

THE STATUS OF

*The Women*  
IN ISLAM

BY SHAYKH SAALIH AL-FAWZAAN





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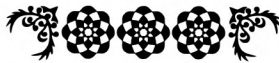
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## The Status of Women in Al-Islām

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## The Status of Women in Al-Islām

### HER STATUS

**A**ll the praise is for Allāh, the Lord of all that exists. May prayers and peace be upon our Prophet Muḥammad, his family and companions altogether. **As to what follows:** Some deemed it to be strange, (wondering) why this specific topic was chosen; are there not topics more important than it?

**The Answer:** This specific topic was chosen due to that which is stirred regarding it within this time from doubts. This is because the topic of the woman is important within the society; for she is the primary pillar of the offspring from which society is formulated. So if she is rectified then she is a reason for the rectification of her offspring and her family. In this regard, the poet said:

الأم مدرسة إذا أعددتها      أعددت شعبا طيب الأعراق

**The mother is a school; if you prepare her  
Then you have prepared generations of good**

The topic is in refutation of the doubts of those who have taken, from the woman, a post behind which they cover themselves in order to ridicule Al-Islām; they desire, as well, to corrupt the woman and to corrupt the society from behind it. The enemies of Allāh and His Messenger continuously, within every time and place, spread corruption in the earth in order to destroy crops and cattle. So the topic of the woman has become a topic of importance to which it is befitting to give concern, and to clarify her status within Al-Islām in order that that fog which has accumulated from the propaganda of the deviants may vanish.

The topic of the woman has become casual speech in this time. The radio broadcasts, in most cases, comprise the topic of the woman; being focused upon it. The newspapers and magazines comprise the topic of the woman, focusing upon it so that by way of it they may bring many doubts which perhaps perplex the confused or the ignorant. Upon investigation into the history of the woman over the passing of time, the loftiness of her status within Al-Islām—rather, in all of the divine religions—Al-Islām—rather, in all of the divine religions—becomes clear to us.

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### The Status of the Woman in the Pre-Islamic Days of Ignorance



The woman, as you know from that which the Qur'an informs regarding her status in the pre-Islamic days of the 'Arabs, was such that they would treat her with the highest degree of evil and they would neglect her rights and consider her to be a worthless commodity. They disdained her and they disdained the birth of daughters. As Allāh, the Glorified and High, has said:

﴿ وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهَهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ﴿٥٨﴾ يَنْوَرِي مِنَ الْقَوْمِ مِنْ سُوءِ مَا بُشِّرَ بِهِ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ أَلَا سَاءَ مَا يَحْكُمُونَ ﴿٥٩﴾ ﴾

“And when the news of (the birth of) a female (child) is brought to any of them, his face becomes dark, and he is filled with inward grief! He hides himself from the people because of the evil of that whereof he has been informed. Shall he keep her with dishonor or bury her in the earth? Certainly, evil is their decision.” [An-Nahl: 58-59]

If a daughter was born for one of them, or he was informed of that, he would be annoyed and would be ashamed before the people and he would be ashamed to walk amongst the people. Perhaps, a daughter would be born for him and he would try to conceal it from the people, due to the evil (perception) of that which he has been given tidings of. Then he would think:

أَيُمْسِكُهُ عَلَىٰ هُونٍ

Shall he keep her with dishonor? [An-Nahl: 59]

Meaning: Should he let her live while being scorned and she is scorned; and remain patient with that?

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أَيْمِسْكُهُ، عَلَيَّ هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ

Shall he keep her with dishonor or bury her in the earth?  
Certainly, evil is their decision. [An-Nahl:59]

Meaning: Bury this daughter alive within the earth until she dies.

This is what they used to do. They would do away with the daughters; meaning, they would bury them alive until they died beneath the dirt in order to free themselves of them. Allāh, the Glorified and High, has said:

﴿وَإِذَا الْمَوْءُودَةُ سُئِلَتْ﴾

And when the female (infant) buried alive (as the pagan Arabs used to do) shall be questioned. [At-Takwīr:8]

Meaning, (regarding) the daughter who was buried, the one who buried her will be asked about this despicable murder on the Day of Standing.

Likewise, they would deal with the woman--if she remained alive and they did not do away with her--they would deal with her in an evil manner. They would not leave an inheritance for the woman if her relative passed away. Rather, they would deprive her of inheritance and say: **Inheritance is for the one who carries weapons and rides horses (i.e., the men); as for the woman, then she does not have a share of inheritance nor does she deserve it.** They would deprive her of her right and would oppress her out of that which Allāh had given her from the inheritance of her relative; even if he was the nearest of the people to her in relation, she would not inherit one penny from him.

From their manner of dealing with the woman if she remained alive is that if her husband passed away, then they would race towards her and whichever of them reached her first and casted his garment upon her then he had the most right to her and would inherit her from the deceased just as one inherited money. Then

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after that, he would choose to either marry her (even if she did not want him), or he would marry her off and take her dowry, or he would prevent her from marrying anyone; meaning, he would keep her from marrying until she could free herself from him by way of money which she would pay him. Allāh, the Exalted, said:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرْتُوا النِّسَاءَ كَرْهًا وَلَا تَعْضُلُوهُنَّ  
لِتَذْهَبُوا بِبَعْضِ مَآءِ اتِّتْمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَحِشَةٍ مُبِينَةٍ وَعَاشِرُوهُنَّ  
بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَىٰ أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ  
خَيْرًا كَثِيرًا ﴿١٩﴾

**“O you who believe! You are forbidden to inherit women against their will, and you should not treat them with harshness, that you may take away part of the Mahr you have given them.” [An-Nisā:19]**

This is how they dealt with the woman; either they would bury her beneath the dirt until she died, or they would keep her in degradation. Meaning: They would not give her any inheritance if her relative passed away or if her husband died then they would handle her just as a king handles his possessions, not giving her a choice or any control over herself.

Likewise, one of them would marry a large number of women with no limit or restriction. One of them would marry tens of women and not care for their rights nor would he treat them appropriately.

This was the society of the pre-Islamic days of ignorance and this was the status of the woman therein, as Allāh, the Exalted, has mentioned with the Qur’ān.

Then Al-Islām came and released the woman from this bondage and these restraints and gave her due rights; and acknowledged her status and clarified that the woman is the counterpart of the man. He and she were created from one father and one mother. Allāh has said:



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﴿يٰٓاَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً ۗ وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ ۗ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ

رَقِيبًا ﴿١﴾

“O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife [Hawwa (Eve)], and from them both He created many men and women and fear Allāh through Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allāh is Ever an All Watcher over you.” [An-Nisa:]

Allāh, the Glorified and High, has informed that the woman and man were created from one father and one mother. And that is Adam and Hawā (Eve), upon them be prayers and peace. So there is no distinction for the man over her in terms of their origin. She is his sister from his father and his mother and she is his counterpart. Allāh, the Glorified and High, has said:

﴿يٰٓاَيُّهَا النَّاسُ اِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَاُنْثٰى وَجَعَلْنَاكُمْ شُعُوْبًا وَّقَبَاۗئِلَ لِتَعَارَفُوْا ۗ اِنَّ

اَكْرَمَكُمْ عِنْدَ اللّٰهِ اَتْقٰىكُمْ ۗ اِنَّ اللّٰهَ عَلِيْمٌ خَبِيْرٌ ﴿١٣﴾

“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 Allāh is that (believer) who has At-Taqwā [i.e., one of the Muttaqûn (pious - see V.2:2)]. Verily, Allāh is All-Knowing, All-Aware.” [Al-Hujurāt :13]

Allāh, the Glorified and High, has informed that the man and the woman both were created from a man and a woman. There is no nobility for the male over the female or for the female over that male, except by way of At-Taqwā. As Allāh has stated:

﴿اِنَّ اَكْرَمَكُمْ عِنْدَ اللّٰهِ اَتْقٰىكُمْ﴾

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“Verily, the most honorable of you with Allāh is that (believer) who has At-Taḳwā.” (Al-Ḥujurāt:13)

He has also conferred His favor upon the men by making for them spouses from amongst themselves.

Allāh, the Glorified and High, has said:

﴿ وَاللَّهُ جَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا وَجَعَلَ لَكُمْ مِنْ أَزْوَاجِكُمْ بَنِينَ وَحَفَدَةً وَرَزَقَكُمْ مِنَ الطَّيِّبَاتِ أَفَبِالْبَاطِلِ يُؤْمِنُونَ وَبِعَمَتِ اللَّهِ هُمْ يَكْفُرُونَ ﴾



“And Allāh has made for you wives of your own kind, and has made for you, from your wives, sons and grandsons, and has bestowed on you good provision. Do they then believe in false deities and deny the Favor of Allāh (by not worshipping Allāh Alone).” [An-Naḥl:72]

From the favor of Allāh, the Majestic and High, upon the men is that He has made for them from amongst themselves (meaning he has created for them from their species) spouses and from them they are given children, grandchildren, and offspring. Allāh, the Glorified and High, has said:

﴿ وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ

﴿ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يُفَكِّرُونَ ﴾

“And among His Signs is this, that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy. Verily, in that are indeed signs for a people who reflect.” [Ar-Rūm:21]

From the signs of Allāh, Gloried and Exalted be He, is that He created for the men spouses in order that they may live with them and that there may occur tranquility for them (by way of them). So the woman is a source of repose for the man by whom he finds

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ease from many difficulties, and he is able to associate and share life with her. He has placed love and mercy between them. He is a foreign man and she is a foreign woman, and Allāh has brought them together and joined their hearts and has placed between them love and mercy. Meaning, that He, Glorified and Exalted be He, by way of bringing them together, has caused love and mercy to occur in order that conciliation and harmony may result. And in order that praiseworthy results may be brought about by way of bringing the man and the woman together with legislative marriage.

This is from the favor of Allāh upon the male. Allāh reminds him with it, in order that he may give Him thanks and praise Him for that. This is from that which clarifies the fact that the woman was not created in vein. And that she is not merely a means of cheap enjoyment as the ignorant people describe her to be. She is a main stay and integral part and a pillar within this society. By way of her, offspring and reproduction occurs in this society. By way of her, offspring and reproduction occurs and there also occurs from her repose for the man as well as relaxation, affection and love, in order that the building of the society may be completed.

He also, Glorified and Exalted be He, refutes the pre-Islāmic period of ignorance regarding their oppression of the woman as it relates to inheritance, and Allāh gave her rights from it.

As He, Glorified and Exalted be He, stated:

﴿لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ ۗ نَصِيبًا مَّفْرُوضًا﴾

“There is a share for men and a share for women from what is left by parents and those nearest related, whether, the property be small or large - a legal share.” [An-Nisā:7]

And Allāh, Glorified and Exalted be He, said as it relates to the inheritance of the daughter:

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﴿يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَّاتِ فَإِن كُنَّ نِسَاءً  
فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَإِن كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ﴾

“Allāh commands you as regards your children's (inheritance); to the male, a portion equal to that of two females; if (there are) only daughters, two or more, their share is two thirds of the inheritance; if only one, her share is half.”

Up to His statement:

﴿وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِن لَّمْ يَكُن لَّهُنَّ وَلَدٌ  
وَإِن كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكَنَّ مِن بَعْدِ وَصِيَّتِهِنَّ  
يُوصِيكُنَّ بِهِنَّ أَوْ دِينٌ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَتُنَّ إِن لَّمْ يَكُن  
لَكُمْ وَلَدٌ فَإِن كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَتُنَّ﴾

“In that which your wives leave, your share is a half if they have no child; but if they leave a child, you get a fourth of that which they leave after payment of legacies that they may have bequeathed or debts. In that which you leave, their (your wives) share is a fourth if you leave no child; but if you leave a child, they get an eighth of that which you leave.” [An-Nisā: 11-12]

He also obligated for the mother a portion within His statement:

﴿فَإِن لَّمْ يَكُن لَّهُ وَلَدٌ وَوَرِثَتْهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ فَإِن كَانَ لَهُ إِخْوَةٌ فَلِأُمِّهِ  
السُّدُسُ﴾

“If (there are) no children, and the parents are the (only) heirs, the mother has a third; if the deceased left brothers or (sisters), the mother has a sixth.” [An-Nisā:11]

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So he clarified the portion of the mother along with that of the child, and her share when there is no child, and her share along with the brothers as well as if there are no brothers. Within these verses, the mother and the wife are given inheritance. The sister is given inheritance within the statement of the Most High:

﴿يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ ۚ إِنَّ أُمَّرَأًا هَلَكَ لَيْسَ لَهُ وَلَدٌ ۖ وَوَلَةٌ ۖ أُخْتُ فَلَهَا نِصْفُ مَا تَرَكَ ۚ وَهُوَ بَرِئْتُهَا ۚ إِنْ لَمْ يَكُنْ لَهَا وَلَدٌ فَإِنْ كَانَتَا أُخْتَيْنِ فَلَهُمَا الثُّلُثَانِ مِمَّا تَرَكَ ۚ وَإِنْ كَانُوا إِخْوَةً رِجَالًا وَنِسَاءً فَلِلذَكَرِ مِثْلُ حَظِّ الْأُنثَىٰ ۗ يُبَيِّنُ اللَّهُ لَكُمْ أَن تَضِلُّوا ۗ وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿١٧٦﴾

"They ask you for a legal verdict. Say: "Allāh directs (thus) about Al-Kalālah (those who leave neither descendants nor ascendants as heirs). If it is a man that dies, leaving a sister, but no child, she shall have half the inheritance. If (such a deceased was) a woman, who left no child, her brother takes her inheritance. If there are two sisters, they shall have two-thirds of the inheritance; if there are brothers and sisters, the male will have twice the share of the female." [An-Nisā:176]

And, He also gave the daughter and the daughters inheritance. This is the inheritance of the woman whether she is a daughter, a sister, or a mother as well as a wife. Allāh gave her this ability and returned her right to her which had been stripped away and He nullified that which occurred in the pre-Islāmic days of ignorance from the deprivation of her for her inheritance.

Also, Allāh, the Glorified and High, refuted and nullified that which occurred during the pre-Islāmic days of ignorance from their inheriting the woman from the deceased, just as one inherits money, when Allāh, the Glorified and High, clarified that the woman is not inherited and she is not money. She is a creation which He has ennobled and given status. Allāh, the Exalted, has said:

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﴿ يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا وَلَا تَقْضُوا لَهُنَّ  
لِتَذْهَبُوا بِبَعْضِ مَا ءَاتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَنَحِشَةٍ مُبَيِّنَةٍ وَعَاشِرُوهُنَّ  
بِالْمَعْرُوفِ ﴾

“O you who believe! You are forbidden to inherit women against their will, and you should not treat them with harshness, that you may take away part of the dowry you have given them, unless they commit open illegal sexual intercourse. And live with them honorably.” [An-Nisā:19]

He, Glorified be He, also nullified that which occurred during the pre-Islāmic days of ignorance from them marrying a number of women with no limit and no equity. So the person may only marry from women that which Allāh wills. Moreover, Allāh, the Glorified, has limited this with a limit that contains justice and equity, and not oppression for the man or for the woman.

The Most High has said:

﴿ وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَنَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَىٰ  
وَتِلْكَاتٍ وَرُبْعًا فَإِنْ خِفْتُمْ أَلَّا تَعْلَمُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَٰلِكَ أَذَىٰ أَلَّا  
تَعُولُوا ﴾

“And if you fear that you shall not be able to deal justly with the orphan girls, then marry (other) women of your choice, two or three, or four but if you fear that you shall not be able to deal justly (with them), then only one or (the captives and the slaves) that your right hands possess. That is nearer to prevent you from doing injustice.” [An-Nisā:3]

So in place of their marrying many women, Allāh set for that a limit which is not permissible to transgress; and that is four

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women. This limit is that which is legislated and it is the equity which the woman is treated with; and the man is given his right.

Some of the men, when they embraced Al-Islām during the period of Allāh's Messenger (ﷺ) had with them many women. The Prophet (ﷺ) would command him to choose four of them as Allāh has obligated and as Allāh has delineated. This legislation is firmly fixed up until the Day of Standing. It will not be changed nor will it be altered. It is the legislation of justice and equity.

Likewise, Allāh, the Exalted, has given the woman ownership of her dowry. As the Most High has stated:

﴿وَأَتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِن طِبْنَ لَكُمْ عَن شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا

﴿مَرِيئًا ۝﴾

**“And give to the women (whom you marry) their Mahr (obligatory bridal money given by the husband to his wife at the time of marriage) with a good heart, but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allāh has made it lawful).” [An-Nisā:4]**

So the Ṣadāq and the Mahr is a right that is due to the woman which it is obligatory upon the husband to give her, and he is not to decrease it at all. Nor is he to keep any of it except that which she permits herself and gives to him. As Allāh has said:

﴿فَإِن طِبْنَ لَكُمْ عَن شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَرِيئًا ۝﴾

**“But if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allāh has made it lawful).” [An-Nisā: 4]**

Allāh, the Glorified and High, stated within another verse:

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﴿فَتَأْتُوهُنَّ أَجُورَهُنَّ بِرِيسَةٍ وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا تَرَضَيْتُمْ بِهِ مِنْهُنَّ بَعْدَ الْفَرِيضَةِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا ﴿٢٤﴾﴾

“Give them their Ajūr (payment) as prescribed; but if after a Mahr is prescribed, you agree mutually (to give more), there is no sin on you. Surely, Allāh is Ever All-Knowing, All-Wise.” [An-Nisā:24]

So Allāh, the Glorified and High, has commanded with giving the woman her Ṣadāq and He has referred to it as being an Ajr (payment). So it is Ṣadāq and the Mahr; it is also referred to as an Ajr, and it is the property of the woman. And this is justice for the woman and ownership for her and a refutation against the pre-Islāmic days of ignorance wherein they would deprive the woman and not consider her to be a thing worth mentioning. Allāh, the Glorified and High, has permitted for her father that he take something from her dowry, because the child as well as that which the child owns belongs to the father. As the Prophet (ﷺ) stated:

إن أطيب ما أكلتم من كسبكم وإن أولادكم من كسبكم

“Indeed the best of that which you eat is from your own earnings and indeed your children are from your earnings.”<sup>1</sup>

And he (ﷺ) said to the son:

أنت ومالك لأبيك

“You and your wealth belong to your father.”<sup>2</sup>

<sup>1</sup> Reported by Aḥmad within his *Musnad* 6/31. Abū Dāwūd also reported in within *As-Sunan* 3/287. An-Nasā'ī also reported it within *As-Sunan* 7/240-241. And Ibn Mājah reported it as well within *As-Sunan* 2/723; all on the authority of 'Ā'ishah, may Allāh be pleased with her.



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So it is permissible for the father of the woman to take something from her dowry, which will not be a hardship or harm for her because she is his child and from his earnings. As for other than the father, then it is not permissible for him to take anything from her dowry unless she permits him to and gives it to him. This is from that which indicates to us the status of the woman in Al-Islām.

As it relates to the issue of the woman living with the man, her right has been preserved. So he is not allowed to transgress against her, nor deal with her in an evil manner. Allāh has said:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَىٰ أَنْ تَكْرَهُوا شَيْئًا  
وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا ۝١٩﴾

“And live with them honorably. If you dislike them, it may be that you dislike a thing and Allāh brings through it a great deal of good.” [An-Nisā: 19]

And if there occurs that which disturbs the living situation, then Allāh has made for them a way out.

Allāh, the Glorified and High said:

﴿وَإِنْ أَمْرًا خَافَتْ مِنْ بَعْلِهَا نُشُوزًا أَوْ إِعْرَاضًا فَلَا جُنَاحَ عَلَيْهِمَا أَنْ  
يُصْلِحَا بَيْنَهُمَا صُلْحًا وَالصُّلْحُ خَيْرٌ وَأُحْضِرَتِ الْأَنْفُسُ الشُّحَّ وَإِنْ  
تُحْسِنُوا وَتَتَّقُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا ۝١٢٨﴾ وَلَنْ  
تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ فَلَا تَمِيلُوا كُلَّ

<sup>2</sup> Reported by 'Al-Imām Aḥmad within his *Musnad* 2/204; also reported by Abū Dāwūd within *As-Sunan* 3/287 and Ibn Mājah reported it within *As-Sunan* 2/769; all of them on the authority of 'Abdullāh bin 'Umar (رضي الله عنه).

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الْمَيْلِ فَتَدْرُوهَا كَالْمُعَلَّقَةِ وَإِنْ تَصْلِحُوا وَتَتَّقُوا فَإِنَّ اللَّهَ كَانَ  
عَفُورًا رَحِيمًا ﴿١٣٠﴾ وَإِنْ يَنْفَرَا يُعْنِ اللَّهُ كُلًّا مِنْ سَعَتِهِ وَكَانَ اللَّهُ

وَإِسْعًا حَكِيمًا ﴿١٣٠﴾

“And if a woman fears cruelty or desertion on her husband’s part, there is no sin on them both if they make terms of peace between themselves; and making peace is better. And human inner-selves are swayed by greed. But if you do good and keep away from evil, verily, Allāh is Ever Well Acquainted with what you do. You will never be able to do perfect justice between wives even if it is your ardent desire, so do not incline too much to one of them (by giving her more of your time and provision) so as to leave the other hanging (i.e., neither divorced nor married). And if you do justice, and do all that is right and fear Allāh by keeping away from all that is wrong, then Allāh is Ever Oft-Forgiving, Most Merciful. But if they separate (by divorce), Allāh will provide abundance for everyone of them from His Bounty. And Allāh is Ever All-Sufficient for His creatures’ need, All-Wise. [An-Nisā: 128-130]

So if there occurs between the man and the woman a misunderstanding, then the way to remove that is to reconcile between them, and reconciliation is better. And it is not permissible for the man to oppress the woman and to strip her of her right; such that he leaves her in limbo as if she does not have a husband who treats her well, nor is she divorced and thus seeking a spouse; so that she is withheld from doing that which is beneficial for her. Allāh has said:

﴿فَلَا تَمِيلُوا كُلَّ الْمَيْلِ فَتَدْرُوهَا كَالْمُعَلَّقَةِ﴾

“So do not incline too much to one of them (by giving her more of your time and provision) so as to leave the other hanging (i.e., neither divorced nor married). [An-Nisā: 129]

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He prohibited this and has given the woman her right and He clarified to the man that if he does not have a desire for her, then he is to separate from her. As Allāh has said:

﴿ وَإِنْ يَفْرَقَا يُعِنِ اللَّهُ كِلَا مِّنْ سَعَتِهِ ۗ وَكَانَ اللَّهُ وَاسِعًا حَكِيمًا ۝١٣٠﴾

"But if they separate (by divorce), Allāh will provide abundance for everyone of them from His Bounty. And Allāh is Ever All-Sufficient for His creatures' need, All-Wise." [An-Nisā: 130]

Even the woman who has been divorced with a revocable divorce, it is not permissible for her husband to expel her from his home. Allāh, the Exalted, has said:

﴿ يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ وَأَحْصُوا الْعِدَّةَ وَاتَّقُوا اللَّهَ رَبَّكُمْ لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَحِشَةٍ مُّبِينَةٍ ۚ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ ۚ لَا تَدْرِي لَعَلَّ اللَّهُ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا ۝١﴾ فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ فَارِقُوهُنَّ بِمَعْرُوفٍ وَأَشْهِدُوا ذَوَى عَدْلٍ مِّنكُمْ وَأَقِيمُوا الشَّهَادَةَ لِلَّهِ ۚ ذَٰلِكُمْ يُوعَظُ بِهِ ۚ مَنْ كَانَ يُمُؤِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَمَنْ يَتَّقِ اللَّهَ

يَجْعَلْ لَهُ مَخْرَجًا ۝٢﴾

"O Prophet (ﷺ)! When you divorce women, divorce them at their 'Iddah (prescribed periods), and count (accurately) their 'Iddah (periods). And fear Allāh your Lord (O Muslims), and turn them not out of their (husband's) homes, nor shall they (themselves) leave, except in case they are guilty of some open illegal sexual intercourse. And those are the set limits of Allāh. And whosoever transgresses the set limits of Allāh, then indeed he has wronged himself. You (the one who divorces his wife) know not, it may be that Allāh will afterward bring some new thing to pass (i.e., to

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return her back to you if that was the first or second divorce). Then when they are about to fulfill their term appointed, either take them back in a good manner or part with them in a good manner." [At-Ṭalāq: 1-2]

So the woman who has been divorced with a divorce that is revocable (i.e., she has been divorced less than three times), she has the ruling of being a spouse and remains within the home of her husband until her 'iddah has been completed. And when the completion of her 'iddah draws near; then either he may take her back, or leave her and separate from her in kindness. This is justice and this is equity for the woman along with the husband.

Likewise, within Al-Islām Allāh, the Glorified and High, has protected the woman from degradation and indecency and from seclusion with a man who was foreign to her out of preservation of her honor and protection for her. Allāh, the Glorified and High, has commanded the woman to wear the Ḥijāb wherein He said:

﴿ وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسَأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ ﴾

"And when you ask (his wives) for anything you want, ask them from behind a screen (Ḥijāb), that is purer for your hearts and for their hearts." [Al-Aḥzāb:53]

And Allāh, the Exalted, also said:

﴿ يَا أَيُّهَا النَّبِيُّ قُلْ لِأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبَابِهِنَّ ذَلِكَ أَدْنَى أَنْ يُعْرَفْنَ فَلَا يُؤْذَيْنَ وَكَانَ اللَّهُ عَفُورًا رَحِيمًا ﴾ (٥١)

"O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (veils) all over their bodies (i.e., screen themselves completely except the eyes or one eye to see the way). That will be better, that they should be known (as free

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respectable women) so as not to be annoyed. And Allāh is Ever Oft-Forgiving, Most Merciful." [Al-Aḥzāb: 59]

Allāh said as well:

﴿ وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى جُجُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَائِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ بَنِي إِخْوَانِهِنَّ أَوْ بَنِي أَخَوَاتِهِنَّ أَوْ نِسَائِهِنَّ أَوْ مَا مَلَكَتْ أَيْمَانُهُنَّ أَوِ التَّابِعِينَ غَيْرِ أُولِي الْإِرْبَةِ مِنَ الرِّجَالِ أَوِ الطِّفْلِ الَّذِينَ لَمْ يَظْهَرُوا عَلَى عَوَاتِ النِّسَاءِ وَلَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ مِنْ زِينَتِهِنَّ وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَ الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ ﴾

"And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.) and not to show off their adornment except only that which is apparent (like palms of hands or one eye or both eyes for necessity to see the way, or outer dress like veil, gloves, head-cover, apron, etc.), and to draw their veils all over Juyubihinna (i.e., their bodies, faces, necks and bosoms, etc.) and not to reveal their adornment except to their husbands, their fathers, their husband's fathers, their sons, their husband's sons, their brothers or their brother's sons, or their sister's sons, or their (Muslim) women (i.e., their sisters in Islaam), or the (female) slaves whom their right hands possess, or old male servants who lack vigor, or small children who have no sense of the shame of sex. And let them not stamp their feet so as to reveal what they hide of their adornment. And all of you beg Allāh to forgive you all, O believers, that you may be successful." [An-Nūr:31]

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These noble verses obligate the observance of the Hijāb upon the woman as a protection for her and preservation of her from the transgression of the transgressor and the corruption of the corrupt. She is not as she was during the pre-Islāmic days of ignorance; being the subject of lowly objectives so that she, during the pre-Islāmic days of ignorance, did not have concern for covering to the point that she would make Ṭawwāf around the house of Allāh while naked, not having upon her except very light clothing. This is how the woman was during the pre-Islāmic days of ignorance. Then Allāh commanded her, within Al-Islām, to cover and to observe the Hijāb and preserve herself, even as it relates to her vision. Allāh commanded her not to cast her vision and to look at men in a lustful manner; wherein He said:

﴿وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا﴾

“And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.) and not to show off their adornment.” [An-Nūr:31]

Allāh, the Glorified and High, has protected the woman and covered her and made her a covered and preserved pearl which is not permissible for any to remove her covering except her husband who Allāh has made her permissible for and made him permissible for her. And He has prohibited the woman displaying her adornments for foreign men as a protection for her and preservation of her. She is not a lowly object to be handled by the hands and gazed upon by the eyes (of the people). Rather, she is a preserved pearl; safeguarded for her husband who Allāh has made permissible for her and made her permissible for him. This is the woman within Al-Islām.

As for the woman within the pre-Islāmic society, she was considered to be a piece of meat amongst dogs. Everyone meddled with her, everyone looked at her. Rather, perhaps everyone would actually enjoy her with the prohibited type of enjoyment.

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As for the woman in Al-Islām, she is as you see in a state of preservation within a Hijāb; in a state of honor. It is prohibited for strange men to be secluded with strange women. So it is not permissible for a man to be secluded with a woman who is not permissible for him. Meaning, that he and she be in a secluded place wherein there is no one else with them; because that is a means to corruption. The Prophet (ﷺ) said:

ما خلا رجل بامرأة إلا كان الشيطان ثالثهما

**“There is no man that is secluded with a woman except that their third party is Shaytaan.”<sup>3</sup>**

Likewise, Allāh has prohibited for the woman to travel alone, because she is subject to harm and transgression. The Prophet (ﷺ) said:

لا يحل لامرأة تؤمن بالله واليوم الآخر تسافر مسيرة يوم وليلة إلا مع ذي محرم منها

**“It is not permissible for a woman who believes in Allāh and the last day to travel the distance of a day and a night except if there is a Maḥram with her.”<sup>4</sup>**

Even on Hajj, it is not permissible for the woman to perform Hajj except if there is a Maḥram with her. A man came to the Prophet (ﷺ) and said: **“My wife has gone out to perform Hajj and I have signed up for the battle of such and such.”** The Prophet (ﷺ) said:

اذهب فحج مع امرأتك

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<sup>3</sup> Reported by Al-Imām Aḥmad within Al-Musnad 1/26 from the Ḥadīth of ‘Umar bin Al-Khaṭṭāb (رضي الله عنه). It is also reported by At-Tirmidhī within As-Sunan 4/152

<sup>4</sup> Reported by Al-Imām Al-Bukhārī in As-Sahīh 2/36 from the Ḥadīth of Abū Hurayrah (رضي الله عنه).

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**“Go and perform Ḥajj along with your wife.”<sup>5</sup>**

So the Messenger (ﷺ) sent him back from the battle and Jihād in Allāh’s cause in order that he may perform Ḥajj along with his wife. This is from that which indicates that this is more important than that which he was engaged in; for it is from Jihād.

Similarly, Allāh has prohibited the woman from free mixing with foreign men, because this leads to corruption. So Allāh has prohibited the woman from mixing with men; even in places of worship. When the women are in prayer when they attend the Masājid they are not to mix with the men. Rather, they are to be behind the men. The Prophet (ﷺ) said:

خير صفوف الرجال أولها وشرها آخرها وخير صفوف النساء  
آخرها، وشرها أولها

**“The best of the rows for the men is the first row, and the worst of them is the last row. The worst of the rows for the women is the first row and the best of them is the last row.”<sup>6</sup>**

And He has legislated that the woman may stand in a row by herself behind a row; and that she is not to stand in the row along with the men. If a man were to make a row by himself behind the row then his prayer is not correct; however, it is permissible for the woman to do that, because she is excused since it is not permissible for her to stand in a row with the men. The Prophet (ﷺ) said:

لا تمنعوا إماء الله مساجد الله وبيوتكن خير لمن

**“Do not prevent the female servants of Allāh from attending the Masājid of Allāh, but their homes are better for them.”<sup>7</sup>**

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<sup>5</sup> Ṣaḥīḥ Al-Bukhārī 4/18 from the Ḥadīth of Ibn ‘Abbās (رضي الله عنه)

<sup>6</sup> Reported by Muslim within As-Ṣaḥīḥ 1/326 from the Ḥadīth of Abū Hurayrah (رضي الله عنه).



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Allāh has removed from her the obligation of Al-Jumu'ah and He has removed from her the obligation of the congregational prayer. So it is not obligatory upon the woman to attend neither the Jumu'ah nor the congregational prayer, because she is pardoned from this due to her weakness from one perspective and because she is 'Awrah (that which is obligatory to conceal) from another perspective. However, if she were to attend the Masjid and pray, then her prayer is correct; but with the condition that when she prays she is away from the men. This is from that which indicates the preservation of the woman within Al-Islām and the protection of her. This is as opposed to that which she was upon during the days of ignorance, from aforesaid as well as in recent times, from the neglect for the status of the woman and leaving her to wonder from amongst the men. This is from that which shows us the importance Al-Islām has given to the status of the woman and her position within Al-Islām and that she has a great status within Al-Islām; a prestigious status; a status of respect, and she is not an object of enjoyment. Rather, she has a place within the Masjid and she has a status within the society. She has a status within the home and she has a right as it relates to the inheritance; she has a right as it relates to buying and selling and ownership. She may own that which Allāh permits for her to own. Thus is the woman within Al-Islām and this is her status.

Let us look at the current modern day civilization which is present today in the East and the West; for it has increased upon the first pre-Islāmic state of ignorance as it relates to the woman in terms of evil. In the first pre-Islamic days of ignorance the rights of the woman were neglected and she was oppressed. As for the modern civilization, then it has exaggerated regarding the rights of the woman and elevated her above her station which Allāh has granted her, and removed her from her position. So today, it calls for the woman to leave from her home, which Allāh has made for her a place of repose for her to work therein, and it calls for the woman to leave from her home along with the men into the workplace, side by side; there being no difference between the man and the

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<sup>7</sup> Reported by Abū Dāwūd within *As-Sunan* 1/152 from the Ḥadith of 'Abdullāh bin 'Umar (رضي الله عنه).

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woman in the office, and there is no separation between the man and the woman in the market. There is no separation between the man and the woman in any place. It is as if she is a man. Even the clothes that she wears: a jacket and slacks (are) just as the man wears. There is no difference between them. The woman has been stripped of her right and her status and she has been given the right of the man which has placed upon her that which she is unable to bear and this has overburdened her. This is because the woman has specified places and the man has places that are specific to him. Each of the two categories has actions that are befitting for it. The man works outside of the home. The man buys and sells and travels. He fights in the path of Allāh and performs Jihād.

The modern civilization has corrupted the woman in this regard and says to the woman: **“Go out for you are oppressed, you are not some household item. Go out into the street; go out along with those who work; go out and mix with the men. You are not ‘Awrah; you are a creation that exists from the children of Ādam.”** Thus, they say with their tongues, their pens, their books, their newspapers, their periodicals, and their magazines. They call and they chant these slogans and this is from the things which destroy the society. Because if the woman goes out from her home and shares with the man in the workplace, then that will lead to great corruption and overwhelming evil.

Firstly, this will place upon the woman that which she is not capable of handling. For the woman is not able to do the work of the man because she suffers from menses and postnatal bleeding and there comes upon her pregnancy, so she is not able to work along with the men under the intense heat of the sun, the heat of midsummer nor the extreme cold. She is not able to travel in the manner in which the man travels. However, they say the woman can travel alone; the woman can work in the office perpetually long hours. She can work along with the men as if she is a man. The woman can work in the factory. The woman is not less than the man in terms of work. Indeed this overburdens her and places upon her that which she is not able to bear. And this is great corruption.

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Secondly, the home will be empty and destroyed and there will not remain for it one that will rectify it. Because the home is in need of the work of the woman, and if she goes out, then who will work therein? No one will do therein the work of the woman. The men will not do the work of the woman within the home, just as the woman will not do the work of the men outside of the home. Each Allāh has given work that is appropriate for them. However, the hearts of these people are backwards so their thought process is backwards, and their vision is blind.

So when the woman goes out from her home then the home which Allāh has made a place of repose and a dwelling wherein the offspring resides and to which the man returns after work shall be destroyed. So if the man returns after work to his home and does not find anyone within the home, nor does he find the home to be in order, then his condition will be deplorable and his soul will be uneasy. The greatest destruction will be within the offspring. For who will cultivate them within the home? They will be left with none to cultivate them so they will grow up with the upbringing of animals or they will be sent to daycare providers and the affair is worse because the male or female daycare provider is not diligent upon the children. Nor do they have concern for them and they do not care about the condition, if they are corrupted or refined, because they are not their children.

Or, they will be sent to nursery and the affairs gets worse and worse, for the children do not have anyone to cultivate them and nourish them except their mother. This is the occupation that Allāh has created her for. However, they say (and evil is that which they say) **“Half of the society is not functional because the woman is half of the society. So if the woman does not work along with the men, then half of the society is not functional.”** This is what they say and this is a corrupt doubt and a futile argument.

Who says that the woman is not functional? The woman with us and within the Muslim society is not un-functional. Rather, she works more than the man works, and she does work that the man does not do. Who is the one that makes the household thrive? Who is the one who cultivates the children? Who is the one who makes the food and prepares it and serves it? Who is the one who is

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responsible for all of the housework? Who is the one who will do the work of the woman if she goes out into the street and shares with the man in his job, and the men as well as the women begin to work outside of the home?

Is not the household half or more of one's life? The work which is outside of the home is for the men and the work which is inside of the home is for the women. Therefore, half of the society is preoccupied and not un-functional. However, they seek to deceive and delude the people. So the woman is not un-functional. Rather, the woman plays a role in life which none besides her can play.

Thirdly, there is a corruption which is worse and it is the loss of virtue and chastity. For if the woman goes out and mixes with the man, travels and works in the office and in the arena along with the men, then that will minimize her shyness and weakens the Ghīrah (sense of dignity) within her heart until this becomes her nature and she is desensitized and does not care after that about her honor, and Allāh forbid. Because the longer she works and has contact with men, her sense of Ghīrah will depart. As for if she is ennobled and preserves herself, then her sense of Ghīrah and her modesty will remain firm within her heart, as opposed to if the opposite were the case.

This is that which occurs to the western societies and the eastern societies which blindly follow the western societies from the scourge which the east as well as the west complains about today. The women have been lost and the families have been lost, and the family has been broken apart because they have sent the women out from her occupation to do the occupation of other than her. And they have opposed the Sunan of the universe in which Allāh, the Glorified and High, has given each created being from it that which is appropriate for it. Allāh says:

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لَهُ، مُعَقَّبَتٌ مِّنْ بَيْنِ يَدَيْهِ وَمِنْ خَلْفِهِ يَحْفَظُونَهُ، مِّنْ أَمْرِ اللَّهِ إِنَّ اللَّهَ لَا  
يُغَيِّرُ مَا بِقَوْمٍ حَتَّىٰ يُغَيِّرُوا مَا بِأَنْفُسِهِمْ وَإِذَا أَرَادَ اللَّهُ بِقَوْمٍ سُوءًا فَلَا مَرَدَّ لَهُ، وَمَا  
لَهُمْ مِنْ دُونِهِ مِنْ وَالٍ ﴿١١﴾

“Allāh will not change the good condition of a people as long as they do not change their state of goodness themselves (by committing sins and by being ungrateful and disobedient to Allāh). But when Allāh wills a people's punishment, there can be no turning back of it, and they will find besides Him no protector.”  
[Ar-Ra'd:11]

If the people change then Allāh will change their situation. The woman in the west today has begun to complain and become annoyed about her position. Likewise, the woman within the east, who blindly follows the western woman, has begun to complain and become annoyed by her position. Rather, perhaps many of them have been led to suicide in order to remove themselves (as they think) from this predicament which she has landed in. And this is that which the devils from amongst mankind and the Jinn want for her. This is the place of the woman if she changes the place that is befitting for her.

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### The Woman Working Outside of her Home



If the woman is in need of working outside of the home, then she is to work; however, she does so in a manner which contains for her the preservation of her nobility and the safeguarding of her. She is to work at a job that is suitable for her. The women have continuously worked from the beginning of Al-Islām up until now, working in the home as well as outside of the home. However, outside of the home she works a job that is befitting for her and does not contain free mixing and does not contain degradation while maintaining her preservation and maintaining chastity; observing the Hijāb and withdrawing from men. The women worked in their arenas which were appropriate for them. They worked in appropriate fields and they would go out for worship; they would go out for the 'Eid prayer and they would go out for the congregational prayer. They would go out for the Jumu'ah prayer while preserving themselves and their chastity, and with the status that is appropriate for them along with Islāmīc guidelines.

As it relates to working outside of the home, if the Islamic guidelines are adhered to then there is nothing to prevent it. It is only to be prevented if the Islāmīc guidelines are neglected and the woman is given absolute free reigning such that it is said to her: **Work along with the men with there being no separation between you.** This is prohibited and forbidden. We do not reject the working of the women outside of the home in an absolute manner. However, we say: The woman works outside of the home if the affair is required and she does so in a job that is suitable for her while she adheres to the Islāmīc guidelines. Otherwise, her home is better for her. This is because Allāh, the Glorified and High, told the wives of His Prophet:

﴿ وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَى ﴾

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**“And stay in your houses, and do not display yourselves like that of the times of ignorance.” [Al-Aḥzāb:33]**

And His statement: ﴿وَقَرْنَ﴾ means: remain firmly fixed. This is derived from Al-Qirār which is to be firmly fixed.

Look at how He attached the homes to her. Allāh said within this verse: **“...to remain within their homes.”** The homes fundamentally belong to the man, however, Allāh attached the homes to the women because they are to cling to and remain within them. The Prophet (ﷺ) said:

ويوئهن خير لهن

**“And their homes are better for them.”<sup>8</sup>**

So the attachment of the homes to them is an indication that the woman is one who clings to the home to the point that it is as if it is a possession of hers. So the woman has, as we have presented, a place within the pre-Islāmic days of ignorance from aforesaid. The first stage of ignorance which Islām eradicated and she has a place within the modern civilization which they wish to return her to a state that is more evil than that which she was upon during the first pre-Islāmic days of ignorance. However, Allāh, the Glorified and High, gives victory to His religion and is One who elevates His word, even though the disbelievers may hate it. And may prayers and peace be upon our leader Muḥammad upon his family members and companions all together.

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<sup>8</sup> Reported by Abū Dāwūd within As-Sunan 1/152 from the Ḥadīth of ‘Abdullāh bin ‘Umar (رضي الله عنه).

## The Status of Women in Al-Islām

### Rulings which are Connected to the Woman

All the praise is for Allāh. May prayers and peace be upon our Prophet Muḥammad, his family members and his companions all together. As to what follows:



Indeed the woman, as you know, is the counterpart of the man and she is half of the society and she is the cultivator within the home. She is as the poet has described:

الأم مدرسة إذا أعددتها أعددت شعبا طيب الأعراق

**The mother is a school; if you prepare her  
Then you have prepared generations of good**

Therefore, giving due consideration to the cultivation of the woman and teaching her religion and that which is obligatory upon her is a matter which is obligatory. The Messenger (ﷺ) would specify the women in some of his sittings (ﷺ). Rather, when he would deliver a sermon on 'Eid to the men, he would go to the women and preach, admonish, and remind them as well.<sup>9</sup>

You will find, within the noble Qur'ān, many verses which specify the woman in terms of guidance while at the same time including her amongst the men in legislative address. So the woman is similar to the man in that which is obligatory upon her from the pillars of Islām and the pillars of Al-Īmān and the performance of the obligatory duties and leaving off that which is prohibited. The woman and the man are equal in this. So the woman is similar to the man in terms of the 'Aqīdah and At-Tawḥīd and singling out Allāh, the Exalted, with worship and avoidance of Shirk. The woman and the man are equal in this. For each, it is obligatory upon him to single out Allāh, the Exalted, and to worship Him as He deserves to be worshiped and to abandon the worship of other than Him.

<sup>9</sup> Refer to Ṣaḥīḥ Al-Bukhārī 2/9 from the Ḥadīth of Jābir bin 'Abdullāh (رضي الله عنه).



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She is similar to the man in the obligation of prayer and the payment of Zakāt, fasting in Ramaḍān and making pilgrimage to the sacred house of Allāh. She is similar to the man because it is obligatory upon her to believe in Allāh, His angels, His books, His messengers, the Last Day, and to believe in Al-Qadar--its good as well as its evil. She is similar to the man in restricting herself to seeking Halāl provisions and earnings which are permissible and the avoidance of earnings which are impermissible, such as Ribā, gambling, cheating, and other than that from impermissible types of earnings. Men and women, in this, are equal; and the texts of the legislation are general, encompassing the man as well as the woman, in this as well as other than it.

The woman is similar to the man in deserving reward for acts of obedience and deserving punishment for acts of disobedience. As for the reward, Allāh, the Exalted, says:

﴿إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْقَانِينَ وَالْقَانِينَ وَالصَّادِقِينَ وَالصَّادِقَاتِ وَالصَّابِرِينَ وَالصَّابِرَاتِ وَالْخَاشِعِينَ وَالْخَاشِعَاتِ وَالْمُتَصَدِّقِينَ وَالْمُتَصَدِّقَاتِ وَالصَّامِينَ وَالصَّامَاتِ وَالْحَافِظِينَ فُرُوجَهُمْ وَالْحَافِظَاتِ وَالذَّاكِرِينَ اللَّهَ كَثِيرًا وَالذَّاكِرَاتِ أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا﴾

"Verily, the Muslims (those who submit to Allāh in Islām) men and women, the believers men and women (who believe in Islamic Monotheism), the men and the women who are obedient (to Allāh), the men and the women who are truthful (in their speech and deeds), the men and the women who are patient (in performing all the duties which Allāh has ordered and in abstaining from all that Allāh has forbidden), the men and the women who are humble (before their Lord Allāh), the men and the women who give Ṣadaqāt (i.e., Zakāt, and alms, etc.), the men and the women who observe Ṣaum (fast) (the obligatory fasting during the month of Ramaḍān, and the optional Nawāfil fasting), the men and the

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women who guard their chastity (from illegal sexual acts) and the men and the women who remember Allāh much with their hearts and tongues; Allāh has prepared for them forgiveness and a great reward (i.e., Paradise). [Al-Aḥzāb: 35]

Allāh, the Glorified and High, says:

﴿ وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ

﴿ مِنْ أَمْرِهِمْ ۗ وَمَنْ يَعِصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَلًا مُبِينًا ﴾ (٣٦)

"It is not for a believer, man or woman, when Allāh and His Messenger have decreed a matter that they should have any option in their decision." [Al-Aḥzāb:36]

Allāh, the Glorified and High, says:

﴿ مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً

﴿ طَيِّبَةً ۖ وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ ﴾ (١٧)

"Whoever works righteousness, whether male or female, while he (or she) is a true believer (of Islamic Monotheism) verily, to him We will give a good life (in this world with respect, contentment and lawful provision), and We shall pay them certainly a reward in proportion to the best of what they used to do (i.e., Paradise in the Hereafter)." [An-Nahl:97]

So the woman is similar to the man in deserving the reward for acts of obedience and entrance into paradise and she is like him, as well, in deserving the punishment for acts of disobedience and entering the fire. Allāh, the Glorified and High, says:

﴿ لَيُعَذِّبَ اللَّهُ الْمُنَافِقِينَ وَالْمُنَافِقَاتِ وَالْمُشْرِكِينَ وَالْمُشْرِكَاتِ

﴿ وَيَتُوبَ اللَّهُ عَلَى الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ ۗ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا ﴾ (٧٣)

"So that Allāh will punish the hypocrites, men and women, and the men and women who are Al-Mushrikūn (the polytheists, idolaters, pagans, disbelievers in the Oneness of Allāh, and in His Messenger

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Muḥammad ﷺ). And Allāh will pardon (accept the repentance of) the true believers of the Islamic Monotheism, men and women. And Allāh is Ever Oft-Forgiving, Most Merciful." [Al-Aḥzāb:73]

The woman is similar to the man in the obligation of having Īmān in Allāh, the Mighty and Majestic, and commanding the good and forbidding the evil, and having allegiance for the believers and disassociation from the disbelievers. As Allāh says:

﴿ وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ ﴿٧١﴾

"The believers, men and women, are Auliyā' (helpers, supporters, friends, protectors) of one another, they enjoin (on the people) Al-Ma'rūf (i.e. Islamic Monotheism and all that Islām orders one to do), and forbid (people) from Al-Munkar (i.e. polytheism and disbelief of all kinds, and all that Islām has forbidden); they perform As-Ṣalāt (Iqāmah-as-Ṣalāt) and give the Zakāt, and obey Allāh and His Messenger. Allāh will have His Mercy on them. Surely Allāh is All-Mighty, All-Wise." [At-Tawbah:71]

This is after clarifying that the hypocrites, men and women, are the exact opposite of that wherein He, Glorified be He, said:

﴿ الْمُنَافِقُونَ وَالْمُنَافِقَاتُ بَعْضُهُم مِّنْ بَعْضٍ يَأْمُرُونَ بِالْمُنْكَرِ وَيَنْهَوْنَ عَنِ الْمَعْرُوفِ وَيَقْبِضُونَ أَيْدِيَهُمْ نَسُوا اللَّهَ فَنَسِيَهُمْ إِنَّ الْمُنَافِقِينَ هُمُ الْفٰسِقُونَ ﴿١٧﴾

"The hypocrites, men and women, are from one another, they enjoin (on the people) Al-Munkar (i.e. disbelief and polytheism of all kinds and all that Islām has forbidden), and forbid (people) from Al-Ma'rūf (i.e. Islām and all that Islām orders one to do), and they close their hands [from giving (spending in

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Allāh's Cause) alms, etc.]. They have forgotten Allāh, so He has forgotten them. Verily, the hypocrites are the Fāsiqūn (rebellious, disobedient to Allāh).” [At-Tawbah:67]

The woman is similar to the man as it relates to the general obligations within Islām and Al-Īmān. The woman is similar to the man as it relates to the obligation of truthfulness. Allāh has said:

﴿وَالصّٰدِقِيْنَ وَالصّٰدِقٰتِ﴾

“...the men and women who are truthful (in their speech and deeds)...” [Al-Aḥzāb:35]

(This goes for) truthfulness in speech; truthfulness in interactions; truthfulness with Allāh; and truthfulness with the creation.

She is similar to the man as well as it relates to the prohibition of backbiting, lying, false statements and other than it. However, Allāh, the Exalted and High, has specified the woman with regards to some of the rulings which are appropriate to her makeup and her natural disposition. And He has specified her with rulings which are not applicable to the man or which are not legislated for the men. This is the subject of our speech and this blessed gathering, inshā-Allāh.

The woman, as it relates to beautification of her body and her clothing, has things which are specific to her to the exclusion of the man. Allāh, the Glorified and High, has permitted beautification for the men as well as the woman in general. The Most High has stated:

﴿قُلْ مَنْ حَرَّمَ زِينَةَ اللَّهِ الَّتِي أَخْرَجَ لِعِبَادِهِ وَالطَّيِّبَاتِ مِنَ الرِّزْقِ قُلْ هِيَ لِلَّذِينَ ءَامَنُوا فِي الْحَيٰوةِ الدُّنْيَا خَالِصَةً يَوْمَ الْقِيٰمَةِ كَذٰلِكَ نَفَصَلُ الْآيٰتِ لِقَوْمٍ

﴿يَعْلَمُوْنَ﴾

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“Say (O Muḥammad ﷺ): “Who has forbidden the beautification with clothes given by Allāh, which He has produced for his slaves, and At-Ṭayyibāt [all kinds of Ḥalāl (lawful) things] of food?” Say: “They are, in the life of this world, for those who believe, (and) exclusively for them (believers) on the Day of Resurrection.” [Al-A’rāf:32]

So the woman has her portion of beautification, but it is a must that it is in accordance with legislative guidelines and set limits. So she is allowed to beautify her body by way of cleanliness—that she cleans herself. And it is permissible for her to beautify herself by way of eye-liner, blush and appropriate types of powders. All of this is permissible for her. Rather, it is recommended. However, in a manner which will not bring about Fitnah, or it will not be exposed to men who are not Maḥram for her. She is prohibited from certain matters; things which were prevalent during the pre-Islāmic days of ignorance that they thought was from beautification are impermissible for her. From them is that which follows:

Clipping the eyebrows, and it is that which is referred to as arching. It is not permissible for the woman to take from the hair of her eyebrows, nor to shorten the hair of her eye brows. This is because the one who does so has been cursed. The Prophet (ﷺ) cursed the one who arches eyebrows and the one who has her eyebrows arched.<sup>10</sup>

What is intended by **An-Nāmisah** is the woman who takes from the hair of her eyebrows, either by way of shaving or by way of removers, or by clipping the hair of her eyebrows. Some of the evil or the disbelieving women or those who imitate them, remove their hair of the eye brows today and replace it with some type of mascara, or some green coloring. This contains opposition to Allāh and His Messenger, and the one who does that is cursed by way of the text of the Ḥadīth of Allāh’s Messenger (ﷺ).

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<sup>10</sup> Refer to the Ṣaḥīḥ of Al-Imām Muslim 3/1678 from the Ḥadīth of ‘Abdullāh bin Mas’ūd (رضي الله عنه).

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Similarly, it is impermissible for the woman to file or place artificial gaps between her teeth. This is specific to the teeth. So it is not permissible for her to place artificial gaps between her teeth. Meaning, she scrapes them until there is something of a gap between them, thinking that this is from beautification. Or that she files her teeth with a file until they look in the manner that she desires, thinking that this is beautification. This has been cursed within the Ḥadith.<sup>11</sup>

As for if she does this from the perspective of treatment because her teeth are not naturally aligned properly, or her teeth protrude in other than a desirable manner and that causes an evident defect in her face, or her teeth are in need of being straightened, filed, or removed, then this is from the perspective of treatment and it is similar to the removal of decay from the teeth and the removal of an illness from the teeth, so there is no harm in it. This is because the Messenger of Allāh (ﷺ) only cursed the one who does this for beautification. As for the one who does it for treatment or the removal of a defect and he seeks the assistance in this of doctors who are proficient in this form of treatment then there is no harm in it.

Likewise, is tattooing (prohibited). The Prophet (ﷺ) cursed the woman who tattoos and as well as the woman who has herself tattooed.<sup>12</sup>

**Al-Washm** is piercing a needle into the skin and saturating its end with Kohl or black ink which will remain in the skin forever. This is that which is referred to as **Al-Washm** (tattooing). The women, during the pre-Islāmic days of ignorance, would do it and it is still prevalent amongst the women today, particularly in the neighboring lands. There are those who do that in their hands and their faces by putting green lines upon their faces from tattooing. Or they place upon their faces, hands, or arms black dots from

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<sup>11</sup> Refer to Ṣaḥīḥ of Imām Muslim 3/1678 from the Ḥadīth of 'Abdullāh bin Mas'ūd (رضي الله عنه).

<sup>12</sup> Refer to the Ṣaḥīḥ of Al-Imām Muslim 3/1678 from the Ḥadīth of 'Abdullāh bin Mas'ūd (رضي الله عنه).

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tattooing. The Messenger of Allāh (ﷺ) has cursed the woman who does that or the one to whom it is done. He (ﷺ) has cursed two types:

- ❖ **Al-Wāshimah** (the one who tattoos)
- ❖ **Al-Mustawshimah** (the one who has herself tattooed)

Just as he has cursed **An-Nāmisah** (she is the one who takes from the hair of her eye brows) and **Al-Mutanāmisah** (which is the one who seeks to have this done by other than her).

Likewise, he (ﷺ) cursed the wailing woman and the one who makes her voice heard. The wailing woman is the one who raises her voice when a calamity befalls her and she screams about the dead, recounting his good qualities as she raises her voice in wailing. This woman has been cursed. The Prophet (ﷺ) said:

النائحة إذا لم تتب قبل موتها تقام يوم القيامة وعليها سربال من  
قطران ودرع من جرب

**"If the wailing woman does not repent before her death, then she will stand on the day of judgment wearing a dress made of pitch and a head covering made of scabies."**<sup>13</sup>

Allāh's refuge is sought from this. We know the meaning of the wailing woman; and it is the one who raises her voice when a calamity befalls her. As for the woman crying over the deceased or for her brother which is merely the shedding of tears without raising her voice, there is no harm in this because it is from mercy and an individual is not able to prevent it. One is only prohibited from raising the voice when a calamity befalls.

Similarly, he (ﷺ) cursed **As-Sāliqah**.<sup>14</sup> This is the one who raises her voice when a calamity befalls. And he also cursed **Al-Ḥāliqah**, and this is the one who shaves her head when a calamity befalls.

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<sup>13</sup> Reported by Al-Imām Muslim within his Ṣaḥīḥ 2/644 from the Ḥadīth of Abū Mālik Al-'Ash'arī (رضي الله عنه).

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He also cursed Ash-Shāqqah.<sup>15</sup> This is the one who tears her clothing when a calamity befalls. The Prophet (ﷺ) cursed these categories of women because this was from amongst the customs of the pre-Islāmic days of ignorance and there can be found amongst the ignorant women within our present time those who do some of that. This is because there remain remnants and traces from Jahiliyyah within some of the people; specifically when there is ignorance.

Likewise, the Prophet (ﷺ) cursed the women who visit the graves.<sup>16</sup> So the woman is prohibited from visiting the graves. Visiting the graves is only specific to the men if the intention from it is to convey Salaam to the deceased and to supplicate for them. As for if the intention from it is to seek blessing with the graves or to seek nearness to the deceased, as is done at some of the mausoleums today, then this visiting is prohibited for men as well as women. It is the type of visitation which contains the prohibited polytheism as it relates to men and women.

Similarly, Allāh, the Glorified and High, has prohibited the men from wearing gold and silk. So he is not to wear a watch made of gold or that has gold in it or is gold-plated. Gold is impermissible for the man to wear and to adorn himself with. However, it is permissible for the women to wear gold and to adorn themselves with it, because they are in need of it. That is to be done within the prescribed limits and amongst women, so that is not to be exaggerated nor should it contain extravagance or excess over that which is the norm. So it is permissible for the woman to adorn herself with gold. And it is permissible for her to wear silk, as opposed to the man, for Allāh has prohibited him from wearing gold and He has prohibited him from wearing silk.

The Prophet (ﷺ) came out amongst his companions while having with him gold and silk. So he (ﷺ) said:

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<sup>14</sup> Refer to *Ṣaḥīḥ Al-Bukhārī* 2/83 from the Ḥadīth of Abū Mūsā (رضي الله عنه).

<sup>15</sup> *Ṣaḥīḥ Al-Bukhārī* 2/83 from the Ḥadīth of Abū Mūsā (رضي الله عنه).

<sup>16</sup> Refer to the *Ṣaḥīḥ* of Al-Imām Al-Bukhārī 2/83 from the Ḥadīth of Abū Mūsā (رضي الله عنه).



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هذين حرام على ذكور أمي حل لإناثها

**“These two are impermissible upon the males of my Ummah and are permissible for the females.”<sup>17</sup>**

And he (ﷺ) saw a man having a golden seal upon his hand and he said (ﷺ):

يعمد أحدكم إلى جمرة من نار فيضعها في يده

**“One of you takes a hot ember of fire and places it upon his hand.”**

Then the man took the ring and tossed it to the ground. So when the Prophet (ﷺ) stood and departed while the ring was tossed to the ground, those present said to the man: **“Take the ring and derive some benefit from it.”** The man said: **“No, by Allāh I will not take it when the Messenger of Allāh (ﷺ) has discarded it.”<sup>18</sup>**

This is Īmān. And this is adherence to the commands of Allāh and His Messenger. The point of reference from this is that gold is prohibited to be worn by the men in any fashion, but it is permissible for the women. However, it is permissible for the men to wear gold if necessity calls for that; such as straitening the teeth by way of gold if this is due to a need and not due to beautification. As for if this is due to beautification, then it is impermissible. If the teeth are being straightened by way of gold, or an individual wears gold upon one of his teeth in order to preserve it then there is no harm in this, due to the need for it. This is because gold has a distinguishing characteristic in that it does not rust.

However, while wearing gold is permissible for the woman it is prohibited that it be made apparent to men who are not Maḥram

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<sup>17</sup> Reported by Ibn Mājah within *As-Sunnah* 2/1190 from the Ḥadīth of ‘Abdullāh bin ‘Umar (رضي الله عنه).

<sup>18</sup> Reported by Al-Imām Muslim within *As-Ṣaḥīḥ* 3/1655 from the Ḥadīth of ‘Abdullāh bin ‘Abbās (رضي الله عنه).

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for her. Rather, she must cover her jewelry from men, such as when she is in the presence of men who are not Maḥram for her or she goes out into the marketplace or to the Masjid, wherein going out is permissible for her; then (in this case) it is obligatory upon her to cover her jewelry. Rather, it is obligatory upon her as well, in addition to covering her jewelry, that her voice is not made apparent to men, because Allāh, the Exalted, has said:

﴿ وَلَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ مِنْ زِينَتِهِنَّ ﴾

**“And let them not stamp their feet so as to reveal what they hide of their adornment.”** [An-Nūr:31]

During the time of the Prophet (ﷺ), the women would wear bangles upon their legs and the Muslim women would hide their bangles from the men adhering to the command of Allāh and His Messenger. However, some of them would move their feet with force in order to make the sound of the bangles be heard from under her garment. So Allāh prohibited that and said:

﴿ وَلَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ مِنْ زِينَتِهِنَّ ﴾

**“And let them not stamp their feet so as to reveal what they hide of their adornment.”** [An-Nūr:31]

Meaning: the anklets which are under the garments. Since she is prohibited from letting the sound of her jewelry be made apparent, then how about making apparent the jewelry itself in front of men who are not Maḥram for her? She only is permitted to wear jewelry and display the jewelry within her home and amongst women and in the midst of women and with her husband. As for if she is amongst men who are not Maḥram for her, then she must cover her jewelry and not display it to the men.

Similarly, Allāh has allowed for her to wear beautiful clothing which beautifies her, but, she is not to go outside of her home with it. The garments of beautification are to be worn within the home,

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and if she wants to go out, then she must remove her garments of beautification and wear everyday clothing which does not contain decoration and she must wear clothing which covers her body completely and does not contain decorations nor is it a garment which is tight by which the contours of her body can be seen and the shape of her limbs as well. Also it is permissible for the woman to perfume herself within her home and with her husband and in the bed. However if she intends to go out then she is not to go out perfumed, because if she goes out perfumed then she will draw stares and a great Fitnah will result. Due to this, the Prophet (ﷺ) said:

لا تمنعوا إماء الله مساجد الله وليخرجن تفلات

**“Do not prevent the female servants of Allāh from attending the Masājid of Allāh, but let them go out Tafalāt.”<sup>19</sup>**

**Meaning:** that she is not to go out beautified nor wearing perfume. This is the meaning of At-Tafalāt; that they are to go out in a manner which does not draw the attention of the people. So the woman is not to go out perfumed into the streets or into the Masājid or in the schools, whether she be a teacher or a student; because if she goes out perfumed, then she is disobedient to Allāh, the Mighty and Majestic, and His Messenger, and she exposes herself and other than her to Fitnah.

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<sup>19</sup> Reported by Abū Dāwūd within As-Sunan 1/152 from the Ḥadīth of ‘Abdullāh bin ‘Umar (رضي الله عنه).

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### WHAT IS SPECIFIC TO THE WOMEN IN TERMS OF WORSHIP



**T**hat which we previously mentioned was as it relates to beautification. As for that which is within this field of worship and prayer, then the woman is not to call the Adhān or the Iqāmah for prayer. This is specific to the men and it is not permissible for the women to call the Adhān even in a low voice nor is it permissible for her to call the Iqāmah; neither for the congregation of women nor for herself. This is because this is from the things which are specific to the men. She is only to pray without the Iqāmah and she prays upon hearing the Adhān of the men. This is from that which is specific to the woman and she is only to make the opening Takbīr and not call the Iqāmah as the man does if he intends to pray.

Similarly, in the field of prayer, Allāh has made the congregation prayer obligatory upon the men and has prohibited the men from prayer alone while he is able to attend the prayer in congregation. And Allāh, the Mighty and Majestic, has threatened those who lag behind the congregational prayer within His statement:

﴿يَوْمَ يُكْشَفُ عَن سَاقٍ وَيُدْعَوْنَ إِلَى السُّجُودِ فَلَا يَسْتَطِيعُونَ ﴿٤٢﴾ خَشِيعَةً أَبْصَرُهُمْ﴾

﴿تَرْهَقُهُمْ ذِلَّةٌ وَقَدْ كَانُوا يُدْعَوْنَ إِلَى السُّجُودِ وَهُمْ سَالِمُونَ ﴿٤٣﴾﴾

“(Remember) the Day when the Shin shall be laid bare (i.e. the Day of Resurrection) and they shall be called to prostrate (to Allāh), but they (hypocrites) shall not be able to do so. Their eyes will be cast down, ignominy will cover them; they used to be called to prostrate (offer prayers), while they were healthy and good (in the life of the world, but they did not).” [Al-Qalam: 42-43]

**Meaning:** they heard the Adhān and were called to the prayer, but they did not go out from their homes. Even if they prayed within their homes, then they have removed the obligation from

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themselves. However, there remains upon them that which is obligatory; and it is the prayer in congregation.

A blind man came to the Messenger of Allāh (ﷺ) and complained to him regarding that which he encountered in his path to the Masjid and he sought from the Prophet (ﷺ) to allow him to pray within his home. The Prophet (ﷺ) said:

أَتَسْمَعُ النِّدَاءَ

**“Are you able to hear the call?”**

The man said: **“Yes.”** The Prophet (ﷺ) said:

فَأَجِبْ، فَإِنِّي لَا أَجِدُ لَكَ رِخْصَةً

**“Then respond. For I do not see for you an allowance.”<sup>20</sup>**

The Messenger (ﷺ) said:

مَنْ سَمِعَ النِّدَاءَ فَلَمْ يَجِبْ فَلَا صَلَاةَ لَهُ إِلَّا مِنْ عَذْرٍ

**“He who hears the call and does not respond then there is no prayer for him unless he has an excuse.”<sup>21</sup>**

This is as it relates to the men. As for the women, then Allāh has lightened her burden and has not obligated upon her the congregational prayer; rather, Allāh loves for the woman that she should pray within her home and that she does not go out to the Masjid because this is better and more of a covering for her and further for her of fitnah. However, if she wants to go out to the Masjid to pray along with the Muslims, then she is not to be

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<sup>20</sup> Reported by Al-Imām Muslim within As-Sahīh 1/452 from the Ḥadīth of Abū Hurayrah (رضي الله عنه).

<sup>21</sup> Reported by Ibn Mājah within As-Sunan 1/260 from the Ḥadīth of ‘Abdullāh bin ‘Abbās (رضي الله عنه).

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prevented from that, but with the condition that she adheres to the legislative etiquette. The Prophet (ﷺ) said:

لا تمنعوا إماء الله مساجد الله وبيوتهن خير لهن وليخرجن تفلات

**“Do not prevent the female servants of Allāh from attending the Masaajid of Allāh but their homes are better for them and let them go out unscented.”<sup>22</sup>**

Meaning: if she remains and prays within her home, then that is more beloved to Allāh, the Mighty and Majestic; more rewarding for her and greater for her in terms of blessing. It is better as it relates to her than if she were to go out to the Masjid. The women from amongst the companions would go out to the prayer with the Prophet (ﷺ) being covered by their Khimār and no one would recognize them. It would be as if there were crows perched upon their heads.<sup>23</sup>

Meaning: Their heads would be intensely covered with black to the point that it would be as if crows were perched upon their heads. These are the women of the companions. So it is obligatory upon the Muslim woman to be like the women of the companions in terms of covering and in terms of safeguarding themselves when going out to the Masājid. So how about going into the marketplaces? Indeed, many of the women today go out into the marketplaces wearing different types of perfume and different types of decorations and various types of things which Allāh and His Messenger have not permitted.

It is obligatory upon the women to have Taqwā of Allāh, the Mighty and Majestic, and to remain within their homes, for indeed remaining within the home for the woman is better for her. Allāh, the Exalted, has said to the women of His Prophet (ﷺ):

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<sup>22</sup> Reported by Abū Dāwūd within As-Sunan 1/152 from the Ḥadith of Abū Hurayrah (رضي الله عنه).

<sup>23</sup> Refer to Tafsir Al-Qur'an Al-'Adhim by Ibn Kathir 3/497.

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﴿ وَقَرْنَ فِي بُيُوتِكُنَّ ﴾

“And stay in your houses.” [Al-Aḥzāb:33]

And the word ﴿ وَقَرْنَ ﴾ is a command derived from the word Al-Qirār (be firmly fixed); and it is to remain within the home and it is an address which encompass the women from amongst the Muslims in general. Allāh said:

﴿ وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَى ﴾

“And stay in your houses, and do not display yourselves like that of the times of ignorance.” [Al-Aḥzāb:33]

What is intended by At-Tabarruj is displaying beautification in one’s clothing and garments. This is obligatory upon the Muslim women. So the woman is not obliged to attend the congregational prayer nor is she obliged to attend the Jumu’ah prayer. However, if she attends the congregational prayer or the Jumu’ah prayer, then this is applicable to her and it is an attraction for the men.

From the etiquettes which are obligatory upon the Muslim woman to observe when she goes out for prayer is that the ranks of the women are to be behind the men. As the Prophet (ﷺ) said:

أخرهن من حيث أخرهن الله

“Place them in the back as Allāh has placed them in the back.”<sup>24</sup>

So it is not permissible for the woman to stand in the row along with the men or to the side of the men within the Masjid, even if it be her husband. When she stands to pray along with her husband,

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<sup>24</sup> Reported by Abdur-Razzāq As-Ṣan’ānī within *Al-Musannaf* 3/149 from the statement of Ibn Mas’ūd (رضي الله عنه).

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even if it be within the home, she is not to stand next to him. She is only to stand in a row behind him. So how about if the man is not her husband? This applies even more so. The Prophet (ﷺ) said:

وخير صفوف النساء آخرها، وشرها أولها

**“The best of the rows for the women are the last of them and the worst of them is the first of them.”<sup>25</sup>**

This is because the last of the rows of the women are far from the men. This is better in terms of covering and further from Fitnah. This indicates that if she goes out for the prayer, then she is to withdraw from the men by praying behind them at a distance away from them. And if she is behind a partition then this increases in precaution. And if there is not a partition, then she is to move back and be at the back of the Masjid far away from the ranks of the men. These are some of the rulings which are specific to the women in prayer.

There are rulings which are specific to the women as it relates to her menses and her postnatal bleeding. The woman has been prepared by Allāh, the Glorified and High, for pregnancy, child birth and suckling, because she is a tilth. Allāh has said:

﴿نَسَاؤُكُمْ حَرْثٌ لَكُمْ﴾

**“Your wives are a tilth for you.”** [Al-Baqarah:223]

Meaning: They are a place of harvest (i.e., lineage.) So the man is the harvester and the woman herself is the place of harvest. And since she is a tilth, Allāh has prepared her for pregnancy and he has prepared her for suckling. That is by way of Allāh, the Glorified and High, placing within her menstruation. So the woman who menstruates is able to get pregnant and the woman who does not menstruate, then she does not get pregnant in most cases. And

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<sup>25</sup> Reported by ‘Al-Imām Muslim within As-Ṣaḥīḥ 1/326 from the Ḥadīth of Abū Hurayrah (رضي الله عنه).



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menstruation is not a blood of illness or of hemorrhaging. It is only a natural blood which exits from the bottom of the womb. It is not the result of illness or a defect within the woman. Rather, it is a completion within the woman. It exits from the bottom of the womb. Allāh has created it for the purpose of nutrition for the child. So when the child is within the belly of its mother, Allāh makes this menstruation to be nourishment for the child. Due to this, the pregnant woman does not menstruate in most cases because Allāh has reserved it for nourishing the child within the stomach of its mother and when she gives birth then Allāh turns the menstruation into milk. Due to this, the suckling woman does menstruate only a little because Allāh has turned her menstruation into milk which pours forth from her breast with which the child is suckled. And when this woman is not pregnant, nor breastfeeding then her menses comes to her during specified periods which are referred to as monthly cycles.

During the period of menstruation, certain things are prohibited for her and not permissible for her to do.

**Firstly:** It is not permissible for her to pray during the period of menstruation. Allāh has prohibited her from praying and has removed the responsibility of it from her. So it is not obligatory upon her to pray. Due to this, she does not make it up once she becomes pure, because it is not obligatory upon her to pray during the time of menstruation. This is a lightening of her burden from Allāh, the Glorified and High, because the prayer is repetitive throughout the day and the night. If it was obligatory upon the woman to make up the prayer during the period of menstruation, then that would be a difficulty upon her after the menstruation.

**Secondly:** It is prohibited for the woman to fast during the period of menstruation. She does not fast Ramaḍān, a make-up fast, or an optional fast. For the menstruating woman, it is not permissible for her to fast, and if she fasts then her fast is not correct. However, when she becomes pure then it is obligatory upon her to make up the fast of Ramaḍān. This is since the fasting is not repetitive and making it up is not a difficulty upon the woman as opposed to the prayer. Due to this, when a woman asked 'Ā'ishah saying: "O mother of the believers, why does the menstruating woman make

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up the fast but she does not make up the prayer?" 'Ā'ishah said to her: "Are you a Ḥurūriyyah (i.e., from the women of the Khawārij)?"

This is because this was a pigheaded question and in most cases they would come from the Ḥurūriyyah; and they were the Khawārij, who were stubborn.

So 'Ā'ishah said to her: "Are you a Ḥurūriyyah?" She said to 'Ā'ishah: "No, however I am asking." 'Ā'ishah said: "This is how we were during the time of the Prophet (ﷺ). We were commanded to make up the fast and we were not commanded to make up the prayer."<sup>26</sup>

This is a decisive answer. We suffice with that which the Messenger (ﷺ) has commanded with and there is not (to be any) speech after this. So the woman does not fast nor does she pray during the period of her menstruation; however, she makes up the fast and does not make up the prayer.

**Thirdly:** The menstruating woman is not allowed to touch the Mus'haf during the period of menstruation, because the Prophet (ﷺ) said:

لا يمَسُّ القرآنَ إلا طاهر

"None touches the Qur'ān except one who is pure."<sup>27</sup>

So the woman is not to touch the Mus'haf as long as she is menstruating. Likewise, she is not to recite the Qur'ān from memory as long as she is menstruating; except in a case of necessity if she fears that she will forget what she has memorized

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<sup>26</sup> Refer to *Ṣaḥīḥ Muslim* 1/265 from the Ḥadīth of Mu'adh on the authority of 'Ā'ishah (رضي الله عنها).

<sup>27</sup> Reported by Al-Hākim within *Al-Mustadrak* 1/397. It is also reported by 'Al-Imām Mālik within *Al-Muwatta* 1/199. Both of them are from the Ḥadīth of 'Abdullāh bin Abū Bakr bin Hāzim from his father from his grandfather.

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from the Qur'ān, then it is permissible for her to recite during the period of menstruation and the period of postnatal bleeding so that she will not forget that which she has memorized from the Qur'ān. So, in this case, there is no harm based upon that which a group of the verifiers have issued verdicts stating. As for if she does not fear that she will forget, then she is not to recite the Qur'ān because she has upon her a major impurity, and he who has a major impurity then he is not to recite the Qur'ān.

Similarly, if a man is in a state of sexual defilement then he is not to recite the Qur'ān as long as he is in that state of sexual defilement. The Prophet (ﷺ) would recite the Qur'ān as long as he was not in a state of sexual defilement. As for if he was in a state of sexual defilement then he would not recite the Qur'ān.<sup>28</sup>

Menstruation is similar to sexual defilement because it is a major impurity and the menstruating woman is not to recite the Qur'ān as long as she is in her period of menstruation, unless it is a case of necessity.

The menstruating woman is also not to enter the Masjid to sit therein. If there is within the Masjid a lesson which she wants to listen to or there is an admonishment taking place therein, she is not to enter the Masjid. She is only to stand outside of the Masjid because the Prophet (ﷺ) said:

لا أحل المسجد لجنب ولا حائض

**“The Masjid is not permissible for the one who is in a state of sexual defilement nor the menstruating woman.”<sup>29</sup>**

So it is not permissible for the woman to sit in the Masjid as long as she is menstruating. She is only to stand outside of the Masjid;

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<sup>28</sup> Refer to the Musnad of Al-Imām Ahmad 1/84. Also the Sunan of Abū Dāwūd 1/57-58 and the Sunan of An-Nasā'ī 1/144. Likewise the Sunan of Ibn Mājah 1/195 from the Ḥadīth of 'Alī bin Abī Ṭālib (رضي الله عنه).

<sup>29</sup> Reported by Abū Dāwūd within his Sunan 1/58 from the Ḥadīth of 'Ā'ishah (رضي الله عنها).

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likewise, for the Muṣallaa on the day of 'Eid. Umm 'Atiyyah said: **"We, the adolescent girls as well as the menstruating women, would go out to listen to the good and the menstruating women would stay away from the Muṣallaa."** Meaning: they would be next to the Muṣallaa on 'Eid in order to listen to the sound, but they would not be in the Muṣallaa. For the menstruating women and the women suffering from postnatal bleeding are not to sit within the Masjid. It is permissible for the menstruating women to pass through the Masjid to take care of a need and it is permissible for her on her way to pass from one door to another, or to go into the Masjid to do that which she is in need of and then depart. The Prophet (ﷺ) said to 'Ā'ishah:

ناوليني الخمرة من المسجد

**"Pass me the prayer mat from the Masjid."**

She replied that she was menstruating. So he (ﷺ) said:

إن حيضتك ليست في يدك

**"Your menstruation is not in your hand."<sup>30</sup>**

Meaning: there is no harm for the menstruating woman to pass through the Masjid. Likewise, there is no harm for the menstruating woman to remember Allāh by way of At-Tasbīh (saying Subhanallah), At-Tahlil (saying Lā Ilaha Illa-Allāh), At-Takbir (saying Allāhu-Akbar) and reading the narrated supplications in the morning and the evenings. However, she is not to recite anything from the Qur'ān; she is only to recite the Adhkār and the supplications and the statements of glorification and declaring Allāh's Oneness and declaring Allāh's Magnificence, etc. There is no harm in any of this.

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<sup>30</sup> Reported by Al-Imām Muslim within As-Sahīh 1/244-245 from the Ḥadīth of 'Ā'ishah (رضي الله عنها).

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**Fourthly:** From that which is also prohibited in a state of menstruation is sexual intercourse. It is not permissible for her husband to have intercourse with her while she is menstruating. Allāh, the Exalted, has said:

﴿وَسْأَلُونَكَ عَنِ الْمَحِيضِ قُلْ هُوَ أَذَى فَأَعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ  
وَلَا تَقْرُبُوهُنَّ حَتَّى يَطْهُرْنَ﴾

“They ask you concerning menstruation. Say: that is an Adha (a harmful thing for a husband to have a sexual intercourse with his wife while she is having her menses), therefore keep away from women during menses and go not unto them till they have purified (from menses and have taken a bath).” [Al-Baqarah:222]

So He, Glorified and Exalted be He, has prohibited having intercourse with the menstruating woman through her vulva, and there is no harm in her husband touching her and kissing her or sleeping with her and touching her with desire. There is no harm in enjoying her with the exception of intercourse within the vulva, for he is not to have intercourse with her in it until she becomes pure. As for enjoyment without intercourse in the vulva by way of kissing, touching and laying with her and other than that, then there is no harm in it because that which is prohibited is one thing and it is intercourse within the vulva. This is during the period of menstruation, and in the period of postnatal bleeding as well, intercourse is not to be enjoyed with the woman.

**Fifthly:** Likewise, Allāh prohibited divorce during the period of menstruation. It is not permissible to divorce a woman while she is menstruating. This is a divorce which is Bid'ī (innovative) and not according to the Sunnah. This is because Allāh, the Exalted, says:

﴿يَا أَيُّهَا النَّبِيُّ إِذَا طَلَقْتُمُ النِّسَاءَ فَطَلِقُوهُنَّ لِعِدَّتِهِنَّ﴾

“O Prophet (ﷺ)! When you divorce women, divorce them at their 'Iddah (prescribed periods).” [At-Talāq:1]

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Meaning, divorce them while they are pure and you have not touched them. When the woman becomes pure from menstruation and her husband has not touched her; meaning he has not had intercourse with her, then he may divorce her if he wills.

As for if he has had intercourse with her after her purity, then it is not permissible for him as well to divorce her during this period of purity.

**Sixthly:** Regarding the issue of Al-Ḥajj, Allāh, the Glorified and High, has said:

﴿وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

**“And Ḥajj (pilgrimage to Makkah) to the House (Ka’bah) is a duty that mankind owes to Allāh, those who have the means (As-Sabīl).”**  
[Āli-’Imrān:97]

And **As-Sabīl** (the means) refers to provisions and a mount. Allāh has obligated upon the Muslim that he perform Ḥajj to this house at least once in the lifetime for the one who has the ability to do so; males as well as females. However, if the female wants to perform Ḥajj, it is a must that there be a Maḥram for her to travel with. What is intended by Al-Maḥram is the one who is prohibited for her from the men due to relation or a permissible reason. As is within the statement of the Most High:

﴿وَلَا يُدْرِكُ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ بَنِي إِخْوَانِهِنَّ أَوْ بَنِي أَخَوَاتِهِنَّ﴾

“...and not to show off their adornment except only that which is apparent (like palms of hands or one eye or both eyes for necessity to see the way, or outer dress like veil, gloves, head-cover, apron, etc.), and to draw their veils all over Juyubihinna (i.e. their bodies, faces, necks and bosoms, etc.) and not to reveal their adornment

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except to their husbands, their fathers, their husband's fathers, their sons, their husband's sons, their brothers or their brother's sons, or their sister's sons." [An-Nūr: 31]

These are the Maḥrams from the relatives of the woman who are impermissible for her to marry due to lineage or due to a permissible reason. So it is permissible for her to travel with these people due to the statement of the Prophet (ﷺ):

لا يحل لامرأة تؤمن بالله واليوم الآخر أن تسافر مسيرة يومين إلا  
مع ذي محرم

"It is not permissible for a woman who believes in Allāh and the last day to travel the distance of two days journey except along with a Maḥram."<sup>31</sup> In another narration it reads:

أن تسافر مسيرة ثلاثة

"...to travel the distance of three days journey."

In another narration:

أن تسافر مسيرة يوم وليلة إلا معها محرم

"...to travel the distance of a day and a night except along with a Maḥram."<sup>32</sup>

The woman is in need of a Maḥram when travelling, whether it is for Ḥajj or for other than Ḥajj. Every journey which the woman intends to take, it is a must that there be a Maḥram with her. It is not permissible for her to travel alone because her traveling alone

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<sup>31</sup> Reported by Al-Imām Ibn Khuzaymah within As-Sahīḥ 4/134 from the Ḥadīth of 'Abdullāh bin 'Amr bin Al-'Aas (رضي الله عنه).

<sup>32</sup> Reported by 'Al-Imām Al-Bukhārī within As-Sahīḥ 2/35 from the Ḥadīth of Ibn 'Umar (رضي الله عنه).

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exposes her to danger and subjects her to Fitnah. Also because she is weak and in need of one who will protect her and help her and look after her wellbeing because she is a weak woman and is desirable to men of corruption and other than them. For if there is a Maḥram with her then he will be a protector for her. And now, the night and the day or two days or three days journey is broken down into hours by way of cars or planes, but the ruling is the same; it does not change. So as long as the distance of travel is equivalent of eighty kilometers or more, then it is not permissible for the woman to travel; neither on foot nor on an animal or by car or by plane or by boat or other than it, whether she be alone or if she is amongst many people as long as she does not have a Maḥram. It is not permissible for her to travel; neither for Hajj or other than it.

And may prayers and peace of Allāh be upon our Prophet Muḥammad, upon his family members and his companions all together.





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### APPENDIX ONE: ADVICE TO THE WOMEN FROM ASH-SHAYKH SALIH AL-FAWZAN<sup>33</sup>

**A**nnouncer: We will take a call from the sister Umm ‘Abdul-Karīm from Riyāḍ. Go ahead, my sister, Umm ‘Abdul-Karīm.

**Sister:** As-Salāmu ‘Alaykum wa Raḥmatullāhi wa Barakatuh.

**Announcer:** Wa ‘Alaykum as-Salām wa Raḥmatullāhi wa Barakatuh.

**Sister:** I want to thank you, O Shaykh, and may Allāh reward you, for your knowledge. I have a request, O Shaykh; and it is advice. I would like for you to give me detailed advice from yourself, similar to the advice of a father to his daughter, regarding all of that which is connected to the life of the woman, and comprises good for her in the Dunyā and the Hereafter.

**Announcer:** Thank you, my sister, Umm ‘Abdul-Karīm. She wants, from your eminence, guidance for the Muslim sisters within their life, Noble Shaykh.

**Ash-Shaykh Al-Fawzān:** Na’am. The Muslim sisters have a great status within Al-Islām.

﴿إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ﴾

“Verily, the Muslims (those who submit to Allāh in Islām) men and women, the believers men and women (who believe in Islamic Monotheism)...” [Al-Aḥzāb:35]

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<sup>33</sup> This is a question which was posed to Ash-Shaykh Sāliḥ Al-Fawzān by one of the women. The source is: <https://www.youtube.com/watch?v=HGcmCX9hSpl>

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﴿ مَنْ عَمِلَ صَالِحًا مِّن ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً ﴾

**“Whoever works righteousness, whether male or female, while he (or she) is a true believer (of Islamic Monotheism) verily, to him We will give a good life.” [An-Nahl:97]**

So they have a status within the society and a status within the religion. They are responsible just as the men, in general.

The advice is that they have Taqwā of Allāh, the Glorified and High, regarding their worship and the performance of the obligatory duties; and that they have Taqwā of Allāh, the Mighty and Majestic, in obeying their husband; and that they have Taqwā of Allāh, the Mighty and Majestic, regarding the cultivation of the children and preservation of the household in the absence of the husband. The Prophet (ﷺ) said:

المرأة راعية في بيت زوجها ومسئولة عن رعيتها

**“The woman is a shepherdess in the home of her husband, and will be asked about her flock.”<sup>34</sup>**

That which is also important is the preservation of the covering, chastity, modesty, and decency. When she goes out, she must do so with the legislative etiquettes; not wearing make-up, nor perfume and not engaging in At-Tabarruj by way of adornments, clothing, or other than it. She is to cover her body and not display any of it. She is to stay far away from mixing with men and be diligent in preserving herself from the corruption of the corrupt. She is to observe the Hijāb.

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<sup>34</sup> Collected by Al-Bukhārī

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﴿ يَا أَيُّهَا النَّبِيُّ قُلْ لَلْأَزْوَاجِ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبَابِهِنَّ ذَلِكَ آدَبٌ أَنْ يُعْرَفْنَ فَلَا يُؤْذَيْنَ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴾

“O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (veils) all over their bodies (i.e. screen themselves completely except the eyes or one eye to see the way). That will be better, that they should be known (as free respectable women) so as not to be annoyed. And Allāh is Ever Oft-Forgiving, Most Merciful.” [Al-Aḥzāb:59]

The meaning of: “...to draw their cloaks (veils) all over their bodies,” is to cover their faces with the top portion of the large jilbāb, or the Shaylah, or the covering upon her head which she drops down over her face.

“...draw their cloaks (veils) all over their bodies. That will be better, that they should be known,” Meaning: They shall be known for chastity and known for decency and the corrupt will not desire her. This indicates that abandonment of the Ḥijāb is a reason for harm. When they do not see her covered then they will harm her by (trying to) entice her and seeking to do with her that which is not permissible. So within the Ḥijāb there is protection from harm for the woman; the harm of the corrupt, the hypocrites, and those in whose hearts there is a disease. Na’am.

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### APPENDIX TWO: QUESTION POSED TO SHAYKH 'UBAYD AL- JAABIREE ABOUT THE WOMAN TRAVELLING WITH HER THIRTEEN YEAR OLD SON<sup>35</sup>

**Q**uestion: A questioner from Morocco says: My son is thirteen years of age, and has developed hair in his armpits and pubic area. Is he considered to be in puberty by way of that; and if so, does he become a Maḥram for me who is permissible for me to travel with?

**Ash-Shaykh:** Meaning, the son?

**Questioner:** Na'am

**Ash-Shaykh:** The word Maḥramiyah (i.e., the state of being a Maḥram) is one thing, and that which the woman requires for travel; such as traveling for treatment, for Hajj, for 'Umrah, or to visit relatives, is something different. Your son is a Maḥram for you; and he is in puberty in this state; as long as he is thirteen years old and has grown hair (in these places) then he is mature (i.e., in puberty). However, does he have sagacity, discernment, and intelligence which would make him suitable to look after you? Because, some men, although they have reached fifty years of age, they are imbeciles; fools. The woman is not able to benefit from him at all and he does not have the ability to look after her. So this affair must be looked into, my daughter. Na'am.



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<sup>35</sup> Source: <http://ar.miraath.net/fatwah/5871>

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### APPENDIX THREE: THE ADVICE OF SHAYKH AL-ALBAANEE TO WOMEN WHO ACT LIKE MEN

**Question:** O our Shaykh, we have heard that some of the women present within some of the universities, schools, and colleges or some of the women who deliver lectures, (give) lessons or even recite the Qur'ān specifically on the morning broadcasts (we have heard that), these womens' husbands are never able to enjoy them because they are Mutarajjilāt (i.e., they imitate men or are masculine). We would like some clarity from you as it relates to this question.

**Answer:** The principle, as it relates to this issue, is a poor upbringing. From the reasons for the poor upbringing is the corruption of the society and corruption of the curriculums which the education of the men and women or male and female youth are predicated upon their foundation. That is because the female students in the schools, I am almost certain, have not heard the likes of his (ﷺ) statement:

لعن الله الرَّجُلَةَ مِنَ النِّسَاءِ

**"May Allāh curse the manly women."**<sup>36</sup>

Likewise, the other ḥadīth which 'Abdullāh bin 'Abbās (رضي الله عنه) narrated saying: **"Allāh's Messenger (ﷺ) cursed the men who resemble women and the women who resemble men."** I believe that the female students who graduate from the high schools or from that which is above that, then likes of this ḥadīth or that ḥadīth (the first one) has not crossed their ears. And if it be that either of them has crossed their ears on any day, then it is from that which goes in one ear and out of the other ear; because the curriculums, which are taught or the lessons which are given on the basis of them, do not allow the teacher, even if she may be religious, to go over the likes of this subject.

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<sup>36</sup> Graded authentic by Al-Albānī in Saḥīḥ Al-Jāmi'

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It is known within the legislation, and according to the people who have knowledge regarding it, that the basic principle with the man is that he goes out of his home to work for the benefit of his family and his children. On the contrary, the basic principle regarding the woman is that she remains sheltered within her house and that she does not go out of it, acting in accordance with the statement of her Lord, the Blessed and High:

﴿ وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَىٰ ﴾

**“And stay in your houses, and do not display yourselves like that of the times of ignorance...”** [Al-Aḥzāb:33]

So when the woman came to be like the man; going out in the morning, and returning in the evening; then she came to be, in that, similar to the man whether she knows it or not and whether she realizes it or not.

Due to this, we have not returned in these later times to seeing the adolescent virgin girls who are ashamed to let their vision fall upon a man. Rather, she, from the severity of her modesty, would cast her vision to the ground to look at her footsteps while she is walking. We have not returned to seeing this young lady who, the likes of her, was well known; even during the times of pre-Islamic ignorance, not to mention during the era of the early, radiant, pure Al-Islām. In this vein, there has come within the Ṣaḥīḥ, in description of the Prophet (ﷺ) that he was:

**“...shyer than a virgin within her dwelling.”**

This virgin to whom the leader of mankind (ﷺ) has been compared in his shyness, we have not returned to hearing about her in this time of ours. That is because in most instances the women resemble the men. There is no doubt that there are many reasons for this. From the most prominent of them is the rule of the governments of the disbelievers over many of the Islamic lands so that their habits, traditions, tastes, and their manners which are contrary to the upright disposition have spread therein. So the generations of people have inherited them and the male and female

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professors who claim to guide (the youth) have accepted them. All of these (people) have spread amongst this upcoming generation of young men and young ladies what they refer to as equality between women and men. So this is from the reasons from the spread of the scanty amount of modesty amongst the women which has made many of them to be masculine. From that in which there is no doubt is that the manliness of the woman makes her have a presumptive personality in front of her husband; perhaps raise her voice at him, and maybe she will humiliate him in front of some of his or her relatives (out of supposed) superiority on her part over her husband.

Where is this as it relates to that which has come in the farewell advice of the Messenger (ﷺ) to the man regarding the women? This is substantiated by his (ﷺ) statement using a justification which is in complete opposition to the upbringing which we see in this present time. That is his (ﷺ) statement:

استوصوا بالنساء خيراً ، فإنهن عوانٍ عندكم

**“Treat the women well, for they are ‘awān to you.”**

The point of reference is that the Prophet (ﷺ) when he ordered with good treatment to the women in this ḥadīth, he (ﷺ) justified that by his statement:

فإنهن عوانٍ عندكم

**“...for they are ‘awān to you.”<sup>37</sup>**

Meaning, they are like slaves. The slave is not able to do anything with his master. Likewise, is the Muslim woman who conducts herself with the correct Islamic manners. She is, with her husband, like a slave.

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<sup>37</sup> Collected by Muslim

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Due to this, he (ﷺ) feared for the men to be excessive, in this befitting description, towards the women and thus wield authority over them, compelling them, and oppressing them. For this reason, he ordered with good treatment towards the women and he mentioned a reason for that; and that (reason) is his statement:

فإنهن عوانٍ عندكم

“...for they are ‘awaan to you.”

The women today have become such that the men are not in need of advice regarding them. Rather, the affair has changed and become such that the women are in need of being advised to treat the men well because they have become independent in their jobs and in their liberties. We often hear from some of them: **“There is no difference therein between me and my husband. He is a spouse and I am a spouse. He is a partner and I am a partner with him in life.”**

So it is upon the Muslim women who cling to their religion that if they are tried with anything from mixing with this society, that they try to save themselves from being affected by anything from this filth which many of the women have fallen into because of what we have mentioned from corruption in the upbringing and corruption of the society. This is a reminder and the reminder benefits the believer. As-Salāmu ‘Alaykum.

**Questioner:** May Allāh reward you with good, wa ‘Alaykum As-Salām wa raḥmatullāhi wa Barakātuh.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



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Note: