

SLAVERY: HISTORIC PERSPECTIVE AND ISLAMIC REFORMS

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ABSTRACT

The term slavery, generally speaking, refers to systematic exploitation of labour for work and services without proper compensation and the possession of human being as property. Although there is no clear timeline for the formation of slavery in any formalized sense, the history of slavery covers different forms of human exploitation across many cultures and throughout human history. Existence of slaves can be traced to the earliest records that refer to slavery as an already established institution.

This article starts with finding the reason that is impetus to slavery. The history of slavery is surfed. Slavery in Turkey is especially scanned due to the special, distinctive position of the Ottoman caliphate the last body of the united Muslim Ummah. How did Islam take up with the institution of slave trade and what corrections & legislations did it put in this inhumane system so that it eventually transformed the typical master-slave relation into a fraternity and “brotherhood,” is discussed at large. A casual look at the content may be this way that: the foundation of the practice of slavery; what features made this institution a necessary racecourse; why did Islam let it continue with certain customizations and parameters. The articles of concubine and *mukātabat* (مكاتبت) are separately treated.

Muhammad ﷺ did instruct on his deathbed about taking care of and being gentlemanly to the slaves.¹⁰⁴ The words of his last will lend colour to the fact that slavery will never die out. It will remain alive with the humanity, in one form or another. In this sense, the slogans of driving slavery to a full stop seem more a political stunt and a downright nonsense than a serious suggestion.

¹⁰⁴ Ibn Majah, 1614 (Chapter on Funerals).

Slavery was legally abolished as it did not remain economically feasible. However, this abolition was in name only. In the past it prevailed due to economic reasons, and is found today in different fiber in consonance with the present-day economic needs. Today's forms of slavery, i.e., "white-collar" slavery which is commonly labeled as "job" or "service," and the mass enslaving of governments and sucking their resources, is also discussed.

Missionaries hold that the social reforms which they impose are the dictates of Christianity but the facts are otherwise; these icons of development are the result of intellectual progress and their religion has no say in these reforms. If it were true, slavery won't have persisted in them for millenniums. In contrast, whatever Islam did to do away with slavery was not prompted by economic exigencies or social conditions. It did *only* from a moral point of view. According to the teachings of Islam, all men are equal and it is not proper for anyone to impose himself on another.

Western sources of the era of legal abolition of slavery worldwide (late 19th and early 20th centuries) are quoted plentifully so that varying perspectives of the forerunners of slavery come in front. Blemish over the practice of slavery is not the problem of Islam, for Islam is rightfully proud of being superbly immaculate in its nature.

MOTIVES BEHIND THE PREVALENCE OF SLAVERY: A BITTER PILL FOR THE BODY OF SOCIETY

From a psychological perspective, slavery becomes unavoidable in many the situation. The captives of war, for example, can be (1) put to death, (2) set free without or against ransom, (3) jailed as state-prisoners or (4) enslaved. This is so because not all prisoners can be treated at par due to their differing conditions and political demands. Growingly evil prisoners, warmongers and war-criminals are better if killed but there are others whose potentials can be used. Together the outcome of wars is twofold, the second being the sheltering of women and children who are yet in big number. What to do with men on the one hand and where to keep these families on the

other thus becomes imperative; and from here starts the need of this unpleasant but necessary medicine of slavery.

There are certain collective & cultural aspects of slavery as well. Under certain circumstances of national importance, slavery becomes inductive to cultural and economic progress.

It is very easy to accept that when one of the parties does not annihilate the other in spite of its victory and overwhelming power but contents itself with enslaving them, then sparing them alive is itself a step towards progress. Slavery may be very evil but relatively it is very good and in certain extraordinary cases it is most workable of all alternatives.¹⁰⁵

Sometimes conditions take such a turn that it becomes reasonable to say yes to the option of slavery. Says R H Barrow:

Slavery is a word bad-sounding to ear. On hearing it, the ears are filled with the sound of heavy chains, the swish of the whip and the shriek of the wronged slaves... Slavery is generally viewed in its evil aspect. But if we delve into details, we will realize that though the slave may not be sacred and chaste yet he has some say in the progress of civilization. We can abolish the institution of slavery but we must not condemn the past traditions of slavery as outright bad.¹⁰⁶

While on the moral and social standpoint, it is safe to say that slavery can be good or bad depending on the manners of masters, and has a far-reaching impact on the entire society and culture. The French Encyclopedia runs: "... So the great advantage that accrues is that in the presence of a slave, a husband learns to respect his wife and a wife respects her husband, and other relatives."¹⁰⁷

Politics is also an essential social stunt. Not to mention the dictators alone but the politicians too do carry on with the public. Herbert Spencer speaks

¹⁰⁵ Herbert Spencer, *The Study of Sociology*, p. 253

¹⁰⁶ R H Barrow, *Slavery in the Roman Empire*, p. II (Introduction).

¹⁰⁷ The French Encyclopedia of the 19th Century, (Slavery).

this truth when he says: “Without slavery, politics cannot attain perfection.”¹⁰⁸ W. G. Sumner suggests that slavery has influenced every sector of society wherever it has been practiced. “If it is practiced in tribes and societies, it grows colour and beauty in all sections of the tribe.”¹⁰⁹

The Greek philosophers contended that it was natural for mankind to be divided into different strata of society: the leader and his subjects, the ruler and the ruled, the master and his slaves. The collective administration of the world cannot continue and exist unless there are some people who can rule, legislate and implement for which they have the power and ability, and unless there are many others who are called subjects and who are ruled. They held that in a civilization, slavery is indispensable so that the intellectual people are spared physical effort.¹¹⁰ A. N. Gilbertson reflects these thoughts in yet clearer words: “... The division in society with someone to rule and others to be ruled is the very initial and natural division. Slavery produces individuals who work, not think. These people are not there to think because other people are there to do that.”¹¹¹

Dealey and Ward, both agree in that “the root problem is to get people to work, and nothing but slavery can be helpful in this regard.”¹¹²

These quotes are well displaying the motives, individual as well as collective, which have been vital in the existence of the institution of slavery throughout. One-word answer to the reason of slavery thus comes out to be: economics.

SLAVERY AND SLAVE TRADE: A PEEP THROUGH THE RELIGIO-HISTORICAL WINDOW

¹⁰⁸ Herbert Spencer, *The Study of Sociology*, *Ibid.*

¹⁰⁹ William Graham Sumner, *Folkways: A Study of the Sociological Importance of Usages, Manners, Customs, Mores, and Morals.*

¹¹⁰ Aristotle, *Politics*, Book-I, Chapters 4-6.

¹¹¹ Albert N. Gilbertson, *Alexander Francis Chamberlain, 1865-1914.*

¹¹² Lester F. Ward and James Q. Dealey, *Sociology: Its Simpler Teachings and Applications.*

1. Slavery and Christianity

Slavery is not condemned in any of the Divine Writs and has been unanimously practiced since the ancient times in all the civilized nations. L. D. Agate contends: “The teachings of Christ عليه السلام do not clearly condemn slavery. It is correct that the disputants of slavery are unable to cite any verse of the Bible in support of their views.” Yet he is so disrespectful as to write afterwards: “Christ عليه السلام has imparted teachings consonant with the political and social conditions prevailing in his times.”¹¹³ When the Christian writers do not find condemnation of slavery in the Bible while the practice of taking slaves and buying and selling them was at its peak among them, they impudently begin to tilt the teachings of Christ عليه السلام. Agates argues: “The initial period of the church was based on the hope that Christ عليه السلام would return soon. So, attention was not paid to the material question that slavery is. It was presupposed that every man should stay content on his condition in this worldly life whether he is a master over someone or a subdued subject.”¹¹⁴

The Bible does not say or even hint anywhere that slaves should be emancipated. Also it does not mention that slaves should be treated kindly. On the contrary, the slaves are cautioned, again and again, that they should obey their masters and should not turn away from their commands. Paul wrote to the Ephesians that slaves should obey their masters in the same way as they obey the Christ عليه السلام. He affirms that he has written exactly what Christ عليه السلام had taught and that anyone who denies it is a liar.¹¹⁵ St. Basileus comments on this letter saying that it is an obligation on the slave to obey his master and such behaviour represents respect of God.¹¹⁶

The Christian theologians did not consider slavery to be a terrible tragedy for a helpless man; they rather imagined that it was natural to man that some of them must be enslaved. Most of them concede that the institution of slavery was proper among them and was a part of religious injunctions.

¹¹³ *Encyclopedia of Religion & Ethics*, Vol. XI, (Slavery).

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

Gilbertson says: “We need not remind that until recently slavery was practiced ... by people who were Christians. In fact, great religious scholars regarded it as a command of God and a reformative law.”¹¹⁷ The *reformative law* was then so severely exercised that some of the African nations were simply washed from the surface of the earth. The Europeans nabbed them and made them all slaves. Avowed Lothrop Stoddard: “The Europeans have committed many atrocities on the black African people. They were so cruel that it is not possible to atone for that now. The result was that some nations were simply eliminated. The white people of different nationalities would go there and take the Africans and their children as captives and carry them with them.”¹¹⁸

Gilbertson owns very clearly that while the Christian clergy advised the slaves to obey their masters, they did not tell the masters that they should set their slaves free.¹¹⁹ Pope Celestine-V (1294 CE) framed special laws and rules for slaves. Let us see one of these clauses which speaks volumes for the mindset to which Gilbertson is referring: If a priest marries a female slave, all her children will be treated as slaves of the church. They will have to suffer the sin of their father (the priest).¹²⁰

The Christians have been accustomed to enslave everyone who did not profess Christianity. T. W. Arnold writes: “In 1880, king Yahya is reported to have baptized fifty thousand Muslims.” He comments: “Slavery was a kind of punishment awarded for different crimes, like conspiracy, cheating, soothsaying, stealing and inability to produce stolen property, and selling weapons to Muslims in crusade wars.” He goes on to say that: “For a long time the German priests took part in slave-trade which was handled by Jew traders. In 1452, Pope Nicholas-V granted rights to the king of Portugal to decimate the Muslims and to enslave and sell them.” He continues: “Apart from taxes, the Muslims of Oyo had to send the Christian rulers an unmarried young woman every year who was compelled to become Christian as part of an ancient covenant which the tyrant king did not fail to observe.

¹¹⁷ *Ibid.*

¹¹⁸ T. Lothrop Stoddard, *The Rising Tide of Color Against White World Supremacy*

¹¹⁹ *Encyclopedia of Religion & Ethics*, Vol. XI, (Slavery).

¹²⁰ *Ibid.*

Also, the Muslims were not allowed to keep weapons or wear armour. They were not allowed to saddle the horse. If they violated these commands, they were killed and their mosques burned down. The king's men came to them from Ethiopia every year to collect the young woman. The Muslims bathed the woman, made her lie down on a mattress and covered her with a sheet (as if dead), making supplications all the while and took her on the mattress to the door from where the king's men carried her away. This was done by their forefathers too."¹²¹

Kidnapping too have been very common in the business of slavery. Lord Cromer, a priest, laments: "It is among the very shameful acts of Christians that not only did they enslave other people but they also kidnapped them to enslave them forcibly, and this is more wicked".¹²²

These are economic factors as well that why even today we find traces of slavery in certain regions of Europe and, in fact, we do come across cases of women-trade in England, civilized as it is! In a letter to the editor of the Daily Times, a Mr. Watson wrote: "I had to stop on the highway to attend to my motorcycle. Some gypsies were there. A man and woman came and the man offered to sell a basket which I did not want. He then offered his dog for 2 shillings which I refused to buy. In desperation he offered his wife for 2½ shillings".¹²³

2. Slavery and Judaism

The Jews also traded in slaves. In the era of Louis, the Pious, a large number of Christian slaves were brought to Spain and North Africa by the Jew brokers. In times of prosperity in Spain (10th to 15th century) many wealthy Jews of Spain earned much wealth through supply of slaves all over the world.

There's no denying however that when weighed on the scale of rights, Jews gave more rights to slaves compared to other people. The rights of

¹²¹ T. W. Arnold, *The Spread of Islam in the World* (Gebundene Ausgabe).

¹²² Roger Owen, *Lord Cromer- Victorian Imperialist, Edwardian Proconsul*.

¹²³ The London Times, May 5, 1932.

concession allowed to slaves in Jewish religion were very similar to those of Islam. For instance, if a master speaks of his intention to free his slave by his tongue then the slave will be free to go and the master cannot take back his words. Another such similar clause runs thus: the master will be compelled to write down a letter of freedom for the slave under his signature. Such laws portray that the Jews were relatively lenient to their slaves.

Jews are the breed of money. The reasons for putting others to enslavement among them depict this propensity. For example, if a person could not repay a loan because of poverty then a rich man may repaid the loan on his behalf and enslaved him. A very astonishing reason of enslavement was that parents could sell their son or daughter to anyone.¹²⁴

3. Slavery and Hinduism

In Hinduism too, slavery is recognized in all Sanskrit books. The book of Manu describes seven reasons for enslaving anyone. Narid has cited fifteen, of which the eighth one includes losing a gamble, and another being unable to repay a loan – are worth mentioning. To Hindus since the Sudras are born from the feet of the Brahmin, slavery is a part of their body; and even if their masters release them they could not come out of slavery.¹²⁵

Among the laws in Hinduism against the Sudra are written such clauses as: (1) If a Sudra happens to hurt a Brahmin, there is no choice for him but to be killed. (2) Sudra's tongue should be pulled out from the nape if he happens to utter a word of abuse. (3) Boiling oil should be poured into the mouth and ears of the Sudra if he happened to utter a word of advice. (4) If the Sudra happened to steal a thing, punishment was of burning him alive.

Together, ancient Hindu law allowed parents to sell their children as slaves.¹²⁶

¹²⁴ Allama Rashid Reza Misri, *Nida al-Jins al-Latif*; as referenced by Maulana Saeed Ahmad, *Slavery In Islam*, p.78.

¹²⁵ *Encyclopedia of Religion & Ethics*, Vol. XI, (Slavery).

¹²⁶ <http://www.whale.to/b/sp/f4.html>.

4. Slavery in Greece

Slavery is traced in Greece to the times of Homer. It is strange that even the great Greece philosophers were of one mind with the common tradesman on the subject of slavery. Aristotle said: “The slave is an instrument but with a soul, and a toy but with life.” W. J. Woodhouse cites the reasons of slavery among the Greece as “war and necessity.”¹²⁷

Slaves were the commodity sold, and also hired, to others in the market called Aneena. Masters were allowed to punish their slaves on flimsy grounds. The normal punishment was whipping which could end up at fifty stripes. The other punishments included chaining the feet, which was so common that the writer of the article in the *Encyclopaedia of Religion & Ethics* argues that it should not be called a punishment. Punishment to the run-away and recaptured slaves was given by branding.¹²⁸

Emancipation of slaves was, mostly, by the authority of the government who when required men for defending the country, exercised her power to choose as many slaves as needed. Another way of freeing the slaves was that the master may ask the slave to earn his freedom by paying a certain amount, as is the case in Islam with an *abd mukātab* (عبد مكاتب). Even after freeing, these people did not have the rights of common citizens and needed to obtain someone’s guardianship. Special rules were framed for such people, failing to observe those laws let them to punish with enslavement once again.

5. Slavery and the Romans

The Romans ruled supreme for eight hundred years and they were the most civilized of ancient civilizations. Slavery in the Romans enjoys a special place in the history of slavery. The traffickers in slaves accompanied the Roman army when they marched through and they seized every opportunity to steal boys and arrest women. They had certain provisions in their laws whereby they could usurp the freedom of a free man and enslave him. Children born to female slaves were also their slaves. According to

¹²⁷ *Encyclopedia of Religion & Ethics*, Vol. XI, (Slavery).

¹²⁸ *Ibid*.

conjecture, slaves were about one-fourth of the entire Roman population. If a slave did commit a small wrong, a heavy rock was placed on his back. At times they were suspended upside down and heavy weights were tied upon their bodies. They were chained like animals.

It was a custom in Rome that when a slave's daughter married, she spent her first night with the master of his father. "The clergy was not free from this evil," writes Syed Ameer Ali.¹²⁹

We do find in the history of the Rome examples of the relationship of Mahmood and Ayaz. It is stated that Cicero had a cordial relationship with his slave Tiro, and Atticus with his slave Alexis. However, W. I. Woodhouse says that such cases were rare and the general conditions were quite the contrary.¹³⁰

In the dusk of the rule of Romans, however, a number of reformatory laws were enforced that did away with many of the torturing features, and became the milestones towards the gradual elimination of slavery. Although slaves had no say in civil, political or judicial affairs, they were then not slain by their masters or put to fight with beasts in the presence of onlookers, nor were their children given away in settlement of debt. Making prostitutes of the slave girls was also checked, thus putting an end to the practice of making money this way.

Emancipation was not usually out of goodness of heart but with a commercial point of view.

Selfishness and meanness were nowhere as apparent as here in releasing slaves. By setting a slave free the master lost nothing but gained more than he had. Among the Romans to release a slave was not as much a sign of noble character as of business acumen. It was often more advantageous for a master to become a partner in the business of his freed slave than

¹²⁹ As referenced by Maulana Saeed Ahmad, *Slavery In Islam*, p.159.

¹³⁰ *Encyclopedia of Religion & Ethics*, Vol. XI, (Slavery).

allow his slave to earn wholly for him (master) on his (master's) responsibility.¹³¹

It was due to such wickedness of the masters that when setting a slave free, the master had to not only declare it in the court and affix his signatures together with adding the name of slave to the list of citizens but also to have proclaimed publicly that thus and thus slave was now free.

The freed slaves have played an important role in the history of Rome but the freedmen in Greece did not earn the absolute rights of citizen.

6. Slavery in the Ancient Egypt

Egyptian civilization stands out among the ancient civilizations of the world. Their masters had powers over the slaves in every way and they had authority to kill or spare them. With progress, the strictness became softer and the biggest favour that the slaves received was that the government prescribed killing of the master who killed his slave.¹³²

7. Slavery in Phoenicia (Southern Syria)

People living between the Jabl Lebanon and the ocean in the 16th century BC were related to Arabs and Jews, and were very interested in enslaving the others. They were always on the lookout of young boys and girls and warrior slaves whom they bought from victors. They used to steal and kidnap men and enslaved them. They were known pirates since they frequently used boats for this purpose.¹³³

8. Slavery in the French

French were the most cruel and merciless of the Europeans in their treatment of the slaves. Some of their tribes used to fling the marrying slaves in the fire to burn them alive. A large number of traders herded prisoners

¹³¹ *Ibid.*

¹³² *Ibid.*

¹³³ *Ibid.*

from France and Spain and took them to Africa, Syria and Egypt. These businessmen went to the shores of the Black Sea and Dunob to sell the Russian and German slaves and herded them as sheep.¹³⁴

Kidnapping of people and sexual abuse of female slaves was too current in them. Concedes Basil Davidson, the author of *The Black Man's Burden*:

The Europeans are accustomed to dispute with the Sudanese over property, and they receive large sums of money from them in the name of different kinds of unjust taxes. The white men perpetrate cruelty on the black and they beat them, take away their property, use their women with no compunction and let the poor people go hungry.¹³⁵

9. Slavery in Russia

Some Russians claim that slavery was unknown initially in Russia. Facts stay otherwise however. The Moscow Gazette of 1801, for example, carried an advertisement: “For sale: Three working men, well– trained and two beautiful girls, aged 18 and 15. Both the girls are adept in household work...” Alexander-I prohibited such ads about slaves and Nicholas-I abolished the practice of slavery.¹³⁶

10. Slavery in Americas

The practice of enslaving people in South America was most savage and tyrannous. The Black Law meant that a master could place his slave on mortgage, lend him on rent and play a bet on him. Most strange was that a slave could not walk on the streets of the city without official permission. *The White Man's Book of Manners* carried on its banner line: *Slave is a body without soul and intelligence whose life is in our hands*. In 1712 and in 1741, slaves in the USA rebelled. The result was that every slave who was captured faced death under the wheels of vehicles (bullock- or horse-carts of course) or was burnt

¹³⁴ *Ibid.*

¹³⁵ Basil Davidson, *The Black Man's Burden: Africa and the Curse of the Nation-State*.

¹³⁶ *Encyclopedia of Religion & Ethics*, Vol. XI, (Slavery).

alive. Such cruel behaviour was so common that Alfred Fouillée writes while quoting instances like these:

Strange events take place in the United States which are in no way worthy of it. The blacks love the white women dearly and sometimes have sex with them too. The Lynch law requires that such people be smeared with coal-tar and then burnt like a lamp. The negro officers are compelled to witness the ordeal.¹³⁷

In the mid-19th century in the US, white-slavery had been in wide practice and large numbers of white women were being kidnapped and forced into prostitution. Frederick Douglass in his autobiography, described the sale of female slaves openly advertised for sexual purposes at slave auctions in the 19th century United States.¹³⁸ According to John A Morone's book *Hellfire Nation*, slave owners in the South America openly admitted to practicing sexual slavery.¹³⁹

Slave Trade and Slavery in the US– Facts, Not Myths

- The level of slave exports grew from about 36,000 a year during the early 18th century to almost 80,000 a year during the 1780s.
- The Angolan region of west-central Africa made up slightly more than half of all Africans sent to the Americas and a quarter of imports to British North America.
- Approximately 11,863,000 Africans were shipped across the Atlantic, with a death rate during the Middle Passage reducing this number by 10-20%.
- As a result between 9.6 and 10.8 million Africans arrived in the Americas.
- About 500,000 Africans were imported into what is now the U.S. between 1619 and 1807– or about 6% of all Africans forcibly imported into the Americas. About 70% arrived directly from Africa.

¹³⁷ Alfred Jules émile Fouillée, *Temperament at Caractere*.

¹³⁸ Frederick Douglass, *Narrative of the Life of Frederick Douglass, An American Slave*.

¹³⁹ <http://www.walnet.org/csis/papers/irwin-wslavery.html>.

- Well over 90% of African slaves were imported into the Caribbean and South America. Only about 6% of imports went directly to British North America. Yet by 1825, the US had a quarter of blacks in the New World.
- The majority of African slaves were brought to British North America between 1720 and 1780. (Average date of arrival for whites is 1890).¹⁴⁰

11. Slavery in Muslim Lands with Special Reference to the Ottoman Caliphate

Contrasting with ancient and colonial systems, slaves in Muslim lands had a certain legal status and had obligations to as well as rights over the slave owner. Slavery was not only recognized but was elaborately regulated by Islamic jurisprudence. James R. Lewis elucidates that it was for this reason that “the position of the domestic slave in Muslim society was in most respects better than in either classical antiquity or the 19th century Americas,” and that “the situation of such slaves were no worse than (and even in some cases better than) free poor” and “once the slaves were settled in Islamic culture they had genuine opportunities to realize their potential. Many of them became merchants in Makkah, Jeddah, and elsewhere.”¹⁴¹ The hardships of acquisition and transportation of slaves to Muslim lands drew attention of European opponents of slavery. The continuing pressure from European countries gradually overcame the strong resistance of religious conservatives who were holding that forbidding what Allah permits is just as great an offense as to permit what Allah forbids. Slavery, in their eyes, was “authorized and regulated by the holy law.”¹⁴² There were also many pious Muslims who refused to have slaves and persuaded others to do so.¹⁴³ Eventually, the Ottoman Caliphate’s orders against the traffic of slaves were issued and put into effect.¹⁴⁴

¹⁴⁰ http://www.digitalhistory.uh.edu/historyonline/slav_fact.cfm.

¹⁴¹ James R. Lewis and Carl Skutsch, *The Human Rights Encyclopedia*, V.3, p. 898-904.

¹⁴² *Ibid*.

¹⁴³ Jok Madut Jok, *War and Slavery in Sudan*, p. 3.

¹⁴⁴ James R. Lewis and Carl Skutsch, *The Human Rights Encyclopedia*, V. 3, p. 898-904.

T. W. Arnold has written on the topic of slavery that was current among the last Muslim caliphate in Turkey. He writes on the treatment of slaves and their status in the society:

The helpless slaves of Spain were the first to accept Islam. They regarded the coming of the Arabs as auspicious for them, for they were the wronged ones. It were these ideas that had a shattering influence on the Christians in Turkey, particularly the miserable Christian slaves who were passing a hopeless life of slavery for the past many years and they saw no prospect of freedom from slavery and getting out of their predicament... The injunctions on slavery in Islam have removed the severity from slavery. The slaves in Turkey were not tormented as those in north Africa, and in Turkey the slaves had rights similar to the free men, and if a master was severe, the slave could summon him before a judge.¹⁴⁵

The Muslim slave owners of Turkey were very kind to their slaves. Even the most biased scholars are heard admitting this fact:

We must say in praise of the Turks that they give good treatment to their slaves and servants from whom they derive much benefit. They are often better than the Christians in dealing with their slaves and servants. If a slave among the Muslim acquires an art or learning then he only requires freedom, for, he has at his disposal everything that a free man needs, except freedom.¹⁴⁶

Contrary to the Christian practice of forcibly baptizing the slaves (as referenced above), Muslims have never exercised this brutality in the name of religion. No one was forced or compelled to accept Islam by any means in the entire jurisdiction of the Ottoman Caliphate like the previous rulers of Islam. Says Arnold with reference to the slavery practiced in Turkey:

Some historians suppose that a slave gained freedom after he accepted Islam but that is not so, for, it is dependent on the will of the master. However, often their masters confirmed that if they became Muslims,

¹⁴⁵ T. W. Arnold, *Preaching of Islam: A History of the Propagation of Muslim Faith*, pp. 148, 194.

¹⁴⁶ Referenced by Maulana Saeed Ahmad, *Slavery in Islam*, p. 207.

slaves would be set free without having to buy their freedom. If the Christian slaves proved to be good servants, their Muslim masters set them free although they persisted to practice Christianity. Also, in the old age of slaves, masters provided them with something to subsist.¹⁴⁷

Edmund Spenser Falrie holds while writing on the institution of slavery in these areas:

The enemies of Islam have resolved to target it and condemn it for allowing the practice of slavery to subsist. But the facilities afforded to the slaves far exceed that are available to slaves in Europe. And truly the slavery found in the east has no connection to what is practiced in America. The Messenger of Allah ﷺ had indeed brought about fantastic reformation in this case too.” He then cites the Hadith “No one should call his slave a slave or a female slave” and then concludes: “What better humanity can there be?”¹⁴⁸

Slavery in Muslim lands is discussed here casually and partially; the practice of slavery in the Arabs will be discussed at length later in these pages. Slavery in Turkey is scanned here due to the special, distinctive position of the Ottoman Caliphate – the last body of the united Muslim Ummah.

Price of Slaves

Prices of slaves varied widely over time. During the 18th century, slave prices generally rose. Though they fell somewhat before the start of the revolution, by the early 1790s, even before the onset of cotton expansion, prices had returned to earlier levels. Prices rose to a height of about \$1,250 during the cotton boom of the late 1830s, fell to below half that level in the 1840s, and rose to about \$1,450 in the late 1850s. Males were valued 10-20%

¹⁴⁷ T W Arnold: Preaching of Islam, *A History of the Propagation of Muslim Faith*, p.197.

¹⁴⁸ Ian Bradley, *Celtic Christianity: Making Myths and Chasing Dreams*.

more than females; at age ten, children's prices were about half that of a prime male field hand.¹⁴⁹

Conclusion

Let me conclude this topic by a quick glimpse at a statistics, in words that carry more weight since these are written by a western author.

In 1433, Nunez Trestan sailed to Africa on an expedition and brought back fourteen slaves. The Africans were naturally against these expeditions whose purpose was merely to enslave them while the Europeans looked for excuses to attack them by instigating the Africans to fight one another. In 1640, Louis-XIII issued a proclamation that said that all Africans who lived in French colonies could be enslaved. In 1655, Cornwell conquered Jamaica from Spain and found that fifteen hundred whites and as many negro slaves were there while the natives no longer lived there. In 1662, the 3rd African company was established with the aim of procuring three thousand slaves annually for the new British colonies in India. In the ten years between 1679 and 1689, about four thousand five hundred slaves were provided every year to the British colonies. Kurt von Francois has lamented on the plight of these poor people and said that the biggest trade was in slaves. They were brought completely in the nude and buyers examined them even opening their mouths as if they were horses and quadrupeds. In 1713, England and Spain arrived at an agreement whereby the former was to provide the latter four thousand eight hundred slaves annually for thirty years. The kings of England and Spain were partners in the profit derived from slave trade. The trade continued until 1788 when parliament was presented with a bill to abolish it. It is estimated that two hundred thousand slaves were taken away from Africa every year until 1788, half of these were sent to America, etc.¹⁵⁰

THE EVENING OF THE ERA OF SLAVERY: TWISTS & TURNS OF THE EUROPEANS AND THE WEST, AND THE POLICY OF ISLAM

¹⁴⁹ <http://en.wikipedia.org/wiki/Slavery-in-Islam#-note-Lewis1>.

¹⁵⁰ *Encyclopedia of Religion & Ethics*, Vol. XI, (Slavery).

Slavery has existed, in one form or another, through the whole of human history. So, too, have movements to free large or distinct groups of slaves. Moses عليه السلام led Israelite slaves from ancient Egypt according to the Biblical Book of Exodus – possibly the first big movement to free slaves, though the fibre of modern archaeology as is opposed to the authenticity of the Qur’an even today throws doubt on the claims of such a mass exodus. However, abolitionism should be distinguished from efforts to help a particular group of slaves, or to restrict one practice, such as the slave trade.

1. Slavery: Putting to an End

From the above pages it is learnt that slavery was practiced in practically every community of the world, ancient and modern, and in every country. It was a most inhuman experience. It was a devilish custom, impetuously cruel and utterly greedy. It was sort of cannibalistic and universal. The people who today present themselves as beacons of progress and modern thought were themselves involved in this heinous crime. They themselves treated the slave as an animal. Just as man eats animal flesh and feels no compunction, and devours the birds and his conscience pricks him not, so too they perpetrated monstrous cruelty on the poor slave who was a commodity for them, its numbers to be proud of. However, man is also given the characteristics of shame and remorse so that even the wicked person comes to a moment when he repents and says, “alas.” The cries of pain and anguish of the oppressed did after all get an answer and in the middle of the 19th century efforts began to be made to reform the plight of slaves and to abolish slavery altogether. In 1845 useful reforms were made in the French colonies and in 1848 it was abolished completely. Others took the hint and in 1863, slavery was put to stop in the West Dutch Indies, in 1886 in Cuba, in 1888 in Brazil and in 1897 in Zanzibar. However, until the end of the 19th century, the islands of the South Seas continued to be invaded by people of Queensland and they enslaved the natives but, in 1884, slavery was wiped out from here too. In the America, slavery did continue until after the end of the American Civil War with the ratification of the 13th Amendment in December 1865.

As regards putting the practice of slavery to stop in the quarter of Americans, it will not be an exaggeration to state that they’ve never been sincere to this end as well. Steps taken by them for abolishing or even

legislating slavery have always been under spells of serious criticism throughout. For example, in a protest of slaves in 1854, Garrison publicly burnt a copy of the US Constitution, calling it “a covenant with death and an agreement with Hell.”¹⁵¹

Writing on the reasons of abolishing slavery in North America, J. E. Cairnes brackets this decision with the economic constraints. As long as modern gadgets were not invented they needed slaves to run their industries and business. With the invention of tools and machinery, labour became superfluous and slaves did not remain in demand. Their masters could not bear expenses over upkeep of slaves. This forced them to set slaves free and the law enforcing emancipation of slaves was passed:

Why did not the northern states abandon slavery while the southern states continued with it? The reason advanced is not very sound. It is wrong to say that while the white man is not made lazy by the southern climate and can work hard the negro becomes lethargic and works only under duress. The real reason is economic as is evident from the labour of a free man and a slave. The institution of slavery allows a large latitude to the master and he happily consumes the produce of his slave and cannot complain on having to spend more on him. Now, when different tools are available entailing a lower expenditure but giving greater benefit then why must he spend on slaves unnecessarily?¹⁵²

Slavery is defined as *crime against humanity* by a French law of 2001.¹⁵³

2. SLAVERY TODAY: OLD WINES IN NEW BOTTLES, NAY, OLD HUNTERS WITH NEW NETS

On the face of it the steps taken by the Europeans to abolish slavery are truly praiseworthy, yet the basic cause of slavery is more the economic factor than the moral factor. Slavery was legally abolished as it was not

¹⁵¹ <http://www.digitalhistory.uh.edu>.

¹⁵² Cairnes, John Elliott, *The Slave Power: Its Character, Career, and Probable Designs*, Being an Attempt to Explain the Real Issues Involved in the American Contest.

¹⁵³ <http://www.digitalhistory.uh.edu>.

economically feasible. It has not been abolished on grounds of humanity and equality of men in anyway. Although slavery is often stigmatized as archaic and backward, it is found in colourful, attractive dresses in all progressive societies.

What today is going on with the third-world countries— how their countryside and landscapes are being raped and how many craving mouths are suckling, gush after gush, their natural, mineral and human resources— is a real weepie. More unfortunate is that there are very few who know the gravity of the situation and the rest are singing the songs of their butchers. Rather they are being lulled into a false sense of security altogether. They have plenty of muscles but no brains, and these muscles are absorbed in strengthening empires of their traders. These poor fellows are fed and nurtured like chicken, but they flex their muscles in pride. They are themselves casting dust into the wells that are giving them water. This is a topic pregnant with lengthy, multilayered details. Let me cursor over this area only with mentioning the crux (which I rate on the basis of my vision).

Those very people who have abolished slavery by law have, in turn, enslaved other nations politically. They give very insulting treatment to the colonized people. Equal rights are not given to them because of difference in colour and descent. They are constantly under check through burdensome laws. The colonists take away the produce of the colonies at the expense of the colonized people. For producing generations of working-hands they customize the education syllabi and social intercourse of these nations. These things show clearly that their minds are yet set on enslaving people. In earlier times individuals were made slaves, but now whole nations are enslaved by other nations, and the treatment is worse than what the individual slave passed through. More unfortunate still is that these birds of a feather are now flocking together and are after their preys like wolves hunting in packs. Be it the EU, be it the G-7, or be it the UN, these all differ in name only. Tolstoy criticizes:

The national outlook has led to wars and human destruction and build-up of arms and weapons. The kind of slavery that came up in Europe in the

second half of the 19th century through military regulations is more terrible than the shameful slavery of old.¹⁵⁴

There's no denying that today's Islamic governments are yeomen to the countries vested with worldly powers. The root cause of this humiliation is only that they've retraced their steps on the path of prosperity, for they are now putting the life of this world prior to the life to come— which is vice versa of what was commanded by their religion: والأخرة خير وأبقى “although the life to come is better and more enduring,”¹⁵⁵ and have thus become the sad pictures of what is declared in the Qur'an as: خسرا الدنيا والأخرة “losing [thereby both] this world and the life to come.”¹⁵⁶ Using the potentials and resources of these “subjects” in a way to mar their interests and selfishly steering the expansionist ambitions is an unparalleled, brutal form of slavery of the recent times. Israel-Lebanon war of 2006 if viewed through the lens of religion, can be taken as an example. Jews backed by the Christians intruded a Muslim country to satisfy their regional & financial ends; all the rich Muslim countries were cast by the UN to provide food and shelter to the war-hit people. Nor is this all, they were put to donating huge amounts to the rebuilding of Lebanon funds which were run by the UN herself. See how these poor puppets and poodles are being fried into their own grease!

Allama Muhammad Iqbal, poet of the East, has too wept over this sad picture and position of the Muslims, concatenating its cause to be the customization of Muslim mind in the frames of Europe which has eventually voided the Muslims of their actual substance of the self. Let me quote here only one from scores of such laments from his poetry; this is from *The Rod of Moses*.¹⁵⁷

¹⁵⁴ Tolstoy, *Social Evils & Their Remedy*.

¹⁵⁵ Q.[87:17].

¹⁵⁶ Q.[22:11].

¹⁵⁷ Translation of Urdu verses is reproduced here by courtesy of Mr Muhammad Suheyl Umer, Director, Iqbal Academy Pakistan; <http://allamaiqbal.com/works/poetry/urdu/zarb/translation/part01/25.htm>

Dazzled by Europe

Your light is only Europe's light
reflected:

You are four walls her architects
have built,

A shell of dry mud with no
tenant soul,

An empty scabbard chased with
flowery gilt!

افرنک زده

ترا وجود سراپا تجھ تکی افسرنک
کہ تو وہاں کے عمارت کروں کی ہے تعمیر
مگر یہ سیکر خالی خودی سے ہے حنالی
فقط نیام ہے تو، زرنکارو بے ششیر!

Actually all non-Muslims have dual standards of measurement. When it comes to criticizing the Muslims who earn their living by serving in the Muslim lands thus promoting the businesses of Muslims of these countries, they brand this employment as slavery and slave-like working. On such misleading and wrapped-up statements not only they do not feel guilt but even want standing-ovation in their favour. For example, a statement of the US State department runs thus:

Saudi Arabia is a destination for men and women from South and East Asia and East Africa trafficked for the purpose of labour exploitation, and for children from Yemen, Afghanistan, and Africa trafficking for forced begging. Hundreds of thousands of low-skilled workers from India, Indonesia, the Philippines, Sri Lanka, Bangladesh, Ethiopia, Eritrea, Somalia, and Kenya migrate voluntarily to Saudi Arabia; some fall into conditions of involuntary servitude, suffering from physical and sexual abuse, non-payment or delayed payment of wages, the withholding of travel documents, restrictions on their freedom of movement and non-consensual contract alterations. The Government of Saudi Arabia does

not comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so.¹⁵⁸

But when they themselves rinse the skilled manpower of these Muslim countries under different “talent-hunt” programmes, it is by no means a fraudulent tactic aimed at serving the selfish, financial ends. When visas lotteries fuel the industries with the youth of these countries, they take it to be their right. When they check the passengers of these countries by undressing them and not only withhold their travel documents but all their educational degrees and job certificates, it is again justified! What a dual behaviour it is?

A singsong voice is usually easy on the ears. Listen to another melodious poem which is composed in the same music and rhythm but is being sung in a different tune. This extract is taken from a report which refers to human trafficking and sexual exploitation: “As unimaginable as it seems, slavery and bondage still persist in the early 21st century. Millions of people around the world still suffer in silence in slave-like situations of forced labour and commercial sexual exploitation from which they cannot free themselves. Trafficking in persons is one of the greatest human rights challenges of our time.”¹⁵⁹ Instead of searching for the real statistics of the inputs and proving the authenticity of such claims in detail, for the sake of sampling suffice will be to calculate the portion of this “millions of people” that is being forced to work as sex-labour inside the US today; the result will take reader to the snapshot of white-slavery of the olden days. Again, how funny it becomes when they who themselves have given women the right of vote a few decades back foster malicious activists in the name of women rights and compel governments to frame laws in harmony with their culture so that the societies of these countries also get dyed in their colours of immodesty and free-sex, but since they do it so as to get ready sex-labour well able to boost their sex-trade round the globe, this debauchery becomes a business plan and hence there arises no question of moral values!

¹⁵⁸ Report of US State Department. <http://www.state.gov/g/tip/rls/tiprpt/2005/46616.htm>.

¹⁵⁹ US State Department Trafficking in Persons Report, June 2003.

3. The Policy of Islam

I've depicted at some length the policy of non-Muslims who seize the reins of other countries. Now I'll try to deliver the policy of Islam in this respect. Basically, the wars of Islam (which are one of the two avenues of enslavement as allowed in Islam) were never fought to the mere end of seizing any piece of land or capturing people; the motive prevailing behind these expeditions have always been to exalt the Word of Allah. So much so that if there were found any worldly ambition behind even after the conquest, captives were set free and conquered lands were thus withdrew, and that too with compensation. Traditionally the ruler of Islam (the caliph of course) is the person who "takes from God" and "dissipates among the fellow people."¹⁶⁰ Thus the ruler's sight is never set on the worldly resources of the countryside or to selfishly exploiting the potentials of the ruled. For example, Rab'i ibn Amir, delegate of the commander of Muslim army in the lands of Iraq (the then part of Persian Empire) addressed the assembly of the king saying: *اللّٰه ابتمعثنا لنخرج من شاء من* Allah has sent us to bring the people to light from the worship of people towards the worship of Allah, from the narrowness of the world towards its vastness, from the oppression of religions towards the justice of Islam."¹⁶¹ Muslims are taught that every Muslim is a brother of the other Muslim in the name of religion and every non-Muslim is their brother on account of his being the son of Adam *عليه السلام*.¹⁶² Therefore, the propagatory efforts of Muslims are with none other ambition than to save these non-Muslim brothers from the hellfire; use of armour is subject to the work of propagation and is allowed only in the extreme situation, and that too with weeping hearts that such brothers are being killed as are making the sons of Adam *عليه السلام* the fuel of hellfire. Before the combat, it is necessary for Muslims to convey their invitation to those to whom it has not reached. If they begin fighting without that then add to vacating

¹⁶⁰ Maulana Muhammad Ahmad Ansari, *Establishing of Deen in the Times of the Prophet ﷺ* Its Methodology, p. 113.

¹⁶¹ Muhammad Yusuf Kandhalavi, *Hayat al-Sahabah*, Dar al-Kutub al-Arabi, p. 129.

¹⁶² *لقد كرمنا بني آدم* "Indeed, We have conferred dignity on the children of Adam." Q.[17:70].

the captured land & resources they will have to pay blood-money against everyone whom they have killed. Scores of such instances are found in history.

This depiction lends colour to the fact— and the history bears witness to it— that the Muslim rulers of all times gave important offices to non-Muslims in government. They never differentiated on the bases of colour or ancestry. The Islamic teachings of fraternity had given them much encouragement and a broad outlook. Their behaviour reflected the Islamic spirit of compassion for mankind and a sense of well-wishing for them. It is on the threshold of this conscientiousness alone that the people wherever Muslims went as conquerors welcomed them. People of India, for example, were very sad when Muhammad ibn Qasim was summoned by the caliphate. They even built his statue in his memory. This is the proof of Muslim integrity and honest intentions that where on earth they halted on the march, that country's wealth and resources did multiply, knowledge and sciences were promoted and civilized behaviour became common. Now mentioning the behaviour of the Europeans in contrast, I need not to cite the rest since only one example of the British Raj over India (as made a collective slave) is suffice.

SLAVERY IN ISLAM: A SYNONYM OF SINGLE FRATERNITY & BROTHERHOOD

Reformation: Rational, Balanced & Gentlemanly Approach of Islam

Islam is the last of all revealed religions. The institution of slavery was therefore come down to it from earlier times. The Qur'ān did away with many of the deeply rooted practices yet astonishingly it is silent on the one-word allowance or the otherwise of the matter in question. If we think for a while, we'll soon come to the conclusion that it is a blessing for the mankind that Allāh did not annul this practice at one go. Slavery was intertwined with the utmost relation of the people to whom the Messenger of Allāh صلى الله

عليه وسلم was sent. Its extinction was only to be achieved by the continued agency of wise and humane laws, and not by the sudden and entire emancipation of the existing slaves, which was morally and economically impossible. Numberless provisions, negative as well as positive, were accordingly introduced in order to promote and accomplish a gradual enfranchisement. "A contrary policy would have produced an utter collapse of the infant common wealth."¹⁶³

Western writers do agree on the policy of gradual elimination of slavery as initially engendered by Islam. "Surely, those people who kept slaves had some reasons for that and they were not themselves responsible for this practice which had come down to them from earlier times. Besides, if slavery were abolished all of a sudden, what would have become of the black slaves? If they were given the same rights as the whites then the people of the south [America] would have been terrified by the prospects."¹⁶⁴

"Islam let slavery be practiced firstly to preserve military balance with the enemy. The second reason is that in this way, weak women and children could be supported and helped, for their men had been killed in war. If they were left to look after themselves then they would have been a problem for society and there might have been mischief and corruption." writes Dr Hasan Ibrahim Hasan.¹⁶⁵ Such a situation did appear in the recent past and many of those who have seen the victims are yet alive. During the WW1 in England and Germany, sex had deflated to a mere loaf of bread and a cup of tea. The film "Bus Stop" of Marilyn Monroe, which was a lamenting picturesque of this downeering of women, is not yet deleted from the memory of people. Islam has never gone against the spirit of the times. When such miserable situations make their presence felt and spot the face of humanity, people of knowledge bow before Allāh as they find a solution that Islam carries.

Islam addressed national and social reformation with very wise steps.

¹⁶³ Syed Ameer Ali: The Spirit of Islam, p-262

¹⁶⁴ Encyclopedia of Religion & Ethics; vol XI, (Christian Slavery)

¹⁶⁵ Hasan Ibrahim Hasan: Tarikh al-Islami al-Siyasi, p-23; as referenced by Maulana Saeed Ahmad: Slavery in Islam, p-80

Forbidding of wine and usury are very common examples of this nature. We must place slavery as one of such stunts since it was an essential part of the social and civic life in those days. Thus, the Prophet صلى الله عليه وسلم did not announce an abrupt abolition of this practice; he rather incorporated such perfect and basic reformation that among Muslims, slavery did transform into a perfect “brotherhood.”

This human treatment of slaves did travel in the Caliphate and in the Muslim governments of the later times as well, and it has been exercised throughout the jurisdiction of Islam. Umer رضى الله عنه once wrote to the governor of Egypt when getting to know about his hardness: يا عمرو متى استعبدتم الناس وقد ولدتهم امهاتهم احراراً (O A’mr! Why enslave people when their mothers delivered them free?)¹⁶⁶

Scope of Enslavement in Islam

Islamic legislation brought two major changes to ancient slavery which were to have far-reaching effects: the presumption of freedom and putting ban on the enslavement of free persons except in strictly defined circumstances. Muslim jurists defined slavery as an exceptional condition, with the general rule being a presumption of freedom (—الاصل هو الحرية) (“*The basic principle is liberty*”) for a person if his origins were unknown. Furthermore, lawful enslavement was restricted to two instances: capture in war (on condition that the prisoner is not a Muslim), or birth in slavery.¹⁶⁷

The Prophet صلى الله عليه وسلم first disallowed within his fraternity all prevailing ways of enslavement sparing only one, which is jihād. Before that, when people were distressed with poverty and hunger, they sold their children or even themselves to someone. This also happened when they were burdened with debt. Those who bought them, enslaved them. People were

¹⁶⁶ <http://www.islamonline.net/iol-english/dowalia/art-2000-August-22/art13.asp>

¹⁶⁷ http://en.wikipedia.org/wiki/Islam_and_slavery

also enslaved when they committed a crime or lost in gambling. Or, people were just picked up or stolen and enslaved forcibly. The Prophet صلى الله عليه وسلم declared all these kinds of slavery as forbidden and means of inviting wrath of Allāh. He spared only one means of taking slaves: by permitting the Imam to enslave the war captives if he deemed it wise in the situation.¹⁶⁸ It must be clear that it is only a *permission*, not a command or binding.

Islamic warfare is very often misinterpreted. We must realize that jihād is waged when an intense mischief is going on. Muslims participate in jihād for no other reason but to raise the Word of Allāh and with no desire to gain worldly benefits. It is worth considering that on the one hand we are told that male or female slaves can be acquired only through jihād when they are taken captives, but on the other we are told that we may take part in jihād only for the sake of Allāh and not aspire slaves or other worldly possessions. The natural corollary to this attitude is that warriors will make little effort to arrest anyone, and if a few are arrested, no one will make much effort to enslave them. They will fear that if they receive some worldly gains then that might offset their reward from Allāh against jihād. This reformation towards the institution of slavery is not small in anyway.

Note that all avenues of taking slaves are close but one and that too is beset with strong warnings that any thought of taking slaves would erase all reward and the warrior's sole aim should be to gain pleasure of Allāh.

All Believers are but Brethren¹⁶⁹

Contrary to the Greek, Roman, Christian and Hindu descriptions, Islam placed a slave in conjunction with his master: a man with feelings and thoughts. Islam changed through different ways the conventional mind about male and female slaves which has persisted hitherto in every nation and religion. Teachings of Islam in this regard are of two kinds: concerning all human beings including slaves and others specific to slaves.

¹⁶⁸ Maulana Saeed Ahmad: Slavery in Islam, p-87

¹⁶⁹ انما المؤمنون اخوة Q.[49:10]

Muslim rich man that we find in our rich men. The Muslim rich in comparison to Christian rich is more mindful of the vicissitudes of fate and blessings. And, it is not difficult for a Muslim poor to enter a Muslim rich man's house and find hospitality there.”¹⁷⁵

Narrating the parable of the Muslim society around Sultān Sī alāhī uddīn Ayyubi, Stanley Lane-Poole has confessed: “Their slaves were as honourable and proud as the commanders of the democracies of the middle ages. And when they had the royal power in their hands they inherited the right, noble traditions of their masters.”¹⁷⁶

Kind Treatment to Slaves

Among the people with whom Qur’ān exceptionally commands to deal with kindness lie the slaves as well.¹⁷⁷ The Prophet صلى الله عليه وسلم himself has been so kind to his slave Zaid ibn Hāritha رضى الله عنه that people generally called him Zaid ibn Muhammad. Once his father came to Madinah and requested Muhammad صلى الله عليه وسلم to release Zaid against compensation. The Prophet صلى الله عليه وسلم replied him to ask Zaid, and if he were willing to go with him, he might go. When he asked Zaid, he preferred slavery over the freedom and refused to go back to his tribe.

As regards the female slaves, Islam encourages to look after them and giving them good training of the household, etc. The Prophet صلى الله عليه وسلم has said in a Hadith: “Three people will get two great rewards: (1) He who educates his female slave and gives her a very good education and teaches her manners thoroughly and then sets her free and marries her...”¹⁷⁸ Naturally, the house of such a master is not a cell to imprison but is the best cradle for developing natural potentials as are necessary for the rest of life.

¹⁷⁵ Maulana Saeed Ahmad: Slavery in Islam, pp-192-3

¹⁷⁶ Stanley Lane-Poole: Saladin: All-Powerful Sultan and the Uniter of Islam, p-22

¹⁷⁷ Q.[4:36]

¹⁷⁸ Sahīh Bukhāri: 4693

Social Status of Slaves

Islam tells that slaves are our brothers and they must be treated as such. It is only with Islam that it does not use words that refer to slaves in a derogatory manner, or placing them as an unchaste, detested lot. A well-known Hadith is available in all authentic books of Traditions: اخوانكم جعلهم: “Your slaves are your brothers whom Allāh has placed in your hands...”¹⁷⁹ In another Hadith did the Prophet صلى الله عليه وسلم teach the words to be used when calling a slave: لا يقولن احدكم عبدى و امتى ولا يقولن المملوك ربى و ربتى. وليقل المالك فتاى و فتاتى وليقل المملوك سيدى و سيدتى فانكم المملوكون والرب الله. “Let no one of you say *my slave* or *my female slave*. And let not a slave say *my lord*. The master should say *my son* or *my daughter* and the slave should say *syedi* or *syedati* (respectively for master and lady) because all of you are owned and the Lord of all is Allāh.”¹⁸⁰

The Prophet صلى الله عليه وسلم once gave a slave of ripe age to his daughter Fātimah عنها الله رضى. She had on her a cloak that was so small that if she covered her head her feet bared. Seeing her in unease the Prophet صلى الله عليه وسلم said: “It doesn’t matter. He is only your father.”¹⁸¹

These words make the philosophy of Islam clear: slaves are their sons and daughters, and are even their fathers and mothers; the only exception is that they do not have the right to inherit.

It was the outcome of molding of minds that a black Ethiopian slave Bilal عنه رضى الله was called *manlana* (Lit. our lord) by all the Muslim community, especially by Umer عنه رضى الله. This was a feather in his cap that he was the

¹⁷⁹ Sahīh Muslim: 1661, 4094

¹⁸⁰ Sahīh Muslim: 2249.

¹⁸¹ Sunan Abu Daūd: 5382

official caller designate to collective and congregational prayers (موذن *muazzin* by terminology). Umer رضى الله عنه used to mention about him: “Our master Abu Bakr رضى الله عنه set free our master [Bilal رضى الله عنه].”¹⁸²

The teachings of Islam encouraged the Arabs to shun the narrow tribal and national outlook. They came to regard one another as a larger Islamic fraternity and became very kind in their treatment to male and female slaves. Umer رضى الله عنه said about Sālim رضى الله عنه, a slave, that if he were alive he would have entrusted him the reins of government. Mu’āviyah رضى الله عنه used to say: “If Muslims were not to swear allegiance to Yazīd, I’d have left the caliph to the consultation between Qāsim and Muhammad.”¹⁸³ The Prophet صلى الله عليه وسلم said himself: “Obey your caliph even if he is a black slave.”¹⁸⁴

It is noteworthy that Islam imparted these teachings and fostered such behaviour in a time which was very unfortunate for slaves. Let me quote here an example of the very days: In the 611 CE, a little after the Heraclius ascended the throne, his wife dead. Her funeral was being carried over to the cemetery when one of the slave girls accompanying it spat on the ground. She was sentenced to death for that.¹⁸⁵

The Prophet’s صلى الله عليه وسلم Carry out Regarding POWs & Emancipation

Although slavery in itself was not abolished by the Qur’ān, Muslims were admonished to treat their slaves well: In the instance of illness, for example, it would be required for the slave to be looked after. Slave manumission

¹⁸² Ibn Hābal: Fazāil e Sahābah: vol.1, p-237

¹⁸³ Mu’āviyah رضى الله عنه is mentioning here the names of two slaves (Qāsim & Muhammad) of the famous “7 jurists of Madīnah.” Remaining five are: Ubaid Allāh, Urwah, Saeed, Sulemān & Khārijah.

¹⁸⁴ Sahīh Bukhārī: 6609

¹⁸⁵ Robert Browning: The Byzantine Empire, p-99

(declaring the slave to be free) would be considered a meritorious act, although the slave would be eligible to ransom himself with the money he has earned while conducting his own business. Slave owners were encouraged to allow their slaves to earn their freedom, and to *أَتَوْهُمْ مِنْ مَالِ اللَّهِ* “give them [their share] of wealth of Allāh which He has given you.”¹⁸⁶

In pre-Islamic times, the Arabs used to change the lineage of their adopted sons to their own lineage. Hence slaves with last names often assumed the last name of their owners.¹⁸⁷ In Islam, however, slave owners were instructed to keep the family names of the slaves unaltered and not to name them after their owners¹⁸⁸: *ادعُوهُمْ لِأَبَائِهِمْ هُوَ أَقْسَطُ عِنْدَ اللَّهِ*. See that it is the Qur’ān only which is addressing the issue of *identity theft*, and Islam rightfully looks down upon it.¹⁸⁹ Today’s world has come to make identity theft a stunt only a few years back.¹⁹⁰

Both the Qur’ān and Hadith are repeatedly exhorting Muslims to treat the slaves well. Muhammad *صلى الله عليه وسلم* himself showed this both in action and in words. His famous Last Address¹⁹¹ and scores of other Hadiths emphasize that all believers, whether free or enslaved, are siblings.

Recalling the Battle of Badr, Abu Aziz ibn Umayr (who was the flag-bearer

¹⁸⁶ Q.[24:33]

¹⁸⁷ www.theislamproject.org/docs/lesson%20plan%20afri%20american.doc

¹⁸⁸ “(As for your adopted children,) call them by their (real) fathers’ names: this is more equitable in the sight of Allāh...” Q.[33:5]

¹⁸⁹ Once this principle became part of the divine law, the Prophet *صلى الله عليه وسلم* was instructed to further emphasize it by a series of warnings. For example, on one occasion he said, “He who knowingly attributed his fatherhood to someone other than his real father, he but disbelieves in Allāh; and if somebody claims to belong to some folk to whom he does not belong, let such a person take his place in the (Hell) Fire.” *Sahīh al-Bukhārī: Vol.4, Book 56, No.711*

¹⁹⁰ <http://www.identity-theft.org.uk/>

¹⁹¹ Address of Muhammad *صلى الله عليه وسلم* delivered at his Farewell Hajj which is consonant with the charter of human rights.

of Quraish and was taken captive and thus enslaved,) reports that those Muslims who took him as captive when had their meals in the morning and evening, they made to do with dates but fed him with bread because the Prophet صلى الله عليه وسلم had commanded them to treat the slaves well.¹⁹²

In the Battle of Hunayn, six thousand of the enemies were taken prisoners, but they were all set free at once. Same did happen in the Battle of Banu Mustaliq when six hundred prisoners were set free since the Prophet صلى الله عليه وسلم married Juwairiyya عنها رضي الله عنها, a lady of the clan of these prisoners.¹⁹³ And at the conquest of Makkah, no one was enslaved either.¹⁹⁴

From the Lens of Jurisprudence: Legal Status of Slaves in Islam

Islam has allowed the master to benefit from the services of slaves. Masters are given no right whatever on human aspect and soul of their slaves. Within Islamic jurisprudence, slaves are able to occupy any office within the government, and instances of this in history include the Mamluk who ruled Egypt for almost 260 years and the Eunuchs (castrated human male) who have held military and administrative positions of note. Slaves were also able to marry, own property, occupy the seat of religious learning and lead the congregational prayers. The master has to covenant with Allāh that he will not burden the slave more than his strength, will feed him that which he eats, will take care of his clothing, will not slander him, will not castrate him, will not curse him, and so on.

The equality of the slave and the master does not rest with life alone but is extended to limbs and organs too— he who cuts his nose, his nose will be

¹⁹² Martin Lings (Abu Bakr Sirājuddin): Muhammad- His Life Based on the Earliest Sources

¹⁹³ It was due to such incidents of social & public blessing that Muhammad صلى الله عليه وسلم appreciated contracts of marriage from the core of his heart. In a Hadith reported by Ibn Abbās رضي الله عنه carries words as: “لم تر للمتحابين مثل النكاح:” “I’ve not seen a thing which increases love between the two [tribes] like that of marriage.” Ibn Mājah: 1847 as referenced at: <http://duskanddawn.wordpress.com/2007/03/11/weakness-no-1/>

¹⁹⁴ Martin Lings (Abu Bakr Sirājuddin): Muhammad- His Life Based on the Earliest Sources

cut and he who castrates his slave, will be castrated.¹⁹⁵

The marriage of slaves required the consent of the owner. Under the Hānafi and Shāfi schools of jurisprudence male slaves could marry two wives, but the Māliki permitted them to marry four wives like the free men. According to the Islamic law, a male slave could marry a free woman.

Islam has not denied the slave the freedom of thought and speech: slave can give advice to his master. Slaves are given equal share of the spoils of war. Their testimony is maintainable. Their offering of protection to anyone is proper.¹⁹⁶ Disfiguring slaves is barred; and if punishment becomes necessary, it'll be half that of a free man.¹⁹⁷

Concede the Doyens of Enemy Quarters...

The kind of slavery that Islam has condoned as temporary measure is not really slavery. Nieboer has stated very clearly that if slavery is founded on a mutual understanding by the two parties then that is not slavery but service.¹⁹⁸ It is clear that the application of Nieboer's words is not fitting over the Islamic way of treatment of slaves. "The slavery which was allowed in Islam had, in fact, nothing in common with that which was in vogue in Christendom until recent times, or with American slavery until the holy war of 1865 put all end to that curse" writes Syed Ameer Ali while comparing Christianity and Islam.¹⁹⁹ "... and it is simply an abuse of the words to apply the word slavery in the English sense, to any status known to the legislation of Islam."²⁰⁰

Singing one's own praises is not a fair play. Let me now quote here some of the praises that Christian scholars have sung about the practice of slavery in Islam. F Denberg writes: "The laws of Islam are very good for the slaves

¹⁹⁵ Maulana Saeed Ahmad: Slavery in Islam, p-149

¹⁹⁶ Ibid. p-159

¹⁹⁷ Ibid. p-177

¹⁹⁸ Herman Jeremias Nieboer: Slavery as an Industrial System; Ethnological Researches

¹⁹⁹ Syed Ameer Ali: The Spirit of Islam, p-364

²⁰⁰ Ibid. p-263

which prove that Muhammad صلى الله عليه وسلم and his followers had great human sympathy... The laws of Islam are meant to break down the practices which until now great civilized nations adopted. True, Islam has not abolished the institution of slavery that was spread the world over but it has tried much to improve the lot of the slave.”²⁰¹

W G Palgrave writes: “I have met negro slaves in Arabia frequently... I found everywhere that the slaves were in much improved state, and the practice of setting them free is also very common... Although a freed slave cannot approach the rich and the noble in the beginning and no Arab chief consents to give his daughter in marriage to a slave, yet these people are safe from the restrictions of colour and blood that are common to the English nations.”²⁰²

Paul Johnson wrote: “It can be said justly that although Muhammad صلى الله عليه وسلم has allowed slavery to continue yet he has exhorted his followers forcefully to be mild to slaves and to look after them. As far as possible, he has made life easy and comfortable for the slaves.”²⁰³ He further writes: “If all the owners of slaves had abided by the exhortations that the Messenger of Islam suggested to them, then there is no doubt that slavery would have been abolished in a matter of days.”²⁰⁴

Gustave Le Bon, the French physician and sociologist, has written in his book *La Civilisation des Arabes*: “When the word slavery is spoken to a European who reads American novels and tales of the last thirty years, he pictures poor people shackled in iron chains being whipped. People who are not even fed enough and made to live in shabby, dingy cabins. It does not concern me whether the European slaves face these things or not, but there is no doubt the picture of a slave in Islam is absolutely different from the

²⁰¹ From: Mrs M F Anderson: *The Baptists in Sweden*, p-83

²⁰² From: G H Pember: *Earths Earliest Ages*, p-247

²⁰³ Paul Johnson: *History of Christianity*

²⁰⁴ *Studies in Muhammadanism*, p-352; as referenced by Maulana Saeed Ahmad: *Slavery in Islam*, p-131

picture of the European slave.”²⁰⁵

A Dutch scholar and traveler Snouck Hurgronje relates: “The slaves are well fed... They get garments and whatever one requires to make life pleasant, plentifully... they are slaves only in name... Honorable families consider it their duty to provide residential accommodation to their freed slaves... owners of houses and shops are they who had been slaves and their black skin does not deter progress... The negro women normally work at homes and also look after the kitchen...”²⁰⁶

Joseph Thompson, an African traveler, wrote to The London Times: “I can say with confidence that I have more experience about the central eastern Africa than anyone of your correspondents or reporters. If slave markets flourish here, the reason is that Islam has not been preached here. I am sure if Islam was preached here then slave trade would have been eliminated long ago.”²⁰⁷

R Bosworth Smith has written: “Let us see what Islam did about slavery. Indeed, there has been a reformation more than what has been done for women. Muhammad صلى الله عليه وسلم did not put an end to slavery because that was neither possible nor expedient given the state of Arab life at that time, but he encouraged them to emancipate slaves. He underlined the principle that the slave who embraces Islam is free. More praiseworthy is that if a freed slave lives honorably, he must not be looked down upon... A slave who is protected in this way by law and religion cannot fit the everyday description of slaves... The Prophet صلى الله عليه وسلم had permitted that women captives may be made slaves but if one of them delivers her master’s child then she cannot be separated from her child or resold. Rather, on the death of her master she becomes a free woman. These compassionate rules... were not incorporated in any European or American slave trading

²⁰⁵ Gustave Le Bon: Gustave Le Bon- The Man and His Works: A Presentation with Introduction, First Translation into English, and Edited Extracts

²⁰⁶ C Snouck Hurgronje: Mohammedanism- Lectures on its Origin, its Religious and Political Growth, and its Present State

²⁰⁷ The London Times: November 14, 1887

country until slavery was banished from all Christian countries.”²⁰⁸

In spite of being very prejudicial, Dieter Dowe cannot help confess the truth: “Muhammad صلى الله عليه وسلم was very kind and merciful. Indeed, it was his aim that the lot of the slaves should be improved. If he had thought of wiping out slavery at one stroke then that was impossible. But by declaring انما المومنون اخوة²⁰⁹ ‘all believers are but brethren,’²⁰⁹ he thought of a certain way to eliminate slavery gradually and that was the best option available to him... He instructed: ‘As for your slaves, listen, give them to eat what you eat. Clothe them what you wear. If they make a mistake which you cannot forgive then you’d dispose off them because they are slaves of Allāh Who should not be hurt. O People! Listen to me, and understand it well. Muslims are brothers one of the other. All of you are equal. And all of you are a single fraternity.’²¹⁰ We must confess that his teachings are practiced in some countries but, it is very sad that we do not it practiced in any Christian country. Umer رضى الله عنه holds the reins of his camel while his slave is riding it. The dear daughter of the Prophet رضى الله عنها Fātimah, صلى الله عليه وسلم, grinds the handmill with her female slaves. These are examples of the Prophet’s صلى الله عليه وسلم teachings.”²¹¹

Annemarie Schimmel, a contemporary scholar on Islamic civilization, asserts that because the status of slave under Islam could only be obtained through either being a prisoner of war (this was soon restricted only to infidels captured in a holy war) or born from slave parents, slavery would be theoretically abolished with the expansion of Islam.²¹²

Islam’s reforms seriously limited the supply of new slaves. In the early days of Islam, a plentiful supply of new slaves was brought due to rapid conquest

²⁰⁸ R Bosworth Smith: Muhammad and Muhammadanism, pp-243-45

²⁰⁹ Q.[49:10]

²¹⁰ http://en.wikipedia.org/wiki/The_Farewell_Sermon

²¹¹ Dieter Dowe: Europe in 1848: Revolution and Reform

²¹² Annemarie Schimmel: And Muhammad is His Messenger: The Veneration of the Prophet in Islamic Piety

and expansion. But as the frontiers were gradually stabilized, this supply dwindled to a mere trickle. The prisoners of later wars between Muslims and Christians were commonly ransomed or exchanged. Patrick Manning, a professor of World History, states that Islamic legislations against the abuse of the slaves convincingly limited the extent of slavery in Arabian peninsula and to a lesser degree for the whole area of the whole Umayyad Caliphate where slavery existed since the most ancient times.²¹³

Slave Trade in the Early Islamic Caliphate

Of course, the buying and selling of slaves is a very repulsive thing. But, just as slavery was permitted out of compulsion, so too the trade in slaves was allowed for the benefit of the slave. Just as divorce is allowed only in extreme cases, so too the buying and selling of slaves was allowed in unavoidable cases.

Some people visited Mu'āviyah رضى الله عنه. He asked them what they did. They disclosed that they were engaged in slave trade. He said to them: *بئس* "This is a bad business; a soul has to be looked after and that is much toilsome."²¹⁴

The business in slaves had picked up in the Abbasside period but they kept an eye on those who were engaged in this business. A special post was created under the name *qayyim al raqiq* قيم الرقيق (supervisor of slave trade) that superintended these transactions.²¹⁵

Commenting on the position of slavery and slave trade in the early Islamic caliphate, Syed Ameer Ali writes: "Slave lifting and slave dealing, patronized by dominant Christianity, and sanctified by Judaism, were utterly reprobated and condemned. The man dealt in slaves was declared the outcast of

²¹³ http://en.wikipedia.org/wiki/Slavery_in_Islam#_note-Manning1

²¹⁴ D. Crecelius, Ahmad D. Damurdashi & Abd Al-Wahhab Bakr: Al-Damurdashi's Chronicle of Egypt 1968-1755: Al-Durra Al-Musana Fi Akhbar Al-Kinana (Arab History & Civilization, Vol 2)

²¹⁵ Ibid.

humanity.”²¹⁶ He further writes: “Slavery by purchase was unknown during the reigns of the first four Caliphs رضى الله عنهم. There is at least no authentic record of any slave having been acquired by purchase during their tenure of the office... During the reigns of early Abbassides, the Shia Imām Ja’far al Sādiq preached against slavery.”²¹⁷

A Note on Concubine: Ladyfying the slave women

Indeed, if we want to discuss whether women’s status in pre-Islamic Arabia was ‘good’ or ‘bad’ we have to compare it to the neighbouring civilizations at that time. If compared with the status of women in Europe, or even the Byzantine Middle East at that time, Arabian women were not treated badly.²¹⁸ What types of marriage (Lit. male-female relationship) were current those days and what Islam did to do away with all forms of indecencies therein, can be judged in the light of a Hadith which is reported by Āisha رضى الله عنها, the Mother of the Faithful:

عَنْ ابْنِ شِهَابٍ قَالَ أَخْبَرَنِي عُرْوَةُ بْنُ الرُّبَيْرِ أَنَّ عَائِشَةَ زَوْجَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَخْبَرَتْهُ أَنَّ النِّكَاحَ فِي الْجَاهِلِيَّةِ كَانَ عَلَى أَرْبَعَةِ أَنْحَاءٍ فَنِكَاحٌ مِنْهَا بِنِكَاحِ النَّاسِ الْيَوْمَ يَخْطُبُ الرَّجُلُ إِلَى الرَّجُلِ وَلَيْتَهُ أَوْ ابْنَتَهُ فَيُصَدِّقُهَا ثُمَّ يَنْكِحُهَا وَيَنْكِحُ آخَرَ كَانَ الرَّجُلُ يَقُولُ لِأَمْرَأَتِهِ إِذَا طَهَّرْتِ مِنْ طَمَئِنِّهَا أَرْسِلِي إِلَى فُلَانٍ فَاسْتَبْصِعِي مِنْهُ وَيَعْتَرِلُهَا زَوْجَهَا وَلَا يَمَسُّهَا أَبَدًا حَتَّى يَبْتَيِّنَ حَمْلَهَا مِنْ ذَلِكَ الرَّجُلِ الَّذِي تَسْتَبْصِعُ مِنْهُ فَإِذَا تَبَيَّنَ حَمْلُهَا أَصَابَهَا زَوْجُهَا إِذَا أَحَبَّ وَإِنَّمَا يَفْعَلُ ذَلِكَ رَغْبَةً فِي نَجَابَةِ الْوَلَدِ فَكَانَ هَذَا النِّكَاحَ نِكَاحَ الْإِسْتِبْصَاعِ وَنِكَاحَ آخَرَ يَجْتَمِعُ الرَّهْطُ مَا دُونَ الْعِشْرَةِ فَيَدْخُلُونَ عَلَى الْمَرْأَةِ كُلِّهِمْ بِصِبْيَتِهَا إِذَا حَمَلَتْ وَوَضَعَتْ وَمَرَّ عَلَيْهَا لَيْالٍ بَعْدَ أَنْ تَضَعَ حَمْلَهَا أُرْسِلَتْ إِلَيْهِمْ فَلَمْ يَسْتَطِعْ رَجُلٌ مِنْهُمْ أَنْ يَمْتَنِعَ حَتَّى يَجْتَمِعُوا عِنْدَهَا تَقُولُ لَهُمْ قَدْ عَرَفْتُمْ الَّذِي كَانَ مِنْ أَمْرِكُمْ وَقَدْ وُلِدَتْ فَهِيَ ابْنُكَ يَا فُلَانُ تُسَمِّي مَنْ أَحَبَّبْتَ بِاسْمِهِ فَيَلْحَقُ بِهِ وَلِذَلِكَ لَا يَسْتَطِيعُ أَنْ يَمْتَنِعَ بِهِ الرَّجُلُ وَنِكَاحَ الرَّابِعِ يَجْتَمِعُ النَّاسُ الْكَثِيرُ فَيَدْخُلُونَ عَلَى الْمَرْأَةِ لَا تَمْتَنِعُ مِمَّنْ جَاءَهَا وَهِيَ الْبَغَايَا كُنَّ يُنْصَبْنَ عَلَى أَبْوَابِ رِبَاتٍ تَكُونُ عَلِمًا فَمَنْ أَرَادَهُنَّ دَخَلَ عَلَيْهِنَّ إِذَا حَمَلَتْ إِخْدَاهُنَّ وَوَضَعَتْ حَمْلَهَا جُمِعُوا لَهَا وَدَعُوا لَهُمْ الْقَافَةَ ثُمَّ أَحْفُوا وَلِذَلِكَ بِالَّذِي يَرَوْنَ فَالْتَأَطُّ بِهِ وَدَعِيَ ابْنَهُ لَا يَمْتَنِعُ مِنْ ذَلِكَ فَلَمَّا بَعِثَ مُحَمَّدٌ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْحَقِّ هَدَمَ نِكَاحَ الْجَاهِلِيَّةِ كُلَّهُ إِلَّا نِكَاحَ النَّاسِ الْيَوْمِ

Ibn Shehāb narrates that ‘Urwa ibn Zubayr informed him on the authority of Āisha رضى الله عنها, the wife of the Prophet صلى الله عليه وسلم that there were four types of marriage in the Times of Ignorance. There was the marriage which is that still practiced by people today in which a man asked another

²¹⁶ Syed Ameer Ali: The Spirit of Islam, p-265

²¹⁷ Ibid. p-266

²¹⁸ <http://www.al-islam.org/restatement/3.htm>

man for his ward or daughter, paid her her dower and then married her. Another type was that a man would say to his wife after she was pure from menstruation, “Send for so-and-so and have intercourse with him.” Her husband would stay away from her and not have sex with her until she became pregnant by that man with whom she was sleeping. When it was clear that she was pregnant, then her husband would sleep with her if he wished. He did that out of the desire for a child of noble descent. This marriage was called *استبضاع* *al-Istibḍāʿ*.²¹⁹ Another type of marriage was that a group of less than ten men would go to the same woman and all have intercourse with her. If she became pregnant and gave birth, some days after the birth she would send for them, and none of them could refuse to come. When they were gathered together before her, she would say to them, “You know what you did. I have given birth. It is your son, so-and-so!” She would name whichever of them she wanted to name, and her child would be attributed to him and the man could not deny that. The fourth type of marriage was that many men would go to a woman who would not refuse whoever came to her. They were prostitutes and they used to set up flags at their doors as signs. Whoever wanted could go to them. If one of them became pregnant, when she gave birth, they would be brought together and they would call the physiognomists who would then attach the child to the one they thought was the father. He would be ascribed to him and called his son. None of them could reject that. When Muhammad *صلى الله عليه وسلم* was sent with the truth, he abolished all of the marriages of the Times of Ignorance except the marriage practiced by people today.²¹⁹

I’ll discuss the provenance of decency later but one thing is clear from the face of this Hadith: no matter how defiled was the profile of Arab society at that time, they did not let their women— even if they were as lowly as prostitutes— stay “single mothers” with their “love-child” to feed and bring-up. The tomorrows of an intimate relation were not the lot of women alone; men were endorsed the lion’s share of the aftercome. In the loose-union society of those days in the Arab (of which a reference is coming below), there was a definite system of parentage & childcare and no child was left

²¹⁹ Sahīh Bukhāri: 4732

“single-parent.”²²⁰ This is the fruit of today’s free society.

The period in the Arabian history which preceded the birth of Islam is known as الجاهلية, the Times of Ignorance. Judging by the beliefs and the practices of the pagan Arabs, it appears that it was a most appropriate name. In common with the civilizations of the world, Arabia too was a male-dominated society. The number of women a man could marry was not fixed in this society as well. “Inheritance” in kept women was also current in them since it was a worldwide practice: when a man died, his son “inherited” all his wives except his own mother.

Promiscuity, being present worldwide, was quite common in Makkah before the advent of Islam. Women could “play the field” and enjoy physical relationships with men, without being hindered by demands of strict decency. As Joseph Schacht stated: “The relations of sexes in pre-Islamic Arabia were characterized not so much by polygamy, which certainly existed, as by frequency of divorce, loose unions, and promiscuity, which sometimes make it difficult to draw a line between marriage and prostitution...”²²¹

A form of relation current those days was that a husband sent his wife or slave woman to a man of high rank or some other specialty and kept her with him until she got pregnant from that (other) man. This type of marriage was called نكاح الاستبضاع *nikah al-Istibḍāʿ* (Lit. eugenics cohabitation) and it was simply for the desire for a noble child.²²² Sperm-banks present in the western world today do endorse the need and desire of this type of marriage. In the Islamic world, such practice is specific alone to the reproduction of livestock.

A group of women, mostly slave-girls, called قيان *qiyān* (singular قينة *qayna*) entertained pilgrims in Makkah as well as the local population. They danced, sang and slept with whomsoever they liked or especially with those could

²²⁰ http://www.alsharia.org/2006/alsharia/articles/monthly_alsharia/2007/Feb07/KalmaHaq.htm

²²¹ Joseph Schacht, Introduction to Islamic Theology and Law (Princeton,1981), p-7

²²² http://www.alsharia.org/2006/alsharia/articles/monthly_alsharia/2007/Feb07/KalmaHaq.htm

reward them abundantly for their favours. These slave-girls were captured either in raids or were imported from Iraq or Syria. They are sometimes confused with a type of sex-sellers بغايا *baghāyā* (singular بغيه *baghīyyah*); these were another type of women.²²³

The relations of the sexes were extremely loose. Many a women sold sex to make their living since there was little else they could do. These women flew flags on their houses and were called “ladies of the flags” ذوات الرايات *dhawāt-ur-ra’yāt* (singular ذات الراية *dhāt-er-ra’yah*).

Islam also barred the form of loose union commonly termed as نكاح الموقت *nikah al-mu’aqqat* or نكاح التمتع *nikah al-tamattu’* or متعه *mut’a*, in which a man contracted a temporary marriage with a woman and they lived together as husband and wife for a definite agreed-upon time; and the woman was offered compensation for this service.²²⁴

In such a society did Islam appear with a paradigm shift and a charter of human rights, woman rights, social reform, family life and the like. With its human development system & legislation at all levels, it triggered the deeply rooted social norms and cultivated the concept of حياء (Lit. modesty).

Islam permits intimate relations between a male master and his female slave outside of marriage referred to in the Qur’ān as “ماملكت ايمانكم” “from among those whom you rightfully possess,”²²⁵ although he may not co-habit with a female slave belonging to his wife. Neither can he have relations with a female slave if she is co-owned, or already married. If the female slave has a child by her master, she then receives the title of ام ولد (Lit. Mother of a child), which is an improvement in her status as she can no longer be sold and is legally freed upon the death of her master. The child, by default, is

²²³ Ibid.

²²⁴ Ibid.

²²⁵ Q.[4:3]

born free due to the father (ie, the master) being a free man. Although there is no limit on the number of concubines a master may possess, the general marital laws are to be observed, such as not having intimate relations with the sister of a female slave.

The concubines, under the Islamic law, had an intermediate position between slave and free. Modern western writers as well do agree to this standpoint of Islam. In Islam, “men are enjoined to marry free women in the first instance, but if they cannot afford the bridewealth for free women, they are told to marry slave women rather than engage in wrongful acts” hold Bloom and Blair.²²⁶ Another rationalization given for recognition of concubinage in Islam is that “it satisfied the sexual desire of the female slaves and thereby prevented the spread of immorality in the Muslim community.”²²⁷

Concubinage was only allowed as a monogamous relation between the slave woman and her master; it is unfair to confuse this allowance with concupiscence or debauchery in any way. Some Islamic scholars assert that intimate relations with concubines were only permitted because slavery couldn't be eradicated immediately being an essential component of social and economic infrastructure, as Qur'ān presents marriage as the only legal way of satisfying one's sexual desires.

It is safe to say that Islam offered the portal of concubinage for the welfare of enslaved women themselves. A woman who was destined to spend all her life in the shelter of a master and was never to go back to her homeland or environment and/or her husband is killed or slain, she was simply made a plaything and a means of making money. There was no question of her human rights whatsoever. In the days when such women were kept herds, Islam said yes to the basic²²⁸ human rights— satisfying the sexual desire, giving shelter & security, respect for private and family life, children, health, education, liberty and freedom of expression, freedom of thought, conscience and religion— of such low-profile women who had no say on any

²²⁶ Bloom and Blair: www.socialistworld.net/eng/2002/06/06Islam.html

²²⁷ Sikainga: <http://www.utexas.edu/cola/centers/cmcs/publications/modmideast/>

²²⁸ http://www.direct.gov.uk/en/RightsAndResponsibilities/DG_4002951

platform and introduced a humane, decent solution.²²⁹ To crown it all, this intimate relation which on the one hand was fulfilling the essentials of life and basic human needs of these women was leading to their freedom on the other. This solution was, in all ways, most suitable according to the needs of the times.

It will not be out of place to mention here that there were two ways to keep the POWs current in those days: keeping them as state prisoners or distributing them among the families as slaves. It is evident that the first solution was not proper at large and it left the women slaves as mere objects of sex and abuse since every statehand was their owner. Islam did opt the second available norm²³⁰, and put legislations therein that were adduced to basic human rights and were ensuring a modest living.

Islam has not permitted the master to sleep with his female slave just to satisfy his sexual urge but the permission was based on social demands. If we look at the history we will find that in the last days of Umayyad caliphate and during the Abbasside caliphate the female slaves had played a great role in the progress of the civilization.²³¹

Contract of Freedom: Mukātabat (مكاتبت)

Mukātabat is a right given to slaves— the right to make contract with their masters according to which they would be required to pay a certain sum of money in a specific time period, or would carry out a specific service for their masters; once they would successfully fulfill either of these two options, they would stand liberated. Slaves who opt for *mukātabat* are called مكاتب *mukātab* and Islamic Jurisprudence has dealt with *mukātab* slave differently, as stated in the Qurʾān.²³²

This right of *mukātabat* was granted to slave-men and slave-women. Prior

²²⁹ http://www.alsharia.org/2006/alsharia/articles/monthly_alsharia/2006/oct06/Ghulami_AbuAmmar.htm

²³⁰ Ibid.

²³¹ Maulana Saeed Ahmad: Slavery in Islam, p-216

²³² Q.[33:24]

to this, various other directives were given at various stages to gradually reach this stage. These steps are summarized below:²³³

- In the very beginning of its revelation, the Qur’ān regarded emancipation of slaves as a great virtue.²³⁴
- People were urged that until they free their slaves they should treat them with kindness.²³⁵
- In cases of unintentional murder, *ḡibār*²³⁶, and other similar offences, liberating a slave was regarded as their atonement and charity.²³⁷
- It was directed to marry off slave-men and slave-women who were capable of marriage so that they could become equivalent in status, both morally and socially, to other members of society.²³⁸
- If some person were to marry a slave-woman of someone, great care was exercised since this could result in a clash between ownership and conjugal rights. However, such people were told that if they did not have the means to marry free-women, they could marry, with the permission of their masters, slave-women who were Muslims and were also kept chaste. In such marriages, they must pay their dowers so that this could bring them gradually equal in status to free-women.²³⁹
- In the heads of *ḡakāt*, a specific head (for freeing necks [emancipation of slaves]) was instituted so that the campaign of slave emancipation could receive impetus from the public treasury.²⁴⁰
- Fornication (sexual intercourse between a man and a woman who are not married to each other) is an offence. Since prostitution centres around this offence, brothels that were operated by owners using their

²³³ Michael Bonner, “Poverty and Economics in the Qur’ān”, *Journal of Interdisciplinary History*, xxxv:3 (Winter, 2005), 391–406

²³⁴ Sahīh Muslim: 1662, 1661, 1657, 1659

²³⁵ Sunan Abu Daūd: 5164.

²³⁶ A particular form of severing relationship with one’s wife. In this form, the man would declare something to the effect that his wife shall from now on be like a mother to him, as mentioned in Qur’ān: 58:3.

²³⁷ Q.[4:92, 58:3, 5:89]

²³⁸ Q.[24:32-33]

²³⁹ Q.[4:25]

²⁴⁰ Q.[9:60]

slave-women were shut down automatically, and if someone tried to go on secretly running this business, he was given exemplary punishment.²⁴¹

- People were told that they were all slaves/servants of Allāh and so instead of using the words عَبْد (slave-man) and أَمَةٌ (slave-woman), the words used should be فَتَى (boy/man) and فَتَاةٌ (girl/woman) so that the psyche about them should change and a change is brought about in these conventional concepts.²⁴²
- At the advent of Islam a major source of slaves was the POWs. The Qur’ān rooted this out by legislating that POWs should be freed at all costs, either by accepting ransom or as a favour by not taking any ransom money. No other option was available to the Muslims.²⁴³

Conclusion

On concluding this topic, it is safe to reiterate that it is only Islam that faithfully aims to finish off the practice of slavery. It summoned the attention of the world towards the plight of slaves at a time when the followers of the Christ عليه السلام were preaching such dictates in the name of religion as “... Those who are slaves must consider their masters worthy of all respect, so that no one will speak evil of the name of God and of our teaching. Slaves belonging to Christian masters must not despise them, for they are believers too. Instead they are to serve them even better, because those who benefit from their work are believers whom they love. You must teach and preach these things.”²⁴⁴ However, Islam did not disallow slavery at one go because that would have upset the social and economic life of society. It rather adopted gradual reformative measures like:

- The Prophet صلى الله عليه وسلم also followed the Qur’ān in not saying anything about enslavement. The institution was already there and so

²⁴¹ Ghāmidī, *The Penal Law of Islam*

²⁴² Sahīh Muslim: 2249

²⁴³ Q.[47:4]

²⁴⁴ Encyclopedia of Religion & Ethics; vol XI, (Christian Slavery); Timothy, 1st Letter, 6:1,2 as referenced by Maulana Saeed Ahmad: Slavery in Islam, p-241

- only directions were issued for putting correction in the system.
- All methods of enslaving people were abolished except the POWs, and that too with caution and was only a permission.
 - The Prophet صلى الله عليه وسلم himself treated the POWs in consonance with the Qur'ānic instruction of من و فداً “setting them free either by act of grace or against ransom.”²⁴⁵ In some battles, isolated cases of enslaving prisoners did indeed occur.
 - Of course, the Qur'ān frequently commands that monetary efforts must be made to get slaves released and they'd be treated kindly but never does it command slaves to literally “bow before their masters” as the Christians are told to do. It has sufficed on dealing with gentlemanly social manners.
 - Islam reformed the wicked concept about slaves and declared that slave were brothers, and reminded that slaves have rights like all free men. The social rank and personhood of slaves was thus raised far above the ancient practice.
 - Together, thieving the lineage identity of slaves was abolished.
 - The Qur'ān declares that there was tremendous reward against setting slaves free.
 - There are many provisions which prescribe that slaves become free automatically.
 - Many a sin can be atoned by releasing slaves.
 - Even slaves are allowed to earn their freedom through *mukātabat* in which case their masters are instructed not to create hurdles but should rather do their best to make things easy for them.
 - Islam stands atop the scroll of awarding recognition of full personhood to women; only Islam elevated female slaves to the rank of ladies of house and housewives.
 - The Prophet صلى الله عليه وسلم and his Companions رضى الله عنهم showed by their behaviour that a slave deserves compassionate and equal treatment; he shouldn't be detested or be looked down upon.

Contrary to previous Divine Writs and religious codes neither has Islam

²⁴⁵ Q.[47:4]

commanded its followers to enslave anyone nor did it declare enslavement an obligatory duty; it was a custom found among all people and Islam suggested such wise commands as may erase brutality from this custom.

This character is unique to Islam that it has been on the way to remove slavery from its beginning whereas in the recent civilizations the history of abolishing slavery is only a few years more than a century. All civilizations were drowned in the oceans of disparity & inequity when Islam came with a charter of human rights and equality; and wherever Islam got station on the globe— no matter even if it were for a thinner time-slice— it lit the flame of human rights in the suppressed human nature. It is on this threshold that the weaker voice of slaves gradually strengthened and with the passage of time the masters were to recognize their rights; and in the long run it resulted in the official banishment of this cruel practice throughout the world.

متى استعبدتم الناس وقد ولدتهم امهاتهم احراراً

Why enslave people when their mothers delivered them free?

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