

Violence against women (VAW) is a global phenomenon that cuts across all cultures, religions, countries, and contexts. Over one in three women experience physical or sexual violence at some point in their lives. Violence against women stems from patriarchal ideas, power imbalances, and sex and gender discrimination.

Violence against women can never be justified in the name of Islam. The Qur'an repeatedly states that all people are created from the same soul and are equal in creation, equal in this life, and equal in the Hereafter. The Qur'an dictates love (*mawaddah*), compassion (*rahmah*), and beauty and goodness (*ihسان*) within marriages and families. According to many hadiths, the Prophet Muhammad (pbuh) was never violent towards his wives or daughters and resolved conflicts with graciousness.

Perpetrators of violence against women in Muslim contexts often justify it through the selective use of certain Qur'anic verses – especially verse 4:34 – and hadiths. But those justifications are based on patriarchal interpretations that ignore the basic intent, purpose, and ethical worldview of the Qur'an.



Through a holistic understanding of the Qur'an and Prophetic teachings, we can promote relationships based on equality and partnership rather than domination, oppression, and violence.

Governments and relevant institutions and actors must work in a coordinated manner to ensure change is comprehensive and effective. Efforts must go beyond the enactment of laws to include procedural, implementation, and enforcement processes as well as a transformation of social norms.



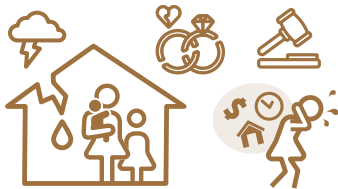
WHAT IS VIOLENCE AGAINST WOMEN AND WHY DOES IT MATTER?

Violence against women can be defined as *any act that violates a woman's dignity or undermines her full humanity. Domestic or family violence is a pattern of behaviour used by one party to control another party within homes or families, which also has effects outside the home.*

Types of violence within families can include:		 Physical	 Verbal	 Sexual
 Psychological	 Emotional	 Spiritual	 Financial	 Legal
 Intellectual	 Political	 Digital	 Restrictions on movement	 Coercion

There is a direct link between discriminatory family laws and violence against women. Power dynamics in the family make women more vulnerable to violence both inside and outside the home. Certain provisions – such as those that allow child marriage, polygamy, ‘disciplining’ the wife, requiring obedience in exchange for maintenance, or unequal divorce rights – can increase women’s likelihood of experiencing violence and prevent them from escaping violent homes.

Violence against women significantly harms women, families, and societies in multiple and devastating ways:



Women and girls are trapped by violence

because of interrelated aspects of legal and economic systems, such as restrictions on movement and digital access; unequal access to divorce, legal support, and housing; inability to gain guardianship and custody of children; inability to be financially independent and support their children.

Violence threatens the physical well-being of victim-survivors

ranging from cuts and bruises, to chronic illness like heart disease, diabetes, and gastritis, and even to death.

Violence affects national economies

with the cost in some countries estimated up to 3.7 per cent of the GDP – more than many governments spend on education.

Violence leads to short- and long-term psychological and emotional harm of victim-survivors

including depression, anxiety, eating disorders, difficulty sleeping, PTSD, suicidal thoughts and attempts, and other mental illnesses.

Violence risks women and girls losing lifelong opportunities

connected to education, employment, community support, income and financial independence, and ability to socialize with others.

Violence traumatizes children in the family

leading to developmental delays, anxiety, academic difficulties, struggles to build relationships, and feelings of shame and guilt.



Violence threatens family and community welfare

by fostering ongoing conflict and increased rates of separation and divorce. This impacts the stability and well-being of children, spouses, and society. Issues such as family honour and tribal custom can also be triggered, potentially leading to serious violence, retribution, and death beyond the victim-perpetrator relationship.

WHY VIOLENCE AGAINST WOMEN IS UNACCEPTABLE IN ISLAM

There is no religious justification for violence against women. Committing violence goes against Qur'anic teachings and the example of the Prophet Muhammad (pbuh). We must speak and act out against violence and harm because:

1 One single phrase in one single verse in the entire Qur'an – the second part of *Surah an-Nisa' 4:34* – is commonly used to justify violence against women in Muslim family laws and practices. But there are conflicting interpretations of the meaning and importance of this verse in both classical and contemporary times.

- Many pre-modern scholars concluded that the second part of 4:34 permitted a husband to physically discipline his wife as one of the three responses to her 'disobedience' (*nushuz*). But not all jurists were comfortable with this position. Many argued against hitting or said that husbands could only hit lightly or with a harmless instrument (cloth or *miswak*). Some scholars completely disagreed with interpretations that allowed for hitting, saying the phrase should be read as a symbolic gesture to reflect the husband's anger, or that the Prophet's example should take precedence over the apparent meaning of the verse.
- There are a range of opinions about the meanings of terms in this verse such as '*daraba*' and '*nushuz*'. *Daraba* has many linguistic meanings even within the Qur'an, such as 'to strike out on a journey' or 'to set an example' or 'to go on strike', and does not necessarily imply violence. *Nushuz* in 4:34 has also been interpreted differently by various jurists, and differently still when a husband's *nushuz* is referred to in verse 4:128.
- Scholars justifying violence chose to emphasize this verse over other verses that establish basic values governing a marital relationship such as kindness, compassion, and tranquillity, even in times of conflict.
- The context in which the Qur'an was revealed was one of patriarchy and male domination, in which injustice and violence towards women were common. The revelations related to marriage, including verse 4:34, counter these norms, offering a gradual approach that moves towards equality of all people.
- Recent in-depth analyses of this verse suggest that rather than supporting and encouraging domestic violence, the verse offers multiple strategies to teach abusive men self-control and good behaviour.

2 The Qur'an sees marriage as a solemn bond (*mithaq ghaliz*) of trust, commitment, and mutual care, and describes this relationship as a resting abode (*sakan*) built on affection (*mawaddah*) and compassion (*rahmah*). This cannot be achieved if any family member is exposed to harm.

- Qur'anic ethics relating to marriage can be captured in concepts such as justice (*'adl*), fairness (*qist*), goodness and beauty (*ihsan*), forgiveness (*'afw*), magnanimity (*fadl*), reconciliation (*islah*), consultation (*tashawur*), consent (*taradi*), and not conflict, cruelty, domination, and use of physical force.
- Verse 30:21 describes a relationship of love, kindness, and peacefulness: 'Another of His signs is that He created spouses from among yourselves for you to live with in tranquillity: He ordained love and kindness between you'
- Verse 2:187 counsels: '[Your wives] are [close] as garments to you, as you are to them', implying a relationship of intimacy, safety, and trust.

3 The Prophet Muhammad (pbuh) spoke against violence and was kind and gentle with the women in his family.

- Multiple hadiths outline the Prophet's behaviour towards his wives, daughters, and all family members. He was gentle, kind, respectful, resolved conflicts with a sense of generosity, and trusted his wives rather than trying to control them. His wife Aisha reported that he never hit a woman or servant, and never struck anything with his hand (Sunan Ibn Majah 1984).
- He is reported to have said, 'The most perfect of the believers is the best of you in character; and the best of you are those among you who are best to their wives' (Jami' al-Tirmidhi 1162).
- There are multiple hadiths in which the Prophet spoke out against husbands who hit their wives and supported the women who had come to him.
- The Prophet also declared that it was improper to harm other people, saying 'If anyone harms (others), Allah will harm him, and if anyone shows hostility to others, Allah will show hostility to him' (Sunan Abi Dawud 3635).

4 We can use tools from within Muslim legal tradition to re-examine verses such as 4:34 within the context of the broader Qur'anic worldview.

- While the revealed verses of the Qur'an are considered part of the divine and unchanging Shari'a, interpretations and rules derived from those verses (*fiqh*) are made by humans in a specific time and social context, and are thus fallible and open to change.
- The scholar Khaled Abou El Fadl states that there may be times when certain traditions unsettle one's conscience. In these times 'the least a Muslim can do is to pause to reflect about the place and the implications of these traditions'. This 'conscientious pause' is appropriate for verse 4:34 to build an understanding that is consistent with other Qur'anic and Prophetic teachings.
- The principle of *maslahah* (lit. benefit or interest), whereby jurists consider what is best for an individual or community and what protects them from harm, requires understanding Qur'anic verses in ways that prohibit violence and promote family and societal harmony.
- Leading scholars and Islamic institutions condemn violence against women. A 2019 report by an Al-Azhar research centre states, '**The teachings of Islam urge Muslims to renounce all forms of domestic violence**'. The report quotes verses and hadiths that '**clearly indicate that Islam rejects all forms of physical and psychological domestic violence**', and explains why the phrase in verse 4:34 is taken out of context. Similarly, Dar al-Ifta in Egypt has stated:

'[C]linging to old-fashioned notions about disciplining women via violence does not make sense. Whereas this may have been customary in previous eras, using even minimal force is considered a violation and transgression. ... Refraining from any sort of striking is closer to the meaning of Allah ... As with all matters, the Prophetic example is our ideal and our guide. ... The sunna of the Noble Prophet ... is not only to refrain from such behaviour, but indeed to urge others to stop and to discourage them from it. ... As for spousal abuse, this is totally rejected in Islam.'

(Dar al-Ifta, 'Domestic Violence', <https://www.dar-alfita.org/en/article/details/121/domestic-violence>)

5 The Qur'an establishes equality between all human beings and mandates good treatment, leaving no scope for violence based on sex, gender, or any other category.

- Verse 4:1 specifies that God created a soul (*nafs*) and its mate (*zawj*), with multitudes created from this equal pair. The verse then links this equality in creation and partnership with devotion to God (*taqwa*).
- The concept of *tawhid* entails the idea that God is one and that God unites all equally in creation. God has a direct relationship with each individual, who are all equal in God's eyes, and no one individual can have a higher status over another.
- Believers, men and women, are called on to protect each other, not harm one another, and to serve society by enjoining what is just and forbidding what is wrong (9:71). Similarly, all humans have an obligation to be just, do good, and perform 'righteous deeds' in both private and public domains, with all rewarded for such deeds (16:90; 3:195; 4:124; 16:97; 33:35).
- Given the equality of all humans and their equal obligation to do good and work against evil, there is no justification for one person to be violent towards another based on sex, gender, or any other category. We are all creatures of God and no creation of God should be harmed or desecrated.

Some international human rights standards related to violence against women:

- **UN Declaration on the Elimination of Violence against Women (1993)**: Article 1 defines 'violence against women' as 'any act of gender-based violence that results in or is likely to result in harm or suffering to women, whether physical, sexual or psychological, including threats such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life'. Article 4 mandates States to 'condemn violence against women and [] not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. ...'
- **UN Committee on the Elimination of Discrimination against Women General Recommendation 35 (2017)**, updating **General Recommendation 19 (1992)**, para. 14: 'Gender-based violence affects women throughout their life cycle ... Such violence takes multiple forms, including acts or omissions intended or likely to cause or result in death or physical, sexual, psychological or economic harm or suffering to women, threats of such acts, harassment, coercion and arbitrary deprivation of liberty.'

WHERE REFORM HAS HAPPENED

The movement to end violence against women has resulted in a surge in VAW-related legislation. Many countries with Muslim majorities or significant minorities have adopted specific VAW legislation or provisions in penal codes relating to VAW, including (but not limited to) **Algeria, Azerbaijan, Bahrain, Bangladesh, Chad, Gambia, Guinea, Indonesia, Iraq (Kurdistan), Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Malaysia, Maldives, Morocco, Pakistan (certain provinces), Saudi Arabia, Tunisia, Turkey, Uganda, United Arab Emirates.**

The laws in **Tunisia** and **Morocco** define marriage as a joint partnership between equals, removing the obligation of wifely obedience from the law, thus addressing the power imbalance that often leads to VAW. They also include an expanded definition of violence against women in the public and private spheres.

Other states have addressed specific aspects of violence against women, such as:

- The **Indonesian** domestic violence law criminalizes physical abuse and marital rape within families as well as violence against non-family members who live and work in the home.
- States such as **Egypt, Jordan, Lebanon, Morocco, Palestine,** and **Tunisia** have repealed articles in their Penal Codes that exonerate rapists from their crime if they marry the victim/survivor.
- **Jordan** amended Article 98 of its Penal Code to ensure so-called 'honour killings' are not excused, but rather punished as violent acts.
- **Singapore** prohibited marital rape within its Penal Code, which also governs the minority Muslim population.
- **Egypt, Kenya,** and **Sindh province in Pakistan** have set 18 as the minimum age of marriage for both boys and girls without exceptions, removing one aspect of power imbalances that can lead to VAW. **Algeria, Iraq, Jordan, Morocco, Oman, Sierra Leone, Singapore, Tunisia,** and **UAE** have also set 18, and **Indonesia** set 19, as the minimum age of marriage, though these countries allow judicial exceptions.

It must be noted that enacting a law does not eliminate violence. Many laws also have ***significant procedural, implementation, and enforcement gaps,*** meaning women may not be protected even when there is a law on the books.

In addition, ***laws condemning violence sometimes co-exist with other laws that allow violence,*** such as family laws that permit child marriage; permit husbands to 'discipline' their wives; permit marital rape; allow husbands and male guardians to restrict women and girls' movement, access to education, work, legal services, signing of contracts; make divorce more difficult for women than men; etc.

HOW TO ENSURE EQUALITY AND JUSTICE

Given the devastating effects of violence on the lives of women, girls, and families, States must take responsibility to protect women from all forms of violence. Religious leaders, religious and community organizations, schools, and families must work with governments at all levels to address the factors that lead to VAW and address the harms it causes.

Countries can take several approaches to address the causes and broad social acceptance of violence against women and to mitigate its effects. Simply enacting laws is not enough to eliminate violence and oppression; efforts must be coordinated and holistic to ensure women are not further victims of bureaucratic or legal obstacles.

Data, laws, policies, and procedures

- Develop tools to measure the impact of violence against women and make data available to scholars, stakeholders, and policymakers.
- Develop laws and procedures to eliminate all forms of violence against women, and periodically review and revise these based on updated data.
- Reform family laws so they are grounded in principles of equality and partnership instead of the patriarchal maintenance—obedience formula.
- Ensure that all other legislation, procedures, and legal structures (e.g., penal and labour laws and procedures, courts, tribunals) do not encourage violence against women in any way.

Religion, education, media, and culture

- Ensure that all religious, educational, social, and media institutions condemn violence through fatwas, statements, programming, and curricula, and remove references that normalize male domination and oppression of women from all materials.
- Mobilize media and cultural tools to combat myths around violence and promote relationship models based on partnership and equality, and incorporate these values and lessons in marriage workshops offered to prospective couples.

Social and economic support

- Establish strong support systems for victim-survivors and those vulnerable to violence within

their families, including health care, shelters, reporting systems, legal services, emotional and spiritual support, etc.

- Empower women economically so they have access to more choices to ensure a life free from abuse and harm.

Equal and just relationships

- Transform our understandings of family relationships from domination and obedience to love and compassion (*mawaddah wa rahmah*), justice (*adl*), beauty and goodness (*ihsan*), dignity (*karamah*), and that which is right (*ma'ruf*), in line with the teachings of the Qur'an, examples of the Prophet, and universal human rights standards.

Violence against women is never acceptable within Islam or in Muslim societies. We must uphold love, mercy, and justice in our families.



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