



Open letter from the WISE Muslim Women's Shura Council to Federal Supreme Court, Abu Dhabi

October 26, 2010

Honorable Chief Justice Falah al Hajeri
Federal Supreme Court
Abu Dhabi
United Arab Emirates

Honorable Chief Justice Falah al Hajeri:

The Muslim Women's Shura Council, a global advisory council of Muslim woman scholars, activists, and specialists, respectfully protests the Federal Supreme Court's October 2010 insinuation that Islamic law permits a husband to forcefully "discipline" his wife and young children as long as he leaves no physical marks. This constitutes a legitimization of domestic abuse under Shar'iah. Recognizing justice, fairness, and equality as the core values of Islam, the Council rejects domestic violence in all its forms, and urges the honorable Supreme Court to reconsider its verdict.

In 2009, Muslim Women's Shura Council released a comprehensive statement on domestic violence and violent extremism, titled "Jihad Against Violence." The statement is available [online](#) and it demonstrates that any form of violent abuse, including domestic violence, is a clear violation of the teachings of Islam, as represented in the Qur'an and the example (*Sunnah*) of the Prophet Muhammad, and guiding principles of Islamic law (*maqasid al-Shari'ah*).

The Qur'an praises love and tranquility as the ideal between husbands and wives. The Prophet's life, a model of excellence, dignity, and justice, never included violent behavior towards women or other members of his household. Domestic abuse also violates the principle objectives (*maqasid*) of the Shari'ah, which demand the protection and promotion of religion (*din*), life (*nafs*), dignity (*'ird*), mind (*'aql*), family (*nasl*), and wealth (*mal*). The principles of life, dignity, mind, and family are directly threatened by this problem. The family must be a safe refuge for all of its members; domestic violence makes it a space of fear, anger, and danger. Domestic violence strips women of their human dignity, a right under Shari'ah. Studies show that domestic violence also leaves psychological marks on children, creating a generation likely to perpetuate the cycle of violence in the future. In short, domestic violence leads to dysfunctional, broken families and creates fractured societies, devastating individuals, crippling communities, and poisoning an entire generation.

We hope that the honorable Federal Supreme Court will reconsider its declaration. Violence, of any kind, must never be justified in the name of Islam.

Sincerely,

The Muslim Women's Shura Council

About us: The Muslim Women's Shura Council is an arm of WISE, Women's Islamic Initiative in Spirituality and Equality, a global program, social network, and grassroots social justice movement led by Muslim women. WISE is a program of the American Society for Muslim Advancement (ASMA). To find out more about WISE and the Shura Council, please visit <http://www.wisemuslimwomen.org/about/shuracouncil/>.