

# Prevention of Violence Against Women and Children: Islamic Principles and Guidance

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According to Transparency International Bangladesh, along with the health crisis and other dangers in times of Covid-19, violence against women increased alarmingly. In last March and April 2020, 70 percent more violence occurred than in the same period of the previous year. Only one percent of the victims obtained justice while 99 percent did not. That is definitely a regretful outcome in implementing the law and ensuring social justice (The Daily Star, 25 November 2020).

## Sexual Violence and Rape Are Rampant and Unrestrained

In a survey conducted by the United Nations Population Fund, Bangladesh is the second in the world in terms of women abused physically in the world.

The victim of rape must get assistance and sympathy as she is vulnerable.

عن عمر بن الخطاب وهو جالس على منبر رسول الله صلى الله عليه وسلم : إن الله قد  
وقد فصل لكم ما حرم عليكم إلا ما اضطررتم إليه. (الأنعام-119)

Omar bin Khattab said while sitting on the pulpit, while He has spelled out to you all that He has made unlawful for you, except that to which you are compelled by extreme necessity. (Surah No. 6 – Ayah No. 119)

عن ابن عباس رضي الله عنهما أن رسول الله صلى الله عليه وسلم قال: إن الله وضع عن أمتي الخطأ  
والنسيان وما استكروا عليه (ابن ماجه-2045)

It was narrated from Ibn Abbas that the Prophet ﷺ said: “Allah has forgiven my nation for mistakes and forgetfulness, and what they are forced to do. (Ibne majah-2045)

In Bangladesh, 70 percent of married women have faced abuse by their intimate partners. Rape is unrestrained across the country. Sexual violence is rapidly increasing. There are many verses in the Quran and many more prophetic sayings that prohibit sexual intimacy outside marriage bond even with mutual consent. So, there is a very strict law to be applied when it is done with force and coercion.

## Compulsion on Abortion

و لا تقتلوا أولادكم خشية إملاق (سورة الإسراء-31)

Don't kill your children for fear of poverty. (Surah No. 17 – Ayah No. 31)

ولا تقتلوا النفس التي حرام الله إلا بالحق (سورة الإسراء-33)

Do not kill any person the life of whom is sanctified by Allah, except for a just reason. (Surah No. 17 – Ayah No. 33)

عن عائشة ، عن جدامة بنت وهب أخت عكاشة، قالت : حضرت رسول الله صلى الله عليه وسلم في أناس وهو يقول : لقد هممت أن أنهي عن الغيلة ، فنظرت في الروم، وفارس، فإذا هم يغيلون أولادهم، فلا يضر أولادهم ذلك شيئا ". ثم سألوه عن العزل ؟ فقال رسول الله صلى الله عليه وسلم : ذلك الوأد الخفي. زاد عبيد الله في حديثه، عن المقرئ، وهي : { وإذا الموءودة سئلت } (صحيح مسلم-1442)

Judama daughter of Wahb, sister of Ukkasha (Allah be pleased with her) reported: I went to Allah's Messenger ﷺ along with some persons and he was saying: I intended to prohibit cohabitation with the suckling women, but I considered the Greeks and Persians, and saw that they suckle their children and this thing (cohabitation) does not do any harm to them (to the suckling women). Then they asked him about 'azl', whereupon he said. That is the secret (way of) burying alive, and Ubaidullah has made this addition in the hadith transmitted by al-Muqri and that is: "When the one buried alive is asked.' (Sahih muslim-1442)

## “Eve Teasing”

88 percent in the cities hear abusive and derogatory comments. That is also verbal violence.

يأَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرُ قَوْمٌ مِنْ قَوْمٍ عَسَىٰ أَنْ يَكُونُوا خَيْرًا مِنْهُمْ وَلَا نِسَاءٌ مِنْ نِسَاءٍ عَسَىٰ أَنْ يَكُنَّ خَيْرًا مِنْهُنَّ وَلَا تَلْمِزُوا أَنْفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ الْأَسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ وَمَنْ لَمْ يَتُبْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ (سورة الحجرات-11)

O you who believe, no men should ever scoff at other men. May be, the latter are better than the former. Nor should women (ever scoff) at other women. May be, the latter women are better than the former ones. And do not find fault with one another, nor call one another with bad nicknames. Bad is the name of sinfulness after embracing Faith. If anyone does not repent, then such people are the wrongdoers. (Surah No. 49 – Ayah No. 11)

عن عبد الله قال عن عبد الله قال : قال رسول الله صلى الله عليه و سلم: سباب المسلم فسوق وقتاله كفر(صحيح البخاري-6044)

Narrated Abdullah (RA): The Prophet ﷺ said, 'Abusing a Muslim is Fusuq (i.e., an evil-doing), and killing him is Kufr (disbelief).' (Sahih Al-bukhari-6044)

## Dowry

يَأَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ (سورة النساء-29)

O you who believe, do not devour each other's property by false means. (Surah No. 4 – Ayah No. 29)

عن أبي حرة الرقاشي عن عمه قال قال رسول الله صلى الله عليه و سلم ألا لا تظلموا إنه لا يحل مال امرئ إلا بطيب نفس منه (مسند أحمد-20714)

And Hazrat Abu Hura Raqashi narrates from his uncle that the Holy Prophet said: Beware, do not oppress anyone. Know that taking or using the property of any other person is not permissible without his consent and pleasure. (Musnade Ahmad-20714)

## Compelled Marriage

حدثنا أبو هريرة ، أن رسول الله صلى الله عليه وسلم قال : لا تنكح الأيم حتى تستأمر ، ولا تنكح البكر حتى تستأذن. قالوا : يا رسول الله ، وكيف إذن؟ قال : أن تسكت. (صحيح البخاري 5136)

Narrated Abu Hurairah (RA): The Prophet ﷺ said, "A matron should not be given in marriage except after consulting her; and a virgin should

not be given in marriage except after her permission.” The people asked, “O Allahs Apostle ﷺ ! How can we know her permission?” He said, “Her silence (indicates her permission).” (Sahih Al-bukhari-5136)

عن خنساء بنت خدام الأنصارية ، أن أباهما زوجها وهي ثيب، فكرهت ذلك، فأنت رسول الله صلى الله عليه وسلم، فرد نكاحه. (صحيح البخاري 5138)

Narrated Khansa bint Khidam Al-Ansariya (RA): That her father gave her in marriage when she was a matron and she disliked that marriage. So she came and (complained) to the Prophet and he declared that marriage invalid. (Sahih Al-bukhari-5138)

## Trafficking of Women and Children

عن أبي هريرة رضي الله عنه، عن النبي صلى الله عليه وسلم، قال : قال الله : ثلاثة أنا خصمهم يوم القيامة : رجل أعطى بي ثم غدر، ورجل باع حرا فأكل ثمنه، ورجل استأجر أجيرا فاستوفى منه ولم يعط أجره (صحيح البخاري-2174)

Narrated Abu Hurairah (RA): The Prophet said, “Allah says, I will be against three persons on the Day of Resurrection: 1. One who makes a covenant in My Name, but he proves treacherous. 2. One who sells a free person (as a slave) and eats the price, 3. And one who employs a laborer and gets the full work done by him but does not pay him his wages. (Sahih Al-bukhari-2178)

## Compelled Prostitution

إنما جزاء الذين يحاربون الله ورسوله ويسعون في الأرض فسادا أن يقتلوا أو يصلبوا أو تقطع أيديهم وأرجلهم من خلاف أو ينفوا من الأرض ذلك لهم خزي في الدنيا ولهم في الآخرة عذاب عظيم (المائدة33)

Those who fight against Allah and His Messenger and run about trying to spread disorder on the earth, their punishment is no other than that they shall be killed, or be crucified, or their hands and legs be cut off from different sides, or they be kept away from the land (they live in). That is a humiliation for them in this world, and for them there is a great punishment in the Hereafter. (Surah No. 5 – Ayah No. 33)

ولا تقربوا الزنا إنه كان فاحشة وساء سبيلا (الإسراء-32)

Do not even go close to fornication. It is indeed a shameful act, and an evil way to follow.

الزانية والزاني فاجلدوا كل واحد منهما مائة جلدة ولا تأخذكم بهما رأفة في دين الله إن كنتم تؤمنون بالله واليوم الآخر وليشهد عذابهما طائفة من المؤمنين (سورة النور-2)

The fornicating woman and the fornicating man, flog each one of them with one hundred stripes. No pity for them should prevail upon you in the matter of Allah's religion, if you really believe in Allah and the Last Day; and a group of believers must witness their punishment. (Surah No.24 -Ayah No. 2)

### **Acid Throwing**

ومن يظلم منكم نذقه عذابا كبيرا(سورة الفرقان-19)

Whoever commits injustice from among you, we will make him taste a painful punishment. (Surah No. 25 – Ayah No. 19)

والظالمون ما لهم من ولي ولا نصير(سورة الشورى-8)

The wrongdoers, they have neither a patron nor a helper. (Surah No. 42 – Ayah No. 08)

وكتبنا عليهم فيها أن النفس بالنفس والعين بالعين والأنف بالأنف والأذن بالأذن والسن بالسن والجروح قصاص فمن تصدق به فهو كفارة له ومن لم يحكم بما أنزل الله فأولئك هم الظالمون(سورة المائدة-

We prescribed for them therein: A life for a life, an eye for an eye, a nose for a nose, an ear for an ear and a tooth for a tooth; and for wounds, an equal retaliation. Then, if one forgives it, that will be expiation for him. Those who do not judge according to what Allah has sent down, they are the unjust. (Surah No. 5 – Ayah No. 45)

### **Harassment and Abuse by In-Laws**

يأأيها الذين آمنوا كونوا قوامين بالقسط شهداء لله ولو على أنفسكم أو الوالدين والأقربين إن يكن غنيا أو فقيرا فالله أولى بهما فلا تتبعوا الهوى أن تعدلوا وإن تلووا أو تعرضوا فإن الله كان بما تعملون خبيرا. (سورة النساء- 135)

O you who believe, be upholders of justice - witnesses for Allah, even though against (the interest of) yourselves or the parents, and the kinsmen. One may be rich or poor, Allah is a better caretaker of both. So do not follow desires, lest you should swerve. If you twist or avoid

(the evidence), then, Allah is all-aware of what you do. (Surah No. 4 – Ayah No. 135)

عن عبد الله عمر يقول قال رسول الله صلى الله عليه وسلم ألا كلكم راع وكلكم مسؤول عن رعيته فالإمام الذي على الناس راع وهو مسؤول عن رعيته والرجل راع على أهل بيته وهو مسؤول عن رعيته والمرأة راعية على أهل بيت زوجها وولده وهي ومسئولة عنهم وعبد الرجل راع على مال سيده وهو مسؤول عنه. (صحيح البخاري-7138)

Narrated Abdullah bin Umar (RA): Allah's Apostle? said, "Surely! Everyone of you is a guardian and is responsible for his charges: The Imam (ruler) of the people is a guardian and is responsible for his subjects; a man is the guardian of his family (household) and is responsible for his subjects; a woman is the guardian of her husband's home and of his children and is responsible for them; and the slave of a man is a guardian of his master's property and is responsible for it. Surely, everyone of you is a guardian and responsible for his charges." (Sahih Al-bukhari-7138)

## **Negative Attitude Towards Barren Women**

لله ملك السماوات والأرض يخلق ما يشاء يهب لمن يشاء إناثا ويهب لمن يشاء الذكور أو يزوجهم ذكرانا وإناثا ويجعل من يشاء عقيما إنه عليم قدير. (سورة الشورى-49-50)

To Allah belongs the kingdom of the heavens and the earth. He creates what He wills. He grants females to whom He wills, and grants males to whom He wills. Or He combines for them couples, both males and females, and makes whom He wills barren. Surely, He is All-Knowing, Very-Powerful. (Surah No. 42 – Ayah No. 49-50)

## **What Role Religious Leaders Can Play to Prevent Violence Against Women**

Religious scholars play a very important role in society. People hold a great deal of respect for them and believe what they preach. This huge influence can be well utilized in many vital areas that are considered core and essential factors in stabilizing society and ensuring justice for all. They can make a decisive difference if they use their dynamic presence in places of worship, public religious gatherings along and electronic, print and social media. It will also help to remove

misconceptions from the mind of those people who resort to twisted and distorted explanation of some religious texts to do injustice to the vulnerable people including women and children.

## **Recommendation**

- We all know that Bangladesh is not a country with armed conflict and IHL is not applicable here but in line with humanitarian norms and principals, the ICRC can produce a book (like previous publication on the Respect for the Dead) to increase awareness among religious leaders. In Bangladesh, there are many misconceptions among community / religious leaders on the status of women in Islam. We can use the holy book as a reference to show how Islam is respecting women's rights and status. The ICRC can work closely with Islamic institutions in the future to prevent violence against women and children from community level to central level. Awareness can change the attitude of people and religious leaders can play a strong role on this matter.
- Organizing a series of training sessions, workshops, seminars is also very helpful for increasing awareness among the people and religious leaders alike.

## **Conclusion**

Women and children are human beings, not human beings to a lesser degree. They have the rights which men are entitled to. These rights are given by Allah, the Creator. These are given to be enjoyed, respected, upheld and protected. We must change stereotypes and attitudes towards them.