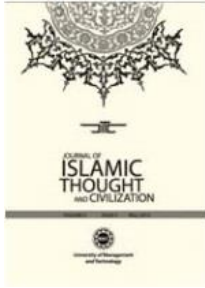


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Bernard Lewis on Slavery in Islam (An Analytical Study)

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Abstract

This article discusses the status of slaves in Islam and analyses the views of Bernard Lewis on this subject. It discusses who and when can one be taken as slave. How the captives of war had been treated during the life of prophet of Islam Muhammad (SAW). Does Qur'an actually support slavery? Why in the Islamic state slaves were subject to some of legal disabilities. What measures Islam has taken to demolish slavery. How Muslims are required to treat their slaves, from the burden of work to calling them. Verses of The Bible, The Qur'an and sayings of Muhammad (SAW) are comparatively studied.

Key words: Slavery, Islam, Middle East, Qur'an, Bible

Introduction

In his sixty years of career, Bernard Lewis emerged as the most celebrated and influential Oriental Scholar of America. His work on Islamic History is the cause of it being known to the European and American world. He has conveyed knowledge about the pre-modern and modern Muslim world. Lewis has played a great role in formation of contemporary Middle Eastern history. His studies of rebellious Muslim sects, slaves, and Jews in Muslim societies broke new ground by expanding the scope of history beyond the palace and the mosque.

It is crucial to study and analyze Bernard Lewis for he is one of the most highly regarded Western scholars. His advice and thoughts on the region's current events are sought by the most senior current and former members of the U.S. government. Though Lewis is a great scholar of Islamic, Middle Eastern and Ottoman History, there are some areas which need to be critically analyzed. His views on, practice of Slavery in the Middle East are selected to be discussed in this article. This article will analyze whether slavery was a purely Middle Eastern cultural practice or if it is supported by the religion of Islam.

Bernard Lewis and Slavery in Islam: An Analytical Study

Bernard Lewis mentions that Muslims were allowed to take slaves as war booty. A slave could be a slave only under the following conditions. Firstly, in the situation where the individual is born under slave parents or secondly, if they are captured in war (the later was soon restricted to infidels being captured in jihad) ⁱ

If the war is between Muslims, Muslims are not allowed to take other Muslims as slaves. If Islam allowed slavery, it also took some measures to encourage Muslims to free slaves.

1. “In the early *Makkan* period, the act of emancipating slaves was seen to be a great deed of piety. The very initial *Makkan* surahs appealed to the Muslims to liberate as many slaves as they could.
2. The Prophet (SAW), unequivocally, directed the Muslims to raise the standard of living of the slaves and bring them equal to their own standard. This, of course, was meant to discourage people from persisting with them.
3. For the atonement of many sins manumission of slaves was repeatedly encouraged and divinely ordained.
4. All slave men and women who could support themselves in society were directed to marry one another, in order to raise their moral and social status.
5. A permanent head in the public treasury was fixed to set free slave men and women.
6. Prostitution, which was largely carried out through slave women, who were mostly forced by their masters do so, was totally prohibited.
7. The affronting names of *`abd* and *amah* by which slave men and women were called, were abrogated so that people should stop regarding them as slaves. In their place, the words *fata* (boy) and *fatat* (girl) were introduced.
8. Finally, the law of *mukatibat* provided very easy access for the slaves to the gateway to freedom. Every slave who was capable of supporting himself was allowed by law to free himself, provided that he either gave a certain monetary amount to his master or carried out certain errands for him. After this, he could live as a free man. A special head in the treasury was fixed for this purpose; also, wealthy people were urged to help the slaves in this regard. The net result of this law was that only handicapped and old slaves were left to be provided for by their masters, which not only went in their own favour but also prevented them from becoming an economic burden on the society.”ⁱⁱ

In the Qur’an Muslims are instructed to free the captives of war for the sake of a favor or take some ransom to free them.ⁱⁱⁱ We have the example of prisoners of

the battle of *Badr*. Prophet (SAW) of Islam freed them against some ransom and those who could not buy their freedom or did not have anyone to pay for them. Their penalty was to teach reading and writing to certain number of Muslim children.^{iv} If slaves and slavery was so dear to Islam and prophet of Islam he would never have set the prisoners free; as it was the first war of Islam, Muslims got the chance after a long time to take revenge of all the adversity they had faced, but the messenger's stance was of mercy and *ihsān*.

Similarly, in the battle of *Bani Mustaliq*, the prisoners captured were either freed in the battle field as a favour, at the same time some others were freed against some ransom. The Prophet of Islam brought the remaining prisoners to *Medinah* and gave them in to the temporary custody of his companions; while waiting for their relatives to buy their freedom. One of the slaves was Sayyidah Jawairiyah. Her father came with some camels to redeem her freedom. The prophet questioned about the two well-bred camels he had hidden behind. This astonished him extremely- because there could be no way that the Prophet (SAW) could have had knowledge of those- to this he embraced Islam. Along with her father, Sayyidah Jawariyah also embraced Islam. The Prophet of Islam asked for Jawariyah's hand in marriage, father showed willingness. Hence, Jawariyah was married to the Prophet of Islam. Freedom of the remaining prisoners of war was the result of this marriage; as the companions thought it to be inappropriate to keep the Prophet's in-laws in captivity.^v

Incident of battle of Hunain is worth mentioning because it shows how the Prophet of Islam has played part in eradication of slavery. In this battle, Muslims captured thousands of prisoners. The prophet waited for many days for their people to get them free but they did not show any concern about their relative prisoners. Thus, the prophet returned to *Madinah* and distributed them among the companions who took part in the war. However, after gap of a number of days their people came. The prophet was willing to give away his share of booty, but he could only urge to his companions. Later on, almost all the companions returned their prisoners as the prophet offered six camels for each prisoner from the spoils they would obtain in the very next battle. This was enough for them to forfeit their share.^{vi} Hence, throughout his life prophet Muhammad *salla allahu 'alaihi wasallam* followed the *Qur'anic* instructions of setting free the prisoners of war either as a favor or against some ransom.

The only example which is used against Muslim attitude towards slavery is that of the Battle with Jewish tribe Banu Quraiza. Muslims sieged the palace of Banu Quraiza for a long period due to which the tribe surrendered and asked the Muslims to appoint Sa'd bin Mu'az as an arbitrator; as he was from their ally tribe, Aus. He took decision for this situation according to Jewish teachings. It is mentioned in Deuteronomy:

“When you march up to attack a city, make its people an offer of peace. If they accept and open their gates, all the people in it shall be subject to forced labour and shall work for you. If they refuse to make peace and they engage you in battle, lay siege to that city. When the Lord your God delivers it into your hand, put to the sword all the men in it. As for the

women, and children, the livestock and everything else in the city you may take these a plunder for yourselves. And you may use the plunder the Lord your God gives you from your enemies. This is how you are to treat all the cities that are at a distance from you and do not belong to the nations nearby.^{vii}

This was very just decision because this is what the Jewish tribe asked for and this was the punishment of the sin they committed.

Bernard Lewis claims, though Islamic approach was more humane towards slaves, they “were subject to certain legal disabilities.”^{viii}

“They were excluded from any office involving jurisdiction; they could not give evidence they were valued less than freemen in that the penalty for an offence against a slave is half the penalty for the same offence against freeman. The slave had few civil rights in matters of property, inheritance or bequest. He was however entitled to medical attention, food, and assistance when old and a *qadi*, or religious judge, could order an owner to manumit his slave for failure to carry out these obligations. The owner was forbidden to overwork his slave and was enjoined to treat him humanely.”^{ix}

A slave is always under pressure and is not psychologically free enough to testify against any one because he acts upon his master’s will in every single action he undertakes. Hence, his testimony is not acceptable and not regarded as strong as that of a free man. Slaves had always been punished; masters were never punished for any kind of offence against slaves, be it great or minor. Islam is the first religion which holds a master accountable for an offence against the slave. Hence, the shame of being punished for a slave was great enough to stop a master from being offensive towards the slave.

Bernard Lewis states that Old and New Testaments recognize and accept the institution of slavery. From time to time both insist on treating the slaves humanely.^x He mentions the following verses against slavery:

“Did not He that made me in the womb make him (the slave)? And did not one fashion us both?”^{xi}

“there is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female; for ye are all one in Christ Jesus.”^{xii}

Same message regarding equality of mankind is delivered in a verse of the Qur’an.

“O mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honorable of you with Allah is that (believer) who has At-Taqwa. Verily, Allah is All-Knowing, All-Aware.”^{xiii}

On the contrary according to Bernard Lewis, Qur’an advises kindness towards slaves without commanding... he gives reference to 4: 36;

“Worship Allah and join none with Him (in worship); and do good to parents, kinsfolk, orphans, Al-Masakin (the poor), the neighbour who is near of kin, the neighbour who is a stranger, the companion by your side, the wayfarer (you meet), and those (slaves) whom your right

hands possess. Verily, Allah does not like such as are proud and boastful.”

However, any one reading this verse can easily notice the strictness of order to be kind towards all the others including slaves; moreover the prophet of Islam, emphasized good treatment of slaves saying that:

“O People! Every Muslim is the brother of every other Muslim, and all the Muslims form one brotherhood. And your slaves; see that you feed them with such food as you eat yourselves, and clothe them with the clothes that you yourselves wear.”^{xiv}

Expression of the above mentioned words is much like that of the expression of Job 31: 15. Similarly, on the level of humans, Bernard Lewis says that Ephesians 6 narrates that dealing of master with a slave is that of father and son, and duty of a son to his father.

“the slave is enjoined “to be obedient to them that are your masters, according to the flesh, in fear and trembling, in singleness of your heart, as unto Christ.”^{xv}

In the above statement only a slave is demanded to be afraid of his dealings with the master, whereas Muhammad (SAW) demands a master to be kind towards the slave, and call them with kind words like my boy, or my girl and not my slave. The following words are quoted of him.

“One of you should not say: My slave (*‘abd*) and my slave-girl (*‘amati*). All of you are the slaves of Allah and all of your women are the slave-girls of Allah. Rather let him say: My boy and my girl and my (*fata*) young boy and my (*fatai*) young girl.”^{xvi}

Islam raised the status of the slaves and protected their blood just like that of a free person, just like a free person is killed for killing a free person, a free person is killed for killing a slave.^{xvii} In The *Qur’an Allah* (SWT) says,

“...in cases of murder: the free man for the free man, the slave for the slave, the female for the female.”^{xviii}

The Prophet of Islam is quoted to have said,

“Fear Allah in regards of those whom your right hands possess; they are your brothers whom Allah placed under your hands (authority). Feed them with what you eat, clothe them with what you wear and do not impose duties upon them which will overcome them. If you so impose duties, then assist them.”^{xix}

As Bernard Lewis mentions in his book *Race and slavery in the Middle East*; Islam does accept the institution of slavery but instead of the word ‘*Abd*, “*malakat aymanukum*” is used at several places. According to Lewis, The Qur’an distinguishes between master and slave and recognizes the rights of the former over the latter (16:71; 30:28).^{xx}

However, the mentioned two verses demand and ordain the equal treatment of the slaves. 16:71 is clearly explaining the nature of man that he is afraid of giving his wealth to others so that they may become equal to him. Wealth is the favour

of Allah (SWT) upon His servants to share with others and treat them equally. This verse does not only explain and recognizes the basic difference between the master and a slave but, we see all around in the world that every man is given a different share of wealth some people are poor but not slaves and some are financially well off. These wealthy people have a duty to spend on the needy of their community.^{xxi}

According to Lewis, Islam urges and does not command compassion to the slave. He refers this claim to the following verses.^{xxii}

“Worship Allah and join none with Him (in worship); and do good to parents ... and those (slaves) whom your right hands possess. Verily, Allah does not like such as are proud and boastful.”(4: 36)

“As-Sadaqat are only for the Fuqara' (poor) ... and to free the captives... a duty imposed by Allah. And Allah is All-Knower, All-Wise.” (9:60)

The above mentioned verses speak for its self, and exclaim that it is a duty incumbent upon Muslims to be good to the slaves and they should pay to free the slaves. Paying for their freedom is counted in alms; acts of charity are greatly rewarded.

Equal Protection from Unlawful Enslavement in Muslim Rule

Bernard Lewis admits that non-Muslims were given equal protection from unlawful enslavement under Muslim rule.

“The rulers in Africa, who proclaimed jihad against their neighbors, without looking closely at their religious beliefs, so as to provide legal cover for their enslavement. But by and large and certainly in the central lands of Islam, under regimes of high civilization, the rule was honored and free subjects of the state, Muslim and non-Muslim alike, were protected from unlawful enslavement.”^{xxiii}

This stance of Lewis is appreciable; if he mentions a negative incident from the Muslim history along with it he mentions the great practice carried out generally in the Muslim regime (in between the lines).

The claim of Lewis,

“The abolition of slavery itself would hardly have been possible. From a Muslim points view, to forbid what God permits is almost as great an offense as to permit what God forbids- and slavery was authorized and regulated by the holy law.”^{xxiv}

Lewis has given some examples from Muslim history where Muslims seem to be pro-slavery. It is right, that if Allah has declared something to be lawful, Muslims consider it *harām* to call it unlawful. Nevertheless, it is easy to judge in the case of slavery, that abolishing it is not a sin, for all the rights given to the slaves and all the steps taken- discussed above- to free the slaves were the initiative to abolish slavery.

Conclusion

Islam condemns slavery. As slavery had been a widely practiced institution in the Arabia of ancient times, and people were accustomed to it. Not only Arabia but this practice was widespread all over the world at those times. Hence, it is thus, it was difficult to abolish it at once. The concept that Islam started slavery or encourages it is completely erroneous and unacceptable.

In fact Islam opened all the doors to freedom of slaves and made them responsible members of society. Moreover, Islam declared it a virtue to free slaves^{xxv}. Islam took gradual steps to stop slavery. If the armies of slaves were set free it once. It would have become an economic burden for the state which did not have enough means to provide for such a great number of people. In this position freed slave women would not have been safe enough, hence entrusting them under the care of a family was far better.^{xxvi}

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