

## Section 31, Extra Provision for Divorced Women & Widows

### Surah Al-Baqarah, Verse 236

لَا جُنَاحَ عَلَيْكُمْ إِن طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمَسُوهُنَّ أَوْ تَفَرَّضُوا لَهُنَّ فَرِيضَةً  
وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدْرَهُ وَعَلَى الْمُقْتَرِ قَدْرَهُ مَتَاعًا بِالْمَعْرُوفِ حَقًّا عَلَى  
الْمُحْسِنِينَ

**236. "There is no sin on you if you divorce women while you have not yet touched them nor settled any dowry on them; yet make provision for them, the rich according to his 'means, and the straitened according to his means; a provision in a fair manner. (This is) a duty on the doers of good."**

Continuing about the theme of divorce, there are also some other ordinances in the above verse and the verse after that. It says:

**"There is no sin on you if you divorce women while you have not yet touched them nor settled any dowry on them..."**

This circumstance is, of course, when either the man or the woman, after confirming the marriage tie and before having any sexual relations, understands that they can not live together as a married couple because of some problems.

In this case, it is so much the better that at this time they separate from each other by means of divorce and do not let it be postponed to later stages when it surely will become more difficult.

After that, the verse pays to another ordinance concerning the subject, where it says:

**"... yet make provision for them..."**

For the payment of this gift, in fact, the ability of man should also be considered. That is why the verse continues saying:

**"...the rich according to his means, and the straitened according to his means; a provision in a fair manner..."**

Both the wealthy men and the poor men should pay this gift, but due to their ability. And, in view of the fact that this gift has a considerable effect on the woman in preventing her from taking vengeance and freeing her from the pressure or the weight which may fall on her heart as a result of breaking their tie of marriage, the above verse concerns the gift to the benevolent nature of man, and says:

**"... (This is) a duty on the doers of good."**

This idea points to the fact that the payment should be accompanied with benevolence and also performed in a peaceful manner by the husband.

## **Surah Al-Baqarah, Verse 237**

وَإِنْ طَلَّقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ وَقَدْ فَرَضْتُمْ لَهُنَّ فَرِيضَةً فَنَصْفُ مَا فَرَضْتُمْ  
إِلَّا أَنْ يَعْفُونَ أَوْ يَعْفُوَ الَّذِي بِيَدِهِ عُقْدَةُ النِّكَاحِ وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَى وَلَا تَنْسُوا  
الْفَضْلَ بَيْنَكُمْ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

**237. "And if you divorce them before you have touched them, and you have already settled a dowry on them, then (pay them) one-half of what you have settled, unless they (women) remit it, or he remits it in whose hand is the marriage tie; and that you (yourselves voluntarily) remit (the whole) is nearer to piety. And, do not forget generosity among yourselves. Surely Allah sees what you do."**

In this verse, those women are spoken about who separate from their husbands before any relations while there have been appointed a dowry for them. It says:

**"And if you divorce them before you have touched them, and you have already settled a dowry on them, then (pay them) one-half of what you have settled."**

This lawful legislation is an ordinance which gives the right to the woman to take half of the whole marriage-portion completely although there has been no sexual intercourse.

After fixing this matter, it pays to some moral and affectional aspects, and says:

***"...unless they (women) remit it, or he remits it in whose hand is the marriage tie..."***

The tone of the verse, on the whole, is based upon the principle of '**fair manner**' and '**benevolence**'. It emphasizes that even divorce and separation should not be mingled with any dispute, conflict and opposition originated from the sense of revengefulness. On the contrary, it should be based on nobility, generosity and forgiveness. It says:

***"...and that you (yourselves voluntarily) remit (the whole) is nearer to piety. And, do not forget generosity among yourselves, Surely Allah sees what you do"***

## **Surah Al-Baqarah, Verse 238**

حَافِظُوا عَلَى الصَّلَوَاتِ وَالصَّلَاةِ الْوُسْطَى وَقُومُوا لِلَّهِ قَانِتِينَ

**238. "Guard your prayers, and (especially) the middle prayer and stand devoutly before Allah."**

### **Occasion of Revelation**

At the time of revelation of the Divine Messages, a group of hypocrites did not participate in congregational prayer under the pretext of the hot weather in order to disturb the order of the rows of Muslims.

Tracing and following them, some of the true Muslims did not take part in the congregational prayer, either. The Messenger of *Allah* (S) was annoyed about it so that he threatened them with a probable intense heavenly punishment.

So, as it is narrated in a tradition, in the extraordinary hot midday of summer, the Prophet (S) performed the prayer (midday prayer), in congregation. That prayer was the most grievous canonical prayers for the companions of the Prophet (S) so that it happened that usually there stood no more than one or two lines of them behind the Prophet (S) for midday prayer.

In that circumstance, he (S) said he had decided to burn the houses of those who did not participate in their prayer there. Then the verse was revealed and the importance of the noon prayer (in congregation) was emphasized thereby.

The importance of the prescribed daily prayers, especially the midday prayer, is emphasized repeatedly in the verses of the Qur'an, for prayer is the most effective factor in the connection of man with *Allah*. As an instance, in the above verse it says:

***"Guard your prayers and (especially) the middle prayer ..."***

The verse recommends to stand humbly, and truly obedient, before the Lord.

***"... and stand devoutly before Allah."***

Beware that the heat and the cold of weather, or the engagements of the world, such as: wealth or wife and children, do not hinder you from this great duty.

The purpose of / salat-il-wusta / (the midmost prayer) is the very 'midday prayer'.

## **Note**

The Arabic term /wusta/, used in the above verse, means: 'middle, or the best, or the most excellent'. Commentators differ as to the exact meaning of this phrase. The weight of the authorities seems to favour interpreting it as the '*asr* or the *midday prayer*, since it is mostly neglected and yet it is most necessary to remember *Allah* in the midst of the worldly engagements.

## **Surah Al-Baqarah, Verse 239**

فَإِنْ خِفْتُمْ فَرِجَالًا أَوْ رُكْبَانًا فَإِذَا أَمِنْتُمْ فَأَذْكُرُوا اللَّهَ كَمَا عَلَّمَكُم مَّا لَمْ تَكُونُوا  
تَعْلَمُونَ

**239. "And if you fear (an enemy or danger), then (pray) on foot or riding; but when you are safe, then remember Allah as He has taught you that which you did not know."**

In this verse it emphasizes that you cannot abandon establishing prayers even in the most grievous conditions such as in the battlefield. But in circumstances like that many of the obligations of prayer are diminished, for example: being to the direction of Qiblah, the performances of bowing and prostration in ordinary manner, and so on. Hence, it says:

***"And if you fear (an enemy or danger), then (pray) on foot or riding..."***

Therefore, constant attending to prayers is not only for the time of security and safety, but canonical prayers should be kept always and in any condition.

***"...but when you are safe, then remember Allah as He has taught you that which you did not know."***

And, when you are in security, then prayers in this status have to be kept in the ordinary form and with all their ritual manners and conditions.

It is clear that the thankfulness of servants due to this divine teaching, in which He has taught them the way of establishing prayers both in the secured time and in fear, is by way of the very performance of them, as they should be kept.

## Surah Al-Baqarah, Verse 240

وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا وَصِيَّةً لِأَزْوَاجِهِمْ مَتَاعًا إِلَى الْحَوْلِ غَيْرَ  
إِخْرَاجٍ فَإِنْ خَرَجْنَ فَلَا جُنَاحَ عَلَيْكُمْ فِي مَا فَعَلْنَ فِي أَنْفُسِهِنَّ مِنْ مَّعْرُوفٍ وَاللَّهُ  
عَزِيزٌ حَكِيمٌ

**240. "And those of you who are about to die and leave wives behind, make a bequest in favour of their wives, a year's maintenance without turning them out; but if they leave (of their own accord), there is no sin on you in what they do themselves in a fair manner; and Allah is the Mighty, the Wise."**

The Qur'an returns to the problem of marriage and divorce again and deals with its concerning affairs. At first it speaks about the husbands who are approaching death while they are leaving wives behind them. It advises that they ought to bequeath for their widows a year's maintenance and residence in their homes. Thus it says:

**"And those of you who are about to die and leave wives behind, make a bequest in favour of their wives, a year's maintenance without turning them out..."**

This ordinance is, of course, in the case that they (widows) do not leave their homes, and if they leave the husband's house, they have not any right of maintenance and residence.

**"...but if they leave (of their own accord), there is no sin on you in what they do with themselves in a fair manner..."**

As if for the sake that such women be not anxious about their future, it consoles them at the end of the verse, and says that the Providence is able to open a new way to them after the lack of their former husband; and, therefore, there is certainly wisdom in that calamity.

**"... and Allah is the Mighty, the Wise."**

## Surah Al-Baqarah, Verse 241

وَالْمُطَلَّاتِ مَتَاعٌ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ

**241. "And for the divorced women make a provision according to a fair manner; (this is) a duty on the pious ones."**

In this verse, the Qur'an has paid to another ordinance of the ordinances of divorce. It says;

**"And for the divorced women make a provision according to a fair manner..."**

The ordinance in this verse, similar to what was said in verse 236, is about the women whom are not appointed a dowry for at the time of wedlock, and they are divorced before any sexual intercourse.

This provision is a gift which is paid from the side of husband, and it is appreciated.

**"... (this is) a duty on the pious ones."**

## **Surah Al-Baqarah, Verse 242**

كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَعْقِلُونَ

**242. "Thus Allah makes clear to you His Signs, so that you might understand."**

In this verse, which is the last verse from the group of verses about divorce, the Qur'an says:

**"Thus Allah makes clear to you His Signs, so that you might understand."**

It is evident that the purpose of the Qur'anic phrase / la'allakum ta'qilun / '**so that you might understand**' is that the intention of movement from the beginning should be towards the destination of 'action'; else, mere contemplation upon ordinances and understanding them, with no deed, will be fruitless.

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