

# Concubines & Slavery

## The Islamic Position

This article was a response to the following question:

In Islam if there is a war between Muslims and kafirs and Muslims win Muslims can take their women and children as slaves. With the slave women Muslim owner can have intercourse. I am not sure any woman would like to sleep with the man who killed her father, husband, brother or son.

Does that mean owners of these women can force them to have intercourse and it will not be regarded as rape and it is permitted in Islam to forcefully have intercourse with slave women? Mind you there can be young girls in these captives who had no part in the actual war.

Does that mean that crimes that Serbs committed against Muslim Bosnian women were justified as they were also in a state of war?

All praise be to Allah, and may his peace and blessings be on the last and best prophet and messenger, Muhammad.

Thank you for your interest in learning to clarify unfair misconceptions about God's last message to humanity.

The excellent treatment of slaves is a fact that I will try to highlight by proofs from the textual and historical accounts, including testimonies by non-Muslim historians and thinkers.

In the Quran there are several verses commanding the good treatment of slaves, including:

"وَهَدَيْنَاهُ النَّجْدَيْنِ\* فَلَا اقْتَحَمَ الْعَقَبَةَ \* وَمَا أَدْرَاكَ مَا الْعَقَبَةُ \* فَكُ رَقَبَةً"

"We pointed out to him[man] the two conspicuous ways [of good and evil]? But he would not attempt the uphill road [to righteousness]. What will make you comprehend what the uphill road is? It is the setting free of a slave...." (Q:90:11-13)

"لَيْسَ الْبِرَّ أَنْ تُوَلُّوا وُجُوهَكُمْ قِبَلَ الْمَشْرِقِ وَالْمَغْرِبِ وَلَكِنَّ الْبِرَّ مَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَالْمَلَائِكَةِ وَالْكِتَابِ وَالنَّبِيِّينَ وَآتَى الْمَالَ عَلَى حُبِّهِ ذَوِي الْقُرْبَى وَالْيَتَامَى وَالْمَسَاكِينَ وَابْنَ السَّبِيلِ وَالسَّائِلِينَ وَفِي الرِّقَابِ وَأَقَامَ الصَّلَاةَ وَآتَى الزَّكَاةَ وَالْمُؤْمِنِينَ بَعْدَهُمْ إِذَا عَاهَدُوا وَالصَّابِرِينَ فِي الْبَأْسَاءِ وَالضَّرَّاءِ وَحِينَ الْبَأْسِ أُولَئِكَ الَّذِينَ صَدَقُوا وَأُولَئِكَ هُمُ الْمُتَّقُونَ"

“It is not righteousness that ye turn your faces Towards east or West; but it is righteousness- to believe in Allah and the Last Day, and the Angels, and the Book, and the Messengers; to spend of your substance, out of love for Him, for your kin, for orphans, for the needy, for the wayfarer, for those who ask, and for the ransom of slaves; to be steadfast in prayer, and practice regular charity; to fulfil the contracts which ye have made; and to be firm and patient, in pain (or suffering) and adversity, and throughout all periods of panic. Such are the people of truth, the Allah-fearing.” (Q:2:177)

"وَأَعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنُبِ وَالصَّاحِبِ بِالْجَنبِ وَابْنِ السَّبِيلِ وَمَا مَلَكَتْ أَيْمَانُكُمْ إِنَّ اللَّهَ لَا يُحِبُّ مَن كَانَ مُخْتَالًا فَخُورًا"

Serve Allah, and join not any partners with Him; and do good- to parents, kinsfolk, orphans, those in need, neighbors who are near, neighbors who are strangers, the companion by your side, the wayfarer (ye meet), and what your right hands possess [the slave]: For Allah loveth not the arrogant, the vainglorious;- (Q:4:36)

The Messenger of Allah commanded us so repeatedly to treat the slaves with mercy and compassion. One of his last recommendations to the Muslims prior to his death was to fear Allah regarding their slaves. A quick review of the following ahadeeth will further testify to the excellent treatment of slaves instructed by him:

Abu Huraira narrated: The Prophet said,

"من أعتقَ رَقَبَةً مُّسْلِمَةً أَعْتَقَ اللهُ بِكُلِّ عَضْوٍ مِنْهُ عَضْوًا مِنَ النَّارِ..."

"Whoever frees a Muslim slave, Allah will save all the parts of his body from the (Hell) Fire as he has freed the body-parts of the slave."

Said bin Marjana said that he narrated that Hadith to `Ali bin Al-Husain and he freed his slave for whom `Abdullah bin Ja'far had offered him ten thousand Dirhams or one-thousand Dinars. [Al-Bukhari: 3:46:693]

Abu Huraira also narrated: The Prophet said,

"من أعتقَ شَيْفَصًا لَهُ فِي عَبْدٍ أَعْتَقَ كُلَّهُ إِنْ كَانَ لَهُ مَالٌ وَإِلَّا يَسْتَسْعَىٰ غَيْرَ مَشْفُوقٍ عَلَيْهِ"

"Whoever frees his portion of a common slave should free the slave completely by paying the rest of his price from his money if he has enough money; otherwise the price of the slave is to be estimated and the slave is to be helped to work without hardship till he pays the rest of his price." [Al-Bukhari: 3:46:704]

And he also narrated: The Prophet (saw) said:

"وَلَا يَقُولُ أَحَدُكُمْ عَبْدِي أَمْتِي وَلْيَقُلْ قَتَايَ قَتَايَ غُلَامِي"

"None of you should say: "My slave" (abdi) and "My slave-woman" (amati), but he should say my boy, my girl" (Muslim), and In a different narration, he added, "for you are all (Allah's) slave and the Lord is Allah, Most High." [Abu Dawood: 41:4957]

Al-Ma'rur bin Suwaid Narrated: I saw Abu Dhar Al-Ghifari wearing a cloak, and his slave, too, was wearing a cloak. We asked him about that (i.e. how both were wearing similar cloaks). He replied, "Once I abused a man and he complained of me to the Prophet. The Prophet asked me,

"يَا أَبَا ذَرٍّ أَعَيَّرْتَهُ بِأُمَّهِ إِنَّكَ أَمْرٌ فِيكَ جَاهِلِيَّةٌ إِخْوَانُكُمْ خَوْلُكُمْ جَعَلَهُمُ اللَّهُ تَحْتَ أَيْدِيكُمْ فَمَنْ كَانَ أَخُوهُ تَحْتَ يَدِهِ فَلْيُطْعِمْهُ مِمَّا يَأْكُلُ وَلْيُلْبَسْهُ مِمَّا يَلْبَسُ وَلَا تُكَلِّفُوهُمْ مَا يَغْلِبُهُمْ فَإِنْ كَلَّفْتُمُوهُمْ فَأَعِيبُواهُمْ"

'Did you abuse him by slighting his mother?' He added, 'Your slaves are your brethren upon whom Allah has given you authority. So, if one has one's brethren under one's control, one should feed them with the like of what one eats and clothe them with the like of what one wears. You should not overburden them with what they cannot bear, and if you do so, help them (in their hard job)." [Al-Bukhari: 3:46:721]

The Prophet unequivocally prohibited the separation between a mother and her slave child. Abu Musa reported that he (peace and blessings be upon him) said"

"لَعَنَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - مَنْ فَرَّقَ بَيْنَ الْوَالِدَةِ وَوَلَدِهَا وَبَيْنَ الْأَخِ وَبَيْنَ أَخِيهِ"

"May he be cursed, he who separates a mother from her child or a brother from his sibling" (reported by at-Tirmidhi, Ibn Majah and others)

And for one who humiliates his slave by beating him or slapping him, the Prophet (peace and blessings be upon him) said,

"مَنْ لَطَمَ مَمْلُوكَهُ أَوْ ضَرَبَهُ فَكَفَّارَتُهُ أَنْ يُعْتِقَهُ"

"He who slaps his slave or beats him, there is no expiation for this but to free him." (reported by Muslim).

Because of the aforementioned examples of the divine and prophetic instructions regarding slavery, no other nation or religious group in the world treated slaves better than the Muslims did, and here are the testimonies of the non-Muslim historians and leaders

regarding this very fact: (quotations from <http://www.al-islam.org/slavery/>)

On the attitude of Muslim master with his slaves, Will Durant says, "...he handled them with a genial humanity that made their lot no worse - perhaps better, as more secure - than that of a factory worker in nineteenth-century Europe." <http://www.al-islam.org/slavery/3.htm#r21>, Hurgronje C., Mohammedanism, (N.Y., 1916), p. 128 as quoted by W. Durant, The Story of Civilization, vol. IV (N.Y., 1950), p. 209.

At the end of the 18th century, Mouradgea d'Ohsson (a main source of information for the Western writers on the Ottoman empire) declared: "There is perhaps no nation where the captives, the slaves, the very toilers in the galleys are better provided for or treated with more kindness than among the Muhammedans." <http://www.al-islam.org/slavery/3.htm#r22>, As quoted in The Encyclopaedia of Islam, vol.I, p. 35.

P. L Riviere writes: "A master was enjoined to make his slave share the bounties he received from God. It must be recognised that, in this respect, the Islamic teaching acknowledged such a respect for human personality and showed a sense of equality which is searched for in vain in ancient civilization" <http://www.al-islam.org/slavery/3.htm#r23>, Riviere P.L., Revue Bleaue (June 1939).

Napoleon Bonaparte is recorded as saying about the condition of slaves in Muslim countries: "The slave inherits his master's property and marries his daughter. The majority of the Pashas had been slaves. Many of the grand viziers, all the Mamelukes, Ali Ben Mourad Beg, had been slaves. They began their lives by performing the most menial services in the houses of their masters and were subsequently raised in status for their merit or by favour. In the West, on the contrary, the slave has always been below the position of the domestic servants; he occupies the lowest rung. The Romans emancipated their slaves, but the emancipated were never considered as equal to the free-born. The ideas of the East and West are so different that it took a long time to make the Egyptians understand that all the army was not composed of slaves belonging

to the Sultan al-Kabir." <http://www.al-islam.org/slavery/3.htm#r25>, Bonaparte et l'Islam (Paris, 1914).

And before I answer your specific question, let me highlight the following facts:

- ❖ Islam restricted the tributaries of slavery and widened the out channels, which ultimately depleted the entire river of slavery.
- ❖ Islam did for the slave what the previous religions, including the divine legislations prior to Islam either failed to do or fell short from or simply God saved the salvation of the slaves to be the work of the last message. In the previous religious traditions, slavery is sanctioned without any hint to treating the problem.

Here are some mentions of slavery in the Bible (the new translations – as if that was the right of a translator - changed the word to servant, to be politically correct!):

Leviticus 25 44-46

Both thy bondmen, and thy bondmaids, which thou shalt have, *shall* be of the heathen that are round about you; of them shall ye buy bondmen and bondmaids.

Moreover of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that *are* with you, which they begat in your land: and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit *them* for a possession; they shall be your bondmen for ever: but over your brethren the children of Israel, ye shall not rule one over another with rigour.

EXODUS 21:2-11

If thou buy an Hebrew servant, six years he shall serve: and in the seventh he shall go out free for nothing.

3 If he came in by himself, he shall go out by himself: if he were married, then his wife shall go out with him. {By himself: Heb. with his body}

4 If his master have given him a wife, and she have born him sons or daughters; the wife and her children shall be her master's, and he shall go out by himself.

5 And if the servant shall plainly say, I love my master, my wife, and my children; I will not go out free: {shall...: Heb. Saying shall say}

6 Then his master shall bring him unto the judges; he shall also bring him to the door, or unto the door post; and his master shall bore his ear through with an aul; and he shall serve him for ever.

7 And if a man sell his daughter to be a maidservant, she shall not go out as the menservants do.

8 If she please not her master, who hath betrothed her to himself, then shall he let her be redeemed: to sell her unto a strange nation he shall have no power, seeing he hath dealt deceitfully with her.

{Please...: Heb. be evil in the eyes of, etc}

9 And if he have betrothed her unto his son, he shall deal with her after the manner of daughters.

10 If he take him another wife; her food, her raiment, and her duty of marriage, shall he not diminish.

11 And if he do not these three unto her, then shall she go out free without money.

#### EXODUS 21:20-21

And if a man smite his servant, or his maid, with a rod, and he die under his hand; he shall be surely punished. {Punished: Heb. avenged}

21 Notwithstanding, if he continue a day or two, he shall not be punished: for he is his money.

So, the system of slavery is not an Islamic invention.

Will Durant describes the position of the Church as follows:

"The Church did not condemn slavery. Orthodox and heretic, Roman and barbarian alike assumed the institution to be natural and indestructible. Pagan laws condemned to slavery any free woman who married a slave; the laws of Constantine [a Christian emperor] ordered the woman to be executed, and the slave to be burned alive. The Emperor Gratian decreed that a slave who accused his master of any offence except high treason to the state should be burned alive at once, without inquiring into the justice of the charge." Lecky, W.E., *History of European Morals*, vol.II (New York, 1926), p.61, as quoted by Will Durant, *op. cit.*, vol. IV, p.77.

❖ Slavery in Islam was color blind, so there were Asians and Europeans who were slaves as well as the Africans. The

following quotation shows how the issue of color was irrelevant to the early Muslims:

"Take away the black man! I can have no discussion with him," exclaimed the Christian Archbishop Cyrus when the Arab conquerors had sent a deputation of their ablest men to discuss terms of surrender of the capital of Egypt, headed by Negro 'Ubaydah as the ablest of them all. To the sacred Archbishop's astonishment, he was told that this man was commissioned by General 'Amr; that the Moslems held Negroes and white men in equal respect judging a man by his character and not by his colour. <http://www.al-islam.org/slavery/2.htm#r9>, Leeder, S.S., Veiled Mysteries of Egypt (London, 1912), p.332.

Now, slavery was so established in the joints of the economic, political and social life of the world before Islam that it needed courage combined with wisdom to address the issue of slavery, and that is where God miraculously laid down a system by which all the tributaries feeding into the river of slavery would be cut off except for the captives of war ( which helped protect their lives, and it would have been unexpected of the Muslims to be taken as captives if they lost and be mandated to free all the captives if they won. Despite that, the Prophet recommended the freeing of the captives in a hadeeth in which he said:

"فُكُّوا الْعَانِيَّ يَعْزِي الْأَسِيرَ وَأَطْعَمُوا الْجَائِعَ وَعَوَّدُوا الْمَرِيضَ"

"Free the captives, feed the hungry and visit the sick" reported by al-Bukhari.)

Islam also encouraged the freeing of slaves as explained here above and made the expiation of many sins by the freeing of slaves (much better than giving money to the church, isn't it).

Yet, the most genius system Islam legislated was to give the slaves control over their passage into the world of the free.

Allah says:

"وَالَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّىٰ يُعْتَبِرَهُمُ اللَّهُ مِنْ فَضْلِهِ وَالَّذِينَ يَبْتَغُونَ الْكِتَابَ مِمَّا مَلَكَتْ أَيْمَانُكُمْ فَكَاتِبُوهُمْ إِنْ عِلِمْتُمْ فِيهِمْ خَيْرًا وَأَعْتَبُوهُمْ مِنْ مَالِ اللَّهِ الَّذِي آتَيْنَاكُمْ وَلَا تُكْرَهُوا فَتْيَتِكُمْ عَلَى الْبِعَاءِ إِنْ أَرَدْتُمْ تَحْصِنًا لَتَبْتَغُوا عَرَضَ الْحَيَاةِ الدُّنْيَا وَمَنْ يُكْرِهْنَّ فَإِنَّ اللَّهَ مِنْ بَعْدِ إِكْرَاهِهِنَّ غَفُورٌ رَحِيمٌ"

"And let those who do not find the means to marry keep chaste until Allah makes them free from want out of His grace. And (as for) those who ask for a writing from among those whom your right hands

possess, give them the writing if you know any good in them, and give them of the wealth of Allah which He has given you; and do not compel your slave girls to prostitution, when they desire to keep chaste, in order to seek the frail good of this world's life; and whoever compels them, then surely after their compulsion Allah is Forgiving, Merciful." (Q:24:33)

This was good for the slave who has to be weaned from independence on the master for provisions, which could make them face problems if suddenly found themselves responsible to provide themselves with food, clothes and shelter (you should not underestimate what this could have meant to the stability and security of the society if the frees were all freed at once by a mandate). And it was good for the masters who were to a great extent dependent on the slaves for their businesses.

This was also good for the community who will have responsible people, who know the value of work and labor move from the ranks of the slaves to those of the free.

With regard to your question about the slave girl, let me tell you that the Prophet encouraged the masters to free the female slaves and marry them. He said:

"وَرَجُلٌ كَانَتْ لَهُ أُمَةٌ فَغَدَّاهَا فَأَحْسَنَ غِدَّاءَهَا ثُمَّ أَدَّبَهَا فَأَحْسَنَ أَدْبَهَا ثُمَّ أَعْتَقَهَا وَتَرَوَّجَهَا فَلَهُ أَجْرَانِ"  
"He will be doubly rewarded,...the man who had a slave girl, and he fed her well, taught her manners and educated her, and then freed her and married her" reported by al-Bukhari and Muslim.

A female concubine was given a special status once she delivers a child, and was not thereafter sellable, and was freed upon the death of the master. Let us also remember that prostitution by definition is sex outside the socially acceptable context, and in the ancient times the concubine like the wife was allowed to have sex with the master, and her rights and those of the child were preserved. The child was a legitimate son of the master (unlike what the Jews and Christians may like to say about Ismael son of Abraham and Hagar)

This system was not new or introduced by Islam, but all the prophets before Islam acknowledged it and used it. There is no

argument between the Jews, Christians and Muslims that Hagar was the concubine of Prophet Abraham and in the Old Testament, there are countless stories about concubines including those of the prophets such as David and Solomon (peace and blessings be upon them all).

With regard to your question about the POWs, Allah allowed us to enslave the captives, but encouraged us to free them. So if the different countries of the world sign treaties by which they exchange the captives during the time of war, we would be the first to sign such a treaty that will be a double win for us. On one side, we will reclaim our own people, and on the other side we will free the captives, as we are encouraged by God and His Messenger. And if we Muslims sign a treaty they live up to it, since this is Allah's command to us, He said:

"يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَوْفُوا بِالْعُقُودِ أُحِلَّتْ لَكُمْ بَهِيمَةُ ٱلْأَنْعَامِ إِلَّا مَا يُنْتَهَىٰ عَلَيْكُمْ غَيْرَ مُحِلَّى ٱلصَّيْدِ وَأَنتُمْ حُرْمٌ ۗ إِنَّ ٱللَّهَ يَحْكُمُ مَا يُرِيدُ"

"O ye who believe! fulfill (all) obligations. Lawful unto you (for food) are all four-footed animals, with the exceptions named: But animals of the chase are forbidden while ye are in the sacred precincts or in pilgrim garb: for Allah doth command according to His will and plan." (Q:5:1)

Finally, I have to admit that I am quiet shocked at the example you have given, for no one in his right mind would – after knowing the difference – compare what was done by the Serbs to what was legislated in Islam. That is for the following reasons:

- The war of the Serbs against the Bosnians was unjustifiable. Such war is a blatant act of terrorism, unlike the wars waged by the early Muslims to spread the justice of Islam and liberate the people from the oppressive unfair conditions they lived under. (At your request, I can send historical testimonies by the non-Muslim people of the opened lands that testify to this fact)
- The families are not disrupted in the Islamic wars.
- The captives are usually returned as a show of kindness, exchanged for Muslim captives or money.
- In the case they were taken as slave women, they were taken by one man. They were considered legitimate partners with

rights guaranteed for them and their offspring who were treated exactly like the man's other children. How is that like the gang raping in the battlefield by scores of soldiers?

- Such women were often freed and married their masters and if not, and had a child, they had a special status and became unsellable and became free upon the death of the master.
- Such women prospered. They bore and raised children who became khaleefas, sultans, princes, great leaders and scholars in the history of Islam. That is an indication on how they were treated.

I hope that this was a satisfying answer, and I ask Allah to open your chest to His guidance and light.

Allah knows best.