intercourse, or intercourse that cannot be proven by four witnesses or the latter did not see the actual insertion of the organ into the organ. It is



sexual lewdness.<sup>25</sup>

### **Beating one's wife**

As far as beating one's wife is concerned, Abū Shuqqah observes that it is one of several methods of treating problems between spouses and resorted to when the wife's error is so great that it can be termed '*fāhisha*', including an ugly action or speech which a husband finds offensive, e.g. admitting men into the house and sitting with them without being granted a permission. As a result, such beating is applied under great necessity and when it is hopeful that it is effective. Such effectiveness depends on the context and the character of the beater and the one being beaten and the type of error. The proverb 'Ironing is the last treatment' can be applicable to such beating. Abū Shuqqah recommends intercession for preventing severe beating.<sup>26</sup>

Different meanings have been ascribed to the term '*ḍaraba*' in the Qur'ān; e.g. 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 example (14:24-45; 16:75. 76. 112; 18:32.45; 24:35; 30:28.58; 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). *ḍaraba* has also other meanings not given in the Qur'ān. For instance, in the Arabic language, *ḍaraba*, used to refer to money, means minting it; *ḍaraba* referring to numbers means multiplying them; and *ḍaraba* referring to work means to cease to work. Khan explains that the proper meaning is selected according to the context, form and common sense. He adds that the situation of women in the pre-Islamic era was lamentable. For example, female infanticide, cruelty and violence against women were rampant. Seen within this context, wife beating was a restriction on

existing practice, and not a recommendation.<sup>27</sup>

The instrument to be used for beating is something like a toothbrush. Prophet Muhammad (pbuh) suggested a similar instrument, when he was angry with a servant girl. The Prophet (pbuh) sent her on an errand, but she was too late. On seeing her, the Prophet (pbuh) raised his toothbrush and said, 'If I did not fear God, I would hit you with this.'<sup>28</sup> Abusulayman accepts an interpretation of *daraba* as a few gentle light strokes or taps with a toothbrush or pencil which does not include punishment, injury or pain. It is just an expression of gravity, frustration or disinterest in the wife on her husband's part. Such an interpretation does not entail any damage to human dignity or respect between spouses.<sup>29</sup>

What is more, this gentle light tap is resorted to as the last of three sequential punitive measures. Memon states "As a last resort, if he thinks it will prevent divorce by letting the wife know how serious he is, the husband can use a light slap on the hand or shoulder but not on any other part of the body, and it shouldn't leave a mark or scar. Anything beyond this is Islamically prohibited."<sup>30</sup> Badawī similarly asserts that the last resort of 'beating' or 'tapping' is to be a rare exception. It is a symbolic act which is not desirable. He reveals that some measures may work in some cases and cultures or with certain persons but may not be effective in others. Badawī also refers interestingly to the American law as separating between a light and harmless tap or strike from 'abuse' in the legal sense. Hence, such a beating does not meet the definitions of physical abuse, family violence or wife beating in twentieth century law in liberal democracies. He concludes that any excess, cruelty, family violence or abuse committed by any Muslim can never be traced honestly to any revelatory text (Qur'ān or Hadith).<sup>32</sup>

Beating may be applicable in certain conditions and to certain women. It cannot be applicable to a woman who opts for arbitration or divorce. Abū Khaleel sees beating as being effective with some women. He cites al-‘Aqqād as saying in his book *‘muqaranat al-Adīyān’* “It is so silly to say that women distance clearly themselves from a lady who accepts beating and nothing does her good but beating. We can say it is silly because it is harmful and of no use to anybody.”<sup>33</sup> Biltājī, in the same way, alludes to the rare existence of a certain type of woman who finds being beaten a sign of masculinity on the part of her husband and thus accepts it interiorly. Beating is allowed for such kind of women and not for other women.<sup>34</sup>

Shaltūt also claims that there is a category of woman who cannot be rectified except by a physical punishment which is the last cure resorted to under necessity. Shaltūt gives the reason for such a measure that Islam came for all categories of people and environments. He argues further that society needs the taking of a punitive procedure for the deviant and rebellious. This is similar to the punishment inflicted on children by their parents and on individuals by their rulers. Then, Shaltūt wonders whether it is acceptable to a wife that her husband always rushes to her parents or authorities to complain of any rebelliousness on her part, instead of solving the problem between them or that she wants to go on with her recalcitrance until the collapse of their marital household and the loss of their children occur. He seems to suggest that she calmly accepts the return to her senses by a light physical disciplining, which exceeds no limit.<sup>35</sup>

The majority of interpretations of (4:34) with regard to context, grammar and intention reveal that a symbolic tap is an acceptable form of punishment.<sup>36</sup> For instance, Mawdūdī remarks that there should be a correspondence between the fault

and the punishment. Stem measures should be avoided as long as light ones proved effective. The Prophet (pbuh) allowed disciplining one's wife with great reluctance and went on expressing his total<sup>37</sup> aversion for it. The exegete, 'Abduh, is not only an apologist for the legality of wife beating but he also considers it acceptable to reason and natural. The reason for his attitude, as he puts it, is the prevalence of immorality and corruption. 'Abduh adds that if, however, a wife accepts advice and gives up disobedience, such a disciplining measure must not be taken, because we are commanded to treat women gently and live with them kindly or divorce them without entertaining any grudge against them.<sup>38</sup>

The condition of beating, in the view of Riḍā, is to be light. He cites Ibn 'Abbās' view that it would be with a toothbrush, a small stick or spanking.<sup>39</sup> Although Riḍā accepted the legality of wife beating with a toothbrush or similar instrument, he displays disapproval of it in his commentary on some Prophetic traditions denying wife beating. He mentions a Hadith related in the two ṣahīhs on the authority of 'Abdullah Ibn Zam'ah that the Prophet (pbuh) said, "how one of you beats his wife as a slave is beaten, and then has intercourse with her at the end of the day" Another version of the Hadith reads "Does one of you not feel ashamed to strike his wife as it is done to a slave; he strikes her at the start of the day and then has sex with her at its end." Riḍā comments that it is not befitting for a husband to insult her as is done to a slave by beating her with a whip or his hand, whereas she is like a part of himself since having sex makes her closer to him than some parts of his body. A gentleman will never do it. This Hadith makes wife beating the most disgusting act.<sup>40</sup> Nonetheless, the Hadith does not allow beating a slave because there are Prophetic traditions pointing out that striking a slave is

a legal cause for manumission.<sup>41</sup> But what is meant here is the custom of people of the pre-Islamic era.<sup>42</sup>

Wife beating may appear a barbarous act to certain people. Yet, Al- Sha'rāwī criticizes such people and points out that God has permitted wife beating and not commanded it. Reaching the third stage of beating one's wife indicates that she insists on disobeying her husband.<sup>43</sup> Riḍā similarly criticises what he called, 'the westernized people' for rejecting the legality of beating the rebellious wife. Those people, in his view, do not consider the fact that such a wife disobeys, elevates herself over and despises her husband. She ignores her husband's admonition and advice and does not care for his abandonment of her in bed. Riḍā wonders how such type of wives is dealt with. Such disciplining measures are to be taken against women of such character; otherwise, God never sanctions any sort of injustice being done to them. Riḍā claims that Western teachers beat their western, decent, educated, half naked and soft women and so do princes, kings, sages and scholars, because it is necessary. Riḍā concludes by wondering how, then, the legality of wife beating is denied for such a comprehensive religion of Islam revealed for all humankind.<sup>44</sup>

According to the verse (4:34), the punitive measures are to be taken sequentially when *nushūz* is still feared and expected. The stages of punishment should be followed one after the other; when one fails, the husband moves to the next one and he is not allowed to start with the third or the second before the first. The *nāshiz* wife is treated first by *wa'z*, which Abdel Haleem translates as 'reminding of God and His teachings', second by *wahjurūhunna fil -maḍāji*, ' which he interprets as not to speak with them in bed and then by *waḍribūhunna*, which he rendered as hit them. These steps should be followed in the right order as

al-Shāfi'ī remarked, 'Start with what God has started with'.<sup>45</sup> This is stressed by 'Abd al 'Aṭī who is of the opinion that it is impermissible and legally punishable for the husband to start with the second or third step, where the first one is enough. The husband who is fearful of his wife's recalcitrance should start with the first step of exhortation and then allow adequate time before resorting to the second or the third measure.<sup>46</sup>

Al-Sha'rāwī observes that the first measure of admonition is to be taken at a suitable chosen time. The dispute should remain between the spouses; otherwise the intervention of foreign elements often spoils the marital relationship. According to Al-Sha'rāwī, beating, being the last resort, should be light, symbolising discontent; and a toothbrush can be used. This is highlighted in the story of Job (38:44), where he has taken an oath of scourging his wife with a hundred lashes. But God informed him to hit her with a bundle of grass. Hence, a woman may relent when she is hit tenderly. Beating is a matter of rectifying and reforming her and not subjugation.<sup>47</sup> This is also highlighted by Al-'Attar who stresses that such a beating is not aimed at insulting one's wife but at dissuading her from *nushūz*. This may imply that dissuading one's wife from *nushūz* through any means other than beating is prioritized.

'Imārah likens such light physical punishment to the punishment inflicted on a child by his father, although the latter loves the former absolutely. Such a discipline will be no more than a sort of fun-making. An instrument of a toothbrush, a folded handkerchief or a hand may be used and not any other instrument, because the aim of such disciplining is to reform and not to harm or insult. 'Imārah cites the Shāfi'ī and Ḥanbalī jurists as preferring the avoidance of any physical punishment in order to maintain friendship and mercy between spouses. As a result, if

a husband claims the occurrence of the *nushūz* of his wife and she denied it, her denial will be believed. This is because *nushūz* is abnormal and should not take place.<sup>49</sup> Nonetheless, 'Imārah's remark that wife beating is to be a sort of fun-making reveals that it is so light that it is close to fun-making.

'Imārah justifies the punishment of beating by giving the example of a person threatening the safety of a ship in the sea, an aeroplane in the air or an army, in which case punishment is justified and legitimised. Such types of punishment are inflicted on a wife in order to preserve the family.<sup>50</sup> Marital discord is not, nonetheless, a crime like that of threatening the safety of a ship, an aeroplane or an army; and thus dealing with both is also different.

'Imārah goes on to point out that the jurists made some conditions for making punishment of a wife a way of reforming and saving the family from destruction. Such punishment is like the punishment given by the lover to the beloved as is the case when parents punish their children. This punishment is not to insult, harm or take revenge on one's wife. 'Imārah cites the Shafī'ī jurists as preferring not to beat one's wife and limit punishment to warning and deserting them in bed. This view is also held by the Hanbalī jurists. 'Imārah also cites the Mālikī and Shafī'ī jurists as stipulating that husbands should feel and think most probably that beating their wives will be of benefit to stop their *nushūz* otherwise beating should be avoided. The Mālikī, Hanbalī and some Shafī'ī jurists state that beating should be done by symbolic tools to make it some sort of fun-making. The face and beautiful and sensitive parts of the body should be avoided while light beating occurs.<sup>51</sup>

Other scholars, such as Sābiq<sup>52</sup>, Al-Qaradāwī<sup>53</sup> and Riḍā<sup>54</sup> subscribe to the above three stages of punishing the disobedient

and rebellious wife. Conversely, Sābiq does not allow the avoidance of speaking with one's wife for longer than three days. 'Abduh forbids the abandonment of one's wife outside bed, but it should be in bed (e.g. by giving his back to her). Al-Jazā'irī also agrees with Sābiq for not allowing abandonment in speech for longer than three days but allows a husband to desert his wife in bed as long as he deems adequate.<sup>55</sup> Another interpretation of *wahjurūhunna* reveals that the husband can have sex with his wife but show his indignation by not speaking to her during the act.<sup>56</sup>

Al-Nawawī also forbade husbands to avoid speaking with their wives for longer than three days. He cites al-Shafī'ī as stating that a husband's declining to speak with his wife longer than three days is a sin. As for the third measure, al-Nawawī prefers the avoidance of hitting one's wife. In the case of *nushūz*, al-Nawawī counsels the husband to admonish her and not to strike or boycott her. If her *nushūz* occurred, was not repeated or insisted on, her husband can admonish and abandon her in bed. If she repeats and insists on *nushūz*, her husband is given the right to desert her in bed and hit her. In the case of the wife's insistence on *nushūz*, al-Nawawī cites al-Ḥanātī as giving the husband three options: the first one is to take the three punitive measures together, i.e. to admonish her, desert her in bed and strike her; the second is to choose any of the three measures and the third is to admonish her, then, if it fails, he will boycott her in bed, if it also fails he will strike her.<sup>57</sup>

Abdel Haleem observes that although the Qur'ān mentions serious difficulties in marriage, 'beating' is mentioned only once. Moreover, the Prophet (pbuh) never hit any of his wives, even in cases of disagreement (33:29-31; 66:5). The Prophet (pbuh) is reported to have said, 'The best of you are those that



are best in treating their wives' 'It is only a magnanimous man who will show respect to women, and only a base one who will humiliate them' 'Is any one of you who beats his wife not ashamed to beat her and then sleep with her.' In reconciling the Prophet's disapproval of beating with the Qur'ān statement 'and beat them' (4:34), Abdel Haleem argues that the Prophet (pbuh) understood beating to be for the serious offence he himself mentioned in the farewell speech. Abdel Haleem seems to refer to the serious offence of infidelity which he explained above.

The verse (4:34) cannot be invoked to support domestic violence, which is unacceptable. This is illustrated by Abū Laylah who observes that the verse (4:34) does not sanction an unfettered autonomy for a man over his wife or being recklessly aggressive. The verse is not a cause for inciting domestic violence. Abū Laylah considers such a physical punishment as a physical admonition in which a light tap on the hand is done as a teacher might discipline a young child. He adds that a toothbrush or pen may be used. Abū Laylah stresses the fact that it is forbidden for the husband to slap his wife on her face or cause her any bodily harms or pain. If he attacks his wife violently, he can be taken to court to be justly judged.<sup>59</sup> To give the husband the right to violently impose his supremacy on his wife is a form of injustice and violates the Qurān's edicts of gender relations as well as the practice and teachings of the Prophet Muhammad himself.<sup>60</sup>

Domestic violence, according to al-Hibri, will make mediation and reconciliation, recommended in the verse (4:35), impossible to achieve. She adds that the aim of using a handkerchief or some other similar object is to communicate to the wife her husband's frustration. Al-Hibri defends such an approach by stating that this approach is similar to what some

marriage counsellors do in the United States by providing angry spouses with Styrofoam sticks to hit each other as a way of releasing their frustrations. <sup>61</sup> Al-Hibri claims that jurists 'prohibited men who were likely to harm or oppress their prospective wives from getting married.'<sup>62</sup> She goes further to allege, 'even if the fear of adultery existed, some jurists argued, a man who may harm his wife is prohibited from getting married.'<sup>63</sup> Al-Hibri's allegations are untenable because Abū Zahrah prohibited a man who was certain to oppress his prospective wife from getting married. If, nevertheless, a man was most likely (*ghalab 'alā ḡannihi*) to oppress his prospective wife, then marriage for him would be reprehensible (*makrūh*), and not prohibited.<sup>64</sup>

To justify the punishment of beating, al-Sadlaan argues that there are some people who could not be set right by soft advice and kindness. The defiance of such people can be ended through toughness. Al-Sadlaan adds that beating is not for humiliation or taking revenge, nor to disparage or punish but it is a beating of disciplining, correcting and educating. He admits that it is a bitter medicine, but the disbanding and dissolution of family is more harmful to a wife than beating. Al-Sadlaan considers light beating as a physical admonition that Islam approves of and permits in cases of necessity.<sup>65</sup>

The Qur'ān stresses love, kindness and justice in family relationships (30:21) and forbids cruelty and harshness of all kinds (4:19). The Malaysian sisters in Islam point out that the violence between husband and wife can be avoided if the first method of admonition and the second one of abandonment in bed are applied to their fullest extent. They claim that the historical context of the verse (4:34) reveals that there was physical and emotional abuse of females such as female

infanticide, inheriting the wife of the deceased man by his relatives. The verse (4:34) was revealed at a time when cruelty and violence against women were still rampant. Hence, the punishment of striking is a restriction and not a recommendation.<sup>66</sup> (4:34)

Al-Ṭalibī, in the same way, observes that women at Mecca were subjected to beating and that they did not complain. He adds that wife beating was not condemned in the Meccan society, where female infanticide was acceptable. This was supported by the narration of Asmā', the daughter of the first caliph Abū Bakr, that she was the fourth wife of al-Zubayr Ibn al- 'Awwām. On getting angry with any of his wives, al-Zubayr used to beat her with a cloth-hanging wooden bar until it was broken.<sup>67</sup>

Al-Ṭalibī adds that the verse (4:34) was revealed in Madīnah, where the situation of women was different from that of Mecca. This is reflected by the saying of 'Umar Ibn al-Khaṭṭāb reported in the *Ṣahīh*<sup>68</sup> that the people of *Muhājirūn*, emigrants, used to dominate their women, but the women of the *Anṣār*, the helpers, used to control their men. Then, our women were influenced by the women of Anṣār.<sup>69</sup> Al-Ṭalibī argues that the Prophet (pbuh) forbade men to hit their wives and cites a Hadith on the authority of Iās Ibn 'Abd Allah Ibn Abī Zu'āb that the Prophet (pbuh) said, 'Do not beat the female servants of Allah'<sup>70</sup> Yet, some companions of the Prophet (pbuh) did not comply with this prohibition and continued to hit their wives. The latter used to complain and the Prophet (pbuh) used to judge retaliation to be applied until the last incident of the wife of Sa'd Ibn al-Rabī', which will be elaborated upon below, occurred.<sup>71</sup>

Nonetheless, the narration of individual cases like that of Asmā' and the wife of Sa'd Ibn al-Rabī', if authentic, still does

not prove that this was the custom of the companions of the Prophet (pbuh) in general. Moreover, the argument that beating women was not denounced because infanticide was acceptable is invalid, because infanticide was condemned and strictly prohibited in the Qur'ān (16:58-9); and accordingly, the companions of the Prophet (pbuh) were never reported to have disobeyed the Qur'ān, but practised it.

The first verbal solution of *nushūz*, according to verse (4:34), seems to be preferable and considered by Amina Wadūd as the best one. It is applicable to both cases of *nushūz* of the wife and that of the husband, and in line with the Qur'ānic principle of mutual consultation in resolving matters between two parties. The second solution of separation in bed is seen by Wadūd as a cooling-off period allowing the married couple to reflect on the problem separately and find a mutually peaceable solution. As for the third solution where the word *ḍaraba* was used, Wadūd cites the indication of *Lisān al-'Arab* and Lane's lexicon that *ḍaraba* does not necessarily mean force or violence. It has been used in the sense of giving an example and leaving or striking out on a journey. Wadūd highlights a strong contrast of *ḍaraba*, to strike, to its second intensive form *darraba*, meaning to strike repeatedly or intensely. She argues that there was excessive violence against women practised by the companions; and there were other practices condemned by the Qur'ān, such as female infanticide. Thus, 'this verse should be taken as prohibiting unchecked violence against females. Thus, this is not permission but a severe restriction of existing practices.'<sup>72</sup>

The Prophet (pbuh) detested violence towards women and deliberately adhered to that attitude. Mernissi observes that the only time the Prophet (pbuh) encountered a rebellion on the part of his wives; he preferred to leave his home. Mernissi cites Ibn

Sa'd's emphasis on the Prophet's refusal to give in on the question of violence: "The Prophet had always persisted in his opposition to the beating of women. And men came to the Prophet to complain about women. Then he gave them permission, while saying 'I cannot bear seeing a quick-tempered man beat his wife in a fit of anger.'<sup>73</sup> However, within other context, Mernissi claims, "The Qur'ān only refers to *nushūz* in order to describe the punishment a husband must inflict upon the wife in case she rebels"<sup>74</sup>

Alternative remedies for women's *nushūz* are provided by Syed, who observes that beating in ((4:34)) is a mere permission in extreme cases. Then he argues that the remedy for the *nushūz* of husbands in (4:128), which is to arrange an amicable settlement, should be applied to the *nushūz* of the wife. The provision of arbitration for conjugal disputes in (4:35) can be also an alternative remedy. Syed strengthened his argument by citing Hadiths and historical incidents highlighting the fact that the Prophet (pbuh) discouraged striking as a penalty for a wife's *nushūz*. What is cited includes: "The best of you is he who is best to his wife" "On some women's complaints against their husbands' ill-treatment of them, the Prophet (pbuh) said, 'You will not find these men as the best among you'"<sup>75</sup> "Ibn Sa'd reported that the Prophet (pbuh) never raised his hand against anyone of his wives nor against a slave, nor against any person at all and the Prophet (pbuh) was always against the beating of women" and the incident that "Only on one occasion did the Prophet stay away from his wives for twenty-nine nights; as being angry with them, he had declared that he would be away from home for a month but God had censured him for this"<sup>76</sup> Syed also refers to many verses indicating the kind treatment of wives by their husbands (4:19; 2:229; 2:231) and concludes that

perhaps such Hadiths and verses led Imam Shafi'ī to prefer the avoidance of the chastisement of one's wife.<sup>77</sup>

As far as a husband's *nushūz* is concerned, women were not given the right to boycott or beat their husbands in the case of the latter's *nushūz*, according to the verse (4:128) which reads:

“If a wife fears high-handedness or alienation from her husband, neither of them will be blamed if they come to a peaceful settlement, for peace is best....”

This is because, as al-Sadlaan wrote, women's nature is different from that of men and because they do not have the same kind of power and authority that men have.<sup>78</sup> Al- Sadlaan seems to refer to men's physical power, which should not be a justification for any type of violence against women.

Nonetheless, 'Abd al'āṭī notes that there is a certain law school allowing the court to discipline a refractory husband in the same way he would discipline his refractory wife. The court will first exhort him; if the problem is not solved, the court will ask the wife to deny him her bed, without losing any of her marital rights. If it fails, the court shall apply the physical disciplining.<sup>79</sup> Al-Buṭī gives the judge the right even to imprison the husband or inflict any other punishment on him.<sup>80</sup>

Abū Zahrah (d. 1974/1394) also cites the Mālikī school as stating that if the husband oppressed his wife, she could complain to the judge. The judge would warn the husband, if she repeated her complaint nevertheless, the judge would rule that support of the wife, *nafaqah*, be given to her and that she is under no duty to obey him for a while. If she complained once again, the judge could punish him by beating. These three types of punishments are equivalent to that of the husband towards his

wife. Abū Zahrah, however, observes that the punishment of the husband is even worse, because beating him would not be light as was the case with the wife.<sup>81</sup>

Yet, it is advisable for the wife to make reconciliation with her husband in one way or another, according to the verse (4:128), because taking her husband to the court and having the above-mentioned punitive measures against him taken may escalate their disagreements and lead to the dissolution of their marriage.

### **Beating one's wife in the Sunnah**

There is a certain Hadith identifying the occasion of the revelation of the verse (4:34). All classical exegetes from al-Ṭabarī (d. 310 A.H.)<sup>82</sup> to ibn Kathīr (d. 774 A.H.)<sup>83</sup> have referred to this Hadith. Some modern exegetes also refer to the same Hadith. It is the Hadith of Sa'd Ibn al-Rabi' and his wife Ḥabībah. For example, Riḍā states that the verse (4:34) was revealed for Sa'd Ibn al-Rabi' and his wife Ḥabībah. When Ḥabībah disobeyed Sa'd, the latter slapped her on her face. Then her father took her to the Prophet (pbuh) to complain. The Prophet (pbuh) ruled that she has the right to retaliate. She proceeded with her father to retaliate, but the Prophet (pbuh) stopped them and said that Gabriel descended on me with the revelation of the verse (4:34). The Prophet (pbuh) commented, "I wanted something, but God wanted another; what God wanted is the best".<sup>84</sup>

Yet, there is doubt about the authenticity of this Hadith. Mubarak states that this Hadith cannot be located in any of the authentic books of Sunnah. She adds that al-Ḥasan al-Baṣrī narrated this Hadith directly from the Prophet (pbuh), a fact which indicates that this Hadith *is mursal* because the chain of

transmission is missing a link between the Prophet (pbuh) and a successor, *tābi'ī*, (successor of the prophet's companions) al-Ḥasan al-Baṣrī, who never met the Prophet (pbuh). She also points out that Al-Imām Al-shāfi'ī rejects a *mursal* Hadith in formulating Islamic jurisprudence. Hence, such a Hadith cannot be given any legal or authoritative bearing. Weak Hadiths were used by the exegetes just to further their understanding of the verse.<sup>85</sup>

As for the Hadiths, which seem to sanction wife beating, the authenticity of such Hadiths cannot be ascertained. For instance, there is a Hadith on the authority of 'Amr ibn al-Ahwas that the Prophet (pbuh) said, "...and beat them without leaving a mark..."<sup>86</sup> Although al-Tirmidhī designates it as Hadith *hasan- saḥīḥ*, Muhammad Shakur al-Maidānī, in a scholarly journal *Hadyil Islam*,<sup>87</sup> designates it as weak because the chain of transmission includes Sulaymān ibn 'Amr who is unknown. Another Hadith is related on the authority of 'Umar ibn al-Khaṭṭāb that the Prophet (pbuh) said, "A man will not be asked about beating his wife"<sup>88</sup> This Hadith is also recorded as *hasan saḥīḥ*, a category of proximate authenticity, but Maidānī states that it is weak due to the anonymity of its transmitter: Sulaymān ibn 'Amr.<sup>89</sup> Abū Shuqqah also points out that the Hadith 'A man should not be questioned about the reason for beating his wife' is weak.<sup>90</sup> Al-Ghazālī rejected this Hadith totally and argues that its contents oppose many other Hadiths and verses calling for kind treatment of women.<sup>92</sup> However, those who accepted this Hadith give the interpretation that it refers to the beater who complies with the conditions of light beating and observes its limits. Such beater will not be blamed or sinful.<sup>93</sup>

As for the Hadiths which forbid men from beating their wives or strongly rebuke them for doing so, they are all



authentic. A few examples of these Hadiths includes: “Never beat God’s handmaidens.”<sup>94</sup> “On the authority of ‘ Abdallah ibn Zam‘a, the Prophet (pbuh) said, ‘Could any of you beat his wife as he would a slave, and then lie with her in the evening?’”<sup>95</sup> “On the authority of Iyās ibn ‘Abdullah ibn Abī- Dhi’b, it was reported to the Prophet (pbuh) that some of his companions beat their wives, whereupon he said, ‘Certainly those are not the best among you’”<sup>96</sup> “On the authority of ‘ Ā’ishah, ‘The Prophet (pbuh) never beat any of his wives or servants; in fact he did not strike anything with his hand except if he were to struggle in the cause of God...”<sup>97</sup>

### **Arguments against wife-beating**

A lot of arguments against wife beating have been given, particularly by some modern scholars, who have attempted to re-read and re-interpret the verse (4:34) within a modern context. They consider the re-interpretation of the Qur’ān in the context of today’s world as necessary in order to make a religious reformation, as Engineer writes “The Qur’ān must be reread and reinterpreted in today’s context as the classical jurists read and interpreted it in their own context. No reformation is possible without such re-reading and re-interpreting the Qur’ānic verses”<sup>98</sup>

For instance, Chaudhry claims the existence of a tension between the Qur’ānic prescription of wife-beating and the Prophetic tradition of never beating wives. The text of (4:34) is claimed to have raised an ethical tension in the current context.<sup>99</sup> This may be due to the fact that beating any human being is against the human dignity conferred on the progeny of Adam according to the Qur’ān (17:70), the text of which is proclaimed by Kamali to be ‘self-evident and comprehensive in its recognition of dignity for all human beings without limitations or

qualifications of any kind'<sup>100</sup>

An attempt to dissolve such a tension has been made by Al-Ṭalibī. He argues that the verse (4:34) does not conflict with what the Prophet (pbuh) wanted and judged. The verse was revealed at the night of the battle of *uhud* when the Prophet (pbuh) was careful to unite the ranks of the fighters who were men. These men were upset about their wives' rebelliousness, and their intellectual maturity was not enough to accept the equality of women to men. Therefore, the verse (4:34) was revealed at a critical time to permit wife beating as a form of yielding to the pressure of reality.<sup>101</sup> Al-Ṭalibī's attempt to limit the application of the verse (4:34) to its historical context is most probably abortive, due to the textual generality of the verse (4:34) and the absence of any indication of such limitation in the wording of the verse (4:34).

Al-Ṭalibī goes on to give the example of the exegete al-Razī (d.606/1210), who specifies the instrument of beating to be 'a folded handkerchief or one's hand. The husband is forbidden to hit her using a whip or a stick. Al-Shafī'ī also prefers the avoidance of beating which is in accordance with the Hadith "The best of you do not beat their wives."<sup>102</sup> Ibn al-Faras (d. 599/1204) remarks "The Hadiths permitting wife beating were rejected." Ibn 'Ashūr also admits that wife beating is dangerous and knowing how to beat is difficult. Nonetheless, the regulations of Islamic law do not allow a person to judge for himself except under necessity. The majority of jurists stipulate that no injury is caused by beating and that it is allowed among those who do not consider it an insult or a hurt. Ibn 'Ashūr permits the governors to stop and punish the husbands who abuse their authority and beat their wives injuriously." Al-Ṭalibī concludes that the aim of the lawgiver, i.e. God, entails that the

disappearance of the circumstances, justifying the permission of wife beating will lead to the removal of that permission. This is, in Al-Ṭalibī's view, a principal method of dealing with a text by reading it within its historical context. Such a historical reading attempts to reach the objective and significance of a text and its application.<sup>104</sup>

Al-Ṭalibī seems to not only discourage disciplining wives by beating but also forbid it within the modern context. However, Al-Ṭalibī's view that historical reading is needed to reach the objective and significance of a text is correct, but to limit its application to its historical period of time and within its context will limit the teachings of such a text to only the early people who received it. Contextualising the Qur'ān is acceptable for understanding it but the limitation of the application of its provisions within the context and time of revelation, in many cases, undermines and contradicts Islam's universality and applicability in all times and places.

Al-Qaḍī Abū Bakr (d. 543/1148) quotes 'Aṭā' Ibn Aslam Ibn ṣafwān Ibn Abī Rabāh in his commentary on verse (4:34) as saying, 'If the husband commanded his wife or forbade her to do something but she disobeyed, he was not to strike her but get angry with her.'<sup>105</sup> The authority of 'Aṭā' lies in the fact that he associated with over 200 companions and was considered the greatest *mufti* of Mecca during his time. Aṭā's remark is commended by Muhammad ibn 'Arabī who commented, "That is from the accuracy of 'Aṭā's *fiqh* (comprehension) and correct understanding of Shariah"<sup>106</sup> Hence, according to 'Aṭā's understanding, the imperative acted as a restriction and beating one's wife is considered as *makrūh*, prohibitively disliked. This is why Imam al-Shāfi'ī's opinion was that striking a wife should be preferably avoided.<sup>107</sup>

Likewise, Riḍā stresses that good people never strike their wives, even if the latter showed disobedience and striking them was allowed. Another Hadith reported by al-Bayhaqī on the authority of Um Kulthūm, the daughter of Abū Bakr, that “Husbands were prohibited to hit their wives, then the former complained against the latter, thereupon the Prophet (pbuh) allowed wife striking but declared, ‘the best of you will never do the act of beating’” This license of beating, in Riḍā’s opinion, is very close to prohibition. He points out that wife beating is a bitter cure which may be avoided by good people and may disappear from people’s households when both men and women become decent<sup>108</sup>

Wadud also rejects any permission for a man to scourge or apply any kind of strike to a woman. She says ‘no’ to a literal application of the text of the verse (4:34).<sup>109</sup> Wadūd seems no longer to treat the text as sovereign in this instance and appears to prefer the present context over the text.<sup>110</sup> However, preferring the present context over the text and saying no to the text of (4:34) is totally rejected by the apologists of the Qur’ān. Moreover, she may expose herself to the accusation of being an apostate due to rejecting the literal text of verse (4:34).

Abou El Fadl cites the statement of Ali (d. 40/661) that ‘before Islam, if a man struck his wife, the shame of the act would plague him and his descendants for many years to come.’ Then, Abou El Fadl asks ‘How such a shameful act could be sanctioned after Islam when Islam is the liberator?’ he also sees a tension in the text because the statement “if you fear a breach” comes after the authorisation of beating. He likens this to calling for a trial but assigning the penalty first. In this case, the husband, in Abou El Fadl’s view, is accuser, judge and enforcer.<sup>111</sup> Abou El Fadl’s claim about the existence of a

tension in the text is questionable, because the statement “if you fear a breach” signals the fourth step of remedying one’s recalcitrant wife, i.e. arbitration, to be taken to save marriage, according to almost all interpretations of the verse (4:34).

Abou El Fadl adds that “Alī, the companion, forbade the hitting of wives even if it is in reaction to an attack of defamation or cursing. Abou El Fadl also refers to reports that ‘Umar never struck a woman after he became a Muslim. Abū Bakr (d. 22/634) never struck his wife. After the victory over Mecca, the Prophet (pbuh) said, ‘Do not strike them (women) and do not insult or degrade them.’<sup>112</sup> Abou El Fadl interestingly and rightly observes, if a shadow of doubt can be created about the permissibility of wife beating, the pious will stay away from situations of doubt.<sup>113</sup> To justify refraining from inflicting the punishment of wife beating on a moral basis, Abou El Fadl cites al-Shāṭibī observation, ‘what is based on moral insight is not a reprehensible innovation, but is a new insight on God’s way’.<sup>114</sup> Even in the case of catching one’s wife doing lewd acts, wife beating should not be the appropriate reaction, according to Abou El Fadl who mentions and seems to favour Ibn Rushd’s opinion that if a husband catches his wife doing lewd acts with a foreign man in bed, the husband may forgive his wife or divorce her, but anything beyond that will be a transgression.<sup>115</sup>

In her attempt to explain the word *daraba*, Barlas points to the use of it in the verse (38:44), where God asks Job to take in his hand “A little grass. And *daraba* therewith and break not thy oath.” She infers that *daraba* in this context is a symbolic and not a punitive gesture, since grass is not meant to inflict bodily injury. This is why some exegetes favour using a folded handkerchief.<sup>116</sup> However, Barlas’ use of a method of historical reading led her to conclude that if the Qurān meant to restrict

abuse of women during those most abusive of times, 'there is no reason to regard this *āyah* as an authorisation at a time when we claim to have become more, not less, civilised' Barlas also questions the symbolic striking of a wife. She quotes Shahab's reading of *ḍaraba* as 'to prevent'. Thus, the *āyah*, in Shahab's view, instructs the husband to prevent their wives from going outside of houses. Shahab supports his reading with reference to similar treatment of lewd wives in the verse (4:15).<sup>117</sup>

However, the context of the use of the word *ḍaraba*, to beat, in (4:34) does not allow Shahab's reading of *ḍaraba* as 'to prevent' and there is no indicator of this reading in the text of the verse (4:34). Moreover, the punishment in the verse (4:15) is for women who practise homosexuality or commit adultery<sup>118</sup>, both of which are completely different from the act of *nushūz*.

Barlas alludes also to Hassan's different understanding of the word *ṣalīhāt* in (4:34) as being related to the word *ṣalāhīyat* which means 'capability' or 'potentiality'. Hassan argues that this is a reference to woman's child-bearing potential, pertaining to her role as child-bearer. Hassan argues 'that only if all the women rebel against this role must they be disciplined by the community, not their husbands.' Hassan does not sanction acts of violence because in a legal context, the word *ḍaraba* means 'holding in confinement'.<sup>119</sup> Barlas rejects the reading of this *āyah* as a license to batter wives, or to force obedience upon them. She argues that it contradicts the Qur'ān's view of sexual equality and that marriage should be based on love, forgiveness, harmony and tranquillity.<sup>120</sup>

Yet, the relationship between the word *ṣalīhāt* in (4:34) and the word *ṣalāhīyat* is that both of them are derived from the same root s-l-h. But to interpret such a relationship as a reference to women's child-bearing potential is not only a far-fetched but also an invalid interpretation. This is because the part of the verse, mentioning *ṣalīhāt* indicates the qualities of *ṣalīhāt* wives, i.e. '...righteous wives are devout and guard what God would have them guard in their husbands' absence..' and then the following part deals with *nāshiz* wife, i.e. '... If you fear *nushūzahunna..* etc.' Hence, there is no reference to or any indication of the word *ṣalāhīyat*, whatsoever in the context of verse (4:34).

### **Solution to marital problems**

The married couple are counselled to resolve their differences and make an effort to get along. However, they are advised to take precautionary measures to prevent their differences. This is because prevention is better than cure. The first method of prevention to be suggested is to maintain the rights of life partnership. The second method is to be tolerant of small defects and faults because humans are fallible. The third method is to be vigilant of the symptoms of any potential difference and attempt to prevent it. This is made clear in the Qur'ānic provision that a quick measure is to be taken to resolve any difference that is feared to take place ((4:34-5,128). Even if a person took an oath of doing something which may cause a difference with their partner, he is advised to expiate for the oath and stop doing it, according to a Hadith on the authority of 'Abd al-Rahman Ibn Samrah that the Prophet (pbuh) said, 'If you take an oath to do something and you found out about a better thing, expiate for your oath and do what is better'<sup>121</sup> and the Hadith 'By Allah! It is more sinful for you to insist on fulfilling your oath of

doing something against your wife than to expiate for it in the sight of God'<sup>122123</sup>

Marital discord can be caused by a little disagreement which recurs from time to time. Such little difference can be dealt with through being tolerant, ignoring, admonishing, or making a remark about it, as the prophet (pbuh) did about the action of one of his wives that 'your mother has become jealous.'<sup>124</sup> The Prophet (pbuh) is reported to have remarked that when 'Āishah is pleased with him, she used to say, 'no by the Lord of Muhammad'; and when she is angry with him, she used to say, 'no by the Lord of Ibrahim.' Another way of treating marital difference is to make a short boycotting as was done by the Prophet's wife Ḥafṣah, who used to boycott the Prophet (pbuh) for only one whole day, according to a Hadith, 'It is not lawful for a Muslim to boycott his brother Muslim for longer than three days...'



Another type of conjugal problems can result from a difference over an intolerable thing. Such problems can be solved in numerous ways. For instance, when one of the spouses fears ill-treatment or aversion from the other and does not want to repudiate the marriage. The spouses can make a voluntary accord among themselves to waive some of their respective rights in order to save their marriage, according to the verse (4: 128). Such problems can also be tackled by boycotting for a long time as the Prophet (pbuh) did towards his wives when the latter asked him for more financial support, *nafaqah*, which was beyond his capability. The Prophet (pbuh) is reported to have parted company with them for almost a month. When the spouses are unable to solve their problems in any way, arbitration can be resorted to, according to the verse (4:3 5).<sup>126</sup>

### **Conclusion**

There is a consensus on the prohibition of doing any type of violence against women in general and wives in particular. The verse (4:34) suggests three sequential punitive measures, which may be taken to rectify the situation of the recalcitrant wife. The most advisable and preferable one is to admonish her by reminding her of God and His teachings. Such type of advice should be repeated and time should be given for her to comply. If the wife insists on her ill-conduct, the second most preferable measure to be taken by her husband is to desert her in bed; for example, by giving her his back, as an indication of his anger and the gravity of the situation of her ill-conduct. Such desertion in bed should be also repeated and time should be given for her to have the opportunity to return to her senses. If, however, the wife still insists on her negative attitude towards her husband, the husband may resort to a symbolic light beating in order to let her realise how serious he is. However, such a permission of

resorting to a light beating depends on the husband's being almost certain of its effectiveness; otherwise light beating should be avoided.

Yet, some modern scholars rejected this third disciplining measure of light beating, and thus tried to reinterpret the verse (4:34). Nonetheless, their interpretation is not only a far-fetched but also an invalid interpretation. For example, their interpretation of the word *ḍaraba* by referring to the other meanings of *ḍaraba* in other verses of the Qur'ān, while the context of the use of the word *ḍaraba*, in the verse (4:34) does not allow the other meanings of the word *ḍaraba* in other verses of the Qur'ān. Even those who accepted the literal meaning of the word *ḍaraba*, i.e. to hit, limit its application to the historical context of the verse (4:34). Such limitation cannot be acceptable because of the generality of the text of the verse (4:34) and the absence of any indication of such limitation in the wording of the verse (4:34). Moreover, to limit the application of any verse to its historical context will limit the teachings of such a verse to only the early people who received it. This may, in many cases, contradict Islam's universality and applicability in all times and places. Contextualising the Qur'ān is, however, acceptable for understanding it.

The majority of interpretations of the verse (4:34) reveal that a symbolic tap is an acceptable form of punishment and that any severe and painful beating is not only strictly forbidden, but the beater can be also taken to the court to be justly judged. The permission of light beating is given under necessity to attempt any available possibility to save marriage. It is for the category of women who may be rectified by such type of beating.

Nonetheless, the Prophet (pbuh) interpreted the verse (4:34)

by his statements, in which he recommended people to turn away from hitting their wives and by his behaviour of not hitting anyone. On getting angry with any of his wives, the Prophet (pbuh) used to either put a remark or go away from home for a long time. However, the Prophet (pbuh) strongly reprimanded those who even beat their wives lightly. This may lead us to conclude that wife beating is prohibitively disliked, and that it is like a spontaneous reaction of light tap or little spanking as is done among friends, making fun, to prove the seriousness of the situation. Any other type of striking beyond such a symbolic light beating is but a transgression.

**Endnotes:**

1. (World Health Organisation, 2003.)
2. It was broadcast on 18.8.2012 [A report by Buzian, Nur al-Dln. ([www.aliazeera.net/livestreaming/pages](http://www.aliazeera.net/livestreaming/pages)) accessed 18.8.2012)].
3. This was broadcast on 8/11/1989. Later on, it was broadcast several times (Al-Ṭalibī, Muhammad, *Ummat al-Wasat: al-Islam wa-Tahaddiyat al-Mu'asarah*, Tunisia: Saras lil-Nashr, 1996, p. 116).
4. Memon, Kamran, *Wife Abuse in the Muslim Community*, (<http://www.iannah.org/sisters/wifeabuse.html> accessed 4.9.2012).
5. Ammar, Nawal H., 'Wife Battery in Islam: A comprehensive Understanding of Interpretations' *Violence Against Women*, vol. 13, no. 5, May 2007, p. 516.
6. Mark Lander, "Germany cites Koran in rejecting Divorce" *The New York Times*, March 22, 2007, cited in Chaudhry, Ayesha S., "The Problems of Conscience and

Hermeneutics: A Few Contemporary Approaches”  
*Comparative Islamic Studies*, 2008, p. 157.

7. Ibid.
8. Fuchs, D. (2004, January 15). Spain sentences Imam for book offering advice on wife-beating. ‘New York Times’. Retrieved March 2005 from <http://www.religiousconsultation.org> cited in Ammar, Nawal H., ‘Wife Battery in Islam: A comprehensive Understanding of Interpretations’ *Violence Against Women*, vol. 13, no. 5, May 2007, p. 520.
9. Jeffery, Arthur, ‘The Family in Islam’ in Anshen, Ruth Nanda, *The Family: its Function and Destiny*, New York: Harper & Brothers Publishers, 1959, pp. 219-21.
10. Ali, Kecia, *Sexual Ethics & Islam*, Oxford: One World Publications, 2006, p. 122.
11. Bakhtiar, Lai eh, ‘ The Sublime Qurān: The misinterpretation of Chapter 4 Verse 34’ *European Journal of Women’s Studies* 2011, 18, p. 432.
12. Qur’ān translations are taken from M. A. S. Abdel Haleem, *The Qur’ān :A New Translation*, New York: Oxford University Press, 2005.
13. For more details, see Al-Dhahabī, Muhammad Ḥusayn, *Al-Tafsīr wal- Mufasssīrūn*, 7<sup>th</sup> ed., Cairo: Maktabat Wahbah, 2000, pp. 31-45.
14. Ibn Manzūr, *Lisan al- ‘Arab*, Cairo: Dar al-Ma ‘ārif, n.d., vol. 6, p. 4425.
15. Riḍā, al-Sayyid Muhammad Rashīd. *Tafsīr al-Qur’ān al-Ḥakīm al- Mushtahar bi-tafsīr al-Manar*, 2nd ed., Cairo: Dar al-Manar, 1366/1947, vol .5, pp. 71-2.

16. Ibid.
17. Ibid, P. 76
18. Al-Nawawī, Imām Abī Zakarīyah Yahīyah Ibn Sharaf, *Rawḍat al-Ṭalibīn*, vol. 7, Beirut: al-Maktab al-Islāmī lil-Ṭibā'ah wal-Nashr, 1966, pp. 367-9.
19. *Zaydān*, 'Abd al-Karīm, Al-Mufaṣṣal fī Ahkām al-Mar'ah wal-Bayt al- Muslim fī al-Sharī'ah al-Islāmīyah, *Beirut: Al-Resalah Publishers, 1420/2000, p. 310.*
20. 'Āmir, 'Ablah 'Abd al-'Azīz, *al-'unf did al-Mar'ah wal-himāīyah al- Muqarrarah limūwājahatih fī al-Sharī'ah al-Islāmīyah*, *Cairo: Dar al- Nahḍah al-'Arabīyah, 2010, p. 170.*
21. *Barlas, Asma, Believing women in Islam: Unreading Patriarchal Interpretations of the Qur'ān*, *Austin: University of Texas Press, 2002, pp. 187-8.*
22. ([www.Bilalphilips.com](http://www.Bilalphilips.com) accessed 6-8-2012.)
23. Abdel Haleem, Muhammad, *Understanding the Qur 'an: Themes and Style*, London; New York: I.B Tauris Publishers, 1999, pp. 51-3.
24. For more details on *nushūz*, see also 'Abd al'āṭī, Hammudah, *The Family Structure in Islam*, p. 158
25. Abou El Fadl, Khalid M., *Conference of the Books: the Search for beauty in Islam*, Lanham; New York; Oxford: University Press of America, 2001, pp. 168-70.
26. Abū Shuqqah, Abdel Haleem Muhammad, *Tahrir al-Mar'ah fī 'Aṣr al- Risālah*, vol. 4, pp. 243-6.
27. Khan, Sadullah, *The Verse of Abuse or the Abused Verse*, (<http://www.islamicity.com/articles/articles.asp?ref=IC040>)

7-2377&p=3 accessed 4.9.2012)

28. *Abdel Haleem, Muhammad, Understanding the Qur 'an: Themes and Style*, pp. 51-3.
29. Abusulayman, Abdulhamid A., *Marital Discord: Recapturing Human Dignity Through The Higher Objectives of Islamic Law*, 2<sup>nd</sup> ed., London: The International Institute of Islamic Thought, pp. 17-8.
30. *Memon, Kamran, Wife Abuse in the Muslim Community*(<http://www.iannah.org/sisters/wifeabuse.html> accessed 4.9.2012)
31. ([www.isna.net/dv/imamcomer/responses.asp](http://www.isna.net/dv/imamcomer/responses.asp) accessed 4.9.2012)
32. ([www.iannah.org/genderequity/equitynotes.html](http://www.iannah.org/genderequity/equitynotes.html) accessed 11.9.2012)
33. Abū Khaleel, Shawki, *Islam on Trial*, trans. Farouk Akbik, 1st ed., Beirut: Dar al-Fikr al-Mu'āshir, 1991, pp. 147-9. See also Zaydān, 'Abd al-Karim, *Al-Mufasssal fī Ahkām al-Mar 'ah wa al-Bayt al-Muslim fī al-Sharī'ah al-Islāmīyah*, p. 278. See also Tantawl, Muhammad Sayīd, 'Fī daw'al-Qur'ān al-Karīm' in Al-Ghazalī Shaykh (et al), *Al-Mar'ah fī al-Islam*, Cairo: Maṭbu'āt Akhbār al-Yawm, 1991, p. 78.
34. *Biltājī, Muhammad, Makānat al-Mar'ah fī al-Qur'ān al-Karīm wal-Sunnah al-ṣaḥīḥah: al-ḥuqūq al-sīyāsīyah wal-ijtimā 'īyah wal-shakhṣīyah lil-mar'ahfial-mujtama' al-Muslim, Cairo: Dar al-Salam lil-Tibā'ah wal-Nashr wal-Tawzī' wal-Taijamah, 1426/2005, pp. 109-10.*
35. Shaltūt, Mahmūd, *Al-Islām 'Aqīdah wa Sharīy'ah*, 18th ed., Cairo: Dār al-Shurūq, 2001, pp. 163-5.

36. Kort, Alexis, 'Dar Al-Cyber Islam: Women, Domestic Violence and the Islamic Reformation on the Worldwide Web,' *Journal of Muslim Minority Affairs*, vol. 25, no. 3, December 2005, p. 380.
37. Mawdūdī, Sayyid Abul A'lā, *Towards Understanding the Qur'ān*, Abridged version of Tafhīm al-Qur'ān, trans. & ed. By Zafar Ishaq Anṣārī, Leicester: The Islamic Foundation, 1427/2006, p. 162.
38. *Riḍā. Tafsīr al-Qur 'ān al-Hakīm, vol.5, p. 75.*
39. *Ibid., pp.73-4.*
40. *Ibid., pp. 75-6.*
41. *Abou El Fadl, Khalid M., Conference of the Books: the Search for beauty in Islam, Lanham; New York; Oxford: University Press of America, 2001, p. 181.*
42. Abū Shuqqah, Abdel Haleem Muhammad, *Tahrir al-Mar'ah fī 'Aṣr al- Risālah*, vol. 4, p. 245.
43. Al-Sha'rāwī, Muhammad Mutwallī, *Al-Mar'ah fī al-Qur'ān al-Karīm*, Cairo: Mu'assasat Akhbār al-Yawm, n.d., pp. 96-8
44. *Riḍā. Tafsīr al-Qur 'an al-Hakim, vol.5, pp. 74-5*
45. *Abdel Haleem, Muhammad, Understanding the Qur'ān: Themes and Style, pp. 51-3.*
46. 'Abd al'āṭī, Hammūdah, *The Family Structure in Islam*, pp. 181-2. See also Shaltūt, Muhaammad, *Tafsīr al-Qur'ān al-Karim: al-Ajzā' al-'asharah al-ula*, 4<sup>th</sup> ed., Cairo: Dār al-Qalam, 1966, p. 158.
47. Al-Sha'rāwī, Muhammad Mutwallī. *Tafsīr al-Sha'rāwī,*

- Cairo: Mu'assasat Akhbār al-Yawm, 1991, vol.4, pp. 2201-2. See also Al- Sha'rāwī, Muhammad Mitwallī, *Akhlāqīyāt al-Mar'ah al-Muslimah*, ed. 'Abd al-Rahim Muhammad Mitwalli Al-Sha'rawi, Cairo: Al-Maktabah Al- Tawfiqiyah, n.d., pp. 59-62.
48. Al-' Attar, 'Abd al-Nāṣir Tawfīq, *Ḥuqūq al-Mar'ah fi al-Sunnah al- Nabawīyah*, Cairo: Al-Maktabah Al- Azharīyah, 2009, p. 94.
  49. 'Imārah, Muhammad, Ḥaqā'iq wa shubuhāt haw la makānat al-Mar'ah fi *al-Islam*, pp. 169-70.
  50. Muhammad 'Imārah, 'Ru'iyah Jadīdah li Ma'nā al-Nushūz' in *Minbar al-Islam.*, Cairo: Ministry of Al-Awqaf: The Supreme Council for Islamic Affairs, Issue Shawwal, 1431/Sept., 2010, pp. 91-2.
  51. Ibid., pp. 91-3.
  52. Sābiq, Sayīd, *Fiqh al-Sunnah*, Cairo: Al-Fath Lil I lam al-'Arabī, vol. 2, pp. 179-80.
  53. Al-Qaradāwī, Yūsuf, *The Lawful and the Prohibited in Islam*, trans. Kamal El-Helbawy, M. Moinuddin Siddiqui and Sayed Shukry, Kuwait: International Islamic Federation of Student Organisations, 1413/1992, pp. 205-6.
  54. *Riḍā*, Al-Sayyid Muhammad Rashīd Ḥuqūq al-Nisā' fī al-Islam Nidā' lil -Jins al-Latīf Supplement to Majallat Al-Azhar, Issue Jumādah al- 'Ākhirah, 1424, vol. 1, pp. 64-9.
  55. Al-Jaza'iri, Abū Bakr Jabir, *Minhaj al-Muslim*, al-Madlnah: Maktabat al-'Ulūm wal-Ḥikam, n.d., p. 309.
  56. Al-Taban, Abī Ja'far Muhammad ibn Jarir, *Jdmi' al-Bayan*



- 'n Ta'wil Aai al-Qur'ān*, 2<sup>nd</sup> ed., ed. Ahmad 'Abd al-Raziq Al-BakrT et al., Cairo: Dar al-Salam lil-Tiba'ah wal-TawzT' wal-Nashr, 2007/1428, vol.3, p. 2294.
57. Al-Nawawī, Imam Abī Zakariyah Yahlyah Ibn Sharaf, *Rawḍat al-Ṭalibīn*, vol.7, pp. 367-9.
58. *Abdel Haleem, Muhammad, Understanding the Qur 'an: Themes and Style*, pp. 51-3.
59. *Abū Laylah, Dr. Muhammad, The Status of Women from the Islamic Perspective with a Critical Study of the Draft Platform for Action for the Fourth World Conference on Women, Beijing, China, Rabi Al-Akhar, 1416/Sept. 1995, Cairo: Al-Maṭba'ah Al-Islāmiyyah Al-Ḥadīthah, 1416 A.H./1996A.D, pp. 55-6.*
60. Mubarak, Hadia, 'Breaking the interpretive Monopoly: A Re-Examination of Verse (4:34)' *Hawwa*, 2, 3, p. 264.
61. Al-Hibri, Azizah Y., 'An Islamic Perspective on Domestic Violence' in *Fordham International Law Journal*, vol. 27:195, 2003-2004, p. 212.
62. Al-Zuhayll, ' Al-Fiqh Al-Islamī wa Adillatuh' cited in *Ibid*.
63. Abū Zahrah Muhammad, ' Al-Ahwāl al-Shakhṣiyah' cited in *Ibid*.
64. *Abū Zahrah Muhammad, Al-Ahwal al-Shakhsiyah: Qism al-Zawāj, Cairo: n.p., 1950, pp. 21-2.*
65. *Al-Sadlaan, Marital Discord (al-Nushūz), pp. 43-5.*
66. Sisters in Islam, 'Are Muslim men allowed to beat their wives', SIS Forum (Malaysia), Berhad, 1991, pp. 3-7.
67. Al-Alūsī, 'Rawh al-Ma'ānī' 4th ed., Beirut: Dār Ihiyā' al-

- Turath al-‘Arabī, 1405/1985, vol. 5, p.25 cited in Al-Ṭalibī, Muhammad, *Ummat al- Waṣat: al-Islam wa- Tahaddiyat al-Mu ‘āṣarah*, pp. 119-22.
68. This is a reference to the two collections of al-Bukhārī and Muslim, which are regarded as the two most reliable books of Hadith. (A concise Encyclopedia of Islam, p. 188.)
69. Ibn ‘Ashur, ‘al-Tahrir wal-Tanwīr’, Tunisia: al-Dar al-Tunisīyah lil-Nashr, 1984, vol.5, p. 42 & al-Razy, al-Fakhr, ‘Al-Tafsīr al-Kabīr, 1<sup>st</sup> ed., Cairo: n.p., n.d., vol. 1, p. 90 cited in Al-Ṭalibī, Muhammad, *Ummat al-Wasat: al-Islam wa-Tahaddiyat al-Mu ‘asarah*, pp. 119-22.
70. Ibn Kathir, ‘Tafsīr’ 2<sup>nd</sup> ed., Beirut: Dar al-Ma‘rifah, 1408/1988, vol. 1, p. 504 cited in Al-Ṭalibī, Muhammad, *Ummat al-Wasat: al-Islam wa- Tahaddiyat al-Mu ‘asarah*, pp. 119-22.
71. Al-Ṭalibī, Muhammad, *Ummat al-Wasat: al-Islam wa- Tahaddiyat al- Mu ‘asarah*, pp. 119-22.
72. Wadūd, Amina, *Qur’ān and Woman: Rereading the Sacred Text from a Woman’s Perspective*, New York; Oxford: Oxford University Press, 1999, pp. 75-6.
73. Ibn Sa‘d, ‘Ṭabaqāt,’ vol. 8, p. 204 cited in Mernissi, Fatima, *The Veil and the Male Elite: A Feminist Interpretation of Women’s Rights in Islam*, trans. Mary Jo Lakeland, Cambridge; Massachusetts: Perseus Books Publishing, 1991, p. 157.
74. Mernissi, Fatima, ‘Femininity as subversion: Reflections on the Muslim Concept of *nushūz*’ In *Speaking of Faith : Women, Religion and Social Change*, ed. Diana L. Eck, Philadelphia: New Society Publishers, 1986, p. 109.

Reprinted in Mernissi, *Women's Rebellion and Islamic Memory*.

75. Abū Daud 2:42, cited in Syed, Mohammad Ali, *The Position of Women in Islam: A Progressive View*, New York: State University of New York Press, 2004, pp. 54-5.
76. Tabari: 1967-69, cited in Ibid.
77. Syed, *The Position of Women in Islam*, pp. 54-5.
78. 'Tafsir Al-Tabari', vol.9, p. 268; al-Jassas, 'Ahkam al-Qur'ān', vol. 2, p. 283 cited in Al-Sadlaan, Salih ibn Ghaanim, *Marital Discord (al- Nushūz): Its Definition, cases, causes, means of protection from it, and its remedy from the Qur'ān and Sunnah*, trans. Jamaal al-Din M. Zarabozo, U.S.A.: Al-Basheer Company for Publications and Translations, 1996, p. 49.
79. Abū Zahrah, Muhammad (ed.), 'Usbu' al Fiqh al Islami, Cairo: al Majlis al A'la li Rī'āyat al Funūn, 1963, p. 66 cited in 'Abd al'ā'ī, Ḥammūdah, *The Family Structure in Islam*, ; Indianapolis: American Trust Publications, 1977, p. 159.
80. *Al-Butl, Muhammad Sa'īd Ramaḍān*, Al-Mar'āh bayn Ṭughīyān al-Nizām al-Gharbī, p. 116
81. Abū Zahrah, Muhammad, *Zahrat al-Tafāsīr*, Cairo: Dār al-Fikr al-'Arabī, 1987, vol. 3, pp. 1670-1.
82. Al-Tabari, *Jāmi ' al-Bayān*, vol.3, p. 2288.
83. Ibn Kathīr al-Qurashī al-Dimashqī, Abī al-Fida' Ismail, *Tafsir al-Qur'ān al-'Azim*, 3<sup>rd</sup> ed., Cairo: Al-Maktab al-Thaqafī lil-Nashr wal-Tawzī', 2002/2423, vol.1, pp. 480-81.

84. *Riḍā, Tafsir al-Qur 'an al-Hakim, vol.5, pp.73-4*
85. Mubarak, Hadia, 'Breaking the Interpretive Monopoly,' pp. 279-80.
86. Ahmad, vol. 5, no. 72-3; al-Tirmidhl no. 1163; Ibn Majah no. 1851, cited in Mubarak, Hadia, 'Breaking the Interpretive Monopoly', p. 277.
87. Al-MaidanI, Muhammad Shakur, "Al-Mar'a baina al-Musawah wal Qiwamah," *HadyilIslam*, vol. 46, issue 7-8 (2002), pp. 6-16, cied in ibid. pp. 276-78.
88. Abū Dāwūd, no. 2147; Ibn Mājah no. 1986, cited in ibid.
89. Mubarak, Hadia, 'Breaking the Interpretive Monopoly', pp.276-7.
90. Da'īf al-Jāmi' al-Ṣaghīr, no. 6365, cited in Ibid. vol. 4, p. 246.
91. Abū Shuqqah, Abdel Haleem Muhammad, *Tahrir al-Mar'ah fi 'Aṣr al-Risalah*, vol. 4, pp. 243-6.
92. Al-Ghazalī, Muhammad, *Qadāyā al-Mar 'ah bayn al-Taqālīd al-Rākidah wa al-Wāfīdah*, Cairo: Dār al-Shurūq, n.d., pp. 174-5.
93. Ibn al-Qayīm al-Jawzīyah, *Awn al-Ma'būd Sharh Sunan Abī Dāūd*, 1<sup>st</sup> ed., vol.3, Beirut: Dār al-Kutub al-'ilmīyah, 1410/1990, p. 130.
94. Narrated by Abū Dawud, al-Nasa'i, ibn Majah, Ahmad ibn Hanbal, ibn Ḥibbān and Hakim.
95. Relaed by Bukhārī (vol. 6, p. 153), Muslim and other authorities, cited in ibid.
96. Narraed by Ahmad, Abū Dawūd, al-Nasā'ī, ibn Ḥibbān and al-Ḥakīm. See *Mawsu'a al-Sunnah*, "Abū Dawūd, vol.

- 8, no. 2146 (Tunis: Dār al-Saḥnūn and Dār al-Da'wah, 1992), p. 608, cited in *ibid.*
97. Fath al-Bārī, vol. 9, p. 249, cited in *ibid.*
98. Engineer, Asghar Ali, *Islam, Women and Gender Justice*, New Delhi: Gyan Publishing House, 2001, pp. 37-8.
99. Abou El Fadl, *Conference of the Books*, p. 163
100. Kamali, Mohammad Hashem, *The Dignity of Man: An Islamic Perspective*, Cambridge: Islamic Texts Society, 2002, p. 1.
101. Al-Ṭalibī, Muhammad, *Ummat al-Wasat*: pp. 124-6. See also Mernissi, Fatima, *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam*, trans. Mary Jo Lakeland, Cambridge; Massachusetts: Perseus Books Publishing, 1991, p. 159-60.
102. Al-Razi, 'Tafsir' vol. 10, pp. 90-1 cited in Al-Ṭalibī, Muhammad, *Ummat al-Wasat*: Pp. 130-3.
103. Ibn 'Ashur, 'al-Tahrir wal-Tanwir', vol.5, p. 44 cited in *Ibid.*, pp. 119-22.
104. *Ibid.*, pp. 130-3.
105. Abū Bakr Ibn al-'Arabī, 'Aḥkām al-Qur'ān' vol.1, p. 420 cited in *ibid.*
106. Al-Maidam, Muhammad Shakur, "Al-Mar'a baina al-Musāwah wal Qiwāmah," *Hadyil Islam*, vol. 46, issue 7-8 (2002), pp. 6-16, cited in Mubarak, Hadia, 'Breaking the Interpretive Monopoly: A Re- Examination of Verse 4:34' *HAWWA* 2,3, 2004, pp. 278.
107. *Ibid.*
108. *Riḍā, Tafsīr al-Qur'ān al-Ḥakīm*, vol.5, pp.75-6

109. Wadūd, 'Inside the Gender Jihad, 200-4, cited in Chaudhry, Ayesha S., "The Problems of Conscience and Hermeneutics: A Few Contemporary Approaches" *Comparative Islamic Studies*, 2008, p. 162.
110. Chaudhry, Ayesha S., "The Problems of Conscience and Hermeneutics: A Few Contemporary Approaches" p. 162.
111. Abou El Fadl, *Conference of the Books*, pp. 168-70.
112. Ibid. 172-187.
113. Ibid.
114. Ibid., pp. 168-70.
115. Ibid.
116. Barlas, Asma, *Believing women in Islam: Unreading Patriarchal Interpretations of the Qur'ān*, pp. 187-8. See also Al-Hibri, Azizah Y., 'An Islamic Perspective on Domestic Violence' in *Fordham International Law Journal*, vol. 27:195, 2003-2004, p. 232.
117. Shahab, Rafi Ullah, 'Muslim Women in Political Power' Lahore; Pakistan: Maqbool Academy, 1993, p. 231 cited in Ibid. pp. 188-9.
118. Riḍā, *Tafsir al-Qur'ān al-Hakim* vol.4, pp. 434-7. See also Al-Sha'rāwī, *Tafsir al-Sha'rawi*, vol.4, pp. 2056-65.
119. Hassan, Riffat, 'An Islamic Perspective' in 'Sexuality: A Reader' ed. by Karen Lebacqz, Cleveland, Ohio: The Pilgrim Press, 1999, pp. 355-6. Cited in Ibid.
120. Ibid.
121. Related by al-Bukhan and Muslim.
122. Related by al-Bukhan and Muslim.

123. *Abū Shuqqah, Abdel Haleem Muhammad, Tahrir al-Mar'ah fī Asr al-Risālah: Dirāsah 'An al-Mar'ah Jāmi'ah li-nuṣūṣ al-Qur'ān al-Karim wa Sahihay al-Bukhari wa Muslim, 4<sup>th</sup> vol., Kuweit: Dar al-Qalam, n.d. pp. 232-4.*
124. Al-Bukhārī.
125. Related by al-Bukharī and Muslim.
126. *Abū Shuqqah, Abdel Haleem Muhammad, Tahrir al-Mar'ah fī Aṣr al-Risālah, vol. 4, pp. 134-42.*