POLYGAMY IN THE ISLAMIC WORLD; PSYCHOSOCIAL AND VERBAL ABUSE TOWARDS THE WOMEN AND TREATING THE WOMEN AS PROPERTY

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ABSTRACT
This study comprises anecdotes regarding the domestic violence and its occurrence on the social basis. It reveals that the commons who appear like living according to the Quran and the Sunnah actually stuff religion with customs and traditions and they treat the women by bringing the lust regarding the nafs into the forefront rather than the Islamic thought. The purpose of this article is to show the real approach of Quran and Sunnah on this matter and offer some solutions in this regard. It also aims to lay emphasis on the injustice regarding the matter of the women being treated as property with polygamy and explain that this religious permit is misunderstood and incorrectly practiced.

INTRODUCTION
-I-
The word violence is şiddet in Turkish, and şiddet is derived from the verb of “şedde”⁴ which emphasises power and strength in something. Şiddet in Turkish have meanings such as strength or power source, harshness and overreacting⁵, it also means using brute force, treating harshly⁶ to those who have opposite opinion.

The concept used as the exact synonym of the şiddet in Western languages is the word violence which means extreme strength, bullying and rape regarding roughness, severity, harshness, physical violence or behaviour. Violence is derived from the verb violate which means disrupting, trespassing, conflicting,

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⁵Mehmet Doğan, Büyük Türkçe Sözlük, Ankara:: Birlik Yayınları, 1982, s.931.
breaching and also breaking something that should be respected or should not be touched open, defiling, forcing, raping. Its adjective form is the word violent which means harsh, offensive, vicious, tough.\(^7\)

However, the violence is an inclusive and extensive concept which contains many different concepts. The most important concept the violence contains is the concept of aggression.

*Aggression or aggressiveness (fr. Agressivité)* is a concept pertaining to psychological literature. The word aggression in English means starting to fight without any reason. Its adjective form is aggressive which means assaulter, assailant; its noun form is aggressor and it also means assaulter, assailant.\(^8\)

Another concept regarding the research subject is the concept torture which is included within the scope of aggression. Torture is derived from the verb torture which means tormenting, agonizing, afflicting, distressing or pestering mercilessly; the noun form of the word torture means torment, oppression.\(^9\)

The most extensive, high-grade and interdisciplinary definition of violence belongs to Yves Michaud. “There is violence if it is realized in a way that hurts the bodily integrity or moral (ethical / moral / spiritual) integrity or the property or symbolic and symbolic-cultural values by one party or some of the parties, directly or indirectly, collectively or dispersedly in an environment of mutual relations.”\(^10\)

After defining the concepts of violence and domestic violence concerning the main subject of the study, some of the theories asserted to explain the violence phenomenon should be discussed.

To be able to talk about the domestic violence, one should be informed of the basic theories regarding the violence. According to this, “We tell that we see news about violence on televisions and newspapers every day very often. We don’t learn what it is with the news about violence; it is in our lives; it has surrounded us in any place we live; houses, workplaces, streets. We become a part of the violence cycle in our daily relationships, social and political relations. Sometimes we realize this cycle, and sometimes we continue our lives without realizing these thin webs. A thousand years of violence culture has institutionalized itself in every field of life. An act of violence in a field takes its source from another act of violence and may constitute the source of many fractions. Even though violence is a phenomenon as old as the history of humankind, it has only been addressed as a social problem, studied in terms of its different aspects and defined by the social scientists in the recent years.”\(^11\)

-II-

**This research is a study about domestic violence, especially polygamy and the form of it which turns into psychological violence towards the women.** Family is studied and analyzed by different sociologists as a social group, social system\(^12\) and social unity\(^13\). It is as Nihat Nirun states “a very special

\(^7\) Longman Metro, Büyük İngilizce-Türkçe-Türkçe Sözlük, İstanbul: İst., 1993, s.1685.

\(^8\) Aggression (agressivité) Consciously or unconsciously, the aggression concept is ambiguous or it has more than one meaning. Aggression may arise from a vital need depending on the life instinct; it may originate from the death instinct which is a destructive impulse. According to Anna Freud, aggressive forces may support sexual impulses (impulsions sexuelles), and it may help them so that they achieve their goal. Then these impulses become constructive or the aggressive forces object to the sexual instincts and they become insidious and harmful. La Psychologie Moderne de A-Z, Paris 1967, p.23; Longman Metro, s. 22.

\(^9\) Longman Metro, s.1609.

\(^10\) Yves Michaud, Şiddet, çev. Cem Muhtarhoşlu, İstanbul: İletişim Yayınları 1991, s.11.

\(^11\) AMARGİL, (Kadın Bilimsel ve Kültürel Araştırmalar Yayınçılık ve Dayanışma Kooperatifi), Kadınlara Yönelik Şiddet, İstanbul, 2005, s. 10.

\(^12\) Arslantürk, Zeki & Anman, Tayfun; Sosyoloji, I. Baskı, İstanbul: Marmara Üniversitesi İlahiyyat Fakültesi Vakfı Yay., 1999., s.307.
status. Discussing it with the different approaches mentioned helps its problems to be solved and to see what should bedone about it.”

Family has a strategic importance in the society. Family is a social organization which creates the bonds of communication between the individual and the community. Family is the foundation stone of the society, it is like the cell in an organism. Family institution is effected greatly by the rules of the society, customs and traditions. As a result of this, family structure is not separated from social institutions and other social effects. Since the family is the foundation stone of the society, in consequence of the social changes, the family also changes.

Depending on this change, in short, functions related to the family such as biologic function, socialization and cultural transmission function, education function, economic function, religious function, and lastly, protection function start to get downsized and change.

What kind of changes social, political and philosophical changes bring on the family are studied by the researchers. The basic functions of the family don’t change, but the reasons such as some of its duties has passed on to other social institutions, the role of the public relief economically, the decline in birth rate has removed its duties from the family. Along with the industrialization, education has passed from family to the society and institutions with the development of the units professionalized in economic functions. According to this, for example, with the modernization, the education and socialization function of the family is undertaken by the school relatively. Depending on the modernization, the changes in the family are as follows.

“1- As a result of the intensive individualization, the control power of the family on family members is reduced.

2- The increase on the cultural alienation as a result of the intensive social and cultural change reduces the sense of commitment the family members have for each other, and by this way, the suicide rate what Durkheim calls as selfish suicide increases.

3- As stated before, the functions of the family shrink, that’s why the other institutions in the society start to fulfill some of the functions of the family.

References:


14 Nirun, Nihat; Sistematik Sosyoloji Açısından Aile ve Kültür, Ankara: Atatürk Kültür Merkezi, 1994, s. 3-10.

15 Erkal, a.g.e., s.77.


17 Erkal, Mustafa; Sosyoloji (Toplumbilimi), II. Baskı, İstanbul: Filiz Kitabevi, 1983, s. 41.

18 Acar, a.g.e., s. 26.


20 Elliot&Merill, Social Organisation, New York, t.siz s.350.


22 Acar, a.g.e., s. 22-23.
4. The family is not an economic production association anymore, but it is now a common consumption area.

5. However, these changes in the society, especially in the period up to the school age, have made the socialization function of the family on the children more important.

6. As a result of the modernization, the women start to take part in the public sphere intensively. By this way, the status of woman and man is more balanced.

7. Also, again as a result of the modernization, the women start to take part in the business life. As a result of it, the birth rates have dropped significantly.

8. Lastly, based on the disorganization in the family institution, the increase in the divorce rates are at a noteworthy point.” 23

Marlyn Yalom who evaluates the changes in the family with regards to American family exemplifies how these changes reflect on the American families as follows.

“The idea that the woman are equal to her husband gains strength. Since the eighteen century when the marriage ideas based on the life partnership become valid in middle and high classes, the tendency have developed towards the partnerships with more equality. Since the 19th century when American women struggled to study in public schools and private schools, church schools and universities and win, they have found the chance to share the problems which belong to the fields such as intellectual, economic, social, political that considered once as only belonging to men. Today, in the presence of the women who earns salary and contributes to the house and men who change the diapers of their babies, the inequality between the worlds of the women and husband have decreased considerably. Certainly laws and education have great roles in this transformation. It is not legal for men to beat their wives now, even if the beating happens with a little stick smaller than a thumb. It is normal for a married woman to have her own bank account. When the women are educated on every subject, they can enter the marriage relationship with the same job opportunities as their husbands. Today, men do not only look for wives for sexual relationship, love, children and house services, but also for wives who can earn money and contribute to the social life.” 24

Depending on these changes in the family institution, intensive dissociations in the family institution are experienced. These dissociations can be summarized as follows. Based on the modern sexual freedom concept, an increase in the divorce rates is observed. 25

The increase in the families without children suggest that the necessary reasons for the marriage start to disappear. 26

As a result of the modern life, the time spared for the children is reduced. 27

Also, as a result of the modern life, and thus the increase in the individualism, egocentric thought starts to dominate. 28

23 Erkal, a.g.e., s.102-107.
Continuous nervous atmosphere in the house because of economic reasons reflects on the couples negatively.\(^{29}\)

The change on the families and the dissociation processes do not always conclude in a positive way. The most innocent victims of these change and dissociation processes are children. However, these processes are also the most important triggers for domestic violence which has become a social wound.

-III-

Family is supposed to be a unit which fulfills nutrition and care needs, gives a sense of confidence, protects and improves the physical and mental health. However, it often becomes the only focus that feeds the violence and applies it. The society is held responsible for the violence realized outside the family and the violence in the family stays secret, it is accepted as private life, and many times it is seen normal and legal. Public awareness regarding domestic violence varies. Some people don’t believe such a violence exists and denies it, some people confirm this kind of violence.\(^{30}\)

If we return to the definition of the violence again, it can be said that “all the individual or collective acts which cause for people to be harmed physically or mentally, to get hurt and become permanently disabled.” Just as violence has many definitions, the domestic violence also does. Concordantly, “Domestic violence expresses such an act to be realized in the family.”\(^{31}\)

Domestic violence is all kinds of aggressive behavior of a person towards his partner, children, parents, siblings and/or close relatives. This definition doesn’t only mean the acts involving brute force, but it also means the acts causing for the person who is exposed to violence to lose his self-respect, lose his trust towards himself or the people around him, be scared, and acts such as abasement, threat, limitation of the economic freedom and being forced into marriage. Not only the people who live in the same house, but also an ex-spouse, girlfriend or boyfriend or fiancée may be exposed to violence or may inflict violence.\(^{32}\)

Another definition for domestic violence is as follows. Domestic violence means “all acts of violence from one individual to another such as pressure, contempt, punishment, showing strength, anger to defuse tension in a group identified itself as family.” Domestic violence can happen as adult-adult, but it can also happen as adult-child.\(^{33}\)

Almost all the society, sociality, structures and hierarchal relationships contain violence. That’s why, where there is dominance, there is violence. Violence can have different meanings according to time, cultures and societies. As female circumcision is a cultural phenomenon in South African countries, it can be a violence act which must be interfered in other societies. Violence has many seen and unseen aspects. Their effects also differ.\(^{34}\)


\(^{34}\)AMARGİ, Kadına Yönelik Şiddet, s. 12.

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Domestic violence in a private area takes place under the influence of habits, learning methods and traditions. However, there are some important points such as the invisibility of the violence, its denial, its legitimation and the effect of it in socialization. “Since the violence in private areas is inflicted by mother, father, husband and close relatives, it was an unseen phenomenon until the woman expressed it. The private area of the families, the privacy of them wouldn’t be disturbed. It wouldn’t go out of the room. Domestic violence towards women wasn’t in any international agreement 30 years ago.

Domestic violence in the relations with family and relatives has become visible with the rise of the women’s movement. After the struggle of the women’s movement, the violence towards women is handled by the official institutions, violence women has been subjected to as a sex is handled by the official institutions, precautions are started to be taken against discrimination and violence towards the women. After approximately 15 years, the reasons of the violence in the families, its consequences, its short and long term effects are started to be discussed.”

The fundamental unit of the society is the family institution and maybe the patriarchal one. The man who is accepted as the leader of the house controls the sexuality of the woman, the production of her work, her fertility and activities. There is a hierarchy of which the man is the superior and dominant one, and the woman is secondary and submissive one. It is important for the family that next generations get socialized within the values of patriarchy. Male children learn to show themselves and order, and female children learn to be submissive and accept the unequal treatment. The scope and nature of the masculine control may different between families, but it doesn’t completely vanish. Family plays an important role in creating a hierarchical system and protecting the order in the society. Family reflects the state order, and not only teaches the children to obey it, but also creates the order and strengthens it continuously.

-IV-

The types of domestic violence are same in all the source texts. There isn’t a contrariety between the texts. However, there are a lot of differences in the interpretation methods and viewpoints between the texts. Domestic violence is evaluated as the types of collective violence in the types of general violence. According to different sources, the types of domestic violence are as follows. 1-Physical Violence, 2-Psycho-social and Verbal Violence 3-Sexual Violence; 4-Economic Violence.

The definition of verbal violence and psycho-social violence is our main subject. Verbal violence and psycho-social violence are evaluated under the same title; because verbal violence stains the women’s social honour, and by this way, the women’s psychological state is damaged.

The relationships are tried to be controlled by using the emotions; emotions such as love, attention which protects the women’s psycho-social integrity are not shown and support isn’t given to the women. The relatives, family and children women are threatened, and the emotion of psychical re-living is caused. It is adopted less since it doesn’t leave a visible trace like physical violence. However, there can more permanent traces on the spiritual world compared to the physical violence. It may destroy the women’s self-confidence and identity completely.

In a study by TESEV, it is seen that the women are mostly exposed to psycho-social violence. Verbal abuse, insults, humiliation and yelling, threats are a daily part of their lives. This kind of violence humiliates the women’s sexual identities and the women are given humiliating names. The movements of the women are being controlled in an unseen way.

35 A.g.e., s.14.
36 A.g.e., s.14.
These are gender-specific acts, because the men aren’t exposed to the same limitations. Yelling, lying, cheating, breaking stuff, humiliating in front of others, interrupting her words often, hurting her pride, throwing her out of the house, threatening with physical violence, taking the freedom of expression her feelings and thoughts, forcing her to think and act like him, limiting her freedom of action, criticizing constantly, cursing, preventing her from contributing to the decisions, questioning constantly, restricting her from dressing the way she wants, giving humiliating names, prohibiting her from meeting with her family, friends and neighbors, insulting her regarding her ethnic identity and beliefs, looking down on her ideas and works, not giving the right of privacy and private life, forcing her into marriage, pressuring her because of honor and custom and many other acts are within the scope of the acts that are applied without physical force, and damage mental health.37

As is seen, the aforementioned psycho-social violence types aren’t generally different than verbal violence. Because as physical violence consists of beatings, assault and such, psycho-social violence generally includes verbal methods. However, it can also be locking the woman in the house.

For example, in Amargi’s study, Ayse’s husband does not want her to see her family and the people from her own social sphere and her friends. Ayse is a housewife living in Umraniye and her comments regarding her husband’s psycho-social violence are as follows. “We are against beating, my husband never beats me, but he yells at me from time to time, and I yell at him. He doesn’t like my family and siblings much. He doesn’t let me go to them and he sulks when they come to us. We fight after they go, he curses. I don’t know if it is because he loves me so much or he doesn’t trust me, but he doesn’t want me to go outside of the house too much.”38

The incident of a father in Yüksekova, Hakkari locking her daughter in the barn for 6 years is maybe one of the worst incidents which the psycho-social domestic violence hurts the women’s pride. It isn’t difficult to imagine the psychology of a person locked up in the barn for six years. According to this news, “In Yüksekova, Hakkari, Zahide Koç’s father has locked her in the barn after she is abandoned by her husband. Zahide Koç is found after six years. Koç is 35 years old. She has been found thanks to the efforts of Yüksekova Municipality and Gever Women’s Association two months ago. She has been forced to live in the barn for six years and hasn’t been allowed to see anyone. Zahide Koç doesn’t remember her past and she is going through psychological treatment. Nurhan Aslan, the member of Gever Women’s Association has stated that Koç’s treatment will continue in Elazığ Mental and Neurological Disorders Hospital, and she told, ‘Zahide will be placed in a women’s shelter after her treatment.’”

Zahide Koç’s story is as follows: She is married as a second wife in Yüksekova, but in a short while, she is sent to her father’s house by her husband because of an unknown reason. Zahide Koç is locked up to a separate cell in the barn because she has left her husband. She has remained closed in that section of the barn for six years, and hasn’t been allowed to speak with anyone. Koç is 35 years old, and she has been saved 2 months ago thanks to the efforts of Yüksekova Municipality and Gever Women’s Association and has started to be treated in Yüksekova State Hospital. Koç has gone through treatment in this hospital for a while, and then has been taken to YüzüncüYıl University Faculty of Medicine Research Hospital Psychiatry Service. After the first treatments, she is sent to Elazığ Mental and Neurological Disorders Hospital.
Because of her experiences, she can’t remember the past. Zahide’s treatment will continue in Elazığ.”³⁹ As can be seen, Zahide can’t even remember the events of her past after six years in the barn.

In some sources, a fourth violence type is added to the classification regarding the violence that restricts social relations.⁴⁰ If we should talk about the existence of such a violence title, it should be included to psycho-social. The type of violence Zahide Koç from Hakkari has experienced is possible to be defined as “a type of violence which restricts social relations,” but the actions which can be included in this type of violence are as follows:

Prohibiting her from meeting with her family, friends and neighbors, prohibiting her from leaving the house, following her everywhere, insulting and mocking her in front of other people, interrupting her in front of other people, not giving the right of privacy and private life, forcing her into marriage, pressuring her because of honor and custom and many other acts etc.

One of the important types of this violence is a psychological type of violence which includes threatening the women constantly with the possibility of a second wife. In this violence type, the woman constantly gets humiliated and she is treated as a property. The best example for this violence type is in this Silifke ballad which is called Ü migline Dursun Ham Çökelek⁴¹ (I Hope Dry Cottage Cheese Sticks in your Throat). It is written by a man who has two wives and in a polygamy.

(Oh oh)
There is a young man called Gerali
Darling there is a young man called Gerali
He wraps a scarf around his head and a waistband around his waist
My Gerali hey hey hey

Turn around skipping
I hope dry cottage cheese sticks in your throat
Come here girl skipping
I hope dry cottage cheese sticks in your throat

(Oh oh)
I hop on my donkey and pass the stone gutter
Darling I hop on my donkey and pass the stone gutter
My wives, don’t trouble me or I’ll divorce you both
I can’t get rid of bad wives hey hey hey

Turn around skipping
I hope dry cottage cheese sticks in your throat
Come here girl skipping
I hope dry cottage cheese sticks in your throat


(Oh oh)  
I bought one meter liner for one of them  
Other one wants cloth for her salwar  
Mighty God show me the pain of both of them  
I can’t get rid of bad wives hey heyhey  

Turn around skipping  
I hope dry cottage cheese sticks in your throat  
Come here girl skipping  
I hope dry cottage cheese sticks in your throat

Since the man can’t handle both of the women, he threatens to divorce them and then prays to God so that they would die. Even though it has a fun and entertaining melody, its lyrics are a good example to show the level of polygamy in psychological violence. This subject has also a place in Islamic literature and its place is very critic since Muslim believers think they do what they do according to Quran and Sunnah. However, the attitude of Quran and Sunnah towards violence is the exact opposite of what they practice. What they practice is actually only custom and tradition covered with religion.

-V-

Islamism, compared to the religious understanding in Jahiliyyah period, has made changes in social, economic and judicial position of the women and given them very important rights.  

The women, just like men, are caliphs of Allah on the earth.  

Quran tells that women and men are made from nefs-i vâhide(one nafs) which means “first life / essence / substance,” they don’t have any difference as “humans” and their responsibilities are equal and have the same value before Allah.  

Allah has created woman and man as a couple that completes each other to provide them a peaceful and happy life, and to procure the continuity of the generation, placed mawaddah (love filled with religious values) and compassion (mercy) between them so that they can be peaceful; told the women take a solid assurance from their husband when they get married; ordered men to act nicely to their wives and advised them to break up gently even if they divorce.

In accordance with this frame of mind in Quran, Prophet told that “Woman and man are two equal pieces of the whole,” he took care of the women’s problems, he became mediator for the women who were at odds with their husbands and became a good role model for them with his family life. During a
journey, Prophet likened the women in the caravan to “crystals” and told the young driver Enceş to ride the camels slowly so that the women he defined as “gentle and kind” wouldn’t get hurt.\(^{55}\) This incident shows Prophet’s point of view towards women and how he values them. Also, Ebû Kilâbe, the hadith teller, told the people around him; “If one of you would tell this world which Prophet has told, you would mock him.”\(^{56}\) It shows the point which Islam community has arrived after Prophet and its regression.

Indeed the practices towards the women in Islamic societies aren’t always realized within the frame of Quran and Sunnah, and once in a while old cultures and traditions dominate.\(^{57}\) Sometimes rooted patriarchal family idea and the concepts which limits the women rights within the frame of this idea effect the interpretation of the ayats and hadiths, and sometimes the suspected reports pave the way for these kinds of interpretations.\(^{58}\) In the past and today, if there is a discrimination towards the women, it isn’t because of Islam, but because of the traditions of the societies. Because many tribes that accepted Islam couldn’t abandon their past religious beliefs and traditions quickly, but just carried these to the new religion. On top of it all, “customs and traditions became more dominant than religion” in some cases where the men are concerned.\(^{59}\)

Islamism actually advises monogamy, but it also allows polygamy to be fair.\(^{60}\) In this regard, teaddüd-ü zevcât(polygamy) is not an order, but a permit with strict conditions. Marriage with four women isn’t an institution which violates the rights of the women and used irresponsibly, but it is an incident that should be resorted only in the situations where mandatory and valid reasons are available. That’s why, despite this theoretical opportunity, polygamy is not widespread in Islamic societies.\(^{61}\) The reason is this; according to Hanbali school, the women who don’t want their husbands to marry a second time have a right to lay this as a condition. This condition is binding and makes it impossible for the husband to marry a second wife. Many examples are available for this situation.\(^{62}\) However, in the West, some people think the permit for polygamy in Islam as “an order,” and then they attribute these thoughts/assumptions to Islam and prejudicially criticizes it while trying to spread this negative view about Islam. Their behavior is the cause of their lack of knowledge and misinformation. However, it isn’t wrong to say that there are “less men who marry more than one woman among Muslims, than the men who have marital infidelity in the West.”

On the other hand, in the cases of which there is a disagreement between the husband and wife, the solution of this problem isn’t clear. On such an occasion, the matter of how much right and authority a husband has on her wife is one of the most debated issues and this matter is usually approached through Sura An-Nisa, 34\(^{th}\) ayat. However, this ayat tells about “the women who are suspected to be disloyal” and takes care about one of them more, he becomes paralyzed on the day of the judgment.”


\(\text{\textsuperscript{56}}\) Müslim, 43/Fedâil, 18 (II, 1811), nr: 71.


\(\text{\textsuperscript{60}}\) en-Nisâ, 4/3, 129. Prophetwarnsthosewhocannotsecure sthe justicebetween his wives; “He shouldn'ht have two wives, and takescareaboutone of themmore, he becomesparalyzed on the day of the judgment.” Bkz. İbnMâce, 9/Nikâh, 47 (I, 633).

\(\text{\textsuperscript{61}}\) Osmanlı Devleti’nde birden fazla kadınla evliliğin çok az olduğuyla alakalı bilgi için bkz. Akgündüz, Ahmet, \textit{Bilinmeyen Osmanlı}, OSAV Yay., İstanbul, 2000, s. 41-418.

\(\text{\textsuperscript{62}}\) Aydın, “Kadın”, XXIV, 89.
husband is advised to take some “precautions” when he realizes the “disloyalty” is the matter. In this regard, the ayat tells about a “special problem” and it shouldn’t be perceived and narrated as a “basic method” which puts the relation between men and women in order.63

Besides, most of the classic interpreters expresses that “the women who are suspected to be disloyal” are first advised, if she continues her mistake, they lie on the separate beds. If it isn’t effective here either, she can be beaten (battery) lightly. The meanings of “disloyalty (nüşüz)” and “battery (darp)” words are very important to reach such a conclusion. Because these words have more than one meaning, and to be able to understand the divine message, the true determination of the meanings attributed to the “battery” and “disloyalty” words is important.

Generally, “nüşüz” word is translated as “disloyalty.” It also has meanings such as “disrupting the peace of the family by standing up to the husband, rebelling, acting superior and having a roving eye.” Nüşüz is also explained as “the behaviors which damages the loyalty between spouses and causes incompatibility of temperament.” “Nüşüz” concept in the aforementioned ayat also includes the women who “see themselves superior than their husbands, hurting and looking down on them, can’t accept the fact their husbands are the leaders/responsible ones (managers) of the house, acting with psychological and emotional violence towards their husbands, showing signs of disloyalty, strengthen the suspicion of betraying their husbands.” Because if there is fear, there should be some signs. A healthy person doesn’t get scared for no reason. Since the ayat mentions “the women who are suspected to be disloyal,” it is possible that “there are some traces, signs, and indications regarding the fact that the woman is disloyal and wanton.”

It is also important to remind this matter: Sura An-Nisa, 34th ayat, doesn’t only mention goodreligionist (saliha) women who act in an honest and virtuous way, it also refers to “the women who are suspected to be disloyal” and it also concerns these women. Therefore, showing this ayat as truth, the women who don’t tend to commit such a crime and are chaste and virtuous shouldn’t be beaten because of their small mistakes, and this kind of violence based on this ayat towards these women isn’t acceptable.

In these kind of meanings, “nüşüz” is translated as “bigheadedness”64, “obstinacy”65, “rebelliousness”66 or “bad faith.”67 We think that these kind of expressions allow the arbitrary behaviors of the husbands. Because these kind of expressions allow the arbitrary behaviors of the husbands. These general expressions can be interpreted in any way and it can pave the way/prepare the ground for men to resort to violence. Therefore, “nüşuz (disloyal)” concept may be translated as “unchastity and disloyalty,”68 and by this way, the mentioned problem can be minimized. However, in the beginning of the aforementioned ayat, “the women who are devoted to Allah, and protects the chastity and honor from their husbands” are mentioned and then the subject of “the women who are suspected to be disloyal” comes. When “nüşüz” concept is translated as “unchastity and disloyalty,” the concept becomes concordant. Because “unchastity and disloyalty” is explained as “wanting more than one has in sexual subjects as violating the family law.”69 That’s why, such a shameless behavior disrupting the family peace and unity shouldn’t be maintained and the precautions to prevent the family from being broken apart should be taken. This “three-staged plan” should be applied. In our opinion, this ayat doesn’t talk about “an enforcement, option or punishment,” but

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64 Yıldırım, Suat, Kurân-ı Hakîm ve Açıklamalı Meali, İstanbul, 1998, s. 83.
65 Öztürk, Mustafa, Kur’ân-ı Kerîm Meali, Anlam ve Yorum Merkezli Çeviri, Düşün Yay., İstanbul, 2013, s. 115.
67 Esed, Muhammed, Kur’an Mesaji Tefsir, İşaret Yay., İstanbul, 2002, s. 143.
68 İslamoğlu explains “nüşüz” concept as “disloyalty.” Bkz. İslamoğlu, a.g.e., s. 157.
69 Protecting chastity and honor is a humane and moral value. Bkz. en-Nûr, 24/30-31. Because Quran referersto Meryem and Yusuf with admiration and praise since the protect the chastity. Bkz. el-Enbiyâ, 21/91; et-Tahrim, 66/12; Yûsûf, 12/23-29, 51-52.
mentions “a three-staged plan” should be put in place between spouses. Because it is clear in the ayat that when this plan applied properly, the solution is provided and the woman realizes her mistake and makes it up for it. Because the ayat warns as such; “But if they obey you (if they realize their mistake and become honest), seek no means against them (don’t step out of the line, don’t hurt them and don’t talk about it all the time against them!” Almighty Allah knows the reactions and actions of his servants, that’s why this message should be understood clearly. Because Almighty Allah doesn’t want any troubles in the fundamental piece of the society, the family.70 Even if there are problems, he tells about the ways and methods to solve them beforehand. Because only religious and ethical individuals grown up in a peaceful family can represent and serve Islam; become a model and witness to humanity.71 In this regard, it is impossible for a Muslim family which the relations between spouses are terrible and constant fights happen to raise model and wise generations for all the world to see.

A question as follow may arise: “If the person in question is a husband acted with unchastity/disloyalty and looks other women other than his wife, thus committed adultery – and if this incident isn’t confirmed by reliable four witnesses-72, what is the right thing to do?” In such a situation, the thing to do is that the man who commits the crime or have the possibility to commit the crime should solve the problem with her wife through mutual agreement, realize his mistake, repent his sin and return from his wrongdoing.73

The verb “darebe” in Sura An-Nisa, 34thayathave many meanings. This word contains many meanings such as “building something on something, creating a trace on the road with feet, setting sail with reasons such as livelihood, commerce or war, going to do the toilet to fulfill the need, stirring, swimming in the water, lifting something, pointing with the hand, holding tightly, running away from trouble or fight, standing somewhere after arriving there, giving example, taking a walk, stopping, winning, sealing, prisoning, pushing away, separating, firing, hitting, providing someone to accept, abandoning, getting rid of something, cancelling, releasing.”74 The dictionary definitions of “darebe” differs, and the usage of the word in Quran contains some of the definitions above.75

Mehmet Okuyan, one of today’s Tafsir researchers, thinks that reaching the conclusion that beating the women is an accepted act by showing this ayat as an evidence “lacks of any basis from Quran.”76 In this regard, it isn’t true to say that anytime and anywhere the verb “darebe” means “to beat.” Because both in the past, and today, the word is interpreted as it doesn’t have any meaning other than “to beat.”77 This idea

71 Prophetsandtheirmahmust be a “model/witness/example” totheotherpeople in theirperiod. Bkz. “Strive in theWay of Allah as yououghttostrive withsincerity and discipline; He has chosenyou and has not laiduponyou any hard ship in the observance of your faith - the faith of your father Ibrahim (Abraham). He namedyou Muslimsbefore in prior scriptures and in this (The Qur’ân), sothat His Rasoolmay testifyagainst you and by yourself testimony against rest of themankind. Therefore, establish Salâh, pay Zakah and holdfast to Allah: Who is your Protector - so what an excellent Protector and what a splendid Supporter!” el-Hac, 22/78. Also bkz. en-Nisâ, 4/41; el-Mâide, 5/117; en-Nahl, 16/89.
72 Theverbadultery, if it is solidwiththetestimony of fourreliablewitnesses, punishedwith a differentpunishment. Bkz. en-Nûr, 24/2-3.
73 This ayat mentionsthene “nüsz (disloyalty)” of men: “And if a womanfears from her husbancontempt or evasion, there is no sin upon her in the terms of settlement between them - and settlement is best.” en-Nisâ, 4/128. Thefact that the women’s disloyalty is punished disrespectfully is because it has more severe results. Because protecting thesecurity of the generation is thewomen’sresponsibility. Bkz. İslamoğlu, a.g.e., s. 178, 1. dipnot.
75 el-Bakara, 2/273; en-Nisâ, 4/101; el-Mâide, 5/106; İbrâhîm, 14/24, 25, 45; en-Nahl, 16/75-76; el-İsrâ, 17/48.
77 Regardingsomeglossatoraboutbeating bkz. Elmalılı, a.g.e., II, 1340; Bilmen, a.g.e., II, 585-586; Yıldırım, a.g.e., s. 83; Esed, a.g.e., s. 145. Öztürk tellsthathelverb “darbe (to beat)” doesn’t have a definitemeaning, and he prefersthemeaning “slap.” Bkz. Öztürk, a.g.e., s. 115. Ali Osman Atçexplainsthat it has a meaningsuch as “Give an advicetoitwomen.” Bkz. Ate, Ali Osman, “Kur’an ve Sünnet’in Kadına Bakış”, Kur’an ve Kudina Sempozyumu (4-5 Haziran 2010), Ankara, 2013, (s. 291-321), s. 296.
supports the ones who thinks that “Islam exposes the women to violence” and “the women is treated as second class being,” and it especially confuses the women. “To beat” isn’t implied in “Quran” and Prophet doesn’t do it and doesn’t advise it. Therefore none of the books, be it hadith books or the books about Prophet’s life, mention anything of him beating his wives. His wife Ayşe expresses that she hasn’t seen him beating his wives or maids. Prophet told; “The best Muslims are the ones who act gently towards their wives.”.

As can be seen, there are “benevolent and beloved hadiths” that criticize the beating of the women in Islamic sources, those hadiths also rebuke and reproach the people who acts in such a way. There are also “weak and made-up reports” that advises the beating. In this regard, the reliable hadiths by Prophet should be trusted and made-up ones should be ignored. Otherwise, both Prophet, and the last religion, Islam, is introduced wrongly.

On the other hand, the women got beaten in Jahiliyyah society. Quran only mentions this “action.” There are some interpretations as follows: Quran and Sunnah doesn’t protect such an act and doesn’t want it to be continued. They don’t encourage anyone by saying “Beat them!” Just the opposite, they are the first step to improve the rights of the women.

On the other hand, as can be seen from the studies, using “physical, psychological and verbal violence” only provide temporary solutions. In an ideal Islam society, violence and right to use force aren’t necessary. These are short-term palliative precautions, because people are never trained with beating and sticks. People who seem to be changed because of their fear of getting beaten actually don’t understand their mistakes at all. These people are just suppressed, silenced and intimidated. They repeat their mistakes at the first chance they get and commit similar crimes again. Therefore the true, permanent and ideal solution is to place firm, straight and ageless universal law and moral principles to the minds of the people, enabling them to turn into permanent behaviors/virtues, convincing people with correct and reliable information, correct ways, methods and practices, and by this way, helping them to find the truth. It is teaching them that the problems can be solved without resorting to violence, beating, despotism and barbarism.

According to a report, it is mentioned that Prophet tells in his The Farewell Sermon: “Be scared of Allah when the women are concerned! You took them as Allah’s entrusted. You honored them according to the word of Allah. Your rights on them are that they don’t take any man to their beds and protecting their

However, Mehmet Okuyan explains that this word is translated as “beating,” it has many different and comical interpretations. He criticizes this as follows: “Forexample, you ‘hit, but youdon’t hurt,’ ‘youdon’t hit sensitive places,’ ‘you don’t hit above the shoulder’ ‘you hit with a bent handkerchief,’ ‘you hit with a miswak’ etc.” Bkz. Okuyan, “Kadına Yönelik Şiddetle İlgili Kur’anın Bakışını”, s. 122.


honors. If they do such a thing, beat them lightly (battery.) Their rights on you are that you providing their livelihood and clothing…"84

Mehmet Okuyan explains the problematical side of the aforementioned report as follows: “If a woman takes another man to her bed, this act is called adultery and its punishment is clearly stated in Surah An-Nur, 2th ayat; “Do not be taken by pity for practicing the religion and judgment of Allah, if you believe in Allah and the Judgment Day.” It contradicts with “Beat them (lightly)” expression in the report. Also, if it is adultery, it is suspicious only for the women to be punished and the men aren’t mentioned. This expression stated at the beginning of the hadith “accepting that a woman, Allah’s entrusted, is beaten” changes the meaning of the entrusted.”85 Okuyan states that the people who try to show the violence against the wives as a “religious process” do wrong, and it is impossible for them to find evidence for their acts in Quran and Sunnah.86

The verb “darebe” is used in the aforementioned rumor the same way, and mostly the word means “beat lightly.” In our opinion, Prophet means by the before cited ayat that when “the advice and separating the bed”87 don’t give results for “the women who are suspected to be disloyal,” he suggests “a change of location while staying apart from her husband for a while.” Because Prophet must have suggested to the husband who reaches/encounters some evidences or claims -apart from four reliable witness-88 regarding his wife having adultery with another man “to stop physical and emotional touches by separating the beds and eventually to move to a different place” which is a reasonable and humane solution rather than beating which makes the problem even more unsolvable. However, it is possible that Prophet’s suggestion in accordance with Quran is misunderstood by some reporters (ravi), then the meaning and the report is misinterpreted and attributed to the hadith and it is in the books in that way.

Quran orders “separate gently!”89 even to the spouses who can’t get along and have to get divorced, advises them “humane treatment and compliance to the rights of each other”90 and never uses expressions associated with violence. That’s why it is wrong to try to show Islam as a religion that advises beating. Because Quran and Sunnah have never supported violence towards the women, never given it any chance and never offered it as an option/method. That’s why Prophet lashed out to Sabit b. Kays who broke his wife’s hand with violence and he told Sabit b. Kays to divorce his wife since he committed the same crimes before. As can be seen, Muhammad’s behavior regarding the violence towards the women shows his “guiding and illuminating True Sunnah.” “As reported by Afra b. Mu’avviz’s daughter Rubeyyi, Sabit b. Kays beat his wife’s, Abdullah b. Ubeyy’s daughter Cemîle’s hand after beating her. Her brother complained about it to Prophet. He called Sabit b. Kays and told him: “Will you take the decision you should take about your wife and divorce her?” He answered positively and Prophet ordered Cemile to wait for a while/a period of cleaning and go back to her parents.”91 In this incident, the conclusion from Prophet’s practice is this: If the man beats his wife, this isn’t a right as presumed because of Sura An-Nisa 34th ayat. Because

84 Müslüm, 15/Hac, 19 (I, 889-890), nr: 147; EbûDâvûd, Menâsik, 56 (II, 462); Tirmîzî, 44/Tefsir, 9 (V, 273-274); İbnMâce, 25/Menâsik, 84 (II, 1025).
85 Okuyan, “Kadına Yönelik Şiddete Kur’ân’ın Bakışı”, s. 124.
87 Because according to the rumor told by Tirmîzî, there is the sentences of “Leavethem in their beds alone!” Bkz. Tirmîzî, 44/Tefsir, 9 (V, 274).
88 According to Quran, whenthesekind of serious claims are concerned, they haveto be proved by “at least four reliable witnesses.” Bkz. en-Nisâ, 4/15; en-Nûr, 24/4, 7-9, 13.
89-el-Bakara, 2/229; et-Talâk, 65/2.
90-el-Bakara, 2/228-241; et-Talâk, 65/6-7.
beating is not a reasonable behavior, but it is crossing the line that concludes with divorce. If the above mentioned ayat would order beating and if beating was a normal behavior, Prophet wouldn’t have ended this marriage and just the opposite he would have seen it as “a fulfillment of Allah’s order” and he wouldn’t advise divorce.\footnote{Okuyan, “Kadına Yönelik Şiddete Kur’ânın Bakışı”, s. 124.}

As it is known, when Prophet’s wife, Ayşe faced with the slander of disloyalty, she “left the house temporarily” and no violence act was committed against her in accordance with Quran’s advice. In this regard, the women who are blamed with unchastity and disloyalty are advised “to leave the house and wait until the clarification of the matter” instead of the beating.

On the other hand, the defensive behavior that “beating the women is not an order, but a divine permit” also lacks of serious grounds. Because if it is permitted, how can Prophet see something which Almighty Allah allows as a bad thing and doesn’t support it? How can he advise his people not do beat?\footnote{Okuyan, “Kadına Yönelik Şiddete Kur’ânın Bakışı”, s. 125.} In this regard, trying to make violence towards the women legal by giving the same meaning to a word which has many different meanings, trying to show Quran and Sunnah as contradicting to each other and not being able to present believable and convincing evidences for the disagreements are not true. That’s why, the mentioned ayat has to be understood and interpreted according to the first glossator of Quran and Prophet’s “actual sunnah”.\footnote{Ateş, “Kur’ân ve Sünnet'in Kadına Bakışları”, s. 296.}

In our opinion, both the practices until now and insisting that the verb “darebe” and the related ayat and hadiths mean “to beat” is because Quran and True Sunnah cannot be looked from a broad perspective, this makes the understanding of these two texts difficult and tarnishes Islam’s image. That’s why, we think the verb “darebe” may be used in the aforementioned ayat and the above-cited hadith not as “to beat,” but “pushing away from home,” “changing place,” “separation.”\footnote{İslamoğlu expressesthattheverb “darebe” alsomeans “seperatingtwothingsfromeachother,” thus he explainstheword as “Eventuallyseperatethem (temporary)!” Bkz. İslamoğlu, a.g.e., s. 157.} In this regard, “three-staged plan” advised in the mentioned ayat regarding “the women who are suspected to be disloyal” should be understood and practiced as follows: 1. Effective communication 2. Sexual isolation 3. Spatial separation.

“Effective communication” means that the man talks with the woman who is suspected of disloyalty in a kind and gentle way\footnote{Wehavetoremindtheseyaystothosewhosay “Whynotjusttakethewomenoutoftheshelterandmakeherreturn?” “Go, you (Moses) andyourbrother (Harun), with My signsand do not slacken in My remembrance. Go, both of you, to Pharaoh. Indeed, he has transgressed. Andspeaktohimwithgentlespeechthatperhapshesmaybere mindedorfearAllah.” et-Tâhâ, 20/42-44.}, he shows that he values her and while doing these, he acts in a friendly and sincere way, he explains to her that he doesn’t want the family to get shattered, he asks questions to his wife to make her think and realize her mistake, thus turning her from her mistake. Also the man should listen what her wife says, he should try to understand her, and he should promise his wife that he will fix some of his behaviors and mistakes his wife complains and convince his wife to protect their family.

“Sexual isolation” is the second step after the effective communication isn’t enough to solve the problem. At this stage, husband and wife should separate their beds and stay away from sexual relations even if they are in the same house so that they can understand the importance of the matter with this opportunity/foundation. It presents them a chance so that they can protect their marriage, think on their mistakes and take better decisions by talking in a humane way. It is possible for the woman to return from her.

“Spatial separation” is to provide opportunity to reverse the situation which proceeds to divorce of the spouses, observing what the negative results divorce may have, one of them to move to another house so that they can think about the destroy of the family more closely and understanding the value of each other when the first two stages are ineffective.
If the problems aren’t solved despite the three-staged plan, the religious and psychological support isn’t effective, the judges appointed by the families aren’t successful, then that spouses must apply to the court and get divorced. This couple is divorced by the decision of the court and everybody goes to their own roads. No one can blame the other side and tell how much he/she regrets in the future, because both sides use the rights of each other too much, finish the process and take the decisions with their own free will. They have to endure the consequences together.

Consequently, Islam never approves the violence towards the women. It doesn’t advise beating as a solution. It advises to the spouses to continue their marriages with mutual love, respect and loyalty. In the cases where disloyalty and unchastity occur, it offers an opportunity/a ground so that the spouses can think and return from their mistakes by putting these into effect respectively; “effective communication, sexual isolation and spatial separation.” If all of these don’t work, it doesn’t prohibit the spouses from getting divorced. Therefore if the verb “darebe” in the mentioned ayat and hadith is thought as “spatial separation,” the aim of Quran and Sunnah may be understood better, the families may be protected, the beating may never happen and the attacks on Islam with the excuse of the violence towards the women may end.

In this regard, we can list some of our determinations and advices to eliminate the violence towards the women as follows:

1. The required legal arrangements must be realized forthwith so that the men or women who resort to battery/violence may be punished in the most effective and deterrent way.

2. The scenarios of TV series must be inspected by a team of professional psychologists, pedagogues and theologists, the sections which effects the development of the children, disrupts the family peace and undermines the social values must be removed. Families and authorities must be sensitive towards the computer games which encourages the youngsters and children to violence, printed, visual and social media which incents to violence.

3. It mustn’t be forgotten that suicide news are incentive just as violence news towards the women and the legal measures must be taken to prevent that such images with violence content aren’t shown on the screens over and over again.

4. Alcohol and narcotics must be fought more effectively since they are the most important reasons of the violence towards the women. Yeşilay, media and other non-governmental organizations must realize their work.

5. The protection of religious values and morale education must be focused, the religious texts which advise the training method of brute force against the women and children must be evaluated correctly, the true and reliable information of Islam must be presented to people in the most beautiful way possible. Wrongly interpreted religious texts must be changed from “the psychical superiority of men to the rule of law.”

6. The people in some TV programs who acts in misandry, in behavior and approaches to corrode the respectability of men must not be given the opportunity, it mustn’t be forgotten that this only makes things worse.

7. It mustn’t be forgotten that the increase in the domestic violence is connected to the fact that there isn’t an effective communication between spouses, the experts in communication must give seminars before and after the marriage for the families and the couples to be married.

8. Men and women must learn to talk with their spouses whom they share the same house and bed without yelling and fighting. Especially the women shouldn’t be affected by the domestic and foreign films which teach to speak in a provoking, insulting and loud way towards men, they mustn’t be agitated with such scenes in films and theater.

9. The people with healthy religion and moral education are good for themselves, their families, the people around them, their countries and the whole humanity. That’s why, the young generations must be
educated in a serious, satisfactory, extensive and comprehensive way in the family, schools, barracks and mosques. The works to introduce people with complete conscience development and empathy to the society must be accelerated and focused.

10. “Example families must be presented to the society as role models” so as to spread the good examples in the society rather than the bad examples.

In short, the precautions to stop the violence and bad treatment towards the women are clear. Public opinion and relevant institutions and organizations have important roles to eliminate this social sickness. The principles, commandments and prohibitions of Quran and Sunnah must be understood and practiced correctly so as to be a peaceful, secure and safe society, serve and represent Islam in the most beautiful way, fight with any kind of unjust violence and build a model Islam society.

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