

Does Islam permit sex with slaves?

By: khurshid imam

Rethinking and introspecting whether Islam permits sex with slaves and encourages slavery system.

Imagine!

A young muslim lady captured by US troop in Iraq/Afghanistan/ Somalia/ Yemen. She is held captive by her captor. The captor wishes to have physical relation with her. And he had it. What do you call it? Rape? Or illegal relation? Un Islamic? Against humanity? Barbaric? I am sure you will call one of these.

Now again imagine!

There is Islamic state established in near future. Muslim army is fighting with a nation. A young lady is captured by muslim forces. Now; be honest and tell me: If the Muslim captor wishes to have physical relation with the lady without marriage – can he?

If you have not read my above paragraph then may be you will take some time to answer but eventually you will answer – YES.

A. Introduction to this sensitive issue

One of the favorite topics of anti-Islamic writers is the issue of “physical relation with slaves”. They humiliate Muslims by saying that what is the religion Islam which permits physical relation with slaves. An innocent Muslim tries to defend by saying that Islam absolutely permits physical relation with slave without marriage; because he thinks this is the permission of Almighty God. The common understanding among Muslims is that Islam absolutely permits to maintain physical relationship with slave women – without marrying them - who are possession of Muslims in a war.

Islam is deen-e-fitrat i.e. religion as per the nature. Not a single teaching of Islam can be against humanity or against the law of nature. If some so-called-teachings of Islam is against humanity then one need to seriously ponder over the issue and analyze and try to find out what exactly Islam say about the issue. **In no case one should go against the revelation of Almighty God i.e. QURAN.**

B. Pre Quranic Arabian culture and social system

Before understanding this issue; let's first understand that social culture of Arab was very different from today.

1. Black people were considered inferior. Slavery system was flourishing. Slaves were sold, bought, disposed off. Slave women could be used as concubines. One could have maintained physical relationship with as many slave women he wished. War of that time was also very different from today. Captives of war were also considered as possessions. Captive's women would become slaves.

2. Women were considered inferior to men. People burying their baby girl alive were one of the evil cultures. No rights for women in the property.

3. Alcohol was rampant. People would drink alcohol very fondly. People had different kind of alcohol for different occasions.

Such was the situation when Prophet Muhammad claimed Prophet Hood in the desert of Arabia. As Islam is the complete way of life and it deals with the all aspects of life so it has to deal with these notorious customs also. How it dealt? In a very sophisticated way – keeping in mind the human psychology.

C. How Islam dealt with this unjust system

Islam gave the concept of one brotherhood. No one is better than other on the basis of color, birth, race, language, region or wealth. Quran, Surah Hujrat 49:13

Also Almighty God made clear that men and women are equal in the sight of God. They have different priorities in some duties but they are equal. Elaborating these points is out of the scope of the subject.

We all are aware that Alcohol was eradicated from the society in gradual manner.

1. In first step people were informed that though alcohol has something good but as a whole it's harmful and sinful.

"They ask you concerning wine and gambling. Say: "In them is great sin, and some profit, for men; but the sin is greater than the profit.....". Quran, Surah baqrah 2:219

2. As a second step Almighty God commanded people that they should not approach prayer when they are intoxicated i.e. had alcohol. So this way people were forced to reduce the alcohol. At least for 6-7 hours a day people could not have alcohol.

"O you who believe! Approach not As-Salat (the prayer) when you are in a drunken state until you know (the meaning) of what you utter.....". Quran, Surah Nisa 4:43

3. And then finally Almighty God straightforwardly prohibited alcohol.

"O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansab ,

and Al-Azlam (arrows for seeking luck or decision) are an abomination of Shaitan's (Satan) handiwork. So avoid (strictly all) that (abomination) in order that you may be successful.”
Quran, Surah Maida 5:90

Almighty God in his divine wisdom prohibited alcohol in steps. Had Almighty God ordered in one go it would have been very difficult for people to stop. It's natural and logical because any addict will find it difficult to give up addiction of alcohol in one go. Now let's come to the main point – what about physical relation with slaves?

D. Sex with slave – PROHIBITED in Islam in stages!!!!!!

Islam prohibited it in stages: why?

There is no doubt that unjust system of physical relation-with-slave had to be eradicated. So what approach Islam adopted? In one go? No. It would have proved disastrous because of following reasons:

A. There were numerous slaves present that time: young, poor, elderly, handicapped, women, widows, and children. They were dependent on their master for their food, clothing and shelter. If all of a sudden slavery system was abolished then there would have been a large number of poor people left in the society who would have no means to support them.

B. Similarly there was a great chance of exploitation of large number of slave women in the form of prostitution or brothel because they would have become helpless with nothing to sustain and nowhere to go. Please keep in mind most of these slaves were people foreign to the land of Muslims.

C. There was no proper system for the rehabilitation and taking care of large number of slaves if all of a sudden slavery system was banned.

Islam started discouraging the slavery system:

In no verse, Qur'an has approved of slavery. Please note that the phrase, 'whom your right hands possess', has been used on all such occasions instead of being kept in jails, be distributed among the victorious believing men where they can observe the living examples of Islam in practice. Though Quran has used the word 'whom your right hands possess' I will be using this word and "slave" interchangeably through this article.

1. Muslims were encouraged to free the slaves.

Almighty God encouraged people to give freedom to slaves. Freeing of slave was one of the ways of repentance of the sin of Muslims. This was great wisdom as people would gradually free slaves.

a. *“It is not for a believer to kill a believer except (that it be) by mistake; and whosoever kills a believer by mistake, (it is ordained that) he must set **free a believing slave** and a compensation (blood-money, i.e. Diya) be given to the deceased's family unless they remit it....”*. Quran, Surah Nisa 4:92

b. *“Allah will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation feed ten Masakin (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or **manumit a slave...**”*
Quran Surah Maida 5:89

c. *“Those who divorce their wives by Zihar(Zihar was an pre-Quranic evil practice in which a wife would be considered mother to a person if her husband would call her as “MY MOTHER”. Also marriage in this case would become invalid), then wish to retract the words they uttered, **shall have to free a slave** before they touch each other. This is enjoined (as a penalty for doing so). Allah is well-aware of all your actions”*. Quran Surah Mujadila 58 : 3

Muslims were told to raise the status of slaves. Treat them with more honor and respect. Give them proper food and clothing. Look at the teaching of Prophet Muhammad (Peace be upon him):

d. Narrated Abu Musa: The Prophet said, "**Set free the captives** and accept invitations."
(Bukhari Volume 9, Book 89, Number 285)
(Bukhari Book #62, Hadith #103)
(Bukhari Book #70, Hadith #552)

e. Narrated Al-Ma'rur: At Ar-Rabadha I met Abu Dhar who was wearing a cloak, and his slave, too, was wearing a similar one. I asked about the reason for it. He replied, "I abused a person by calling his mother with bad names." The Prophet said to me, 'O Abu Dhar! Did you abuse him by calling his mother with bad names You still have some characteristics of ignorance. **Your slaves are your brothers and Allah has put them under your command. So whoever has a brother under his command should feed him of what he eats and dress him of what he wears.** Do not ask them (slaves) to do things beyond their capacity (power) and if you do so, then help them.(Bukhari Volume 1, Book 2, Number 29)

f. Hilal b. Yasaf reported that a person got angry and slapped his slave-girl. Thereupon Suwaid b. Muqarrin said to him: You could find no other part (to slap) but the prominent part of her face. See I was one of the seven sons of Muqarrin, and we had but only one slave-girl. The youngest of us slapped her, and Allah's **Messenger (may peace be upon him) commanded us to set her free.** (Muslim Book 015, Number 4082)

g. Narrated Abu Musa Al-Ash'ari: "The Prophet said, "Give food to the hungry, pay a visit to the sick and **release (set free) the one in captivity** (by paying his ransom)." (Bukhari, Volume 7, Book 65, Number 286)"

h. Narrated Ali ibn AbuTalib: The last words which the Apostle of Allah spoke were: Prayer, prayer; **fear Allah about those whom your right hands possess.** (Sunan abudawud Book #41, Hadith #5137)

2. Encourage the marriage between slaves so that they can lead independent life away from slavery.

“And marry those among you who are single the Salihun (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves). If they be poor, Allah will enrich them out of His Bounty. And Allah is All-Sufficient for His creatures' needs, All-Knowing (about the state of the people)”. Quran, Surah Nur 24:32

The teaching of Prophet Muhammad (Peace be upon him) is:

Narrated Abu Musa: Allah's Apostle said, "He who has a slave-girl (or a woman of captivity) and educates and treats her nicely and then manumits and marries her, will get a double reward." (Bukahri Volume 3, Book 46, Number 720)

3. Above all were methods to discourage the slavery system. It was putting a psychological pressure on people against the slavery system.

Initially only unmarried men were permitted to have physical relation with slaves:

1. Now we are entering the area where one needs to seriously ponder over the Quranic Ayah. The ayah that people quote in justification of sex-with-slaves is mainly these 2 ayah.

2. Elaborating the good qualities of a true believer Allah speaks about maintaining modesty in the two ayah: Surah Momenun 23:5-6 and Surah Marij 70:29-30

مُهْنَامِي أَتَكَلَّمْ أَمْ وَأَمْ هَجَاوَزَ أَلَى لَعَالِ

“And those who guard their chastity, except from their wives OR (the slaves) that their right hands possess”

Now both of these ayah talk about maintaining sexual relationship with **wife OR those whom your right hand possess.** Please mark the key word OR here. The Arabic word “AW” means OR. Unfortunately some of the Quran translation wrongly translates here “AW” as AND. The correct translation is OR. The key is: permission of having physical relationship is given with wife OR those whom your right hand possess. It's not that by chance or by mistake (nauzbillah) God has mentioned OR, rather it is deliberate. The initial restriction was to have physical relation with wife OR slave. **So initial permission for physical relation with slave girl was ONLY for unmarried person. But how could they have maintained this relation - with nikah or without nikah?** Go ahead and you will get answer.

Please note that both of this ayah were revealed in mecca. Don't believe? Please confirm. So it was an early regulation of Quran.

Finally Allah ordered that one has to do MARRY a slave girl in order to maintain sexual relationship:

1. Whenever we want to understand final and complete ruling for an issue then we need to take into account all related / relevant ayah. As we have seen with the two ayah that initially only for unmarried person it was permitted that they could have maintained physical relationship with slaves; let's see what is the final and complete ruling on this issue.

2. After few years of revelation of above mentioned 2 ayah (Surah Momenun 23:5-6 and Surah Marij 70:29-30) the below ayah was revealed regarding maintaining physical relation with slave girls.

*“If any of you have not the means wherewith to wed free believing women, **they may wed believing girls from among those whom your right hands possess**: And Allah hath full knowledge about your faith. Ye are one from another: Wed them with the leave of their owners, and give them their dowers, according to what is reasonable: They should be chaste, not lustful, nor taking paramours: when they are taken in wedlock, if they fall into shame, their punishment is half that for free women. This (permission) **is for those among you who fear sin**; but it is better for you that ye practice self-restraint. And Allah is Oft-forgiving, most Merciful.”* Quran, Surah Nisa 4:25

This ayah was revealed in medina. Through this ayah last nail in the coffin of sex-with-slave was hammered. Pondering over the above ayah we find that:

A. Obviously a person will look for girl according to his status. In case he is unable to afford then he should MARRY slave girl. However Allah made clear that all people are from one man and woman – so slave or free person – they all are from one man and woman. None is greater than other except by the reason of virtue.

B. This permission of marriage with slave is if he fears that he will not be able to practice restraint, and fears to commit sin, he is permitted to marry the possessed women. Please note If Islam permitted sex with captive women, there was no need for the above elaboration.

C. Also if having physical relation with slave girls was allowed then there was no need of committing sin as Allah has mentioned in this ayah - This (permission) is for those among you who fear sin.

D. So Allah made very clear in this Ayah that if you don't have means to marry free women and if you fear that you can commit zina by having illegal relationship (**It automatically closes the door for permissibly of having physical relation with slave**) then you can MARRY slave girl. Still Almighty God encourages self restrain (**restraining from what? Obviously illegal**

physical relation. So how come illegal physical relation with slave is permissible?) i.e. you wait till you get means to marry free believing women.

It also - a myth - that prophet Muhammad was allowed to have physical relation with slave girls outside the bond of nikah. Quran testifies to this fact.

كُنْ يَمَّيْ تَكَلَّمَ امَّوَنُهُ رُوجُ أَتَيْتَ لَلَا كَجَاوَزَا كَلَّ أَنْ لَحَّ أَنْ إِيْبَ نَلَا هُيْ أَيْ

*“O Prophet! We have made lawful to you your wives to whom thou hast paid their dowers; and those whom thy right hand possesses out of the prisoners of war whom Allah has assigned to thee; and daughters of thy paternal uncles and aunts, and daughters of thy maternal uncles and aunts, who migrated (from Makka) with thee; and any believing woman who dedicates her soul to the Prophet if the Prophet wishes to wed her;- **this only for you, and not for the Believers** (at large); We know what We have appointed for them as to their wives and the captives whom their right hands possess;- in order that there should be no difficulty for thee. And Allah is Oft-Forgiving, Most Merciful.”* Surah ahzab 33:50

This ayah of surah ahzab 33, Ayah 50 was revealed for prophet and it says:

1. It is lawful for the prophet - his wives AND whom your right hand possess. Note the arabic word "WA" (AND) here. Remember for believers the word "AW" was used in the context of slave women while in case of Prophet word "WA" which means AND is used. So this ayah is telling that ONLY for prophet - wives AND slave women both are lawful. How they are lawful? Through the bond of NIKAH ONLY.

Please note the arabic word *أَهَ حَ كُنْ تَسَّ يَ* used in this ayah. This word - saying those women whom "Prophet wishes to MARRY (and NOT to have sex outside marriage)" INCLUDES cousins, believing women AND slave girls. So Prophet was permitted to MARRY / Do NIKAH with slave girls.

2. And then Allah made very clear that this SPECIAL permission of having wives AND slaves is ONLY FOR YOU. And this permission is NOT for the believers. Then again Allah provide the context of this special permission by saying - "**this only for you, and not for the Believers** (at large); We know what We have appointed for them as to their wives and the captives whom their right hands possess". Thus Allah made clear that in the matter of slave rulings for prophet and believers is different.

3. SO through 33:50 Allah says that for prophet marriage with free women+slaves is allowed while for believers it is NOT the ruling. For normal believers - they were permitted to marry slave girls ONLY if they did not have wife. For prophet he could have married slave girls even if he had wives. This is the difference.

The final ruling of Quran on the issue of sex with slave:

The sequence of orders of the holy Qur'an is a very clear cut. Those who have misunderstood it, have erred, however great they were. After the completion of Quran Islam was complete. Whatever guidance has been given by Quran – that will always be final and not semi-final. So on

the issue of physical relationship with slave-girl; teaching of Islam is that ONLY after marrying them one can have physical relation with slave girl. Any physical relation outside the bond of marriage is haraam / prohibited / adultery / major sin.

Any doubt?

A. Some people may have doubt that since ayah of Quran can NEVER be abrogated hence what relevance Surah Momenun 23:5-6 and Surah Marij 70:29-30 and other such ayah have today or in future? The answer is simple - YES; not a single ayah of Quran can be abrogated. Ayah speaking about slave girls in Surah Momenun 23:5-6 and Surah Marij 70:29-30 is valid even today.

The only thing is that since 4:25 maintains that **slave girl should be taken into nikah in order to maintain physical relation**, so if a person is not married and wants to follow Surah Momenun 23:5-6 and Surah Marij 70:29-30 then he has two option-

a. Marry a lady

b. If slave system persists then take into nikah to the slave girl.

Also remember 4:25 discourages marriage with slave girls because of obvious reasons. That is why Allah has prescribed self restrain in this case.

Please note that slavery system is nowhere today so second option is eliminated

today. However, if a person is married then he has to maintain physical relation ONLY with wife.

B. Some people may have this misunderstanding that in case when a person can not marry free believing woman (may be because of financial reason) - as per 4:25 then how he will marry his OWN slave girl (assuming that the person financial condition is bad then how come he is possessing slave?). Please clear this misunderstanding by reading 4:25 carefully. This ayah speaks about marrying slave girl from AMONG slave girls; also it says wed them with the permission of THEIR folk. This ayah makes clear that slave MAY or MAY not be your own slave-that is why it mentions marrying them with the permission of their master. Here again i would like to emphasize that one should MARRY a slave girl in case he fear he will not be able to practice self restraint. If he can then he should wait till he is able to marry a free lady. In no any case islam permits adultery or any relation outside the bond of nikah.

E. Conclusion

1. Slavery system was in full business during the pre Quranic era.
2. Slaves were bought, sold, treated badly, not considered dignified human beings. People captured in war were treated as slaves.
3. Worst situation was for women. Their masters would treat them as concubines. Their masters could have had physical relations with them.
4. Eradicating gradually this menace; Islam proceeded in steps.
5. In the first step: earlier only unmarried Muslims were allowed to have physical relations with slaves. Surah muminoon 23:5-6 and Surah Marij 70:29-30.

6. Afterwards in Almighty GOD commanded people to MARRY slaves if they wanted to have physical relationship 4:25
7. Today Quran is complete. Any practice that was prevalent earlier and when Quran puts an end to it then we have to see the final ruling from Quran. As in the case of Alcohol when 5:90 was revealed then it was made absolutely prohibited to have alcohol. Similarly in 4:25 Allah made clear that one has to MARRY a slave if he wants to have physical relationship.
8. Any physical relationship outside the bond of NIKAH / MARRIAGE is absolutely haraam.
9. No matter how much you try to convince a non muslim you will never be able to justify – throughout your life – that Islam permits having sex with slaves without marriage. Neither can you convince yourself nor anyone.

1. If you don't agree with the mail then instead of giving fatwa of deviation/kufr/shirk/biddat - have faith in Allah and leave it to him to judge.

2. I am very well aware that the general understanding among the muslim world is that Islam permits sex with slaves. In spite of this I have dared to go against the tide.

3. Believe me I have thought dozens of time before; whether to write on this subject or not. I tried my best to avoid it. However I realized that anti Islamic writers are attacking Islam on this issue on which Muslims are on the wrong side - unfortunately. So I have to be honest. What should I do?

4. Should I go with the majority of muslim world even though their understanding contradicts Quran and law of nature?

Or should I go by what GOD has mentioned in Quran?

I chose second option.

Author: Khurshid Imam is software engineer at Bangalore. For any criticism / feedback / suggestion feel free to mail – serviceforhumanity@gmail.com OR info@serviceforhumanity.in

On the day of Qiyamah Prophet will complain to Almighty God - "Oh God! My people had LEFT / ABANDONED Quran" - Quran, Surah Furqan 25:30