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[Home](#) > Taxonomy term

- [Translation of the Manual of Islamic Sacred Law](#) [1]

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Source Item:

[Translation of the Manual of Islamic Sacred Law](#) [3]

Summary:

Nuh Ha Mim Keller translated *Reliance of the Traveler* from Arabic into English. In the section entitled manumission (which is about all of slavery, not just about freeing slaves as the title would suggest), Keller did not translate sections K32.1, 32.2, 32.3 and 32.4. He wrote “the following four sections have been left untranslated (into English) because the issue is no longer current...” To his credit, he left the Arabic text in the book. With the increasing importance of the Shariah throughout the world, it should all be translated. After all, it is not clear that groups like ISIS consider any section in Islamic Sacred Law “not current”.

I looked on the internet for a reliable translation of these portions of the Shariah but was unable to locate one. Therefore I asked for help from some Arab friends and they provided the following:

K32.1 Women and children of the land that has been conquered are considered booty of the war and they are considered slaves. Everything belongs to the Imam first and after he takes a fifth of the booty the rest is given to the soldiers who were involved in the war. If the slave becomes a Muslim this conversion does not set him free and he will stay a slave. Captivity is the absolute consequence of Muslims war with non-Muslims and is not exclusive to elementary Jihad or defensive Jihad, even in the presence of the prophet or Imam and with their permission. If Jihad was done without the permission of prophet or Imam, all the booty is given to the Imam.

K32.2 If the father and mother were brought as slaves all the children are considered slaves. Being a slave is inherited from parents to child. If the parents convert to Islam the children will still be slaves, and they belong to the owner of their family. The master can sell the children to someone else without the parents’ consent. Male slaves and female slaves are considered the property of their master and he is allowed to treat them the way he wants. The satisfaction of the slave does not matter. The slave is responsible to keep his/her master satisfied. The slave eats, drinks and wears whatever the master decides and must live where the master says. He/she should clothe him/herself the way the master decides and speak and behave the way the master says.

K32.3 The master who owns a woman slave can use her in any way for his sexual pleasure; he can marry her if he wants. In intercourse the satisfaction of the female slave is not important at all. The female slave does not have to be Muslim convert. Even if she is pagan the sexual intercourse is Halal (permissible). A female Muslim is not allowed to have sexual relation with her slave without marriage. The male slaves are considered “mahram (impermissible, taboo)”. The Koran has emphasized this point. The Mola (Master) not only has the right to marry his female slave without her consent but he is also allowed to lend her to another man without her consent to have sexual intercourse without marriage. He also has the authority to marry her to one of his male slaves.

K32.4 The master is allowed to cancel the marriage of his male and female slaves without “Talagh (divorce)”. It is enough for the master to order them to separate and they must obey. The female slave does not have to hide her hair, neck and head while saying Muslim prayer “Namaz “. The Hijab of the female slave must be different from those of the wife and daughters of the master.

There are other portions which Nuh Ha Mim Keller did not translate, including e1.6, e1.18, e6.5, e7.7, e10.2, e12.4, e12.11-13, e14.4, e14.8, f2.4, f4.6, f4.13, f5.9, f6.4, f8.4, f8.8, f8.26, f14.7, h2.3, h2.8, h3.8, i3.7, k4.6, k5.8, k7.4, k16.4, k23.1, k24.1, l10.7, m3.5, m3.14, m6.4, m6.6, m6.11, m7.3, m10.11, m11.15, n3.6, n4.2, n4.4, n8.2, n8.4, n9.4, n9.12, n9.20, n10.1, o3.7, o3.11, o5.3, o12.3, o13.10, o19.2, o19.4, o20.3. We will translate these as we are able in the future.

Source URL (retrieved on 04/04/2020): <https://shariawatch.org.uk/?q=authors/md-harris>

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