

# Islam and Women: Whom Your Right Hands Possess

A non-Muslim woman captured by Muslims during battle falls under the category of those "whom your right hands possess." She then becomes a slave to her Muslim captor and it becomes "legal" for him to have intercourse with her. This is authorized by Chapter 4, Verse 24 of the Koran, which begins by talking about women whom a Muslim man is not allowed to marry, with an exception:

*Also (forbidden are) women already married, except those (slaves) whom your right hands possess. Thus has Allah ordained for you...*

Ibn Kathir explained the meaning of this verse:

*The Ayah [verse] means, you are prohibited from marrying women who are already married, (except those whom your right hands possess) except those whom you acquire through war, for you are allowed such women after making sure they are not pregnant. Imam Ahmad recorded that Abu Sa'id Al-Khudri said, "We captured some women from the area of Awtas who were already married, and we disliked having sexual relations with them because they already had husbands. So, we asked the Prophet about this matter, and this Ayah was revealed... Consequently we had sexual relations with these women.*

*Tafsir Ibn Kathir, Vol. 2, p. 422*

So instead of Muhammad prohibiting his Muslim warriors from raping their prisoners, this verse of the Koran was "revealed," giving them Allah's authorization to do so.

In the *Tafsir Al-Jalalayn*, the phrase *slaves whom your right hands possess* is stated as *those you have taken in war as slaves*. And this *tafsir* explained that,

*You may have relations with them if they have husbands in the Abode of War after istibra' (the waiting period to ascertain whether they are pregnant).*

*Tafsir Al-Jalalayn, p. 185*

Has there been any change in the understanding of this verse over the centuries? No. The 20<sup>th</sup> century *Tafsir Ahsanul-Bayan* explained 4:24 this way:

*The historical background of the verse is that when pagan women were captured by Muslims in battles, they disliked having intercourse with them because they had husbands. The Companions asked the Messenger of Allah about it. Thereupon, this verse was revealed. The verse allowed the Muslims to have intercourse with pagan women if they were captured in battles even if they had husbands, providing their wombs have been cleansed, that is, after one menses or, in case they are pregnant, after the delivery of the child.*

*Tafsir Ahsanul-Bayan, Vol. 1, pp. 441-442*

Our other 20<sup>th</sup> century *tafsir* had a similar, but shorter explanation of 4:24:

*... "except any slave-girls you may own" that is, those who have been captured in war. If a disbelieving woman who is married is captured in war, she becomes permissible for the Muslims after one menstrual cycle has passed (which serves to establish that she is not pregnant).*

*Tafsir as-Sa'di, Vol. 2, p. 160*

And, although a Muslim was limited to no more than four wives, there were no limitations on the number of slave girls he could possess.

## Women Captives and Sharia Law

It should not be surprising that the founders of the four major Sunni schools of Sharia Law agreed that

*when a married woman becomes a prisoner of war without her husband, her contract of marriage with her husband ends, and her new master has the right to have sexual relations with her after the birth of a child if she is pregnant, or after waiting a while to confirm the status of her womb if she is not apparently pregnant.*

*Jami' At-Tirmidhi, Vol. 2, Comments, p. 503*

The Hanafi School, the largest of these four schools, stated it this way in an explanatory footnote while discussing what 4:24 said about married women taken in war:

*Although the ayah literally says, "Those whom your right hands own," it refers*

here to slaves taken in war, since a man may not have sexual relations with one of his slave women who is in a legitimate marriage. Wives of combatants captured in war are automatically divorced and are thus not under this restriction.

*The Kitab al-Athar of Imam Abu Hanifah*, 114.390, n. 1217, p. 225

The Shafi'i School, the next largest, stated:

*When a child or a woman is taken captive, they become slaves by the fact of capture, and the woman's previous marriage is immediately annulled.*

*Reliance of the Traveller*, o9.13

## What else did Muhammad say?

Muhammad's attitude about how captured women could be treated was shown in the glaring example of how Muhammad condoned the rape of female captives from the Mustaliq tribe. We can see that the only problem to be resolved in the *sahih hadith* below was whether or not the ransom the Muslims were expecting for these particular women captives would be affected if the captives were returned pregnant.

In response to the question about whether the Muslim warriors should therefore engage in *coitus interruptus* with their soon-to-be rape victims, Muhammad, instead of prohibiting the rapes, merely said that *coitus interruptus* would not matter because every soul that was destined to be born would be born:

*Abu Sirma said to Abu Sa'id Al Khudri (Allah he pleased with him): O Abu Sa'id, did you hear Allah's Messenger (SAW) mentioning al-'azl [coitus interruptus]? He said: Yes, and added: We went out with Allah's Messenger (SAW) on the expedition to the Bi'l-Mustaliq. We took captive some excellent Arab women. We desired them, for we were suffering from the absence of our wives, (but at the same time) we also desired ransom for them. So we decided to have sexual intercourse with them but by observing 'azl...But we said: We are doing an act whereas Allah's Messenger is amongst us; why not ask him? So we asked Allah's Messenger (SAW), and he said: It does not matter if you do not do it, for every soul that is to be born up to the Day of Resurrection will be born.*

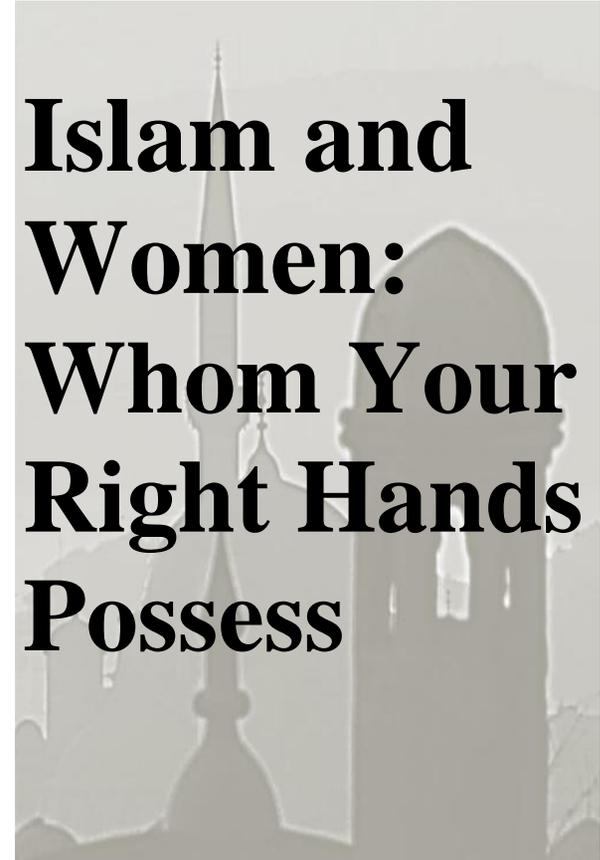
*Sahih Muslim*, No. 1438

And, in case there had been any question about the matter, the Koran specifically made women captives legal for Muhammad:

Chapter 33, Verse 50

*O Prophet (Muhammad)! Verily, We have made lawful to you your wives, to whom you have paid their Mahr (bridal-money given by the husband to his wife at the time of marriage), and those (slaves) whom your right hand possesses - whom Allah has given to you...*

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