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Research Article

The Role of Islam in Preventing Domestic Violence towards Muslim Women in Azerbaijan

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Abstract

This is a qualitative research study that addresses the problem of domestic violence perpetrated on pregnant women in Azerbaijani society to discover whether pregnant Muslim women in Azerbaijan who are subjected to domestic violence find the role of Islam helpful in tackling the violence against them. Although this study is descriptive in its nature and the findings from the data are limited to the research participants only, a dire need exists for further study in this area to identify and eliminate the risk factors pregnant women face in Azerbaijan. The results suggest that domestic violence against pregnant women is significantly reduced during pregnancy. However, some cultural and religious factors play a significant role in reducing or increasing the incidence of violence against pregnant women. For example, the Azerbaijani government recently adopted several measures to tackle violence against women. Nevertheless, applying progressive Islamic teachings can increase the moral and spiritual values of these social, educational, and legal initiatives in tackling domestic violence against pregnant women in Azerbaijan.

Keywords

Domestic violence • Pregnancy • Islam • Culture • Tradition • Azerbaijan

Azerbaycan'daki Müslüman Kadınlara Yönelik Aile İçi Şiddetin Önlenmesinde İslam'ın Rolü

Öz

Bu çalışma, Azerbaycan toplumunda hamile kadınlara uygulanan aile içi şiddet sorununu ele alan ve aile içi şiddete maruz kalmış hamile Müslüman kadınlar açısından İslam'ın kendilerine yönelik şiddetle mücadelede yardımcı rolünün olup olmadığını incelemeyi amaçlayan nitel bir araştırmadır. Bu çalışma betimsel nitelikte ve veriden elde edilen bulgular yalnızca araştırma katılımcılarıyla sınırlı olsa da, gebe kadınların Azerbaycan'da karşılaştıkları risk faktörlerini belirlemek ve ortadan kaldırmak için bu alanda yapılacak araştırmalara olan yoğun ihtiyaca hitap etmektedir. Sonuçlar, gebe kadınlara yönelik aile içi şiddetin, gebelik sırasında önemli ölçüde azaldığını ortaya koymaktadır. Bununla birlikte, bazı kültürel ve dini faktörler hamile kadınlara karşı şiddetin azaltılmasında veya hızlandırılmasında önemli bir rol oynamaktadır. Azerbaycan hükümeti son zamanlarda kadınlara yönelik şiddetle mücadele için çeşitli önlemler almaktadır. Bununla birlikte, ilerici İslami öğretilerin uygulanması, Azerbaycan'da hamile kadınlara karşı aile içi şiddetle mücadelede bu sosyal, eğitsel ve yasal girişimlerin manevi ve ahlaki değerlerini artırabilir.

Anahtar Kelimeler

Aile içi şiddet • Hamilelik • İslam • Kültür • Gelenek • Azerbaycan

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The Republic of Azerbaijan's law, "On Combatting Domestic Violence" (1058-IIIQ, 2010), defines domestic violence as any physical, psychological, economic, or sexual violence that inflicts "physical or emotional damage" on women. Domestic violence is an act of gender-based violence that results in or is likely to result in physical, sexual, or psychological harm or suffering for women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life (United Nations, 1993). Any women can be at risk of a wide range of abuses such as: (a) physical, sexual, or psychological violence occurring in the family (i.e., battery; sexual abuse of female children in the household; dowry-related violence; marital rape, mutilation, or other traditional practices harmful to women; non-spousal violence; and violence related to exploitation); (b) physical, sexual, or psychological violence occurring within the general community; and (c) physical, sexual, or psychological violence perpetrated or condoned by the State wherever it occurs (e.g., forced sterilization, forced abortion, coercive/forced use of contraceptives, female infanticide, and prenatal sex selection; United Nations General Assembly, 1993).

Domestic violence against women recognizes no limits with respect to race, nationality, socioeconomic status, or religion. Today, domestic violence against pregnant women is a significant religious/spiritual/moral, cultural, and social problem in Azerbaijan. Because the majority of Azerbaijanis identifies with being Muslim, progressive Islamic teachings can act as a protective factor against the domestic violence being perpetrated against pregnant Muslim women and enhance the psychological, moral, and spiritual effectiveness of interventions in the face of domestic violence.

The purpose of this research study is to discover whether pregnant Muslim women in Azerbaijan who are subjected to domestic violence find the role of Islam helpful in tackling the violence against them. The main questions that guide this research are: What are the reasons for domestic violence against pregnant women in Azerbaijan, and what cultural and religious factors in the Islamic tradition play an important role in reducing (or increasing) the incidence of abuse against pregnant women in Azerbaijan?

The Context of the Study

Although the specific literature on violence against pregnant women in Azerbaijan is relatively limited, the available data from international non-governmental organizations and governmental agencies provide reliable information about this kind of violence. For example, a review of government initiatives suggests that the government of Azerbaijan has given priority to preventing violence against women by initiating certain measures such as modifications to family laws, abortion, and more. These laws include Articles 12, 25, and 34 of the Constitution (Republic of

Azerbaijan, 1995; Huseynova, 2015), which declare full equality between men and women (including within marriage), “Combating Trafficking in Human Beings” (958-IIQ, 2005), “On Providing Gender Equality” (150-IIIQ, 2006), and “On Amendments to the Family Code” (2011). The government has also joined UN Conventions such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Also, the government established the State Committee on Women’s Issues, later renamed the State Committee on Family, Women, and Children’s Affairs (SCFWCA), to promote women’s rights in the family, society, and workplace, to promote progressive family values that tackle violence against women, and to eliminate gender-based discrimination.

With respect to domestic violence, the “Law on Combating Domestic Violence” (1058-IIIQ, 2010), which the Azerbaijani government adopted, also addresses issues such as how to improve the conditions of education and employment for women as a tool for tackling domestic violence. In 2011, the Azerbaijani government also criminalized sex-selective abortion as one form of domestic violence against women and girls, modifying Article 1.0.6 of Law 1058-IIIQ to criminalize non-consensual sex, along with Sections 149–153 of the *Criminal Code of the Republic of Azerbaijan on Crimes* to amend the minimum age of marriage for men and women to 18.

Despite being progressive implementations, these laws lack enforcement for protecting women subjected to domestic violence (CEDAW, 2009). Nevertheless, more state programs for preventing violence against women are expected to be introduced with the implementation of *Azerbaijan – 2020: Vision into the Future*.

Literature Review: Key Concepts

The specific literature on violence against pregnant women in Azerbaijan is relatively limited. However, a dire need exists to study the risk and protective aspect of Islam in relationships where domestic violence against pregnant women occurs. This section presents literature that addresses the facts in Azerbaijani about domestic violence and its various aspects, in particular the risk and protective factors of Islam, domestic violence against pregnant women, and controversial interpretations versus gender-inclusive interpretations from Islamic sources that increase or decrease the likelihood of tackling domestic violence against women.

The Prevalence of Domestic Violence in Azerbaijan

The general literature highlights multiple risk factors including cultural ones that make it difficult to tackle domestic violence in Azerbaijan. For example, one of the reasons for the difficulty in predicting how many Muslim women are subjected to domestic violence relates to the cultural phenomenon of shame and pride, as well as the reluctance of



caregivers and police to help women report domestic violence. This discourages women and their families from reporting spousal violence, including rape and other forms of violence against women (Karat, 2011). For example, according to the [U.S. Department of State 2013 report](#), some officials and caregivers, including doctors, nurses, social workers, religious leaders, and more, emphasize family unity and mediating disputes rather than protecting women and their children from violence and abuse (Karat, 2011). Therefore, that some caregivers and police officers refuse to deal with cases of domestic violence makes it difficult for women to report and normalize the reporting of domestic violence against women. Furthermore, as there is no single law on spousal rape, getting precise statistical information about this form of violence against women and how many violent husbands have been prosecuted for this crime is difficult. International reports also bring forth the relationship between domestic violence and other forms of violence such as female trafficking; forced labor; the economic and financial exploitation of women; sex-selective abortions; marginalization of internally displaced women; and violence against women in early, forced, and unregistered marriages (Manjoo, 2013).

Islam and domestic violence. Traditionally, the majority of the Azerbaijani population adheres to the Islamic faith (Pew Forum on Religion & Public Life, 2009). As most of these followers are not practicing Muslims, Islamic sources are misinterpreted in order to preserve hierarchical traditional family units, which in turn perpetuate violence against women. For example, the Islamic ritual of *kabin* (marriage contract) is used to normalize young marriages (Karat, 2011). In other cases, misogynistic interpretations of the Qur'an and hadiths are used to encourage Azerbaijani women to practice self-sacrifice for the sake of family unity and their husbands' reputations in the family and society. Therefore, taking into consideration the value attached to Islamic faith, this section highlights an Islamic approach to domestic violence and the controversial and egalitarian interpretations of Islam's two fundamental sources: the Qur'an and hadiths.

One misunderstanding of the Islamic faith comes from extreme adherence to the classical pre-modern exegetical tradition without taking into consideration the socio-political and historical context that sanctified men's dominance over women. Uncritical acceptance of pre-modern Islamic sources endorses the belief that a husband is responsible for his wife in many dimensions (i.e., providing the dowry [*mahr*] and support [*nafaqah*] for a wife's basic needs). However, in return, the wife has to fulfill her wifely duties and be obedient (*ta'ah*) to her husband. If a wife refuses to be obedient to her husband, the traditional Muslim law and local customs present her as a disobedient wife (*nashiz*). Based on their understanding of the Qur'an (4:34), some practicing Muslim men might choose the pre-modern prescription to discipline the disobedient wife by first advising and admonishing her, secondly by separating the beds, and finally by physically beating her (*daraba*).

The contemporary egalitarian investigation of traditional Muslim laws, exegesis, and other sources, however, question how a disobedient wife should be treated (Ali, 2006; Barazangi, 2006; Barlas, 2002; Chaudhry, 2014; Mernissi, 1987; Wadud, 1999). They offer the best choice of controversial Qur'anic words, such as *daraba* and *nushuz*. There are some Muslim scholars (Abugideiri, 2012; Alwani, 2007) who even argue that no Muslim scholar has ever endorsed wife-beating or any form of abuse acceptable or permissible in the sense that contemporary Azerbaijani Muslims understand it. In addition to religious factors, Abugideiri (2012) suggested considering a variety of financial, cultural, and individual factors that contribute to domestic violence before assessing individuals and families.

In summary, although domestic violence is related to many other issues, the extreme influence of certain misogynistic approaches to Islamic exegetical and jurisprudence traditions on Muslims' understanding of domestic violence is difficult to ignore. Therefore, many Muslim female scholars (Ali, 2006; Barazangi, 2006; Barlas, 2002; Chaudhry, 2014; Mernissi, 1987; Wadud, 1999) have evaluated the influence of patriarchal readings of the Qur'an (4:34; 4:128) along with addressing other factors that contribute to domestic violence against Muslim women. According to these scholars, for example, pre-modern Muslim scholars rightly concluded that the Qur'an offers various steps for disciplining an act of disobedience (*nushuz*). However, their interpretations of female behaviors that are disobedient serve men's interests and do not include women's perspectives. Also, the pre-modern classification of female disobedience blames women for practically everything, ranging from leaving the marital home without her husband's permission, to not fulfilling her husband's sexual needs, and acting disrespectfully towards her husband, failing to perform religious obligations; all are considered evil and/or inconsistent with the character of a God-fearing woman. Therefore, through their gender-inclusive interpretations, egalitarian Muslim scholars argue that based on the pre-modern prescription, disciplining a wife for her bad behavior is not only justified but believed to be a religious duty. For these reasons, pre-modern exegetes never curtail the right of husbands to engage in corporal punishment or question the right of husbands to serve as spousal disciplinarians. Such a viewpoint firstly condones domestic violence against women and secondly makes it nearly impossible to address the issue (Chaudhry, 2014).

Domestic violence and pregnancy. Protecting pregnant women is an important family value in Azerbaijan. The core of this worldview is a direct result of progressive cultural and Islamic values. For example, the emphasis on the importance of childbearing in the Qur'an (2: 233) and hadiths has created a culture that gives importance to procreation and makes childbearing a spiritual experience. Moreover, these sources draw attention to the burden (*dhat haml*) of pregnancy, mandating that pregnant women be especially cared for (Qur'an, 22:2, 65: 4–6).



In general, pregnancy can put a stop to domestic violence, or at least make it visible. For example, the violent partner may stop acting violently in order not to harm the fetus. Also, access to clinical care for pregnant women (i.e., effective family planning methods, contraception facilities, etc.) reduces the risk of domestic violence for pregnant women because the signs of violence can easily be detected during medical examinations (Campbell, Oliver, & Bullock, 1993; Ergönen et al., 2009; Topbas, Ünsal, Çan, Bacak, & Özgün, 2008).

However, pregnancy alone is not a reliable measure for protecting women against domestic violence (Bacchus, Mezey, Bewley, & Haworth, 2004). Indeed, there might also be a strong correlation between pregnancy, especially an unwanted one, and sexual violence (Heise, Ellsberg, & Gottemoeller, 1999). Therefore, women with unwanted pregnancies are also at an increased risk of violence compared to women with intentional pregnancies. Pregnant women, especially those with less education, lower income, and more children who have been married longer, are more vulnerable to domestic violence. For example, they can be excluded from family decisions, less satisfied with their sex life, and more likely to have unplanned pregnancies compared to non-abused women (Topbas et al., 2008). Also, regardless of certain protective factors such as visiting family doctors during pregnancy, many incidents related to domestic violence against pregnant women may also go unnoticed. Therefore, caregivers should specifically pay attention to women who give birth to babies with low birth weight, who miscarry, and whose infants die or have mental health problems, as they are more likely to have been subjected to violence during pregnancy (Iliopoulou, Kanavidis, & Matsoukis, 2012; Shah & Shah, 2010; Wokoma, Jampala, Bexhell, Guthrie, & Lindow, 2014).

Method

As a qualitative study, this research seeks to understand the meanings associated with domestic violence as experienced by pregnant Muslim women in Azerbaijan with particular interest in describing and recording women's interpretations of domestic violence using the phenomenological approach. The participants recruited for this study were asked questions in order to discover their experiences with domestic violence, as well as how the Islamic understanding of pregnancy and motherhood prevents violence against pregnant women in Azerbaijan. The basic assumptions of this phenomenological study are:

- (1) Knowledge is socially constructed, and truth remains relative and illusive.
- (2) Subjectivity, rather than objectivity, is significant in this study.
- (3) Bias is inherent in all research, regardless of the method used.

- (4) Common everyday knowledge about the experience is epistemologically important.
- (5) The language and meaning of everyday life highlights meanings assigned to objects and social conditions.
- (6) How domestic violence is experienced can mean different things to different women.

From this aforementioned perspective, phenomenological research allows highlighting research participants' diversity and the meanings they attach to domestic violence (Churchill & Wertz, 2015). During the process of data collection and analysis, the following sequences were observed: (a) research questions were formulated, (b) participants were recruited, (c) the phenomenon was contacted intuitively, and (d) the phenomenon as analyzed reflectively.

Participants

The participants were recruited using snowball sampling (referral sampling) from among their acquaintances. They identified themselves as either practicing Muslims, or at least considered themselves culturally as Muslim. All had been subjected to various forms of domestic violence, either by their husbands or other male members of their families. Three of these women lived with the extended family of their husbands (i.e., mother-in-law, father-in-law). From their testimony, husbands who

Table 1
Research Participant Demographics

Age	Over 40 = 2
	30-40 = 3
	20-30 = 2
Marital Status	Married = 4
	Widowed = 1
	Divorced = 2
Pregnancy Status at the Time of Research	Pregnant = 3
	Not pregnant = 4
Education	MA = 2
	BA = 2
	College = 2
	High School = 1
Denominational Background	Sunni = 3
	Shi'a = 2
	No denomination claimed = 2
Geographic Area	Urban = 5
	Rural = 2
How Domestic Violence is Experienced	Emotionally = 7
	Verbally = 7
	Physically = 5
	Sexually = 0
	Financially = 7
	Morally/Spiritually = 7



regularly practice Islam don't appear to be violent toward their wives. However, the women also expressed concern with respect to the misrepresentation of Islamic norms and principles; they feel that these misrepresentations increase the rate of domestic violence, at least in the form of emotional abuse (i.e., humiliation, intimidation, infanticide) and verbal abuse (name-calling, yelling, accusing, blaming) towards pregnant women. In addition to their experiences of violence, they also provided insight into the general picture of domestic violence in Azerbaijan, such as lack of shelters for women who have been subjected to domestic violence and the shame imposed on women with respect to violence.

Data Collection

For the data collection method, I conducted semi-structured, face-to-face, qualitative research interviews with seven women in Azerbaijan in order to allow the participants to fully express their needs and desires. The face-to-face interviews additionally generated more information about the topic of interest. The interviews with each participant were scheduled separately and lasted a maximum of one hour. Before the interview, a natural introduction and rapport were established to make the participants feel more comfortable with the interview process. The participants were invited to respond to these questions:

- (1) What are the reasons for domestic violence against pregnant women in Azerbaijan?
- (2) Can you name cultural and religious factors in the Islamic tradition that play an important role in reducing (or increasing) the incidence of abuse towards pregnant women in Azerbaijan?

Reflective Analysis of Data

Data gathered through the interviews were analyzed separately. Qualitative research concepts and validation strategies such as triangulation (Sunni/Shi'a, urban/rural, researcher's perspectives) and a constant comparative analysis were used to analyze the data gathered in the research. During data analysis and after transcribing each interview, I broke down each interview and reviewed them, selecting the common themes specific to the study focus, then drew out commonalities and differences specific to each question. The two themes that emerged across the literature are: (a) *The cultural and religious factors that contribute to domestic violence towards pregnant women in Azerbaijan*, such as marrying young, the gender of the baby, *nasab* (the child's proper lineage), poverty, and alcohol/substance abuse; and (b) *How Islam prevents domestic violence against pregnant women*. These were compared to the results of the collected data. Although the question of validity in absolute terms tends to be unfruitful in phenomenological research because all

research only discloses a partial truth limited by the researcher's procedures and perspective (Churchill & Wertz, 2015), I acknowledge that alternative reflections and perspectives can produce other results. However, what is important in this process is that all alternative viewpoints are valuable because they are embedded in common, everyday experience. Therefore, I am not concerned with correcting discrepancies or inconsistencies in this research, but rather with looking for the meaning in the participants' responses and finding out how they explain the common factors that contribute to domestic violence towards pregnant women. Nevertheless, I also admit that applying the results of this study to the general population is difficult, and the findings from these interviews may only make sense in the context of the participants' responses. Also, analysis of the findings is limited to specific themes and does not include descriptions or analyses of other social, economic, or political factors nor geographical locations (i.e., urban vs. rural). Finally, this study could not have been completed without the support of the International Institute of Islamic Thought and Dr. Khayala Mammadova, the Manager of the Organizational and International Relations Department and Gender Commission.

Intuitive Contact with the Phenomenon: Contributing Factors Associated with Domestic Violence towards Pregnant Women in Azerbaijan

Intuitive contact with the phenomenon of domestic violence as experienced by pregnant Muslim women in Azerbaijan refers to the first look at the phenomenological description of this problem. This process involves elaborating upon the details of women's experiences by subsequently intuiting the inherent meanings of the research participants' experiences, reading and rereading their responses, and empathetically intuiting reality (Churchill & Wertz, 2015). In this process, understanding the richness of the meanings of the described phenomenon is the important step, as intuitive contact with the phenomenon reveals certain essential meanings. In this study, this contact reveals themes such as marrying young, the gender of the baby, and *nasab* (proper lineage of the child), poverty, substance abuse, and women's understanding of the protective role of Islam. Also, as suggested by themes' detailed analyses, these problems should be understood within the cultural and religious context of Azerbaijani Muslims. The participants' rich and complex context has the potential to increase or decrease violence toward pregnant women.

Marrying young. The participants of this study reported that many incidents of domestic violence were towards pregnant women who had married young, an especially common practice in rural areas among the displaced people in Azerbaijan. They indicated that early marriages were not a common practice during the era of Soviet Azerbaijan. One participant mentioned that according to Article 176 of the Criminal Code of the Republic of Azerbaijan "early and forced marriages are currently



illegal in Azerbaijan; [still] some parents marry off their daughters at a young age (the girls are usually 16, 17, or 18).” As these marriages are not allowed by law, many parents use religious marriage contracts (*kabin*) to make these marriages official. Other participant also mentioned the “cultural shift in society, which specifically concerns many parents who marry their daughters at young ages.” One interviewee stated this tendency to be related to “parental concern,” so as to prevent societal shame related to early sexual relations out of wedlock. For example, one woman said, “Some parents are afraid that public and frank discussions of sex, especially on many television programs and movies, incite young single people to engage in sexual activity.” Nevertheless, all participants mentioned that many young girls prefer to study rather than marry young, but they feel trapped among family and societal pressures to establish their family. The participants reported a relationship between those who prefer early marriages with those who misunderstand Islamic marriages. These people can also think that early marriages are more stable. However, the participants agreed that early marriages make women, especially young girls, more vulnerable to domestic violence. For example, early marriages bring a lot of pain to young girls; for example, leaving the family at a young age, the fear of adjusting to a new family, sexual health problems related to early marriage, and giving up one’s ideals in life are among the many painful side effects of marrying young.

Gender of the baby. One of the reasons for domestic violence against pregnant Muslim women in Azerbaijan is that some families prefer boys to girls. One participant stated, “Unfortunately, many men still tend to blame the woman for the sex of the child.” Therefore, even though Islam strongly prohibits abortion with the exception of few occasions (i.e., if the mother’s life or health is in danger, or in cases of rape/disability), some families may force women to go through a sex-selective abortion if they discover that the baby is female. One participant mentioned, “These families may or may not consider this to be a type of violence against women.”

The participants in general expressed being unwilling and uncomfortable when they were forced to have sex-selective abortions. They reported that abortion is used as a legitimate way to stop unwanted pregnancies in Azerbaijan. They also stated that in these cases, the law requires families to request an abortion within the first 28 weeks of a pregnancy. However, they reported still being unsure if this kind of abortion is considered moral in Islam. Therefore, some participants reported “feeling extreme guilt and shame after a forced [by their families] sex-selective abortion.” In general, all participants agreed that the issues of sex-selective abortion, gendercide, abandonment, infanticide, and gender imbalances usually affect women more than men. For example, women who give birth to daughters are usually under family and societal pressure for not having conceived a son. One participant mentioned that she “had severe depression and guilt from being pressured to give birth to a son.” Some

of them reported having to have an abortion because of the threat of divorce and physical/emotional violence. They also stated this issue to be of greater concern for pregnant women because the cultural assumption that only boys can take care of their parents in their old age has already become widespread.

Nasab: The child's proper lineage. The participants mentioned one reason for domestic violence towards pregnant women in Azerbaijan to be highly related to the extreme emphasis on a child's proper lineage. They indicated that usually the pregnant woman bears full parental responsibility in raising a child out of wedlock, whereas the father bears no responsibility at all. Because a sexual relationship out of marriage is socially unacceptable, these women and children are discriminated against and subjected to violence both in society as well as the family. Participants also mentioned that the societal pressure on mothers affects their children. For example, one participant stated, "these children are treated as 'sinners' and very rarely get rid of the label of 'illegitimate child'." Many participants also mentioned this societal pressure to result in these children being abandoned in garbage dumpsters or orphanages, either by their unwed mothers or their extended families. One participant mentioned that these women have difficulty marrying later on. As a result, many of these women have to marry foreigners, usually non-Muslims or Muslims from other countries who accept them without judging them for not being a virgin and having a child out of wedlock.

Other contributing factors. Other factors participants mentioned that breed domestic violence towards pregnant women are poverty and substance use. One participant reported that the poverty rate in Azerbaijan is higher among women than men. The participants explained this factor through the higher rate of unemployment among pregnant women. They also mentioned that poverty and unemployment often elevate the risk of domestic violence towards women because women usually do not earn enough and can be oppressed by the family for being pregnant in a "difficult time for the family." One reported that although she "did not leave the violent relationship, [she] had felt trapped in the cycle of violence [during her pregnancy]."

In regard to substance use, participants mentioned that although Azerbaijan is a Muslim country, substance abuse, especially alcohol, is a contributing factor in domestic violence towards pregnant women. One woman mentioned that she had been subjected to violence more often when her husband drank alcohol. She said that although he had apologized afterward, he did not stop being violent. This particular woman mentioned being thankful that none of her children had been harmed due to his violent behavior. Participants also mentioned that men use alcohol/drugs more than women, and men who consume alcohol can be more violent than men who usually do not abuse alcohol. All of them agreed that substance abuse contributes to family dysfunction and increased violence towards them when they had been pregnant.



Reflective Analysis of the Qualitative Data: Islam as a Protective Factor

The findings related to factors contributing to domestic violence towards pregnant Muslim women in Azerbaijan mainly relate to cultural and social factors. As the literature review and participants' responses suggest, many women do not even feel comfortable reporting domestic violence to their caregivers or police officers, even in cases that result in direct harm, injury, harassment, or damage to living beings or property. These caregivers and police forget that shaming women for seeking their well-being and safety over family unity does not end violence because domestic violence is not a single incident but a recurring pattern of coercive behaviors and tactics. Violent men use "coercion, terrorism, degradation, exploitation, and violence" in order "to control and subordinate another in an intimate relationship" (Oregon Domestic Violence Council, 1995, p. 3).

The findings once more suggest that domestic violence is a form of oppression against women because it happens in a social context, which "makes violence against an oppressed group possible and even acceptable" (McCue, 2007, p. 5). For example, some women may refuse to report the abuse to law enforcement offices for many reasons. Maybe they don't file a report because of loyalty to their family; they may dismiss the physical and sexual abuse they suffer or fail to seek any assistance from legal or healthcare institutions (Heise et al., 1999; Topbas et al., 2008). In this respect, social attitudes towards violence as a domestic and private issue foster an understanding that violence towards women is normal and acceptable. Such understandings prevent many pregnant women from taking further action in the face of domestic violence. Furthermore, those who report domestic violence may also withdraw their complaints for different reasons, including thinking that government institutions/courts do not provide enough precautions to prevent domestic violence (Topbas et al., 2008).

Furthermore, the participants' answers elicited a variety of responses on the role of Islam in empowering pregnant Muslim women in Azerbaijan. For example, in addition to cultural factors, a patriarchal understanding of Islam also acts as a risk factor that contributes to domestic violence towards pregnant women in Azerbaijan. In these cases, improper presentations and interpretations of Islamic sources cause Islam to be a hindrance in tackling domestic violence towards pregnant women when taken within a socio-historical and political context. Meanwhile, as Muslim scholars (Barazangi, 2006; Barlas, 2002; Chaudhry, 2014; Wadud, 1999) have suggested, Islam can be used to encourage women to seek support and not accept domestic violence as a religious duty in the form of self-sacrifice for the sake of the family unity. In this regard, Muslim women in Azerbaijan should be encouraged to take into consideration a gender-inclusive interpretation of the Qur'an.

This section provides a critical reflective analysis on the role of Islam in tackling violence against pregnant women in Azerbaijan, particularly in cases of marrying young, sex-selective abortions, and pregnancies due to premarital sex.

Marrying young. The government of Azerbaijan criminalizes early marriage, for it affects girls more than boys (Law 256-IVQD of the Criminal Code, 2011). Despite these legal measurements, the rise of early marriages in Azerbaijan is one reason for domestic violence against pregnant women. For example, young girls who have insufficient life experiences, education, financial resources, or social skills might be more vulnerable to domestic violence. In 2009, a survey of 19,711 women under 50 conducted by the Justice Ministry found early marriage (under 18) to be increasing; 29% of respondents reported marrying at the age of 18-19 and 25% between 20 and 24. Only 6% of respondents reported marrying between 25 and 29, and 3% after 30. The number of early marriages among women living in rural areas outnumbers that of women living in urban areas. The poll also raises concerns about the increasing number of girls who are stolen by a man (like eloping) from their family, especially in early marriages. However, the attitudes toward girls being kidnapped this way varied substantially among respondents. Only 11% believe this kidnapping to be considered violence; 89% believe that it occurs by the girl's own initiative, 46% think that it occurs as a result of disagreements with parents, 29% because of financial problems, and 15% due to a girl's innocence.

These statistics and interview results suggest that girls marrying young and underage is a growing social problem that alarms many progressive people in Azerbaijan. However, a clear examination of the cultural and religious practices also suggests that this is a cultural practice not specific to Muslims but also to non-Muslims in Azerbaijan and other parts of the world. Therefore, this kind of practice should be considered as cultural violence against women rather than religious.

The results of the interviews suggest that despite the controversial aspects of approaches to the Islamic faith, Islam can still be used as a protective tool to prevent this type of violence towards women in Azerbaijan. For example, the practice of Prophet Muhammad disregards the possibility of marriage without having seen or established a loving relationship with a future partner (Abugideiri, 2012; Barlas, 2002; Hassan, 1990; Rahman, 1990; Shaikh, 1997; Wadud, 1999). Without doubt, patriarchal culture diminishes the role of girls and women in choosing their partners. Male control over women, before and after marriage, is the troublesome reality that Muslim women face in Azerbaijan. By controlling women in every aspect of life, including their bodies and sexuality, men want to achieve a social order that serves their own self-interest (Ali, 2006; Bakhtiar, 2001; Chaudhry, 2014; Dialmy, 2010). In addition, marrying young reinforces the *milk* concept of marriage in Islamic legal ruling, which is "a relationship of ownership or control" that "is predicated on an analogy to slavery at a fundamental level..." (Ali, 2006, p. xxv). Furthermore, some men in Azerbaijan may prefer marrying young because they are extremely concerned about the woman's virginity. Men prefer to marry underage girls whom they believe can pass the virginity test that is used to control women.



Although the Caucasus Muslim Board attempted to address this problem by issuing a *fatwa* (religious verdict) asserting 18 as the youngest age for marriage, it still did not address the misuse of religious marriage contracts (Karat, 2011) or this “virginity test.” My position is that fundamental Islamic sources (i.e., Qur’an) can be empowering in overcoming early marriages. For example, Islam cautions the guardians of girls and women against the misuse of power. Upon the complaint by a woman named Khansa’ bint Khidham al-Ansariyya, the Prophet invalidated her marriage with a man because her father had given her in marriage without consulting her (Sahih Bukhari, Vol. 7, Book 62, No. 70). In another tradition, the Prophet encouraged parents to consult with their daughters (Sahih Bukhari, Vol. 7, Book 62, No. 67), as silence cannot always be a sign of consent. Therefore, based on the emphasis of the principle of mutual consent in the Qur’an and prophetic tradition, a majority of Muslim jurists consider a marriage without the bride’s consent invalid. All these Islamic statements confirm the state policy in Azerbaijan that explicitly states a woman should enter into marriage voluntarily and not be forced into marriage (Karat, 2011). Furthermore, the Qur’an and narrations of Prophet Muhammad admonish Muslims to practice *taqwa* (awareness of God and piety), love, and compassion as a form of *ibadah* (worship of God). Marriage is the only legitimate means of emotional and sexual fulfillment, of legitimate procreation, and of inter-family alliance and group solidarity. In an ideal marriage, the wife takes care of herself in order to be attractive to her husband, and the husband should also make himself attractive to his wife.

Finally, although few narrations in the Islamic tradition can be disempowering by presenting marriage to a virgin as one of the best paths to sexual enjoyment (Sahih Bukhari, Vol. 7, Book 62, No. 17), generally the qualities of future partners in Islam do not consider virginity as a characteristic of the best women for marriage (Brazangi, 2006; Dialmy, 2010; Sahih Bukhari, Vol. 7, Book 62, No. 27). This argument can further be accentuated by taking into account that A’isha was the only virgin among the Prophet’s wives (Sahih Bukhari, Vol. 7, Book 62, No. 14).

In addition, the virginity test is a tool to control women and make them dependent on their husbands (Ali, 2006). The prophetic tradition, which clearly indicates virginity to be an unimportant criterion for a successful marriage, can be used to tackle early marriages in Azerbaijan. Also, the general population needs to be educated in regard to other social and moral problems associated with the habit of marrying off young girls and to “accept female premarital sexuality for the sake of reality and sometimes in the name of human rights” (Dialmy, 2010, p. 164).

Sex-selective abortion. The findings suggest that in Azerbaijan, women who do not have sons are still stigmatized and criticized for being unable to conceive and bear a son for their husbands. Due to this cultural pressure on women, many women choose sex-selective abortions until they conceive boys. A report by the Health

Ministry suggests that the number of abortions have increased since Azerbaijan gained its independence. For example, abortion is the result in 75% of pregnancies for women between the ages of 35-44, 58% of pregnancies for women between the ages of 25-34, and 13% of pregnancies for women between the ages of 20-24. In addition, abortion rates among unmarried girls between the ages of 15-17 are also increasing. [The report by the State Committee for Family, Women, and Children Affairs of the Republic of Azerbaijan \(2014\)](#) also indicates that Azerbaijan is a country with the highest rate of abortions among Central Asian countries and Turkey.

The societal and cultural preference for boys over girls has increased domestic violence against pregnant women, divorce, and polygamy in some Muslim families in Azerbaijan. Women who especially go through this form of violence experience multiple health issues. Also, the growing fetus is directly affected by physical, emotional, and sexual violence against women. Such violence increases maternal stress, inadequate nutrition, and poor prenatal care ([Wokoma et al., 2014](#)).

The 2011 Law ([Parliamentary Assembly of the Council of Europe, 2011](#)) criminalizing sex-selective abortion aims to bring balance to the natural gender-ratio at birth (about 105 boys for every 100 girls in the South Caucasus including Azerbaijan). However, Islamic principles such as “God alone is the Creator” can also be used to add moral and spiritual value to the law and prevent this kind of violence towards pregnant women. For example, Muslims believe that life is a precious gift from God, but humans are responsible for how they use this gift. They are responsible for preserving their life and the life of others. In addition, the Qur’an clearly declares that killing other humans is against the will of God (6:151, 4:29, 5:32). This important Islamic principle emphasizes that only God can influence the outcome of pregnancy and birth.

In addition, Islam categorically takes away any morality from the practice of sex-selective abortion (Qur’an, 30:4, 50:4, 67:281, 288–289, 17:31). However, some Muslim women may also experience forced pregnancies, even if their health is in danger due to pregnancy-related complications. In these situations, Islam allows abortion based on the principles of the sanctity of human life and the safeguarding of its values by taking the lesser of the two evils ([Athar, 1995](#)). For example, when doctors declare with reasonable certainty that maintaining a pregnancy will endanger the woman’s life ([al-Qaradawi, 1960](#)), abortion is permissible. In this case, the pregnant Muslim woman has a right to choose between two evils, known in Islamic legal terminology as the principle of *al-ahamm wa ‘l-muhimm* (the more important and the less important). The sex of the baby does not belong in the category of *al-ahamm wa ‘l-muhimm* for cases of abortions, but the life and health of the mother does.

Nasab: The child’s proper lineage. Another reason for violence against women in Azerbaijan is strongly related to births out of wedlock. Some women in Azerbaijan find themselves in prohibited relationships due to poverty and gender discrimination within



certain segments of society, with a false hope of a prosperous marriage offered by men to these women and girls. These relationships tend to be more abusive, as women and girls do not enjoy the traditional family support system for pursuing their rights. As a result, these women and girls find themselves alone in caring for children out of wedlock and are prone to sexual violence. In addition, women and girls who find themselves trapped in early marriages also have similar problems, as most of these marriages are unregistered. For example, 41% of cases of out-of-wedlock births in Azerbaijan are due to various problems with marriage documents, 33% are because women were under-aged when married, and 26% are for other reasons. However, one official report suggested that around 90% of children in foster care homes have at least one living parent (UNICEF, n. d.). These children and their mothers are more vulnerable to domestic violence in general. These examples show that, like many Muslim countries, Azerbaijan also belongs to the “culture of virginity.” In such a culture, the proper lineage of a child to one’s family is important for ensuring a child’s healthy and virtuous upbringing.

Without doubt, Islam also gives importance to preserving proper lineage (*nasab*), which relates a child to a father and mother through blood relationships; it calls for the proper registration of pregnancy and birth in order for a child to have clear lineage to one’s biological parents (Sachedina, 2009). Indeed, it is for this purpose that the Qur’an (2:228) advises the divorced woman to wait for three monthly periods after her divorce in order to make sure that she is not pregnant before marrying another man in order to ensure true lineage.

However, even in these cases, pregnant Muslim women can find Islamic principles empowering. For example, the Qur’an (2:235) categorically prohibits a man from promising to marry a woman and then abandoning her, which would make her subject to violence. In addition, the principle of *nasab* in Islamic tradition doesn’t take just the honor of women as an important argument in the proper lineage of the child. From an Islamic perspective in general, the right of the child begins over his or her parents before the mother’s pregnancy (Sachedina, 2009). This means that both parents are responsible for the physical, psychological, and spiritual formation of the child. However, putting all the responsibility on women just because they are the visible and most important participants in the procreation and childrearing process is wrong. In summary, regardless of whether the child’s proper lineage is known or not, gender dynamics in many Qur’anic references indicate that Islamic values related to motherhood can be used to prevent violence against pregnant women. This can cultivate a culture that gives importance to procreation and make childbearing a healthy physical, social, and spiritual experience for all pregnant women.

Why Do Gender-Inclusive Interpretations Matter in Tackling Domestic Violence against Pregnant Women?

The Islamic understanding of motherhood and childbearing, as well as its prohibitions of infanticide and alcohol, can be used to prevent domestic violence. However, one also needs

a careful approach to Islamic sources, as an extreme emphasis on patriarchal interpretations exists in key Islamic sources. Although gender-inclusive interpretations also consider the misunderstanding of *nasab* (the proper lineage of the child), virginity, and early marriages, they mainly target pre-modern Muslim exegesis and law on a wife's disobedience as the main risk factor for domestic violence towards women. Therefore, the progressive interpretations of gender-inclusive, egalitarian Islamic sources should be preferred in understanding the Qur'anic treatment of domestic violence. First, gender-inclusive approaches to the Qur'an and other sources of Islam suggest that any attempt to understand the specifics of Qur'anic regulations in isolation from their historical contexts can breed tolerance of domestic violence among Muslims. Such an approach diverts "the attention from poverty, political repression, war, and global power dynamics that are all crucial to Muslim women's lives" (Ali, 2006, p. xviii). Therefore, any interpretation of verses related to the above issues should be treated within the historical context of Qur'anic verses and in consideration of Islam's overall stance towards women. Second, these scholars argue that the Qur'an, as an essential source of Muslim law, calls the disobedient behaviors of both wife and husband *nushuz*. For instance, Amina Wadud (1999), a well-known Muslim activist and feminist scholar, says that the Qur'an does not require a woman to obey her disobedient husband, nor will any such disobedience to her husband isolate them from the community of Islam. Third, the classical understanding of domestic violence ignores many aspects of violence against women. For example, some Muslims narrowly define domestic violence (only an act or behavior that results in bruises and broken bones), excluding other forms of abusive behavior such as verbal abuse (name-calling, insults), psychological abuse (threats, intimidation, humiliation, isolation, stalking, and so forth), sexual abuse (forced sexual acts, forced pornography viewing, withholding sex), financial abuse (being deprived access to money), and spiritual abuse (misusing religious teachings to manipulate behavior, interfering with worship; Abugideiri, 2012, p. 311).

Thus, gender-inclusive interpretations of critical Qur'anic terminology (i.e., *nushuz*, *daraba*) are important in overcoming violence towards Muslim women. These interpretations aim to address gender inequality and women's needs in the family and society. They invite Muslim doctors, nurses, social workers, spiritual counselors, religious leaders, and others to provide a critical attitude toward women's experiences of domestic violence. They highlight the consequences and dangers associated with the apologetic attitude of some Muslim healthcare professionals, including spiritual caregivers, counselors, and leaders, who attempt to defend authoritarian classical interpretations rather than focus on what women experience. Furthermore, gender-inclusive readings of religious/spiritual sources unfold a set of sexist, racist, ageist, classist, and heterosexist beliefs and harmful dynamics that may be responsible for the distress and so-called pathology of women (Neuger, 2001).



Conclusion and Recommendations

This study is descriptive in nature, and its findings cannot be applied to the general population due to the limited number of participants. This study acknowledges that the problem of domestic violence perpetrated on pregnant women in Azerbaijani society needs to be addressed broadly in order to have a clear, wide, and detailed understanding of the religious/spiritual/moral and social risks and protective factors that contribute to domestic violence towards pregnant women in Azerbaijan. The review of the available literature suggests that domestic violence towards pregnant women is significantly reduced during pregnancy in Azerbaijan. However, the reflective analysis of the phenomenon also suggests that violence can also increase during pregnancy. This may relate to religious, cultural, and economic factors that play a significant role in reducing or increasing the incidence of abuse against pregnant women.

Although the Azerbaijani government recently adopted several measures to tackle violence towards women, the application of progressive Islamic teachings can be used more actively to enhance the moral and cultural meaning of these measures. Such applications of Islamic teachings can also enhance the effectiveness of other services, such as spiritual care and counseling for these women. For example, the readers of this journal might consider the impact of various interpretations of Islamic sources and whether these interpretations empower or disempower pregnant Muslim women's spiritual care and counseling. They may also consider using gender-inclusive interpretations to give new voice and power to women. Furthermore, the major themes associated with the research participants' meanings in this study might create new awareness on the importance of addressing cultural and religious issues over domestic violence towards pregnant women. This can enable one to seek new methods for projecting fresh possibilities of implementing and increasing applied spiritual care and counseling for the support of Muslim women. Finally, one might advocate for creating more community-free resources for women, such as government-sponsored programs for victims of domestic violence (shelters; social, psychological, and medical centers), specifically in rural areas where women subjected to domestic violence have insufficient access to these programs.

Thus, key knowledge gaps exist that need to be addressed. These include improving the knowledge base on the risk of domestic violence with pregnancy, the consequences of domestic violence towards Muslim women in Azerbaijan, and how to tackle the cultural and religious factors that breed violence towards women. Considering the use of gender-inclusive interpretations from fundamental Islamic sources such as the Qur'an and hadiths is also important for overcoming violence towards pregnant women.

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