

Answer to allegation that wife-beating is approved in Bukhari

by Dr Zahid Aziz

Critics of Islam have widely circulated a hadith report from Bukhari to allege that when a woman, who had been badly beaten by her husband, complained to the Prophet Muhammad, he sided with her husband and told her to have sexual relations with him, and said that she could not get divorce from him despite his beating her. Given below is this hadith report, from Muhsin Khan's English translation of Bukhari from which they quote it:

Narrated Ikrimah: Rifa'a divorced his wife whereupon Abdur Rahman bin Az-Zubair Al-Qurazi married her. Aishah said that the lady (came), wearing a green veil and complained to her (of her husband) and showed her a green spot on her skin (caused by beating). It was the habit of ladies to support each other, so when Allah's Messenger came, Aishah said, "I have not seen any woman suffering as much as the believing women. Look! Her skin is greener than her clothes!" When Abdur Rahman heard that his wife had gone to the Prophet, he came with his two sons from another wife. She said: "By Allah! I have done no wrong to him but he is impotent and is as useless to me as this," holding and showing the fringe of her garment. Abdur Rahman said, "By Allah, O Allah's Messenger! She has told a lie! I am very strong and can satisfy her but she is disobedient and wants to go back to Rifa'a." Allah's Messenger said, to her, "If that is your intention, then know that it is unlawful for you to remarry Rifa'a unless Abdur Rahman has had sexual intercourse with you." Then the Prophet saw two boys with Abdur Rahman and asked (him), "Are these your sons?" On that Abdur Rahman said, "Yes." The Prophet said (to the wife), "You claim what you claim (i.e. that he is impotent)? But by Allah, these boys resemble him as a crow resembles a crow." (Bukhari, Book of Dress, hadith 5825)

Direct versions of this report contain no mention of beating at all

The first point to note is that this report is related here by Ikrimah, but it also occurs directly related by Aishah in four places in Bukhari and three places in Sahih Muslim. I quote below those four occurrences in Bukhari, again from Muhsin Khan's translation on the Internet:

1. Narrated Aishah: The wife of Rifa'a Al-Qurazi came to Allah's Messenger and said, "O Allah's Messenger! Rifa'a divorced me irrevocably. After him I married Abdur Rahman bin Az-Zubair Al-Qurazi who proved to be impotent." Allah's Messenger said to her, "Perhaps you want to return to Rifa'a? Nay (you cannot return to Rifa'a) until you and Abdur Rahman consummate your marriage." (Bukhari, Book of Divorce, hadith 5260)

In the printed edition of Muhsin Khan's translation however, the last sentence, beginning "until you", appears as follows: "until you enjoy sexual relations (consummate your marriage) with Abdur Rahman and he with you". This shows that the words translated as

“consummate your marriage”, placed here in brackets by the translator, actually mean the enjoyment of *each spouse with the other*. This literal meaning makes it clear that by “consummation of marriage” is meant sexual relations enjoyed by *each spouse* with the other.

2. Narrated Aishah: The wife of Rifa`a Al-Qurazi came to the Prophet and said, “I was wife of Rifa`a, but he divorced me and it was a final irrevocable divorce. Then I married Abdur Rahman bin Az-Zubair but he is impotent.” The Prophet asked her “Do you want to remarry Rifa`a? You cannot unless you had a complete sexual relation with your present husband.” Abu Bakr was sitting with Allah’s Messenger and Khalid bin Sa`id bin Al-`As was at the door waiting to be admitted. He said: “O Abu Bakr! Do you hear what this (woman) is revealing frankly before the Prophet?” (Bukhari, Book of Witnesses, hadith 2639)

Here also, the Arabic words which have been translated as “unless you had a complete sexual relation with your present husband” have the following literal meaning: “until you enjoy sexual relations with him (Abdur Rahman) and he with you”.

3. Narrated Aishah: Rifa`a Al-Qurazi divorced his wife irrevocably (i.e. that divorce was the final). Later on Abdur Rahman bin Az-Zubair married her after him. She came to the Prophet and said, “O Allah’s Messenger! I was wife of Rifa`a and he divorced me thrice, and then I was married to Abdur Rahman bin Az-Zubair, who, by Allah has nothing with him except something like this fringe, O Allah’s Messenger,” showing a fringe she had taken from her covering sheet. Abu Bakr was sitting with the Prophet while Khalid Ibn Sa`id bin Al-`As was sitting at the gate of the room waiting for admission. Khalid started calling Abu Bakr, “O Abu Bakr! Why don’t you reprove this lady from what she is openly saying before Allah’s Apostle?” Allah’s Messenger did nothing except smiling, and then said (to the lady), “Perhaps you want to go back to Rifa`a? No, (it is not possible), unless and until you enjoy the sexual relation with him (Abdur Rahman), and he enjoys the sexual relation with you.” (Bukhari, Book of Good Manners, hadith 6084)

The fourth occurrence below is, like hadith 5825, again in the Book of Dress as follows:

4. Narrated Aishah: The wife of Rifa`a Al-Qurazi came to Allah’s Messenger while I was sitting, and Abu Bakr was also there. She said, “O Allah’s Apostle! I was the wife of Rifa`a and he divorced me irrevocably. Then I married Abdur Rahman bin Az-Zubair who, by Allah, O Allah’s Messenger, has only something like a fringe of a garment, showing the fringe of her veil. Khalid bin Sa`id, who was standing at the door, for he had not been admitted, heard her statement and said, “O Abu Bakr! Why do you not stop this lady from saying such things openly before Allah’s Messenger?” No, by Allah, Allah’s Messenger did nothing but smiled. Then he said to the lady, “Perhaps you want to return to Rifa`a? That is impossible unless Abdur Rahman consummates his marriage with you.” (Bukhari, Book of Dress, hadith 5792)

Here again, the words “consummates his marriage with you” are in the original Arabic: “he enjoys sexual relations with you and you enjoy sexual relations with him”.

In Sahih Muslim the three reports occur together in the Book of Marriage, each being similar to the above-quoted reports 1–4 from Bukhari.

Thus the reports which can be traced to Aishah contain no mention of any mark of beating on the woman’s body. The report cited by the critics of Islam is from Ikrimah who does not say that Aishah related this incident to him, nor does he mention how he came to know of it. So the report of the wife-beating incident cannot be traced to Aishah.

What conclusion did Bukhari draw from the “wife-beating” hadith?

An important point is: What conclusion did Bukhari draw from this hadith about the wife being beaten? These critics of Islam think that the early Muslims were ignorant savages devoid of all literary and scholarly skills. As a result, these critics seem to be unaware that compilers of Hadith such as Bukhari classified reports into ‘books’ whose titles indicate what subject a report falls under, and they divided each book into chapters with headings to show what conclusions may be drawn from the reports included in them. (It may be added, by the way, that they also looked into the lives of all the reporters to judge their credibility.)

This report in Bukhari falls in his books of Divorce, Witnesses, Good Manners and Dress. It is easy to see why it would be included in the book of Divorce. In the book of Witnesses, it comes under the chapter heading “The witness of one who listens while hidden” and this is because Khalid bin Sa’id bin Al-’As could overhear what was being said by the woman while he was waiting outside to be admitted to see the Holy Prophet, and Bukhari infers from this that one who overhears, without being seen, is a witness to what he hears. In the book of Good Manners, it occurs under the chapter heading “Smiling and laughing” and this is in reference to the Holy Prophet smiling at Khalid’s statement that the woman should not talk so frankly on such a personal matter to the Prophet.

This leaves the two occurrences of this report in the book of Dress, hadith 5792 and hadith 5825, the latter being the hadith mentioning the marks of beating on the woman’s body. Hadith 5792 is given a heading by Bukhari relating to the wearing of a sheet with a fringe (i.e., a border) because the woman was wearing such a sheet when she described her husband as impotent by saying: He has nothing more than the fringe of a garment. Hadith 5825, the one under objection, is given the heading: “Green Clothes”. Therefore, from this hadith, Bukhari only concludes that a woman may wear green clothes.

Had Bukhari concluded that this hadith 5825 approves of wife-beating, he would have repeated it in some more relevant book of his collection, other than the book of Dress, and given it a heading such as “One who beats his wife”.

In Sahih Muslim this report occurs in three forms in the book of Marriage in a chapter the title of which relates to the remarriage of a woman to a former husband after “irrevocable” divorce from him. There is no mention of beating in them.

Hadith 5825 examined

Even assuming that hadith 5825 can be relied upon, it is clear that this woman did not mention to the Prophet Muhammad that her husband was beating her. According to the Muhsin Khan translation what she said to him was as follows:

“By Allah! I have done no wrong to him but he is impotent and is as useless to me as this,” holding and showing the fringe of her garment.

Moreover, if we look at the original Arabic words for “I have done no wrong to him”, these words are translated in two Urdu translations of Bukhari in the following way:

ان کی بیوی نے کہا: اللہ کی قسم، مجھے ان سے کوئی اور شکایت نہیں البتہ...

“By Allah! I have no complaint about him except that [he is impotent]...” (Translation by Maulana Muhammad Daud Raz, published 2004, India, v. 7, p. 355)

رفاعہ کی بیوی نے کہا: واللہ، ان کا اور کوئی گناہ نہیں (یعنی مجھے ان سے اور کوئی شکایت نہیں) مگر...

“By Allah! He has committed no other sin but...” (Translation by Maulana Usman Ghani in his commentary of Bukhari entitled *Nasr-ul-Bari*, Karachi, v. 11, p. 34)

The second Urdu translator has added in parentheses an alternative translation: “(I have no other complaint about him) but”. These Urdu translations, “I have no complaint about him except...” or “he has committed no other sin but...”, suit the context better than “I have done no wrong to him” because she then mentions the only complaint she has about him.

This clearly shows that even in the sole report where “beating” is mentioned, the report is not only untraceable to those present at the occasion, but the woman put *no complaint* about her husband to the Holy Prophet except his impotence, and she made *no mention* to him that her husband was beating her.

Irrevocable divorce

What is meant by their “irrevocable divorce” in the above reports? It is that a divorce had taken place between the couple, after which that couple came together again (either during the period of separation or after it by remarriage), then there was a second divorce after which the couple came together again, and this was followed by divorce a third time, which is then irrevocable and prevents remarriage between them.

Before Islam, wives in Arabia had little right of divorce and their husbands had the absolute right. Divorce was followed by a period of separation (or “waiting”), during which the wife could not marry someone else, and during which the husband could take her back. Aishah says in a hadith report that “a man could divorce his wife whenever he wanted and take her back as wife during the period of separation, and he could do so a hundred times or more”. She adds that in this way a man could keep his wife permanently in the state of separation by saying to her: “I will divorce you, and whenever your period of separation is

just about to end I will take you back". So the wife would forever be in a state in which she could neither marry elsewhere nor have conjugal rights from this husband due to being in the period of separation. The hadith continues:

So a woman went to Aishah to inform her about that (custom), and Aishah was silent until the Prophet came. So she told him and the Prophet was silent...

Now, reading this report up to this point, the critics of Islam might object that the Prophet Muhammad remained unmoved on hearing this woman's plight. But the account continues:

...until it was revealed in the Quran: "Divorce may be (pronounced) twice; then keep (them) in good fellowship or let (them) go with kindness" (2:229). So Aishah said: "So the people could carry on with divorce in the future, (knowing) who was divorced, and who was not divorced." (Tirmidhi, Book of Divorce, hadith 1192)

The Quran restricted a husband to divorcing his wife, and then taking her back, to just two occasions. If he divorced her a third time, he could not take her back during the period of separation nor remarry her after that. So this cycle of separating her and then taking her back, just to keep her in suspension, and reducing marriage to a farce, cannot take place.

As the Quran repeats that in divorce the wife must be let go, or parted from, "with kindness" (2:229, 2:231, 65:2), it means that at this third, irrevocable divorce the husband must wish his wife well in a future marriage. Hence her marriage to someone else must be a genuine one. If, unfortunately, that future marriage ends in failure, then the first husband is allowed to remarry her. To remarry her *after she married someone else* would show the first husband's true love and concern for her. It must be very rare for a man to be prepared to remarry his wife after she had come out of a full marital relationship with someone else.

Ruling of the Holy Prophet in hadith 5825

In the hadith that is being objected to, the ruling which the Holy Prophet gave was that, as the woman had been divorced "irrevocably" by her first husband (Rifa'a), this couple cannot remarry unless she were to marry a second husband and then that were to end in divorce. However, a woman's marriage after an irrevocable divorce to another man must be a genuine marriage. What the Holy Prophet has indicated here is that the genuineness of the marriage is defined by its consummation, but the woman was claiming that the husband was not capable of consummating it.

A marriage of convenience, entered into with the intention of ending it in divorce, is prohibited in Islam. In such a case, both the former and the latter husband have been cursed by the Holy Prophet who said:

"Curse be upon the one who marries a divorced woman with the intention of making her lawful for her former husband and upon the one for whom she is made lawful." (Abu Dawud, Book of Marriage, ch. 'Regarding *Tahlil*', hadith 2076)

Note that it is both the men who are cursed here, and the woman is not mentioned.

The critics of Islam have jumped to the conclusion that by this ruling of the Holy Prophet this woman is now trapped in marriage with an impotent man. But in Islam she is immediately entitled to a divorce on the grounds of lack of satisfaction with the marriage. The issue here is *not divorce but remarriage to the first husband after divorce*. She can get a divorce and marry any other man, so she is hardly trapped in this marriage.

The critics of Islam are making contradictory claims. They allege that the Holy Prophet accepted the second husband's claim that he is not impotent, and thereby he ruled against the wife's claim that he is impotent, trapping her in marriage with him. But *by applying even the least amount of intelligence*, it can be seen that if the husband's claim is accepted then it proves that the marriage was consummated and thus if the woman were to get a divorce (on grounds such as ill-treatment) she could remarry the first husband! And the second husband did claim that he had had full sexual relations with her because, although according to Muhsin Khan's translation he says "I am very strong and can satisfy her", what he actually said, in rather graphic language, was that he has full and vigorous intercourse with her.

It is interesting to note that there is another version of this incident in the Hadith collection known as the *Muwatta* of Imam Mālik as follows:

Rifa'a ibn Simwal divorced his wife, Tamima bint Wahb, in the time of the Messenger of Allah, may Allah bless him and grant him peace, three times. Then she married Abdur Rahman ibn az-Zubayr and he turned from her and could not consummate the marriage and so he parted from her. Rifa'a wanted to marry her again and it was mentioned to the Messenger of Allah, may Allah bless him and grant him peace, and he forbade him to marry her. He said, "She is not lawful for you until she has enjoyed sexual relations." (*Muwatta* of Imam Mālik, Book 28: Marriage, section 7; see for example: www.sunnah.com/malik/28)

According to this account, the woman had already been divorced by the second husband before the matter was brought to the Holy Prophet. It was the first husband who came to the Holy Prophet and it was to him, and not to the woman, that the Holy Prophet conveyed the prohibition for the two of them to remarry (unless she had a proper marriage with someone else which ended genuinely in divorce). The restriction on their remarriage is a restriction for the first husband also, and not only for the woman. And, as can be seen, there is no mention here of the woman having been beaten by the second husband.

Islam does not allow women to be trapped unwillingly in marriages

As to trapping a woman in marriage, this is contrary to the teachings of Islam. Our critics have failed to see a basic hadith in Bukhari in the book on Divorce, which is repeated five times in the same chapter. It tells us that Jamila, wife of Thabit ibn Qais, went to the Holy Prophet and said:

"I do not blame Thabit for any defects in his character or his (observance of) religion, but I cannot endure to live with him."

She said she feared that by remaining married to him she might do something un-Islamic (i.e., not behave as a wife should). The Holy Prophet asked her, "Will you give back to him the garden" which he had given her as the nuptial gift. The result was:

She said, "Yes." So she returned his garden to him and the Prophet told him to divorce her. (Bukhari, Book of Divorce, hadith 5273–5277)

Then, in the book of Marriage, there is the chapter headed: "If a man gives his daughter in marriage while she is averse to it, then such marriage is invalid". Under it there is a report by a woman by the name of Khansa daughter of Khidam, who was previously married, saying that her father gave her in another marriage and she disliked the marriage:

"So she went to the Messenger of Allah and he declared the marriage invalid."
(hadith 5138)

This report occurs again in Bukhari in the book on "Coercion" in a chapter entitled: "Marriage is not permitted under coercion" (hadith 6945).

This incident was also cited as follows in Bukhari as having set a precedent:

A woman from the offspring of Ja'far was afraid lest her guardian marry her (to somebody) against her will. So she sent for two elderly men from the Ansar, Abdur Rahman and Mujammi, the two sons of Jariya, and they said to her: "Don't be afraid, for Khansa daughter of Khidam was given by her father in marriage against her will, then the Prophet cancelled that marriage." (Book of Tricks or Stratagems, h. 6969)

We find from this hadith that the action of the Holy Prophet in cancelling that forced marriage became a precedent to be followed in future such cases.

A girl even went to the Holy Prophet, intentionally, to get a judgment that would apply to all Muslim women. It is reported in the Hadith collection of Ibn Majah:

A girl came to the Prophet and said: "My father married me to his brother's son so that he might raise his status thereby." The Prophet gave her the choice, and she said: "I approve of what my father did, but I wanted women to know that their fathers have no right to do that." (Ibn Majah, Chapters on Marriage, ch. 'He who gives his daughter in marriage and she is unwilling', hadith 1874).

The words translated here as "gave her the choice" are literally: "He left the matter up to her". The next report (hadith 1875) is similar:

A virgin girl came to the Prophet and told him that her father arranged a marriage that she did not like, and the Prophet gave her the choice.

The words for "gave her the choice" here mean literally: "gave her discretion". The Holy Prophet Muhammad thus handed to the girl the power to accept or reject the marriage proposal that was agreed between her father and the prospective husband.

The Prophet Muhammad did not regard himself as even entitled to command a freed slave woman as to where to marry. It is reported in Bukhari that a slave woman called Barira was freed but she was, during slavery, married to a slave called Mughees who was still a slave. In such cases Islam gives the freed slave woman the choice to remain with her still enslaved husband or to divorce him. She divorced him but he loved her. The Holy Prophet said to someone: "Are you not astonished at the love of Mughees for Barira and the hatred of Barira for Mughees?" The Prophet then said to Barira: "Why don't you return to him?". She said: "O Messenger of Allah, do you order me to do so?" He replied: "No, I am only mediating." She said: "I am not in need of him" (Bukhari, Book of Divorce, hadith 5283).

It is clear that the Holy Prophet Muhammad respected this freed slave woman's rights of marriage and he did not order her but merely mediated, and he gave her the choice to return to her husband or not.

Summary

In this article, the following points have been established regarding the hadith which the critics of Islam have put forward as a matter of objection (namely, hadith 5825):

1. Wherever this hadith is directly reported from Aishah, who was the observer when the woman came to the Prophet, there is no mention of the wife having been beaten. The reporter of hadith 5825, who mentions the marks of beating, does not report from Aishah herself and his source of information is unknown.
2. The only conclusion Bukhari draws from this hadith is that a woman may wear a green dress. He does not classify this hadith under treatment of wives.
3. In hadith 5825 itself, the wife does not complain to the Holy Prophet that her second husband is beating her. In fact, she says she has no complaint against him except that he is impotent.
4. The issue is not whether she can obtain divorce from this second husband. She can certainly do so in Islam. The issue is whether she is allowed to remarry her first husband after their relationship had previously ended in divorce three times.
5. Sexual enjoyment in marriage is not one-sided but is described by the Holy Prophet in these very reports as: "you (the wife) enjoying sexual relations with him (the husband) and he with you."
6. Islam does not trap women in marriages against their will. On the contrary, Islam accepts their will in matters of their marriage and divorce.

From: www.ahmadiyya.org/islam/intro.htm

[Link to html version of article](#)