

# **SOCIAL SYSTEM OF ISLAM**

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# SOCIAL SYSTEM OF ISLAM

## BASIC CONCEPTS

**A** SPECIAL characteristic of Islam is that it itself explains the wisdom of its law. For instance, Islam has explained the wisdom of the principles and laws of nature on which it bases its law for regulating mutual relationships between man and woman.

### Real Significance of Sex

The first thing that has been stated and explained in this connection is:

“All things We made in pairs.” (*Al-Qur'an*, 51 : 49).<sup>\*</sup>

This verse makes a reference to the universality of the sex-law and the Master Engineer of the Universe Himself divulges the secret of His Creation. He says that the universe has been designed on the relationship of pairs. In other words, all the parts of this great machine have been created in pairs, and all that one can see in this world is indeed the result of the mutual interaction of these pairs.

Now let us consider the nature of the sex-relationship. This relationship itself implies that one partner in the pair should be active and the other receptive and passive, one prompt to influence and the other ready to be influenced, one prepared to act and the other willing to be acted upon. This relationship between the active functioning and the passive functioning, influencing and being influenced, acting and being acted upon, is the sex-relationship between the partners of a pair. This is the basic relation which gives rise to all other relations functioning and operating in the world. All that exists in this world has been created in pairs, and the real and basic relationship between the members of each pair is the sex-relationship, the relationship signifying “activity” and “passivity”, though it has assumed different forms in different strata of the Creation. One form of this relationship, for instance, is that

which exists among the elements; another is that found among the inorganic substances; another that seen in the organic life; and still another that which exists among the animal species. All these sex-divisions, so to say, are different in form and nature and object of their creation, but the basic sex-relation is common to them all. In each species of every class, it is essential that for the realization of the great object of nature, which is the creation of new relationships, one member of the pair should possess the ability to act and the other the inclination to be acted upon.

Now that the meaning of the verse has been specified, three basic principles of sex-law can be deduced from it :

1. The principle according to which Allah has created this world and the way according to which He is running its great System cannot be unholy and vile. It indeed is and ought to be holy and sacred. Though the opponents of this scheme may hold it as dirty and despicable and so shun it, the Maker and Owner of the Factory cannot desire that His Factory should cease to function. He will naturally want that all the parts of His Machine should continue working in order to fulfil the purpose for which they have been designed.

2. The existence of both the active and the passive partners is equally important for the purposes of the Factory. Neither the "activity" of the active partner is in any way exalted nor the "passivity" of the passive partner in any way debased. The excellence of an active partner is that he should possess the ability to act and also the other masculine qualities, so that he may effectively perform the active part of his duty in the sex-relation. In contrast to this, the excellence of a passive partner is that she possesses the feminine qualities to an extent that she may carry out the passive part of the sex-relation well. As a matter of fact, only a foolish, unskilled person can think of removing even a minor part of an ordinary machine and employing it for a function for which it has not been actually designed. In the first place, he will not succeed in his object; and if he tries seriously, he will only succeed in breaking the machine itself. Similar is the case with the great machine of the world. Only the foolish, inexperienced people can think of replacing the active partners in it by the passive partners, and *vice versa*. But the

Maker of the Machine can never commit such a folly. He will employ the active part in its right place and develop it accordingly, and employ the passive part in its own right place, and arrange to develop in it the desired qualities of passivity.

3. "Activity" in itself is naturally superior to "passivity" and femininity. This superiority is not due to any merit in masculinity against any demerit in femininity. It is rather due to the fact of possessing natural qualities of dominance, power and authority. A thing that acts upon something else is able to do so on account of its being dominant, more powerful and impressive. On the other hand, the thing that submits and yields, behaves so simply because it is by nature passive, weaker and inclined to be impressed and influenced. Just as the existence of both the active and the passive partners is necessary for the act to occur, so it is also necessary that the active partner should be dominant and able to produce the desired effect, and the passive partner yielding and inclined to be receptive. For if both the partners are equally powerful and neither is dominant, there will be no question of submission, and the act will not take place at all. If the cloth is as hard as the needle, sewing cannot take place. If the soil is not soft enough to yield to the dominance of the pick and plough, no cultivation and construction becomes possible. In short, all actions that take place in the world cannot take place unless there exists a passive partner for every active partner, and the passive partner possesses the qualities of yielding and surrendering. Thus, the active partner in a human pair should naturally have the qualities of dominance, vehemence and authority, called manliness, for he has to possess these qualities for performing the active part of his sex duty. In contrast to this, the passive partner should naturally be soft, tender, elegant and impressionable, in short womanly, for these qualities alone can help her perform her passive role successfully. People who do not know this secret have either regarded the natural superiority of the active partner as something meritorious in itself and debased the passive partner, or they have wholly overlooked this superiority and endeavoured to produce in the passive partner qualities that properly belong to the active partner only. But the Engineer who has designed these parts fits them in the machine in such a manner

that both become equally endowed and honourable, yet dominant and yielding as required by their respective natures, so that they may fulfil the purposes of their sex-relation. They both should not become as hard as stone that they may only meet to break each other instead of combining and co-operating for fruitful purposes.

These principles can be deduced from the basic fact of division into the male and female. The human male and female, being physical entities, do by their nature require that these principles should govern all their relationships. As will be explained later, these have been fully utilized in the social Law that has been framed by the Creator of the heavens and earth.

### **Man's Animal Nature and its Demands**

When we consider the matter a little more closely we find that man and woman are not only physical entities but they are living organisms also. Let us now see what is the natural object of their being a sexual pair. The *Qur'an* says :

“He has given you wives from among yourselves to multiply you, and cattle male and female”. (42 : 11).

“Your wives are your farms”. (2 : 223).

In the first verse, mention has been made of the pairs of man and animal together, and of the common object intended thereof, that is, the propagation of the species as a result of their sex relationship.

In the second verse, man has been considered separately from the other animal species, and it has been indicated that the relation between the partners of a human pair is that of a cultivator and his farm. This is a biological fact and the most appropriate illustration from the biological viewpoint of the relationship between the man and the woman.

These verses furnish us with three more principles :

1. Allah has created man also as male and female, like all other animals, for the purpose of perpetuating the human race. This is a clear demand of man's animal nature and cannot be overlooked. God has not created the human species to allow only a handful of its individuals to nourish and tend themselves on the earth and disappear, He indeed wants it to survive till an appointed time.

He has placed sex urge in the animal nature of man so that human beings join as pairs and procreate to keep His earth humming with life. Therefore, a law given by God cannot be such as will crush and suppress the sexual urge, and inculcate its hatred and teach total abstinence from it. On the contrary, such law will also fully provide for the satisfaction of this urge of human nature.

2. By comparing the man and the woman to the cultivator and the farm, it has been indicated that the natural relationship of the partners of the human pair is different from that of the other animal pairs. Apart from the human aspect, the physical structure of the human pair from the animal point of view also has been so designed as to help bind them in an abiding relationship like the one found between a cultivator and his farm. Just as it is not enough for a cultivator only to sow seeds but also to water his field, manure it and look after it, so woman also is not such a farm that an animal would by the way cast a seed in her, and then let her grow it into a tree! But in fact when she becomes pregnant she stands in need of being carefully looked after and cared for by her 'cultivator'.

3. The sex attraction in a human pair is biologically of the same nature as is found in the other animal species. Every member of a species feels itself inclined instinctively towards every member of the opposite sex. The powerful urge of procreation placed in them by nature causes all those members of the opposite sexes who possess the ability to procreate attracted mutually. Therefore, the Law made by the Supreme Creator cannot disregard this weak aspect of man's animal nature, for it possesses such a strong inclination towards sexual anarchy as cannot be controlled without resort to special measures like checks and balances. If man once loses control of himself nothing can save him from becoming a brute animal, rather "the lowest of the low" even among animals.

"We moulded man into a most noble image, then We reduced him to the lowest of the low : except the believers who did good works". (*Al-Qur'an*, 95 : 4-6).

### **Human Nature and its Demands**

As we have pointed out above, animal nature is like the base and foundation on which the superstructure of humanity has been

built. For the sake of man's survival and propagation, both as an individual and as a species, Allah has endowed his animal nature with an urge, and the ability to realize that urge, for each and every thing that is necessary for the purpose. And the Divine Will does not mean that any of these urges should be curbed, or any of these abilities should be destroyed, for all these urges and abilities are necessary, and without them man and his species cannot possibly survive. The Divine Will, however, is that man should not behave like a mere animal while satisfying his urges and employing his abilities, but he should be human in his behaviour in so far as the demands of his human and super-animal nature are concerned. For this purpose Allah has ordained the *Shar'iah* injunctions in order to regulate the conduct of man. He has also warned man that if he transgresses the limits set by Him and drifts into extremes, he will be working for his own doom.

“He that transgresses Allah's bounds wrongs his own self”  
(*Al-Qur'an*, 65 : 1).

Now let us examine the traits and demands of human nature as stated in the *Qur'an* with regard to sex.

1. The kind of mutual relationship, with which partners of the human pair have been endowed, has been stated as follows :

“He created for you mates from among yourselves that you may find rest and joy in them, and created between you love and mercy”. (30 : 21).

“They are (like) a garment to you and you are (like) a garment to them”. (2 : 187).

The verse which mentions together the creation of the pairs of man and animal also states the object of the creation of sex as propagation, but in the above verse, a higher function of sex in man has been indicated. That is, the mutual relation of a human pair should not only be of sexual nature; it should also be a relation of love and sympathy and a relation of the inclination of the heart and soul. The two partners should be the real partners with each other, who can share each other's grief and joy. They should have such a close fellow feeling and abiding companionship between them as exists between the dress and the body. As has been explained at length above, this relation between the sexes is the bed-



rock on which the human civilization is built. The words "that you may find rest and joy in them" allude to the fact that woman is the source of peace and comfort for man and that the natural function of the woman is to provide for the man a place of peace and comfort in this world, which is ridden with struggle, toil and hardship. This is the home life of man whose significance and importance has been overlooked by the Westerners in pursuit of material gains. The fact, however, is that this aspect of life is as important and necessary as any other aspect of civilization for the well-being of the social and community life of man.

2. This sex relation not only demands mutual love between the male and the female but also it demands that they should have a deep spiritual relation with their offspring, the direct result of their sex relationship. The Divine Will has endowed man, and especially the woman, with such a physical structure and natural course of pregnancy and suckling that the love of offspring becomes her very nature. The *Qur'an* says :

"His mother bears him with much pain and he is not weaned before he is two years of age". (31 : 14).

"With much pain his mother bears him, and with much pain she brings him into the world. He is born and weaned in thirty months". (46 : 15).

The man also loves his offspring though his love is not as intense as of the mother.

"Men are tempted by the lure of women and offspring". (3 : 14).

This natural love helps establish blood and marital relations. From these relations then spring up families and clans and nations whose inter-relationships give birth to civilization.

"It was He Who created man from water and gave him kindred of blood and of marriage". (25 : 45).

"Man! We have created you from a male and a female and divided you into nations and clans that you may be able to recognise one another". (49 : 13).

Thus the ties of blood and the relations of descent and marriage provide indeed the very basic and natural foundation for the human society. And the strength of these relations depends on the certainty and indubitability of parentage and parity of descent.

3. Another demand of the human nature is that if a person leaves something behind him from the fruits of his lifelong labours and toil, he wishes it to go to his offspring and near relations with whom he is bound in ties of blood all his life.

“ . . . according to the Book of Allah, those who are bound by ties of blood are nearest to one another (in the matter of inheritance)” (8 : 75).

“Allah does not regard your adopted sons as your own sons”.  
(33 : 4).

This shows how important the purity of descent is for the purpose of the division of inheritance.

4. Sense of modesty is a part of human nature. Man by nature wants to cover and conceal some parts of his body. This urge has impelled him from the earliest times to adopt one or the other sort of dress. The *Qur'an* in this regard strongly refutes the modern prevalent theory. It asserts that the urge to conceal those parts of the human body which possess sex attraction for the opposite sex is quite natural with man. Of course, Satan urges him to reveal these parts :

“But Satan tempted them, so that he might reveal to them their shameful parts that had been hidden from each other”. (7 : 20).

“When they tasted of the tree, their shameful parts became visible to them and they began to cover themselves with the leaves of the Garden”. (7 : 22).

Then the *Qur'an* says that Allah has given man clothing so that he may cover his shameful parts therewith and also appear attractive. But it does not demand that one should cover one's shameful parts only; it also demands that while doing so one should fear Allah too :

“O Children of Adam! We have sent down to you clothing in order to cover the shameful parts of your body and serve as protection and decoration; and the best of all garments is the garment of piety”. (7 : 26).

These are the basic concepts of the Social System of Islam. Keeping these concepts in view, one should study the whole system which has been built on them. During this study one should note well how Islam has maintained balance and logical consistency while

applying these concepts to the practical details of life. The common weakness of all man-made laws that we have studied is that their basic concepts are not in harmony with their practical details. In other words, their principles and their details contradict each other; the spirit of their fundamentals differs radically from that of their application in the details of actual practice in the day to day affairs of life. Man invents a theory of high principles in the armchair, but when he brings it into the real world and tries to apply it to the practical problems of life he is so baffled by the complexity of affairs that he forgets his own theory. None of the man-made laws has been found to be free from this weakness. Now let us examine, and examine as critically as we can, the Law which was presented before the world by an unlettered unschooled desert dweller of Arabia, even without the help of a legislature or select committee. We shall see that this Law is absolutely free from all sorts of logical inconsistencies and contradictions.

## *Social System of Islam—II*

### FUNDAMENTAL PRINCIPLES

**T**HE most important problem of social life is, as we have mentioned elsewhere, how to regulate the sexual urge into a system and prevent it from running wild. For without this, it is not possible to keep control over the community life, or even if that becomes possible, there is no way to save the community from mental and moral decay and disintegration. In order to achieve that purpose, Islam has organized the relations between the husband and the wife and reduced them to a system.

#### “Prohibited Relations”—(*Muharramat*)<sup>1</sup>

To start with, the law of Islam prohibits those men and women for each other who are bound by nature to live together in close relationship. For instance, the following relations cannot marry each other in Islam : mother and son, father and daughter, brother and sister, paternal aunt and nephew, paternal uncle and niece, maternal aunt and nephew, maternal uncle and niece, step-father and daughter, step-mother and son, mother-in-law and son-in-law, father-in-law and daughter-in-law, wife's sister and brother-in-law (during sister's lifetime) and foster relations. (4 : 23-25). By prohibiting them for each other, Islam has so cleansed the men and women of these relations that they cannot even imagine being sexually attracted mutually, except for those morally depraved people of animal nature whose animality does not allow them to be bound by any moral discipline.

#### Prohibition of Adultery

Besides the above prohibitions, Islam has also forbidden to

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1. That is, those relations between whom marriage is forbidden in the law of Islam.

take as wives those women who are already married.

“And forbidden to you are the wedded wives of other people”.  
(4 : 24).

Then, as for the rest of women, it has been made unlawful to have any sexual relations with them :

“Approach not adultery, for it is foul and indecent”. (17 : 32).

### Marriage

Thus, by imposing restrictions Islam has closed all the ways leading to sexual anarchy. But for the satisfaction of man's animal nature and propagation of the human race it was inevitable that at least one door for sexual satisfaction must be kept open. This was done by giving permission for marriage. Islam ordained that the sexual desire must be satisfied, not by unlawful sexual liaison nor secretly, nor openly and immodestly, but through the prescribed course so that the whole society comes to know, and it is established beyond doubt, that such and such a man and woman are now meant for each other.

“It has been made lawful for you to seek in marriage with your wealth any other women than those specified, provided that you keep them in wedlock and not in licence. . . .

“You may marry them with the permission of their guardians. . . . so that they may live a decent life in wedlock and not in licence, nor may have secret illicit relations”. (4 : 24, 25).

According to this principle of moderation, the sexual relation which was forbidden and unlawful outside marriage has not only been declared lawful within marriage but also has been commended as good. It is enjoined on the Muslims and its avoidance is regarded with disfavour. Marriage is looked upon as a virtuous deed; so much so that if a woman observes a non-obligatory fast, or busies herself in worship or recitation of the *Qur'an* with a view to evading the lawful desire of her husband, she commits a sin. Here are a few sayings of the Holy Prophet that amply illustrate the point :

1. “You should marry, for that is the best way of saving yourself from casting evil eyes, and of safeguarding yourself against sexual immorality. The one who does not

possess the means to marry should fast, because fasting curbs sexuality". (*Al-Tirmizi*).

2. "By Allah, I am the best among you in the matter of fearing Allah and avoiding His displeasure. But in spite of that I observe fast and break it, offer prayers and sleep at night, and marry women. This is my way, and whosoever shuns my way does not belong to me". (*Al-Bukhāri*).
3. "The woman should not observe a non-obligatory fast without the permission of her husband". (*Al-Bukhāri*).
4. "The woman who passes a night with a view to evading the desire of her husband is cursed by the angels till she attends on him". (*Al-Bukhāri*).
5. "When one of you happens to see a woman and is attracted by her, he should go to his wife, for she has the same as she (the other woman) had". (*Al-Tirmizi*).

The *Shari'ah*, by enjoining these injunctions, wants to close all the ways leading to sexual anarchy, and intends to restrict sexual relation to marriage only. It does not like any sexual feelings to be aroused outside marriage. If, however, such feelings are aroused naturally or incidentally, they should be satisfied mutually between the husband and the wife. This is the only way for man to protect himself against all sorts of unnatural, self-created sexual excitements and to conserve his energy for the service of society. It desires that the sexual love and attraction which Allah has created in every man and woman for the purpose of running this Factory, should be exclusively employed in creating and establishing the family. Thus, married life is commendable in every way as it meets the ends of human nature, animal instinct and Divine Law alike. On the contrary, avoiding marriage is in every way blameworthy, for it must entail one of the two evils : either man will not meet the ends of the law of nature at all and waste his energy in fighting against it, or, overwhelmed by his instinctive demands, he will be compelled to satisfy his desires by unlawful, illicit ways.

### Organization of Family

After making the sexual urge a means of the creation of the family and the stability thereof, Islam turns to consolidate the

family. Here also it keeps in view all the aspects of the laws of nature as mentioned above. The principles of justice and fairplay that Islam has adopted while determining the rights of the husband and the wife have been fully explained in my book, *The Rights of the Spouses*. If one goes through this book, one will find that Islam has succeeded in establishing all possible equality between the sexes. But it does not believe in the kind of equality that is opposed to the laws of nature. As human beings, women are the equals of men in their rights :

“Wives have the same rights as the husbands have on them”.

But man being the active partner has been justly regarded by Islam as superior to woman :

“Of course, men are a degree above them (women)” (2 : 228).

Thus, taking into account the natural relations between the active and the passive partners, as exist between the man and the woman, Islam has organized the family on the following principles :

### **Man as Provider**

Man's position in the family is that of a provider. In other words, he is in charge of the family, and its protector and is responsible for its conduct and affairs. It is obligatory on his wife and children to obey him, provided that it does not involve them in the disobedience of Allah and His Prophet. He is responsible for earning a living for the family and providing it with the necessities of life :

1. “Men are the governors of the affairs of women because Allah has made men superior to women and because men spend of their wealth on them”. (4 : 34).
2. “Virtuous women are obedient, and guard their (husbands) rights carefully in their absence under the care and watch of Allah”. (4 : 34)
3. “The man is the ruler over his wife and children, and is answerable to Allah for the conduct of their affairs”.  
(*Al-Bukhāri*).
4. “When a woman steps out of her house against the will of her husband, she is cursed by every angel in the heavens and by everything other than men and jinn by which she

- passes, till she returns". (*Kashf-al-Ghamma* by Sh'ērānī).
5. "As for those women whose defiance you have reason to fear, admonish them and keep them apart from your beds and beat them. Then if they submit to you, do not look for pretences to punish them". (4 : 34).
  6. "Do not obey the person who does not obey Allah".  
(Reported by Ahmad).
  7. "None should be obeyed in the disobedience of Allah".  
(Reported by Ahmad).
  8. "Obedience is obligatory only in what is good and lawful".  
(Al-Bukhāri)
  9. "And We have exhorted man to show kindness to his parents. But if they order you to worship as god others than Me that of which you have no knowledge, do not obey them".  
(29 : 8)

So the family has been organized in such a way as to have a governor. The one who tries to disrupt the family discipline has been admonished by the Holy Prophet thus :

"One who tries to sow seeds of discord between a woman and her husband does not belong to us". (*Kashf-al-Ghamma* by Sh'ērānī).

### Woman's Sphere of Activity

In this organization the woman has been made queen of the house. Earning a living for the family is the responsibility of the husband, while her duty is to keep and run the house with his earnings.

"The woman is the ruler over the house of her husband, and she is answerable for the conduct of her duties". (*Al-Bukhāri*)

She has been exempted from all outdoor religious obligations. For instance, it is not obligatory on her to offer the *Jumu'ah* (weekly congregational) prayers. (*Abū Da'ūd*). It is also not obligatory on her to go for *Jihad*, though, if the occasion demands, she may go and serve the fighters in the cause of Allah. She is also not required to join the funeral prayer ; she has rather been forbidden to do so. (*Al-Bukhāri*). She has been exempted from attending the mosques and joining in congregational prayers. Though under



certain conditions she may visit the mosque, yet as a principle it has not been approved by the *Shari'ah*.

The woman has not been allowed to go on a journey except in company with a *mahram*.<sup>1</sup> (*Al-Tirmizi*). In short, Islam has not approved that a woman should move out of her house without a genuine need. The most appropriate place for her, according to the Islamic law, is her home. The *Quranic* verse, "Stay in your houses . . ." <sup>2</sup> clearly points to the commandment. But in this regard no

1. A *mahram* (male) in respect of a woman is her father, or brother, or son, or any other relative with whom she cannot enter into matrimony.—Tr.

2. Some people say that this Commandment was only meant for the wives of the Holy Prophet, because the verse begins with: "O wives of the Prophet . . ." But the question is: Which of the instructions in the verse can be taken to be specifically meant only for the wives of the Holy Prophet? The verse says:

"If you fear Allah, do not be too complaisant in your speech, lest the lecherous-hearted should lust after you. Show discretion in what you say. Stay in your homes and do not display your finery as women used to do in the days of ignorance. Attend to your prayers, give alms to the poor, and obey Allah and His Apostle, . . . Allah seeks only to remove uncleanness from you and to purify you". (33 : 32-33).

Now, one may ask, which of the instructions here is such as is not meant for the guidance of the common Muslim women also? Should the Muslim women not try to become God-fearing and righteous? Should they be soft of speech with strangers so as to allure them? Should they go about displaying their finery as was done in the days of 'ignorance'? Should they abstain from offering prayers and paying *zakaat*, and disobey Allah and His Prophet? Does Allah seek to keep them unclean? If all these instructions are meant for all the Muslim women, why should "Stay in your homes . . ." only be taken to be specifically meant for the wives of the Holy Prophet?

Most probably the misunderstanding arose on account of the words with which the verse begins: "Wives of the Prophet! you are not like other women". But, as the context clearly shows, it is just like addressing a child of a respectable family, saying, "You are not like other children that you should roam the streets and behave unbecomingly. You should always be decent". Such an observation is not intended to suggest that it is commendable for other children to roam about and behave indelicately and that they are not required to conduct themselves like gentlemen. The object in fact is to establish a criterion of good etiquette, so that every child who wants to live like good children tries to attain this ideal. The *Qur'an* has adopted this way of instructing women for a specific purpose. In the pre-Islamic days the Arab women were as undisciplined and free as European

restriction has been imposed, because sometimes it becomes really necessary for women to go out of their homes. For instance, a woman may have nobody to look after her, or she may have to go out for earning a living on account of the poverty, insufficient income, sickness, infirmity or such other handicaps afflicting the male protector of the family. For all such cases, the law has been made sufficiently flexible. The Holy Prophet has told women :

“Allah has permitted you to go out of your houses for genuine needs.” (*Al-Bukhāri*).

But such a permission which has been granted under special circumstances and genuine needs cannot alter the basic principles of the Social System of Islam which restricts the woman's sphere of activity to her home. This permission indeed is a sort of concession which must per force be treated as such.

### Restrictions for Women

An adult woman has been given sufficient freedom with regard to her personal affairs, yet her freedom is restricted as compared to that of an adult male. For instance, a man is free to undertake a journey at will, but a woman, whether she is married, unmarried or a widow, cannot travel unless she is accompanied by a *mahram* :

1. “It is unlawful for a woman who believes in Allah and the Last Day that she should travel for three days or more unaccompanied either by her father, or brother, or husband, or son, or some other male *mahram*”.

*Cont. from p. 146 ]*

women are today. They were gradually being made used to the culture of Islam through the Holy Prophet, and for that purpose their undue freedom was being curbed by enjoining moral and social restrictions. Therefore to begin with, the life of the wives of the Holy Prophet was specially regulated so as to serve as model for other women living in the houses of the common Muslims. This is exactly the view that Allama Abu Bakr al-Jassas has expressed in his *Ahkam-al-Qur'an*. He writes :

“This injunction, though revealed for the Holy Prophet and his wives, is meant to be for a general application. It is applicable to all the Muslims just as it was to the Holy Prophet, for the Muslims are his followers and all the injunctions revealed for his guidance are meant for our compliance, too. Those instructions, however, may be an exception which were specifically meant for his person”. (Vol III, p. 55).

2. According to Abū Hurairah, the Holy Prophet said : "A woman should not travel for a day and night, unless she is accompanied by a male *mahram*".
3. Again, according to Abū Hurairah, the Holy Prophet said :  
"It is not lawful for any woman that she travels for a night, unless accompanied by a male *mahram*".

(Abū Da'ūd)

These traditions differ about the distance and duration of the journey. But that in fact indicates that the time taken in a journey is not important. What is important is that a woman should not be given such freedom of moving alone as may land her in trouble. That is why the Holy Prophet has not specified the duration of the journey, but has mentioned different durations according to the requirements of the time and occasion.

Then man is entitled to full freedom in respect of his marriage. He can marry any woman, whether Muslim or Scriptuary, and can keep a slave-girl. But the woman is not wholly free in this regard. She cannot marry a non-Muslim.

"They are not lawful for the disbelievers, nor are the disbelievers lawful for them". (60 : 10).

She cannot have sexual relations with her slave. The *Qur'an* has allowed man to have sexual relations with his slave-girl, but the woman has not been given any such permission. During the time of Caliph 'Umar, a woman misinterpreted the verse, "whatever your right hands possess . . .", and had sexual relations with her slave. When the Caliph got the report, he put the case before the Central Advisory Council of the Companions. They all gave the unanimous verdict : "She misinterpreted the Book of Allah". Another woman asked Caliph 'Umar for permission to indulge in a similar act. He punished her severely and remarked :

"Arabia is secure till such time that her women are secure".

(Kashf-al-Ghamma by Sh'erāni).

The woman can choose her husband from among the free Muslim men. But in this regard also it is necessary that she should respect the opinion of her father, grandfather, brother or other guardians, though they have no right to give her away to somebody against her will. The Holy Prophet has said :

1. "A girl has a greater right to decide about herself than her guardian".
2. "Do not give an unmarried girl away unless she has consented".

But it is also not proper for a woman to marry anybody she pleases against the wish of the responsible people of her family. This is why the *Qur'an* has addressed males only on the question of marriage. For instance, while dealing with the marriage of males, it says :

"Do not marry idolatrous women".

"Marry them with the permission of their guardians".

Then, while laying down instructions for the marriage of women, it again addresses males :

"And marry such of you (from among women) as are single".  
(24 : 32).

"Wed not your women to idolaters until they believe". (2 : 221)

This shows that just as a married woman has to obey and be looked after by her husband, so an unmarried woman has to obey and be looked after by the responsible men of her family. But this dependence of her on others does not in any way deprive her of her freedom of action and will. It only implies that the responsibility of protecting the social system from chaos and disruption and of safeguarding the interests and morals of the family from internal and external mischiefs has been placed on the shoulders of man. In return for this, the woman has been made duty bound to obey the man who has to shoulder this responsibility, whether he is her husband, father, or brother.

### WOMAN'S RIGHTS

Thus Islam, while recognizing the natural superiority of one partner over the other, has also specified that "men are a degree above women". It works on the foundation that the biological and psychological differences between the man and the woman do exist; it keeps those differences as they are; and it employs those differences for determining their place and responsibilities in the social system.

The next important question is of the woman's rights. In this

regard Islam has observed the following three guiding principles :

First, it enjoins that the authority that the man has been given for maintaining order in the family should not be abused, lest the relation between the ruler and the ruled turns into that of the master and his slave.

Second, it exhorts that the woman should be afforded all such opportunities as may enable her to develop her natural abilities to the maximum within the social framework, so that she may play her role effectively in the development of civilization.

Third, it makes it possible for the woman to attain to the highest rung of progress and advancement, as a woman. To become the man is none of her rights. It is neither good for her nor for the society to be trained for the masculine life, nor can she succeed in the manly life.

Keeping these principles in view, Islam has granted the woman vast social and economic rights, elevated her status, and provided such moral and legal safeguards in its system for the protection of her rights and status that the like of these cannot be found in any old or modern social system of the world.

### **Economic Rights**

Man's economic stability is the foremost factor that gets him a status in society and through it he is able to maintain that status. All laws, except the law of Islam, have weakened the economic position of woman, and this economic helplessness is the chief factor that has reduced her to virtual slavery in the society. Europe wanted to change her condition, but the result was that she was made an earning hand like the man, which led to a still greater evil. Islam follows the *via media*. It grants the woman very extensive rights of inheritance. She gets her share of inheritance from her father, husband, offspring and other near relatives.<sup>1</sup> Besides, she is

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1. Her share in inheritance is half against that of the man. The reason is that she is entitled, by right, to obtain subsistence and nuptial money to which the man is not entitled. Supporting the woman is not obligatory only on her husband, but in case the husband is not there, it becomes obligatory on her father, brother, son or other guardians to support her. Thus, when the woman is not required to shoulder the responsibilities that the man has to shoulder, her share in inheritance should not be equal to his.

entitled to receive nuptial money from her husband. All the wealth that she thus receives is her own property and she possesses full proprietary rights over it without any right of interference by her father, husband, or any other relative. Then, if she invests her money in business, or earns with her own hand, she is the sole owner of the fruits of her labour. In spite of all this, her husband is under obligation to support her. However wealthy the wife may become, the husband is in no case absolved of his responsibility to support her. Thus, the economic position of the woman has become so secure in Islam that more often than not she is economically better off than the husband himself.

### Social Rights

1. The woman has been granted full freedom in the choice of her husband. Nobody has got the right to give her away in marriage without her wish and consent. And if she marries a Muslim by her free choice, nobody can stop her from doing so. If, however, she selects a man who is not her equal in the family status, the elders reserve their right to object.

2. She has been given vast legal rights to obtain separation from a husband who is cruel, impotent or whom she abhors.

3. The husband has been instructed to use the authority granted him over the wife with discretion in a large-hearted and magnanimous manner. The *Qur'an* says :

“Treat your women kindly” (4 : 19), and “Forget not magnanimity in your mutual dealings”. (2 : 237)

The Holy Prophet said : “The best among you are those who are good to their wives and kind to their people”.

Islam does not give only moral instructions. If the husband abuses his authority the wife reserves every right to have recourse to the law.

4. Widows and divorced women and all such women whose marriage has been annulled by law, or who have been legally separated from their husbands, have been granted an unfettered right to remarry. Their previous husbands, or any relatives, do not retain any right whatever over them. This is a right which women in most of the European and American countries have not yet been

able to get.

5. Absolute equality has been established between the man and the woman in so far as civil and penal laws are concerned. The Islamic law does not recognize any distinction between them in so far as protection of life and property, honour and reputation is concerned.

### Female Education

Women have not only been allowed to obtain education in religious and mundane branches of knowledge, but their education and cultural training has been considered as important as that of men. Women also used to take lessons in religion and morality from the Holy Prophet along with men, though they had separate arrangements for the purpose. The wives of the Holy Prophet, especially Hazrat 'Ā'ishah, not only taught women, they taught men also. Many an illustrious Companion and follower of the Companions learnt the *Qur'an*, *Hadith* and Islamic Jurisprudence from Hazrat 'Ā'ishah. Besides educating free men and the nobility, the Holy Prophet had enjoined the Muslims to educate their slave-girls, too. A Tradition says :

‘If a person has a slave-girl, then he educates her liberally and trains her in the best manner and culture, then sets her free and marries her, he has a double reward (from his Lord)’.

(*Al-Bukhāri*).

This shows that in so far as the acquisition of knowledge and cultural training is concerned, Islam does not allow any distinction between man and woman. It, however, recognizes a difference in the type of education meant for the man and the woman respectively. From the Islamic point of view, the right sort of education for woman is that which prepares her to become a good wife, good mother and good housekeeper. Her sphere of activity is the home. Therefore, she should be trained primarily in those branches of knowledge which make her more useful in that sphere. Besides, she needs to be educated also in those sciences which help her become a good human being, morally as well as culturally, and which widen her outlook. Thus, it is obligatory for every Muslim woman to acquire knowledge and cultural training. If, however,

a woman possesses extraordinary abilities of the intellect, and is desirous of acquiring higher education in the other branches of knowledge as well, Islam does not stand in her way, provided that she does not transgress the limits prescribed for her by the *Shari'ah*.

### Real Emancipation of Woman

These are briefly the rights of the woman granted by Islam. But the mere mention of these rights does not fully convey the idea of how highly has Islam honoured the woman and elevated her status in society. The history of human civilization bears evidence that woman was regarded as an embodiment of depravity, shame and sin in the world. The birth of a daughter so embarrassed a father that he could not raise his head for shame. The in-law relations were looked upon as base, mean and disgraceful. For this reason, the inhuman custom of disposing of daughters by killing them had become common among many nations.<sup>1</sup> Besides the illiterate, ignorant people, the learned scholars and religious leaders also disputed for generations the question whether woman was a human being, and whether God had granted her a soul. In Hinduism, the woman stood debarred from being educated in the Vedas. Buddhism did not recognize salvation for the one having sex relations with the woman. Christianity and Judaism looked upon woman as the source of all evil committed by man in the world. In Greece, the housewives were neither entitled to receive any education, nor training in culture, nor social rights. Only the prostitute was entitled to all these blessings ! The condition in Rome, Iran, China, Egypt and other centres of human civilization was not any different. Centuries of inhuman treatment and universal contempt meted out to the woman had disgraced her in her own eyes. She herself had developed the mentality that she had no right and was not entitled to any place of honour in the world. The man considered himself

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1. The *Qur'an* has described this mentality of 'ignorance' in its own eloquent style :

"When the birth of a girl is announced to one of them, his face grows dark and he is filled with inward gloom. Because of the bad news he hides himself from men, and wonders whether he should keep her with disgrace or bury her under the earth . (16 : 58).



to be perfectly within his right to treat her harshly, and she endured all this as part of her natural obligations. She had become slavish and prided herself on being called the "maid" of her husband ; her religion was to extol and worship him as her god and lord.

It is Islam which revolutionized this state of affairs not only legally and practically but also intellectually. Islam has indeed changed the mentalities of both the man and the woman. The concept of giving the woman her rights and a place of honour in society has in fact been created in man's mind by Islam. The slogans of women's rights, women's education and women's emancipation that one so often hears these days are in fact an echo of the revolutionary call raised by the Holy Prophet of Islam (peace be upon him) who changed man's ways of thinking for all times to come. It was the Prophet of Islam who first taught the world that woman is as much a human being as man.

"Allah created you of a single soul, and from the same soul created his mate". (4 : 1).

God does not distinguish between the man and the woman :  
 "The men shall have their due share according to what they have earned and the women according to what they have earned".  
 (4 : 32)

The high places of honour and distinction that man can attain by virtue of his faith and righteous deeds are also attainable by woman. If a man can become Ibrahim bin Adham, nothing can prevent a woman from becoming Rābi'ah Basriah.

"Their Lord answered their prayer (and said): "I never let go to waste the labour of any one that works among you, whether male or female, for in My sight all of you are alike". (3 : 195).

"And those who do good works, whether men or women, provided that they are Believers, will enter into Paradise and they will not be deprived in the least of their rightful rewards".  
 (4 : 124).

Then it was the Holy Prophet of Islam who warned the man and infused the feeling in the woman that she had the same rights on him as he had upon her.

"Wives have the same rights as the husbands have on them in accordance with the well-known principles". (2 : 228).

Again, it was the Holy Prophet of Islam who raised the woman from disgrace and shame to the place of honour and dignity. He told the father that the birth of a daughter did not bring him any shame; bringing her up and educating her was rather a means of his salvation.

1. "The man who brought up two daughters, so that they attained maturity, will appear at my side on the Day of Judgement as are my two adjacent fingers". (*Muslim*).
2. "A man of whom only daughters are born, and he brings them up properly, the same daughters will become a covering for him against Hell". (*Muslim*).
3. "The best blessing among the blessings of the world to a man is a virtuous wife". (*Nasā'i*).
4. "Two things in the world please me the most : the woman and the perfume ; and in *salāt* is the solace of my eyes". (*Nasā'i*).
5. "Nothing among the choicest blessings of this world is better than a virtuous wife". (*Ibn-i-Mājah*).

The Prophet of Islam taught the son that the one who most deserved his respect, veneration and kind treatment after Allah and His Prophet, was his mother :

"A man asked: 'O Prophet of Allah, who deserves to be treated well by me most of all?' The Prophet said : 'Your mother'. He asked : 'Who then?' The Prophet said : 'Your mother'. He asked : 'Who then?' The Prophet said : 'Your mother'. He asked : 'Who then?' The Prophet said : 'Then your father'." (*Al-Bukhāri*).

"Allah has forbidden you to disobey your mothers and deprive them of their rights". (*Al-Bukhāri*).

Again, it was the Holy Prophet who pointed out that woman is by nature emotional and sensitive and inclined to extremes. She has been created by Allah with that nature and this is her merit, not her demerit. This trait of her character can be usefully employed in the service of humanity. But if the man tried to straighten and harden her like himself he would break her instead.

"The woman is like a rib. If you try to straighten her, you would break her. But if you employed her usefully, you would

benefit from her in spite of her crookedness". . . (*Al-Bukhāri*).

Likewise, the Holy Prophet of Islam was the first, and indeed the last, man who not only changed the mentality of man about woman but also of the woman herself, and created the right type of mentality based not on emotions but on real knowledge and reason in place of the un-Godly, un-Islamic mentality of 'ignorance'. Then he did not rest content with reforming the people spiritually but also made arrangements to safeguard by law the rights of woman against the encroachments of man. Moreover, he produced this awakening in the woman that she had her own legal rights for the protection of which she could go to the law.

The women had found such a merciful, sympathetic and strong supporter of their rights in the person of the Holy Prophet that they would freely approach him with all sorts of complaints against bad treatment of their husbands. The men, on the contrary, were cautious and careful not to give their wives any chance to complain against them to the Holy Prophet. 'Abdullah bin 'Umar has reported that during the lifetime of the Holy Prophet the Companions treated their wives most politely for fear that a commandment concerning them might be sent down, and not until he had passed away they began talking with them freely. (*Al-Bukhāri*).

According to a Tradition contained in the Collection by Ibn-i-Mājah, the Holy Prophet had forbidden maltreatment of women. Once Hazrat 'Umar complained that the women had grown insolent and sought permission to have resort to beating to set them right. The Prophet granted the permission. The same day seventy women were beaten in their houses by the husbands who had long been awaiting such a permission. The next day all the women thronged the Holy Prophet's house with bitter complaints. The Prophet called the people together and addressed them thus :

"Today seventy women have visited the people of Muhammad's house complaining against the harsh treatment of their husbands. The men who have misbehaved in that manner are certainly not the best among you".

The effect of this moral and legal reform was that the woman attained such a high status in the Islamic society that it has no precedent in history. The Muslim woman indeed has the right to

attain the highest place of honour and advancement materially, intellectually and spiritually, both in religious and mundane spheres open to the Muslim male. Her sex does not stand in her way at any stage. The world of today, even in this 20th century, falls far short of this Islamic standard. Human intellectual development has not so far touched the mark set by Islam. Whatever rights the woman has been granted in the West have been granted her not for her own sake but as if she was the man. The woman is still inferior in the Western eyes as she was in the past ages of ignorance. In the West a real genuine woman has yet to have respect as the queen of a home, the wife of a husband, the matron of children. The so-called respect that she enjoys today is in fact for her being the he-woman or the she-man who is physiologically a woman, but mentally a man, and who pursues masculine activities in life. Obviously, this respect is for manhood, not for womanhood. Another manifestation of the female inferiority complex is that the Western woman fondly puts on the male dress, whereas no man can even think of putting on the female dress in public. To be the wife is disgraceful for hundreds of thousands of Western women, but to be the husband is not disgraceful for any man. Women feel honoured when engaged in manly jobs, whereas no man feels inclined for the rearing of children and housekeeping, which are purely womanly duties. It can, therefore, be said without fear of contradiction that the West has not honoured the woman because she is the woman. This was done by Islam alone which accorded woman the place of pride in her own natural sphere in society and civilization, and thus raised the status of womanhood in the real sense. The Islamic civilization segregates men and women and employs them respectively for the purposes Nature has created them for, affording them equal opportunities of attaining success and honour and progress in their own natural spheres. It regards both womanhood and manhood as two equally necessary components of humanity. Both are equally important for the development of civilization. The services rendered by both in their respective spheres are equally useful and valuable. Neither manhood is respectable nor womanhood disgraceful. Just as a man will attain respect and progress and success if he remains the man and performs the duties of the man, so a woman will attain

respect and progress and success if she remains the woman and performs the duties of the woman. A righteous civilization would be that which grants the woman all the human rights in her own natural sphere, which gives her a place of pride in society, and which develops her latent abilities and opens new vistas of progress and success before her own sphere of activity.

## *Social System of Islam—III*

### SAFEGUARDS

**T**HIS was an outline of the Social System of Islam. Before we proceed further, let us again have a look at the main features of this System :

1. The object of this system is to keep the social environment as clean as possible of all sorts of sexual excitements and stimulations, so as to enable man to develop his physical and mental abilities in a pure and peaceful atmosphere, so that he may play his role effectively in the building up of civilization with conserved energies.

2. Sex relations should be restricted to marriage only. Not only should sexual lawlessness outside marriage be curbed, but as far as possible dispersion of sexual ideas should also be controlled.

3. Woman's sphere of activity should be segregated from that of man's. They should be entrusted with separate responsibilities in the social life according to their respective natures and mental and physical abilities. And their mutual relationships should be so organized that they co-operate with each other within the lawful limits, and do not transgress these limits to interfere with the duties of the opposite sex.

4. Man should have the position of a governor in the family and the rest of the members in the family should obey him.

5. Both man and woman should be given all the human rights, and both should be provided with all possible opportunities for advancement, but neither should be allowed to transgress the limits prescribed for his or her sex in the society.

The Social System which is built on these bases needs to be strengthened by a few safeguards also, so that it is able to function with all its potentialities. Islam has provided three kinds of such safeguards :-

1. Self-purification,

2. Punitive Laws, and
3. Preventive Measures.

These safeguards have been provided in accordance with the true spirit and objectives of the Social System, and they all together help it function effectively.

By the process of self-purification man is so educated and trained that he automatically begins following and obeying the system, whether there is or is not an external force to compel him for obedience.

The punitive laws prevent the commission of all such crimes as may disintegrate the system or destroy any of its bases.

The preventive measures help organize social life in such a manner that it is automatically safeguarded against all sorts of unnatural excitement and artificial stimulation, and thus, the possibilities of sexual anarchy are reduced to the minimum. Those people who are not reformed spiritually and who are not scared of the penal laws can be thwarted only by the preventive measures. These measures raise such barriers in their way that despite their inclination towards sexual lawlessness it becomes really difficult for them to commit the act practically. Moreover, it is these measures which practically segregate the male and the female spheres of activity, which make the family system function on the truly Islamic pattern, and which safeguard the bounds prescribed by Islam for the preservation of the distinction between the lives of the men and women.

### SELF-PURIFICATION

A sound faith in Islam is the basic factor which requires its followers to obey the laws of its system. A person who believes in Allah, His Book and His Prophet is the one for whose compliance the *Shari'ah* enjoins its injunctions. For the sake of one's personal guidance it is enough for one to know that a certain command is a Command of Allah and that a certain prohibition is a prohibition by Him. Therefore, when a believer comes to know from the Book of Allah that He forbids indulgence in obscenity and sexual promiscuity, his faith requires that he should not only abstain from

indulging in it practically but also keep his heart clean of all inclinations towards it. Similarly when a Muslim woman comes to know that Allah and His Prophet have given her a particular position in the social system she is required by her faith to accept that position willingly and remain satisfied with it. Just as in the other spheres of life, the correct and complete obedience to the Islamic injunctions rests on one's faith in Islam, so it is in the moral and social sphere as well. That is why man has first been invited to believe in Islam and have a sound faith in it, and then given moral and social instructions for his guidance in life.

This scheme for spiritual reform underlies not only the moral theory but the whole System of Islam. In the moral sphere Islam has adopted a highly practicable and sound process of educating its followers, and we now briefly describe it in the following pages.

### Hayā (حیا)

As pointed out above, adultery, theft, lying, and all other sins which man commits under the impulse of his animal nature, run counter to his human nature. All such acts have been described by the *Qur'an* by the comprehensive word *munkar* (منکر), which is "unknown or little known" in its literal sense. These acts have been called *munkar* because they are unknown and repugnant to human nature. Obviously, when they are against human nature and man commits them under the impulse of his animality, there must be in the human nature itself something which prevents man from approaching these sins. The Divine Law-Giver has specified this thing. It is *Hayā*.

Literally, *Hayā* means shyness. As an Islamic term, *Hayā* implies that shyness which a wrongdoer feels before his own nature and before his God. This shyness is the force which prevents man from indulging in indecency and obscenity. If, however, he commits a sin under the impulse of his animal nature, the same shyness makes him feel the pangs of conscience. The moral teachings of Islam aim at awakening this dormant feeling of shyness in human nature and try to develop it as a part of man's mental make-up, so that it may serve as a strong moral deterrent against all evil inclinations. This exactly is the explanation of the *Hadith* which says :



“Every religion has a morality, and the morality of Islam is *Hayā*”.

Another *Hadith* touches on the same subject. The Holy Prophet said :

“When you do not have *Hayā*, you may do whatever you please”. For when a person does not have the deterrent of *Hayā* in him, his desires which spring from his animal instinct will lay complete hold of him and he will not hesitate to indulge in any sin.

The feeling of *Hayā* is inherent in man though in a crude form. It abhors all sins by nature, but it lacks knowledge. Therefore, it does not know exactly why it abhors a particular sin. This lack of knowledge gradually weakens its feeling of abhorrence with the result that man begins committing sin under the impulse of his animality, and the repeated commission of sins at last destroys his sense of modesty altogether. The moral teachings of Islam aim to educate *Hayā*. It not only acquaints it with the manifest sins, but also lays bare before it all the evils of desire and intention hidden in the innermost heart of man. Thus, it warns it of all possible mischiefs of the evil spirit, so that it may abhor them consciously and with conviction. Then the moral training further sharpens the sensitivity of the “educated” *Hayā* with the result that it is enabled to detect even the slightest inclination of the mind towards evil and sin. So much so that it does not let go unwarned even the most minor lapse on the part of one’s intention and desire.

The sphere of *Hayā* in the Islamic morality is so vast that it encompasses all aspects of human life. Thus, the aspect of man’s social life which is related to sex has also been reformed by Islam by means of *Hayā*. Islam detects even the slightest lapses of the human self in sexual affairs and warns *Hayā* of their presence and exhorts it to be vigilant. It is not possible to go into details, but a few illustrations are necessary.

### Hidden Motives

In the eyes of law, adultery implies physical union only, but from the moral point of view every evil inclination towards a member of the opposite sex outside marriage amounts to adultery. Thus, enjoying the beauty of the other woman with the eyes, relishing the

sweetness of her voice with the ears, drawing pleasure of the tongue by conversing with her, and turning of the feet over and over again to visit her street, all are the preliminaries of adultery, nay, adultery itself. Law cannot have jurisdiction over such an act, for it springs from the hidden motives of man. It can only be detected by his own conscience. The Holy Prophet has elucidated this point as follows :

“Eyes commit adultery, and their adultery is the evil look; hands commit adultery, and their adultery is the use of violence; feet commit adultery, and their adultery is moving towards sin; the adultery of the tongue is (lustful) talk; and the adultery of the heart is the evil desire. In the end, the sexual organs either confirm all this (by their action) or disapprove it”.

### The Evil Look

The evil look is the worst culprit in this regard. Therefore, both the *Qur'an* and *Hadith* have pointed it out first of all. The *Qur'an* says :

“(O Prophet), tell the believing men to restrain their eyes (from looking at the other women) and guard their shameful parts; this is a pure way for them; surely, Allah knows full well what they do. And (O Prophet) tell the believing women to restrain their eyes (from looking at the other men) and guard their shameful parts”. (24 : 30-31).

The Holy Prophet says :

“Son of Adam, your first (unintentional) look is pardonable. But beware that you do not cast the second look”. (*Al-Jassās*).

He said to Hazrat ‘Ali :

“O ‘Ali, do not cast a second look after the first one. The first look is pardonable, but not the second”. (*Abū Da‘ūd*).

Hazrat Jabir asked the Prophet what he should do if he happened to cast a look by chance. The Prophet instructed him that he should turn his eyes away forthwith. (*Abu Da‘ūd*).

### Urge for Display

The feminine urge for the display of beauty is another evil which is linked up with the evil look. This urge is not always pro-

minent, it is generally hidden in the depths of the heart. It often finds expression in the selection of pleasing, gauzy and bright clothes, fancy hairdos and such other apparently insignificant aspects of the female behaviour as cannot be enumerated. The *Qur'an* has comprehensively termed them all as *Tabarruj-i-Jahiliyyah* (تبرج جاهلیه). All beautification and make-up which is meant to please and entertain others than the husband is *Tabarruj-i-Jahiliyyah*. Even if a pretty and bright veil is put on so as to appear attractive and pleasing to the eyes, it is *Tabarruj-i-Jahiliyyah*. No law can be made to check and control this tendency, as it springs from the woman's own heart. She herself can only search her heart to detect any hidden evil desire. If it is there it has to be eradicated according to the following Divine Commandment :

“ . . . and do not go about displaying your fineries as women used to do in the days of ignorance . . . ” (33 : 33).

Only that decoration is Islamic which is free from the element of the evil motive. But as soon as it is corrupted by the evil motive it becomes un-Islamic.

### The Voice

The voice is another agent of the evil spirit. There are countless mischiefs which are caused and spread by the voice. A man and a woman may apparently be absorbed in innocent talk, but the hidden motive of the heart is at work : it is rendering the voice more and more sweet, and the accent and the words more and more appealing. The *Qur'an* detects this hidden motive :

“ . . . if you are Godfearing, do not talk in a soft voice, lest the man of the unhealthy heart should cherish false hopes from you. If you have to speak (to the other men), speak in an unaffected way (as people ordinarily do) ”. (33 : 32).

It is the same evil desire which finds pleasure and satisfaction in relating or listening to stories about other people's lawful and unlawful sex relations. To satisfy the same urge, lyrical poetry is written and imaginary love romances described which take the people's fancy and spread in society like wild fire. The *Qur'an* admonishes man about this also.

“Those people who desire to spread indecency and obscenity

among the Believers have a grievous torment in store for them in this world and in the Hereafter". (24 : 19).

The mischief caused by the voice has many other aspects and in each aspect there is one or the other evil motive at work. Islam has detected all these motives and warned man to beware of them. For instance, a woman is not allowed to describe the features of other women before her husband :

"A woman should not have too close an intimacy with another woman, lest she should describe her before her husband in a manner as if he himself saw her". (*Al-Tirmizi*).

Both man and woman have been forbidden to describe their secret sex affairs before other people, because this also causes indecency to spread by creating evil desire in the hearts. (*Abū Da'ūd*).

If the *Imām* commits a mistake in the congregational prayer, or he is to be warned of some lapse, men have been taught to say *Subhān Allah* (Allah be glorified), while women have been commanded to tap their hands only. (*Abū Da'ūd*).

### The Sound

Sometimes attention is attracted not by the word of mouth but by some other device. Such devices also spring from the evil motive and Islam disapproves of them all :

"... and they should not stamp the ground in walking, so as to reveal their hidden decoration (ornaments, etc., by their jingle)." (24 : 31).

### The Perfume

The perfume also acts as a messenger between two evil spirits. This is the finest and most subtle means of communication which may be trivial in the eyes of others but the Islamic *Hayā* is too sensitive to let it slip undetected. It does not allow a Muslim woman to wear scented clothes and pass on the ways or sit in gatherings, for even if her beauty and make-up are hidden, her perfume is spreading about and causing emotional stimulation. The Holy Prophet said :

"The woman who uses perfume and passes through the people is promiscuous". (*Al-Tirmizi*).

2. "When a woman from among you wants to go to the mosque, she should not use perfume". (*Mu'attā and Muslim*).
3. "Males should use that perfume which does not give colour but has a strong smell : and the females should use that perfume which gives colour but has a light smell".  
(*Abū Da'ūd*).

## Nudity

Islam has given such a correct and psychological interpretation of the sense of modesty in respect of covering the shameful parts of man's body as has no parallel in any civilization. For instance, the men and women of the most civilized nations in the world today do not feel any hesitation to uncover any part of their bodies. For them the dress is a means of decoration and not of covering one's nakedness. But from the Islamic point of view, covering of the shameful parts is more important than mere decoration. Islam enjoins its followers, both male and female, to cover all those parts of their bodies which have attraction for the opposite sex. That is why nudity is an indecency which can never be tolerated by the Islamic *Hayā*. Not to speak of others, Islam does not approve that even a husband and his wife should expose their shameful parts before each other. The Holy Prophet says :

1. "When one of you goes to his wife; he should mind his shameful parts. They should not both strip their clothes off their bodies and become naked like donkeys".  
(*Ibn Mājah*).
2. Hazrat 'Ā'ishah says that she never saw the Holy Prophet naked. (*Al-Tirmizi*)

Over and above all this, the Islamic *Hayā* does not approve that one should strip oneself naked even when alone, for "Allah has a greater right that one should observe *Hayā* before Him".

(*Al-Tirmizi*).

The Holy Prophet says :

"Mind, you never be naked, for you are being attended by the angels of God who never leave you alone, except at the time when you have to attend to the call of nature or when you go to your wives. Therefore you should feel ashamed of them and

have regard for them". (*Al-Tirmizi*).

According to Islam, the dress which shows the body and reveals the shameful parts is no dress at all. The Holy Prophet said :

"Those women who remain naked even after wearing clothes, allure others and are allured by others, and walk coquettishly with the head turned to one side, will never enter Paradise, nor even get its scent". (*Muslim*).

It is not possible to treat the subject in an exhaustive manner here. A few instances that we have presented above are meant to give an idea of the standard and spirit of Islamic morality. As must have become clear by now, Islam aims to cleanse the society of all kinds of excitements that may lead to indecency and obscenity. All these feelings arise from man's inner self which is the breeding place for the germs of indecency and obscenity and wherefrom spring motives which though trivial on the surface lead to great iniquities in the long run. The ignorant people regard them lightly, and so overlook them, but the wise know that they are indeed the real cause of all moral and social ailments that afflict a civilization and bring it to ruin. Therefore, the moral teaching of Islam aims to create a strong feeling of *Hayā* in the inner self of man himself with a view to enabling him to censor the doings of his self and eradicate by his own will even its slightest inclination towards evil.

### PUNITIVE LAWS

The basic principle of the punitive law of Islam is that unless a person practically commits a crime leading to disruption of the social system, he should not be proceeded against legally. But when he has actually committed such a crime, it is not proper and advisable to make him a habitual offender by awarding light punishments. Therefore, on the one hand, the Islamic Law requires extremely strict conditions<sup>1</sup> for establishing the crime so as to

1. In the Islamic Law of Evidence, conditions to establish the crime are on the whole very strict, but the conditions required to establish fornication are the strictest. To establish this crime the Law requires at least four witnesses as against two in the case of all other crimes.

protect people against its application<sup>1</sup>. But, on the other, as soon as the crime is established, it inflicts such a heavy punishment on the culprit as not only disables him to repeat the crime but also deters thousands of others who might be inclined towards it. Indeed the object of the law is to cleanse the society of crimes and not to encourage the people instead to commit crimes and go on receiving punishments over and over again.

In order to protect the Social System, the Penal Law of Islam holds only two offences as punishable : (a) Fornication, and (b) Calumny.

### **Punishment for Fornication**

As pointed out above, fornication is morally the most heinous crime that a person can commit. The one who commits it in fact proves that his humanity has been overwhelmed by his animality, and he is not fit to live as a virtuous member of the human society. From the social point of view it is one of those horrible crimes which cut at the very root of human civilization. Therefore, Islam has held fornication as a punishable offence for its own sake, whether it is accompanied by some other offence as the use of violence or encroachment upon somebody else's legal rights, or not. The *Qur'an* says :

“The fornicators shall each be given a hundred lashes, and let not compassion for them keep you from carrying out the sentence of the Divine Law, if you truly believe in Allah and the Last Day. And let a number of the Muslims witness their chastisement”. (24 : 2).

In this matter, the Islamic Law differs radically from the Western law. The Western law does not hold fornication by itself as a crime; it becomes a crime only when it is committed forcibly, or with a married woman. In other words, according to the Western law fornication by itself is no crime ; the real crime is rape, or the act of encroachment on the rights of the husband. In contrast to

1. The Holy Prophet said : “Protect the Muslims as far as possible against the application of the Law. Let the culprit off if he can possibly be let off. For the Imam's making a mistake in forgiving is better than his making a mistake in applying the Law” (*Al-Tirmidhi*).

this, the Islamic Law looks upon fornication by itself as a crime, and regards rape or the act of encroachment as additional crimes. This basic difference between view-points of the two systems of law gives rise to the difference in the punishment of the offence. In case of rape, the Western law rests content with the sentence of imprisonment only; in case of fornication with a married woman it requires the fornicator to pay compensation to the husband. This punishment cannot act as a deterrent, it rather encourages the people. That is why fornication is on the increase in the countries where this law is in force. In contrast to this, the Islamic Law punishes fornication and adultery so severely that the society is automatically cleansed of this crime for a long time. That is why it has never become common in the countries where the Islamic punishment for it is inflicted. Once the *Shari'ah* punishment is carried out, it so terrifies the whole population that no one can dare commit it for years to come. In a way it performs a psychological operation on the minds of those having criminal tendencies, and this reforms them automatically.

The Western people abhor the infliction of a hundred lashes. This is not because they dislike the idea of physical torture. It is because their moral sense has not yet fully developed. At first they regarded fornication as something indecent; now they look upon it as a fun, as a pastime, which amuses two persons for a little while. Therefore, they want that the law should tolerate this act, and should not regard it seriously unless the fornicator encroaches upon somebody else's freedom or legal rights. Even in case of such an encroachment they regard it as a crime affecting the rights of one person only. Hence, they think that a light sentence or payment of compensation is sufficient punishment for the crime.

Obviously, a person who holds such a view about fornication will look upon a hundred lashes for it as a cruel punishment. But if his moral and social sense had developed, he would realize that fornication, whether it is committed with willingness or force, and whether with a married woman or with an unmarried one, is in each case a social crime that affects the whole society. This will naturally make him modify his view about punishment, so that the society is saved from the ill-effects of fornication. He will have



to admit that since the motives leading to fornication lie deep in the animal nature of man and since they cannot be eradicated by mere imprisonment or inflicting of penalties, strict measures have to be adopted for their complete eradication. For it is better to subject one or a couple of persons to severe physical torture for the purpose of safeguarding hundreds of thousands of people against countless moral and sociological evils than to inflict light punishments on the criminals and so jeopardise the well-being of not only the society but also of the coming generations.

There is another reason for regarding the infliction of a hundred lashes as cruel. As pointed out above, the Western civilization emerged as a result of the urge of favouring the individual against the society, and it has been built up on an exaggerated notion of the rights of the individual. Therefore, even if an individual harms the society to his heart's content, the Western people do not feel ill at ease ; they rather put up with it willingly in most cases. But when the individual is proceeded against with a view to protecting the rights of society, they shudder with horror and all their sympathies go with the individual as against society. Moreover, like all ignorant people, the Western people also have the special characteristic of regarding feelings as more important than reason. Therefore, when they see the individual, as a particular case, being severely dealt with, they feel outraged at the sight of his suffering. But they do not seem to comprehend the far-reaching consequences of the damage that is done to society and the coming generations, too.

### **Punishment for Calumny**

The evil caused by calumny is similar to that caused by fornication itself. Accusing a lady of fornication not only damages her reputation but also it creates bad blood between the families. It renders parentage doubtful, spoils conjugal relations and ruins the mental peace of scores of other people also for years to come. Therefore the *Qur'an* has enjoined severe punishment for this offence as well :

“As for those who accuse virtuous women (of fornication) and then do not bring four witnesses as a proof thereof, give them each eighty lashes, and do not accept their evidence in future : they themselves are the fornicators”. (24 : 4).

**PREVENTIVE MEASURES**

Thus, on the one hand, the punitive law of Islam curbs fornication and adultery by force, and on the other, it protects the righteous element of society against calumny. Whereas the moral teachings of Islam cleanse man from within so that he does not feel inclined towards sin, its punitive law regulates his external behaviour so that in case his moral training remained defective, his evil inclinations taking practical shape may be suppressed by force. Besides these, certain other measures have also been adopted to reform the self. These measures have been so employed in reforming the social system that the weaknesses of the individual on account of his defective moral training may not develop into practical action. They aim to create a social environment that is unfavourable for the development of evil inclinations and emotional disturbances. Thus they help to weaken factors leading to sexual anarchy and eradicate all forms of indecency that might land the social system in confusion.

Now we shall consider these measures one by one and deal with them at length.

**Injunctions for Clothing and Covering of Nakedness**

In this regard, Islam has first of all eradicated nudity and specified shameful parts which the males and the females have to cover. As regards dress, the conduct of the so-called civilized nations of today is not any different from that of the Arabs of the pre-Islamic period. The Arabs would freely strip themselves naked before each other.<sup>1</sup> Even while having bath and attending to the call of nature they did not bother to have a covering. So much so that they performed the ceremony of moving round the Ka'abah in

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1. According to a *Hadith*, Hazrat Miswar bin Makhramah was carrying a stone towards the Holy Prophet when the garment covering the lower part of his body fell down on the way. He did not care and carried on with the load. When the Holy Prophet saw him, he told him to go back and cover his body and refrain from moving naked in future. (*Muslim*).

a naked state, and considered it as an essential part of the worship.<sup>1</sup> More than that, the women would perform this ceremony in perfect nakedness.<sup>2</sup> The dress they wore was such as left a part of their breasts, arms, back and shins uncovered.<sup>3</sup> Almost similar are the conditions prevalent in Europe, America and Japan in respect of dress these days. In the Eastern countries also there is no other social system which may have specified the bounds of nakedness. Islam alone has taught man the first lessons of civilization in this regard. The *Qur'an* says :

“O Children of Adam ! We have sent down to you clothing in order to cover the shameful parts of your body, and to serve as protection and decoration”. (7 : 26).

According to this verse, covering of the body has been made obligatory for every male and female. The Holy Prophet gave strict orders to the effect that no person should appear naked before any other person :

1. “Accursed is the one who casts a look at the shameful parts of his brother”. (*Ahkām-al-Qur'an* by al-Jassās).
2. “No man should look at a naked man and no woman should look at a naked woman”. (*Muslim*).
3. “By God, it is better for me to be dropped from the skies and torn in two than that I should look at the shameful parts of somebody or that somebody should look at my shameful parts”. (*Al-Mabsūt*).
4. “Beware, never strip yourself of clothes, for with you is the One Who never leaves you alone, except at the time when you attend to the call of nature or have intercourse”. (*Al-Tirmizi*).
5. “When one of you goes to his wife, he should cover his nakedness even at that time ; he should not make himself

1. Ibn 'Abbās, Mujāhid, Tā'ūs and Zuhri have related that people used to perform the ceremony of moving round the Ka'abah in the naked state.

2. This custom has been described in the Collection of *Hadith* by Muslim : A woman would move round the Ka'abah in a naked state, and then would say to those present, “Who will give me a garment with which I may cover my body ?” To meet such a request from a woman was considered to be an act of charity.

3. See *Tafsīr-i-Kabīr*, commentary on v. 31 of Sūrah An-Nūr (24).

naked like donkeys" (*Ibn Mājah*).

According to another Tradition, once the Holy Prophet went to the pasture meant for the camels of *Zakāt*, and saw that the camel-herd was lying naked on the ground. The Holy Prophet ordered his removal forthwith, and said :

"We have no use for a person who is shameless".

### Boundaries of *Satar* (ستر) for Males

Besides these general instructions, Islam has also specified those parts of the body which the males and the females must cover. Such a part as is obligatory to cover is termed as *satar* by the *Shari'ah*. For the males, the *satar* is the part of the body between the navel and the knee, and it has been enjoined that one should neither uncover this part before another person, nor should one look at this part of anybody else :

1. "Whatever is above the knee should be covered, and whatever is below the navel should be covered". (*Dārquṭnī*).
2. "The male should cover that part of his body which is between the navel and the knee". (*Al-Mabsūt*).
3. Hazrat 'Ali bin Abī Tālib has reported that the Holy Prophet said : "Do not uncover your thigh before another person, nor look at the thigh of a living or a dead person". (*Tafsīr-i-Kabīr*).

This is a general command which excludes none but the wives. The Holy Prophet says :

"Guard your *satar* from all except your wives and your slave-girls". (*Ahkam-al-Qur'ān*, Vol. III, p. 37).

### Boundaries of *Satar* for Females

The bounds of *satar* for the females are wider. They have been enjoined to cover their whole body except the face and the hands from all people, including father, brother and all male relatives, and excluding none but the husband. The Holy Prophet said :

1. "It is not lawful for any woman who believes in Allah and the last Day that she should uncover her hand more than this"—and then he placed his hand on his wrist joint (*Ibn Jarīr*)

2. "When a woman attains maturity no part of her body should remain uncovered except her face and the hand up to the wrist joint". (*Abū Da'ūd*).
3. Hazrat 'Ā'ishah says that she appeared before her nephew, 'Abdullah bin al-Tufail, with decorations. The Holy Prophet did not approve of it. I said, "O Apostle of Allah, he is my nephew". The Holy Prophet replied : "When a woman attains maturity it is not lawful for her to uncover any part of her body except the face and this"—and then he put his hand on his wrist joint so as to leave only a little space between the place he gripped and the palm. (*Ibn Mājah*).
4. Hazrat Asmā', daughter of Abū Bakr, who was the Holy Prophet's sister-in-law, came before him in thin dress that showed her body. The Holy Prophet turned his eyes away and said : "O Asmā', when a woman attains maturity, it is not lawful that any part of her body be seen, except this and this"—and then he pointed to his face and the palms of his hands. (*Takmilah. Fath-al-Qadr*).
5. Hafsa, daughter of 'Abdur Rahmān, came before Hazrat 'Ā'ishah and she was wearing a thin wrapper over her head and shoulders. Hazrat 'Ā'ishah tore it up to pieces and put a thick wrapper over her. (*Mu'attā, Imām Mālik*).
6. The Holy Prophet said : "Allah has cursed those women who wear clothes and still remain naked".
7. Hazrat 'Umār says, "Do not clothe your women in such clothes as are tight fitting and reveal all the outlines of the body". (*Al-Mabsūt*).

All these traditions show that except for the face and the hands the whole female body is included in *satar* which a woman must conceal in her house even from the nearest relatives. She cannot expose her *satar* before anybody including her father, brother or nephew, except her husband, and she cannot wear a dress that shows her *satar*.

All the commandments in this regard are meant for the young women. They become applicable as soon as a woman attains

maturity and remain in force for her until she loses all sexual attraction. At this age the severity of the commandments is also relaxed. The Qur'an says :

“There is no harm if the old women who have no hope of marriage lay aside their over-garments, provided that they do not mean to display their decoration. But if they abstain from this, it is better for them . . .” (24 : 59).

Here the reason for relaxation has been clearly mentioned. “. . . who have no hope of marriage” implies the age at which sexual inclinations die out, and sexual attraction also disappears. Nevertheless, the condition that “they do not mean to display their decoration” has been imposed as a safeguard. That is, if an old woman has a sexual desire hidden in her heart, it is not lawful for her to put away the over-garment. The relaxation is meant only for those old women whose advanced age has rendered them careless of the restrictions of the dress, and who cannot possibly be looked at except with respect and reverence. Such women are allowed to go about in their houses without the over-garment.

### **Regulations for Entrance**

The next restriction imposed by Islam is that the male members are forbidden to enter the house without alerting the female members, so that they do not see them in a condition in which they should not normally see them. The Qur'an enjoins :

“When your children attain puberty, they should ask leave before entering the house, just as their elders asked it before them. . . .” (24 : 58).

Here the reason for the commandment has also been stated. The need to ask permission arises at the age of puberty, when the feeling of sex becomes active. It is not, therefore, necessary to ask permission before attaining this age. Besides this, the other people also have been prohibited to enter anybody else's house without permission :

“O Believers, do not enter houses other than your own, until you have taken permission; and when you enter a house, greet the people therein with salutation. . . .” (24 : 27)

The object is to demarcate the house from the outside world, so

that men and women may live in peace inside the house against the gaze of other people. At first the Arabs could not grasp the real significance of these commands; therefore they would often peep into houses from outside. Once the Holy Prophet was present in his room, when a person peeped through the lattice. The Prophet said :

“If I had known that you were peeping, I would have thrust something into your eye. The command to ask permission has been given to safeguard people against the (evil) look.”  
(*Al-Bukhāri*).

Then the Holy Prophet publicly announced :

“If a person peeps into somebody else’s house without permission, the people of the house will be justified if they injure his eye.” (*Muslim*).

Then the people were taught that if they had to ask for something from somebody else’s house, they should not straightaway enter the house, but should ask for it from outside from behind a covering.

“ . . . and when you ask women for an article, ask for it from behind a curtain; this is a purer way for your hearts and for theirs . . . ” (33 : 53).

Here also the object of imposing the restriction has been stated in these words : “ . . . this is a purer way for your hearts and for theirs ”. The aim is to safeguard the males and the females against sexual inclination and excitement by keeping them at safe distances, so that they do not grow too intimate and free with each other.

These commandments are meant not only for the other people but also for the servants of the house. Once Hazrat Bilāl or Hazrat Anas asked Hazrat Fātimah, daughter of the Holy Prophet, to hand him her child. She handed it by stretching her hand from behind a curtain (*Fath-al-Qadr*), whereas both these gentlemen were the personal attendants of the Holy Prophet and lived with him like the other people of his house.

### Prohibition of Touching or Having Privacy with Women

The third restriction is that a man, other than the husband, is neither allowed to have privacy with a woman, nor is he allowed to touch any part of the body, no matter how closely is he related

to her. According to 'Uqbah bin 'Amir, the Holy Prophet said :

1. "Beware that you do not call on women in privacy". One of the *Ansār* asked, "O Apostle of Allah, what about the younger or the elder brother of the husband?" The Holy Prophet said, "He is death!"

(*Al-Tirmizi, Al-Bukhāri and Muslim*).

2. "Do not call on women in the absence of their husbands, because Satan might be circulating in any one of you like blood". (*Al-Tirmizi*).

3. "According to 'Amr bin 'Ās, the Holy Prophet forbade men to call on women without permission of the husbands".

(*Al-Tirmizi*).

4. "From this day no man is allowed to call on a woman in the absence of her husband, unless he is accompanied by one or two other men". (*Muslim*).

Likewise is the prohibition of touching the body of a woman :

1. The Holy Prophet said : "The one who touches the hand of a woman without having a lawful relation with her, will have an ember placed on his palm on the Day of Judgement".

(*Takmilah, Fath-al-Qadr*)

2. Hazrat 'Ā'ishah says that the Holy Prophet accepted the oath of allegiance from women only verbally without taking their hand into his own hand. He never touched the hand of a woman who was not married to him. (*Al-Bukhāri*)

3. O'maimah, daughter of Roqaiqah, says that she went to the Holy Prophet in company with some other women to take the oath of allegiance. He made them promise that they would abstain from idolatry, stealing, adultery, slander and disobedience to the Prophet. When they had taken the oath, they requested him to take their hand as a mark of allegiance. The Holy Prophet said : "I do not take the hand of women. Verbal agreement is enough".

(*Nasā'i, Ibn Mājah*)

These commandments apply in respect of the young women. It is lawful to sit with the women of advanced age in privacy and touching them is also not prohibited. It has been reported that Hazrat Abū Bakr used to visit the clan where he had been suckled



and shook hands with the old women. It has been reported about Hazrat 'Abdullah bin Zubair that he used to have his feet and head pressed gently for relief by an old woman. This distinction between the old and the young women itself points out that the real object is to prevent such mixing of the sexes together as may lead to evil results.

### Distinction Between *Mahram* and *Non-Mahram* Males

These commandments apply to all men, whether *mahram* or *non-mahram*, other than the husband. The woman is not allowed to uncover her *satar* before any of them, just as the man is not allowed to uncover his *satar* before anybody. All males have to enter the house with permission and none of them is allowed to sit with a woman in privacy or touch her body.<sup>1</sup>

Then Islam has made distinction between the *mahram* and the *non-mahram* males. The Qur'an and *Hadith* clearly point out the limits of freedom and intimacy of relationship that can be had with the *mahram* males only, but not with the *non-mahram* males in any case. This is what has commonly been described as *Purdah*.

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1. There is, however, a difference in the matter of touching the body of a woman between the *mahram* and the *non-mahram* males. A brother, for instance, can give his sister a hand in getting on or off a conveyance. Obviously, a *non-mahram* male cannot be allowed to do that. When the Holy Prophet returned from a journey, he would embrace Hazrat Fātimah, his daughter, and kiss her head. Similarly, Hazrat Abū Bakr used to kiss the head of his daughter, Hazrat 'Ā'ishah.

## Commandments of Purdah

**T**HE verses of the *Qur'an* that enjoin Purdah are translated as follows :

“(O Prophet), tell the believing men to restrain their eyes (from looking at the other women) and guard their shameful parts; this is a purer way for them; surely, Allah knows full well what they do. And (O Prophet), tell the believing women to restrain their eyes (from looking at the other men) and guard their shameful parts, and not to display their decoration except what is unavoidable. They should draw their over-garments close on to their breasts, and should not display their decoration except before their husbands, fathers, fathers-in-law, sons, step-sons, brothers, nephews (sons of brothers and sisters), their own women, male attendants lacking sexual urges, or boys who are not yet conscious of the feminine secrets. Moreover, (tell them that) they should not stamp the ground in walking so as to reveal their hidden decoration (ornaments, etc., by their jingle) . . . .” (24 : 30-31).

“O wives of the Prophet, of course you are not like other women; if you are Godfearing, do not talk in a soft voice, lest the man of the unhealthy heart should cherish false hopes from you. If you have to speak (to the other men), speak in an unaffected manner, (as ordinarily people do). And remain in your houses, and do not go about displaying your fineries as women used to do in the days of ignorance . . . .” (33 : 32-33).

“O Prophet, enjoin your wives and daughters and the women of the Muslims to let down over them a part of their outer garments; it is expected that they will be recognized, and thus not molested . . . . (33 : 59).

Now let us consider these verses carefully. On the one hand, men have been instructed only to restrain their eyes and guard their morals against indecency. On the other hand, women have not only been enjoined like men to observe these commands but they have been given some additional instructions also for observance in social life. This clearly shows that for the protection of their morals it is not enough for the women to "restrain their eyes" and "guard their shameful parts" only but they have to obey some other laws also. Now we should see how the Holy Prophet and his Companions enforced their brief instructions in the Islamic Social System, and how their sayings and actions explain and illustrate the meaning of these instructions in the actual practical life.

### Restraining the Eyes

The first Command that the males and the females have been given is to observe *Ghadd-i-Basar* (غَضُّ بَصَرٍ), which means "restraining the eyes" in the literal sense. But this does not clarify fully the meaning of the original. The Divine Commandment does not mean that the people should always cast down their looks and should never look up, but it aims to warn them to beware of the adultery of the eyes as pointed out in the *Hadith* above. Enjoying the beauty and decoration of the other women by men and making the other men the object of their eyes by women, is liable to lead to evil results. Mischief always starts like this. Therefore, this way has been closed first of all, and this is what is meant by *Ghadd-i-Basr*.

Obviously, a man who lives in this world with his eyes open will see each and every thing. It is not possible that a man will never see a woman or that a woman will never see a man. That is why the Law-giver has absolved from blame the first chance look. But what has been prohibited is that one should cast a second look and stare at the face which one finds attractive at first sight. The instruction in this regard is as follows :

1. Hazrat Jarir says, "I asked the Holy Prophet what I should do if I happen to cast a look by chance". The Holy Prophet replied, "Turn your eyes away". (*Abū Da'ūd*).

2. According to Hazrat Buraidah, the Holy Prophet told Hazrat 'Ali not to cast a second look, for the first look was pardonable but the second was prohibited. (*Abū Da'ūd*).
3. "On the Day of Judgement, molten lead will be poured into the eyes of the man who looks at the charms of a woman lustfully". (*Takmilah, Fath-al-Qadr*).

But sometimes one has to have a look at the other woman, e.g., a female patient who may be under the treatment of a doctor, or a woman who has to appear before a judge as a witness or as a party. Then one may have to help a woman who is left in a burning place, or a woman who is drowning in water, or a woman whose life or honour is in danger. In such cases, even the shameful parts can be seen if required, and the body can also be touched. So much so that it is not only lawful but obligatory to rescue a drowning or a burning woman even by carrying her in one's lap. The Law-giver commands that as far as possible one should keep one's intention pure at such an occasion. But if in spite of that one's emotions are a little excited naturally, it is not sinful. For one's looking at the other woman and having contact with her body was not intentional, but was necessitated by circumstances, and it is not possible for a man to suppress his natural urges completely.<sup>1</sup>

Likewise, it is not only lawful to have a look at a woman before marriage but this has been enjoined by the *Shari'ah*. The Holy Prophet himself had a look at a woman for this purpose.

1. Mughīrah bin Sh'abah says, "I sent a message to a woman asking for her hand. The Holy Prophet said to me, 'Have a look at her, for that will enhance love and mutual regard between you'." (*Al-Tirmizī*).
2. According to Sahl bin Sa'd, a woman came to the Holy Prophet and said that she intended to offer herself in marriage to him. Hearing this, the Holy Prophet raised his eyes and looked at her. (*Al-Bukhārī*)
3. Abū Hurairah says that he was sitting with the Holy

1. For further details, please see the explanatory notes on v. 30 of Surah An-Nūr (24) in the Commentary by Imām Rāzi : *Ahkām-al-Qur'an* by al-Jassās. and *al-Mabsūt, Kitāb-al-Ihsān*.

Prophet when a man came and said that he intended to marry a woman from among the *Ansār* (Muslims of Madinah). The Holy Prophet asked him if he had seen her. He replied in the negative. The Holy Prophet told him to go and have a look at her, because the *Ansār* had generally some defect in their eyes. (Muslim)

4. According to Jābir bin 'Abdullah, the Holy Prophet said that when a man sent a message to a woman asking for her hand, he should have a look at her to see if there was anything in her which made him inclined to marry her. (Abū-Da'ūd).

If one considers these exceptions carefully, one will find that the Law-giver does not mean to prohibit at all having a look at the other women, but his real object is to prevent the incidence of evil results. That is why he has prohibited only that casting of the eyes which is not necessary, which does not serve any social purpose, but is charged with sexual motives instead.

This Command applies both to the males and to the females. According to a *Hadith* related by Hazrat Umm Salmah, one day she was sitting with the Holy Prophet along with Hazrat Maimūnah (Hazrat 'Ā'ishah according to another report) when Hazrat Ibn Umm Maktūm, who was a blind man, called on the Holy Prophet. The Holy Prophet told them to observe Purdah from him. Hazrat Umm Salmah said, "Is he not a blind man? Neither will he see us, nor recognize us". The Holy Prophet said, "Are you also blind? Do you not see him?" (Al-Tirmizi).

There is, however, a fine psychological distinction between a woman's looking at men and a man's looking at women. The man is by nature aggressive. If a thing appeals to him, he is urged from within to acquire it. On the contrary, the woman's nature is one of inhibition and escape. Unless her nature is totally corrupted, she can never become so aggressive, bold and fearless as to make the first advances towards the male who has attracted her. In view of this distinction, the Law-giver does not regard the woman's looking at the other men to be as harmful as the man's looking at the other women. In several Traditions it has been reported that the Holy Prophet had himself shown Hazrat 'Ā'ishah the perform-

ance given by the Negroes on the 'Id occasion.<sup>1</sup> This shows that it is not prohibited absolutely for women to have a look at the other men. But what is prohibited is to sit in the same gathering together with men and stare at them, or look at them in a manner as may lead to evil results. The Holy Prophet told Fātimah, daughter of Qais, to pass her waiting term<sup>2</sup> in the house of Ibn Umm Maktūm, the same blind Companion from whom Hazrat Umm Saïmah had been instructed to observe Purdah. Qāzī Abū Bakr Ibn 'Arabi has related in his *Ahkām-al-Qur'an* that Fātimah, daughter of Qais, wanted to pass her waiting term in the house of Umm Sharīk. The Holy Prophet did not approve of this for the reason that the house was visited by many people. Therefore, he told her to stay in the house of Ibn Umm Maktūm who was a blind man and she could stay there without observing Purdah. This shows that the real object before the Holy Prophet was to reduce the chances of mischief. That is why the lady was disallowed to stay in a house where the chances of possible mischief were greater but allowed to stay in a house where they were less. And the lady had to stay somewhere. On the contrary, where there was no such need, the ladies were prohibited to sit in the same place face to face with the other man.

All this is based on sound wisdom. The person who is capable of penetrating to the core of the *Shari'ah* can easily understand the wisdom of the Commandment of *Ghadd-i-Basr* and also the reasons for its rigidity and laxity in different circumstances. The only object of the Law-giver is to stop the people from casting the evil looks. Eyes are cast very innocently in the beginning and this is

1. This Tradition has been related in the Collections by *Bukhāri*, *Muslim*, *Nasā'i* and *Ahmad* in different ways. Some people have tried to explain the difference by saying that the event took place most, probably during the childhood of Hazrat 'Ā'ishah when the Commandments for Purdah had not yet been sent down. But according to Ibn Hibbān, this event took place in the year 7 A.H., when a deputation from Abyssinia had visited Madinah. If it is correct, Hazrat 'Ā'ishah was fifteen or sixteen years of age at this time. Moreover, according to a report in *Bukhāri*, the Holy Prophet tried to cover Hazrat 'Ā'ishah time and again with an over-garment. This shows that the injunctions for Purdah had already been ordained.

2. That is, the term during which a widow or a divorced woman is not allowed to remarry.—Tr.

appreciated and supported very cleverly by the devil in man, who says, "This is to satisfy your aesthetic taste which nature has endowed you with." When you are allowed to enjoy other manifestations of the beauty of nature for the sake of pure pleasure, why can't you enjoy the human charms for the sake of spiritual pleasure?" Thus, the devil in man spurs on the desire of seeking pleasure to the limit that the aesthetic taste develops into a craving for physical union. Who can dare deny the fact that all sexual evil that has been committed in the past and is committed today in the world, has been caused primarily by the evil look? Who can claim that his emotional reaction on seeing a charming young member of the opposite sex is the same as that caused by a beautiful flower? If the two kinds of reactions are different, as they surely are, and one of the two is more or less sexual in nature, how can one be justified in demanding the same sort of freedom to gratify one's aesthetic urge in the one case as it exists in the other? The Law-giver does not mean to curb man's aesthetic urge. What he wants is that one should choose one's partner carefully according to one's taste and then make him or her the only object of all one's aesthetic craving. Then one may enjoy him or her as much as one may please, for if one will make others the object of one's attention than that partner, one will involve oneself in indecency and obscenity. Even if one remains immune from sexual promiscuity on account of one's self-control or other barriers, one cannot save oneself from corruption of thought. One will waste most of one's energies through the eyes: one will pollute one's heart by lamenting the chances one lost in the past to commit sins; one will get involved time and again in false love and pass sleepless nights, dreaming of love affairs; and most of one's vitality will go waste in the throbbing and excitement of the heart. Is it not a great loss? And is it not the result of casting the evil look? That is why the Law-giver has instructed to restrain the look from wandering. That is why casting of the look at a member of the opposite sex without genuine need has been prohibited as it is likely to lead to evil results. But if there is a genuine need or a social necessity, casting of the look is lawful in spite of the likelihood of mischief. As for the female, however, the law is a bit flexible. She may look at a man

even if there is no genuine need, provided that there is no likelihood of mischief. In contrast to this, a man is not allowed to look at a woman, unless of course, he casts a chance look.

### Prohibition of Display of Fineries

The command for restraining the eyes is for both males and females. But there are a few more injunctions for women only. The first injunction is that they should abstain from displaying their "decorations" outside a restricted circle.

Before considering the object and details of this command, let us first refresh our minds about the Divine injunctions with regard to clothing and *satar* as explained above. The whole body of a woman, except the face and the hands, is *satar* which she is not allowed to uncover even before her father, uncle, brother, or son. More than that, it is not approved that a woman should uncover her *satar* even before another woman.<sup>1</sup> Keeping this in view, let us consider the limits set to the display of decorations :

1. The woman has been allowed to display her decoration before her husband, father, father-in-law, son, step-son, brother and nephew (son of sister).

2. She has also been allowed to display her decoration before her slaves (but not before the slaves of others).

3. She may also appear with decoration before such men as are under her control and command and can have no evil inclinations towards her.<sup>2</sup>

1. Just as it is unlawful for a man to look at any part of a man's body between the navel and the knee, so it is unlawful for a woman to look at the same part of a woman's body. Looking at the other parts is disapproved, though not unlawful.

2. Hāfiz Ibn Kathir explains this Command as follows :

"This means the labourers, servants and other subordinates who are not the equals of the women of a house nor clever and cunning, but simple men who do not cherish sexual desire for the women". (*Tafsir : Ibn Kathir*, Vol. III, p. 285).

There can be two possible ways in which sexual desire may not be cherished. First, one may have no sexual desire at all, as it is in the case of men of advanced age, mentally deranged and feeble-minded men, or eunuchs by birth. Secondly, one may have sexual urge and desire, but one may not be able to cherish it for



4. She may also display her decoration before such children as may not yet have developed sexual feelings, or, according to the Qur'an, "such boys as may not yet be aware of the feminine secrets".

5. She is also permitted to appear with decoration before the women with whom she has every day social relations. The words used in the Qur'an imply such women as are noble of character, or have family or blood relations, or are of equal rank. All other women besides these who may not be well-known, or may be of doubtful character, or notorious on account of their evil ways, are excluded from the permission, for contact with them can easily lead to evil results. That is why Hazrat 'Umar wrote to Hazrat Abū-'Obaidah bin al-Jarrāh, Governor of Syria, to prohibit the Muslim-

*Cont. from p. 185 ]*

the women of the house where one is employed as a labourer or servant, or which one visits for alms, due to one's inferior status.

Thus, the command will apply to both categories of men. But it should be borne in mind that the men before whom the women of a house are allowed to appear with decoration must necessarily be under the command and control of that house, and they should not even think of cherishing sexual desire for the women of the house. This is, however, the responsibility of the governor of the house to see that the men who were confided in and allowed to enter the house prove to be reliable. If later on their conduct becomes questionable, permission for them should be cancelled. In this connection, the most relevant is of that eunuch whom the Holy Prophet had permitted to enter the houses, but then, he not only cancelled his permission but also ordered him to leave Madinah. This eunuch lived in Madinah and used to call on the wives of the Holy Prophet. One day he was sitting in the house of Hazrat Umm Salmah and talking to her brother, Hazrat 'Abdullah. In the meantime the Holy Prophet came and as he entered the house, he heard him say to 'Abdullah, "If Taif is taken tomorrow, I will show you Bādiyah, daughter of Ghailān Thaqfi...." and then he gave minute details of her body so as to allure the hearer. Hearing this, the Holy Prophet remarked, "O enemy of God, it seems you have examined her too closely!" Then he said to his wives, "I find that he is aware of the feminine secrets; he should not, therefore, visit you any more". The Holy Prophet did not rest content with this, but turned him out of Madinah and ordered him to stay at Baidā'. For he found from the description he gave of the *satar* of the daughter of Ghailān that because of his feminine nature women became as free with him as they would with any of their own women. And this furnished him with the opportunity of becoming aware of the feminine secrets which he would describe before men in a manner as could lead to evil consequences. (*Bazl-al-Majhūd : Kitāb-al-Libās*).

women from going to baths with the women of the people of the Book. [ *Ibn Jarir* : Commentary on v. 31 of *Sūrah An-Nūr* (24)]. Hazrat Ibn 'Abbās says, "A Muslim woman is not allowed to display herself before the women of the unbelievers and non-Muslim tax-payers, any more than she can display herself before the other men". (*Tafsi-i-Kabir* : Commentary on v. 31 of *Sūrah An-Nūr*).

This did not mean to create any religious distinction. It only aimed at safeguarding the Muslim women against the influence of the women whose moral and cultural background was not fully known, or if known to some extent, it was objectionable from the Islamic point of view. However, the Muslim women have been allowed to mix freely with those non-Muslim women who are noble of character, chaste and well mannered.

If we consider these limits carefully, we can draw two conclusions : First, the decoration that can be displayed in this restricted circle does not include the female *satar*. It means the ornaments, decent clothing, use of collyrium and henna, hairdos and all other decorations that women are by nature fond of showing in their houses.

Second, this kind of decoration can either be displayed by a woman before the males for whom she is permanently unlawful, or before those who lack sexual desire, or those who are incapable of becoming a source of evil. That is why permission has been restricted in the case of women to "their own women", in the case of men to those "lacking sexual urges", and in the case of children to those "who are not yet aware of the feminine secrets". This shows that the Law-giver means to restrict the display of decoration by women to a limited circle, so as to reduce to minimum the chances of emotional excitement or sexual anarchy on account of the female charms and decorations.

Woman has been prohibited to display her fineries before all other men, outside this circle. So much so that she is not allowed even to stamp the ground in walking, lest her hidden decoration should be revealed by its jingle, and thus attract attention. The decoration which she has been commanded to conceal from the other men is the same which she has been allowed to display in the above-mentioned circle. The object is clear. That is, if women are

allowed to appear in full make-up freely before men who neither lack sexual desires, nor are immune from sexual urges because of permanent unlawfulness, the consequences warranted by human nature will inevitably follow. It cannot, however, be claimed that such a display of fineries shall turn every woman into a prostitute, nor that every man shall become an adulterer. But, at the same time nobody can deny that if women go about in full make-up and mix freely with men, it is likely to result in countless open and secret moral and material disadvantages for the society.

Today women in Europe and America are spending the major portion of their own and their husbands' incomes on make up and decoration, and the rising expenditure on this account is becoming more and more unbearable.<sup>1</sup> Is not this craze the gift of the lustful eyes that eagerly wait to greet decorated ladies in the bazars and streets, offices and social gatherings? The question is: Why is this craze for beautification among women becoming more and more catching every day?—Most surely, it is due to the feminine urge to win the approbation of men and to fascinate them.<sup>2</sup> But

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1. In connection with a recent exhibition of cosmetics, the experts stated that the English women were spending about £20,000,000 and the American women about £125,000,000 annually on decoration, and that 90 per cent of women were fond of some sort of make-up.

2. The craze for beautification among women is now costing them even their lives. Their ideal is to become as light and slim as possible by avoiding to put on even an ounce of extra flesh. Every girl endeavours to keep herself within the beauty measurements set by experts for the shin, the thigh, the breast, etc., as if the sole object of her life was to appear more and more attractive and appealing to others. To achieve this object she goes on a restricted diet and deprives herself of the nourishing food. She lives only on lemon juice, bitter coffee and other light refreshments, and uses such drugs without medical advice, mostly against medical advice, as may render her slim. Many women have lost their lives in the craze. In 1937, a famous actress of Budapest died suddenly of heart failure, and soon after her tragic end three women met a similar fate. It was reported that these women were used to taking patent drugs for reducing weight and lost their lives in the craze for 'slimness'. Zabo, the famous Hungarian singer, collapsed on the stage while performing before thousands of audience. She was in fact worried about her figure and had succeeded in reducing herself by 60 lbs in two months' time by artificial devices. This had rendered her abnormally

what for ? Is it an innocent urge ? Does it not spring from the hidden sexual desires which crave for their fulfilment outside their lawful, natural sphere by similar desires on the other side ? If one denies this, then one may perhaps have no hesitation to deny that underneath a volcano over-shadowed by smoke there is always something called lava forcing for an outlet. One may act and behave as one may please, but one should not close one's eyes to facts. These facts are no longer hidden ; they have become manifest and their results are as clear as the sun. Even so they are acknowledged consciously or unconsciously by everybody in daily life. Islam, however, checks such trends and means to nip the mischief in the bud. That is why it looks with concern upon the seemingly "innocent" display of decoration, which eventually sends the whole society to its doom. According to a *Hadith*, "A woman who freely mixes with the other people and shows off her decoration is without light and virtue". (*Al-Tirmizi*).

The Holy *Qur'an* prohibits the display of decoration by women before the other people except what is unavoidable. People have tried to exploit this exception to serve their own "theories". But the difficulty is that these words do not allow much scope for misinterpretation. What the Law-giver means to say is that a woman should not display her decoration before others on purpose, but she is not responsible for that which cannot be helped. That is, one should not show off nor display one's fineries before others, not even by causing it to jingle in order to attract attention. On the contrary, one should try one's utmost to hide one's fineries, but

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*Cont. from p. 188*

weak and she could not survive for long. Then came the turn of actress Emola who reduced herself to an extent that she became a mental case and had to be lodged in the asylum. Reports about well-known ladies are published in the newspapers, but who can calculate the extent of damage being done to health and life in every country every day in the craze for beautification ? Is it women's emancipation or their servility ? It is indeed on account of this so-called emancipation that the female has become increasingly servile to the monster of the male's passion. It has rendered her so slavish as to deprive her of freedom to eat, freedom to drink and freedom to care for health. So much so that her sole object of life seems to be living or dying for the sake of the man's pleasure and enjoyment.

if in spite of that some part of it remains uncovered, God will not take one to task for it. Obviously, the outer garments with which one hides one's decoration will remain uncovered. Similarly, one's stature, physical build and figure cannot be hidden. Then one may have sometimes to uncover one's hand or a part of one's face for a genuine need. This is not prohibited, for it is not done with a desire to show off. One cannot possibly avoid it. If a mean person draws pleasure from it, he will suffer for his own evil intention. The woman who performed her moral and social duty as well as she could is absolved from all blame.

This is the correct meaning of the verse in question. Though the commentators hold different views about its interpretation, yet all their differences boil down to the meaning as explained above.

According to Ibn Mas'ūd, Ibrāhīm Nakh'ī and Hasan Basrī, the external decoration implies those garments which the woman puts on to cover the internal decoration, for instance, the over-garment or the veil.

According to Ibn 'Abbās, Mujāhid, 'Atā', Ibn 'Umar, Anas, Zāhāk, Sa'īd bin Jubair, Auzā'ī and the Hanafite *Imāms*, it means the face and the hand including the articles meant for their decoration, for instance, henna, rings, collyrium, etc.

Sa'īd bin al-Musayyab holds that the face only is excepted and he is supported in this view by Hasan Basrī also in one of his sayings.

Hazrat 'Ā'ishah opines that the face should be covered and holds that the external decoration implies the hand, bangles, rings, etc.

Miswar bin Makhramah and Qatādah allow the uncovering of the hands along with their decoration, but it appears that they only favour the uncovering of the eyes and not the whole face.<sup>1</sup>

If we consider these differences carefully, we shall find that according to all these commentators, Allah has allowed the exposure of that decoration which is unavoidable, or which one has to reveal for a genuine need. On the contrary, no one has supported the view that the face and the hands should be displayed on purpose. What

1. All these sayings have been taken from the Commentary by Ibn Jarir and *Ahkām-al-Qur'an* by al-Jassās.

they have tried to interpret according to their lights and in view of the genuine needs of women is how far the face and the hand may be displayed if so required, or what cannot be helped. Let us not restrict "except what is unavoidable" to any of these conditions. A Muslim woman who means to follow the Commands of Allah and His Prophet faithfully, and who is also not prepared to get involved in a scandal, can herself decide according to her own conditions and requirements whether she should cover or uncover her face and hand, when and to what extent. In this regard, the Law-giver has neither specified any laws nor is it wise and proper to devise such laws in view of the different circumstances and conditions of the people.

A woman who is required by circumstances to go out and work will have to uncover both her face and her hands at times. Such a woman is allowed to do so as and when required by the occasion. On the contrary, the woman whose circumstances are different is not allowed to do so intentionally, without a genuine need.

Thus, according to the Law-giver, it is sinful to display anything with a view to showing off one's charms. But if something is displayed which is unavoidable, it is not sinful. Moreover, if one is required to uncover any part of one's body under a genuine need, one is allowed to do so. Now the question arises: What is the Command about the face itself, irrespective of the difference of circumstances? Does the Law-giver approve its uncovering or disapprove it? May one uncover it only if required under inevitable circumstances, or is it something which may not at all be hidden from anybody? Answers to these questions have been given in v. 59 of *Sūrah Al-Ahzāb* (33).

### Covering the Face

The above-mentioned verse says :

"O Prophet, enjoin your wives and daughters and the women of the Muslims to let down over them a part of their outer garments; it is expected that they will thus be recognized and not molested . . . ." (33 : 59).

This verse especially enjoins the covering of the face. This may be done either by drawing a part of the outer-garment in front of the face, or by a veil, or in some other way. The *Qur'an* says that when

the Muslim women go out thus covered, they will be considered as respectable women, and not as lewd ones, and therefore nobody will think of molesting them.

All the commentators of the *Qur'an* have given this same meaning to this verse. Hazrat Ibn 'Abbās, commenting on this verse, says :

“Allah has enjoined on the Muslim women that when they go out of their houses under some necessity, they should cover their faces by drawing a part of their outer-garments over their heads”. (*Commentary* by Ibn Jarir, Vol. XXII, p. 29).

Imām Muhammad bin Sīrīn asked Hazrat 'Ubaidah bin Sufyān bin al-Hārith how one should follow and practise the Command of covering the face. Hazrat 'Ubaidah put on an outer-garment himself and gave a demonstration by covering his forehead and nose and an eye, leaving only the other eye uncovered. (*Commentary* by Ibn Jarir and *Ahkām-al-Qur'an*, Vol. III, p. 457)

'Allāmah Ibn Jarir Tabari, commenting on this, expands it like this :

“O Prophet, enjoin your wives and daughters and the women of the Muslims that when they go out of their houses under some necessity, they should refrain from wearing clothes like the slave-girls, leaving the head and the face uncovered, but they should draw a part of their outer-garments in front of their faces, so that no evil person may molest them, and all may know that they are respectable women”. (Reference as quoted above). 'Allāmah Abū Bakr al-Jassās says :

“This verse shows that the young woman while going out of the house should hide her face from the other people, and cover herself up in such a manner as may express modesty and chastity, so that the people with evil intentions might not cherish false hopes from her”. (*Ahkām-al-Qur'an*, Vol. III, p. 458).

'Allāmah Neishāpūrī says in his *Gharāib-al-Qur'an* :

“In the beginning of the Islamic era, women used to come out in the shirt and the wrapper only as the women of the days of ignorance did, and the dress of the respectable women was not any different from that of the women of inferior status. Then they were enjoined to put on the outer-garments and cover the

head and the face so that people might know that they were respectable women, and not immodest ones". (*Ibn Jarir*, Vol. XII, p. 32).

Imām Rāzī says :

"In the days of ignorance, women of the Arab nobility and the slave-girls moved about freely and they were teased by the evil-doers. Allah enjoined on the respectable women to cover themselves up with the outer-garment, and said, "...it is expected that they will thus be recognized and not molested". This may have two meanings : first, they will be recognized as respectable women from their dress, and will not be teased ; second, it will be known that they are not promiscuous. For the woman who covers the face, though it is not obligatory to cover it, cannot be expected to uncover her *satar* which is obligatory to cover before the other person. Thus, she will be regarded as a modest and virtuous woman who cannot be expected to do anything indecent". (*Tafstr-i-Kabir*, Vol. VI, p. 591).

Qazi Baidāvi says :

"...to let down over them a part of their outer garments" means that they should draw a part of their outer-garment in front of their face and cover themselves up with the rest of it. "...it is expected that they will be recognized..." means that they will be distinguished from the slave-girls and the singers. "...and thus not molested" means that the people of doubtful character will not dare molest them" (*Tafstr-i-Baidāvi*, Vol, IV, p. 168).

These quotations clearly show that right from the time of the Companions of the Holy Prophet down to the eighth century (A.H.) the one and the same meaning has been attached to this verse, that we have given above. Then from the Traditions also we come to know that after the revelation of this verse, Muslim women of that period had started wearing the veil, and the practice of moving about with the uncovered face had been discarded. In *Mu'atta* and the other Collections of *Hadīth* by *Abu Dī'āl*, *Tirmizi*, etc., it has been related that the Holy Prophet had forbidden the women to wear the veil over the face and the gloves on the hands while in



*Ihrām*.<sup>1</sup> This clearly shows that during the blessed period of the Holy Prophet, the veil and the gloves were in common use for covering the face and the hands. Their use was forbidden only when a woman was dressed for pilgrimage. But this did not mean that women should make an open show of their faces during the course of *Hajj*. In fact, it aimed to prohibit them from making the veil a part of the humble pilgrim's dress as they usually made it. And we learn from other Traditions that while in *Ihrām*, the wives of the Holy Prophet and the common Muslim women concealed their faces from the other people even without the veil. According to *Abū Da'ūd*, Hazrat 'Ā'ishah says :

"We, the women, were with the Holy Prophet, in *Ihrām*, and the riders passed by us. So, when they appeared before us, we drew our outer-garments from the head in front of the face, and when they rode past us, we uncovered our faces".

According to *Mu'attā* of Imām Mālik, Fātimah, daughter of Munzir, says :

"We used to cover our faces with the outer-garment while in *Ihrām*. Once Hazrat Asmā', a daughter of Hazrat Abū Bakr, was with us, but she did not prohibit us from this, (that is, she did not say that the prohibition of wearing the veil while in *Ihrām* also applied to the covering of our faces during *Hajj* days)".

According to a tradition related by Hazrat 'Ā'ishah in *Fath-al-Bāri*, *Kitab-al-Hajj*.

"A woman dressed in *Ihrām* should draw her outer-garment over her head in front of her face".

### The Veil

A person who considers carefully the words of the Quranic verse, their well-known and generally accepted meaning and the practice during the time of the Holy Prophet, cannot dare deny the fact that the Islamic *Shari'ah* enjoins on the woman to hide her face from the other people, and this has been the practice of the Muslim women ever since the time of the Holy Prophet himself. Though the veil has not been specified in the *Qur'an*, it is Quranic in spirit. The Muslim women living at the time of the Holy Prophet

1. Seamless garment that is put on during the *Hajj* days.

to whom the *Qur'an* was revealed had made it a regular part of their dress outside the house, and even at that time it was called *Niqāb* (نقاب), the veil.

Yes ! This is the same "veil" which Europe loathes and detests, and the very vision of which weighs heavily on the Western conscience, and which is regarded as a mark of oppression, narrow-mindedness and barbarism. Yes, this is the same thing that is mentioned first of all in pointing out the ignorance and backwardness of an Eastern nation. So much so that when a person has to describe the cultural and social advancement of an Eastern nation, the first thing that he mentions with great satisfaction is that it has discarded the "veil". Now if the Muslim so feels, let him hang his head with shame. For it is not something that was devised and adopted later; it was indeed devised by the *Qur'an* itself and established by the Holy Prophet himself as a social custom. But the mere hanging of the head will be of no avail. If the ostrich buries its head in the sand, it cannot do away with the hunter. Likewise, even if the Muslim hanged his head, he cannot cancel the Quranic verse, nor blot out the established facts of history. If he tries to cover it up with misinterpretation, this "shameful blot" will become all the more glaring. When under the influence of "Westernism", he has begun to look upon it as something shameful, the only honourable course for him will be to discard Islam itself which enjoins the covering of the face with such "loathsome" a thing as the veil. People enamoured of "progress" and "civilization" cannot sincerely follow a religion that prohibits the respectable women from becoming society women, which inculcates *Hayā*, modesty and chastity, and which forbids the queen of the house to become the "object of beauty" for others outside the house. How can such a religion as Islam allow such "progress" and "civilization"? For the object of "progress" and "civilization" cannot be achieved unless the woman can spare a couple of hours every time she wants to move out of the house and applies herself exclusively to self-decoration and make-up by perfuming her body, putting on highly attractive matching clothes, enhancing the glamour of the face and arms, using lip-stick and other beauty aids, and setting her eye-brows and blackening her eye-lids, so that when she goes out thus equipped she may bewitch

all and sundry.

As we have repeatedly pointed out above, the objectives of Islam and Western civilization are poles apart. Therefore, the person who interprets the Islamic injunctions from the Western point of view commits a blunder, for the Western criterion of judging the value of things is radically opposed to that adopted by Islam. The things which are held as highly important and valuable in the West are indeed of little or no value in the eyes of Islam, and *vice versa*. Thus the person who believes in the Western criterion will feel that every Islamic thing needs to be altered and modernised. That is why, when he begins to interpret the injunctions of Islam, he distorts them. And even after their distortion he is not able to apply them properly to life as he is obstructed time and again by the clear injunctions of the *Qur'an* and *Sunnah*. Therefore, the proper thing for such a person to do would be that before he considers the practical measures, he should examine how far the objectives themselves for the realization of which these measures have been devised are acceptable. For if he does not agree with the objectives, why should he take the trouble of discussing, and then distorting, the means of realizing them? Why should not one discard the religion itself whose objectives one does not believe in? If, however, one believes in the objectives, the only thing that remains to be decided is whether the practical measures devised to realize them are suitable or not, and this is by no means a difficult thing to decide. But such an approach can be adopted only by the honest, sincere people. As for the hypocrites, they are the meanest and most wretched of all God's creation. It suits them to declare that they believe in one thing, whereas they actually believe in something quite different.

Indeed, all the disputes about the veil spring from this hypocrisy. People have tried their very best to prove that the present form of Purdah was a custom of the pre-Islamic communities, and that the Muslims adopted this custom of ignorance long after the time of the Holy Prophet. The question is : Where was the necessity of carrying out this historical research in the presence of a clear verse of the *Qur'an*, the established practice of the time of the Holy Prophet, and

the explanations given by the Companions and their pupils? Obviously this trouble was taken in order to justify the objectives of life prevalent in the West. For without this, it was not possible to advocate the Western concepts of "progress" and "civilization" that have got deeply fixed in the minds. Since wearing of the veil runs counter to these objectives and does not in any way fit in with the Western concepts, efforts were made by means of historical research to blot out the tradition that is based on the clear laws of Islam. This open hypocrisy that had already been shown in the case of many other problems has again been shown in the matter of the veil as well. It is again due to the same unprincipled behaviour, bankruptcy of reason and the lack of moral courage that these people have dared to refute the *Qur'an* by their so-called historical research, despite their profession of Islam. Had they been honest and sincere, they would either have discarded their concepts in favour of Islam (provided that they wanted to remain Muslims), or they would have openly discarded Islam which prevents them from making "progress".

The person who understands the aims of the Islamic law and also has some common sense cannot fail to see that allowing women the freedom to move about with uncovered faces runs counter to the objectives held so dear by Islam. The face is the most impressive thing in the human body. It is the index of the natural human charms, the most attractive part and the one possessing great sex appeal for others. To understand this one does not require any extensive knowledge of psychology. If one searches one's own heart, asks for the verdict of one's own eyes, and analyses one's own psychic experiences, one will have to admit (provided that one is not hypocritical) that of all decorations of the body, the natural charm placed by the Creator in the structure of the face has the greatest sex appeal. That is why if one has to marry a girl, one desires to see her face, if nothing else. If one is shown the whole figure of a girl but not her face, one is not satisfied. This shows that the beauty of the face is by far the most important thing in the human body.

Now that this fact has been established, let us proceed further. If it is not intended to prevent sexual anarchy and emotional dis-

person in the society, then the female should have the freedom to expose the breasts, the arms, the shins and the thighs, besides the face, as in the modern Western civilization. In this case, all those restrictions and limits which have been imposed by the Islamic Law of Purdah will be out of the question. But if, on the other hand, the object is to curb indecency and obscenity, then nothing can be more unreasonable than to close all the minor ways to indecency but to fling the main gate wide open.

One may ask : Why has then Islam allowed uncovering of the face under genuine need? The reply is that the law of Islam is not a one-sided, irrational law. On the one hand, it safeguards the morals of man; on the other, it takes into account his genuine needs also, and thus strikes a balance between the two sides of life. It intends to eradicate immorality, but at the same time it does not restrain a person from satisfying his genuine needs. That is why it has not given the women an absolute command in respect of covering the face as in respect of covering the *satar* and hiding the decoration, because this does not restrain her from attending to the needs of life. But, on the other hand, if the hand and the face are kept permanently covered, she may find it extremely difficult to attend to her daily needs. Therefore, it was enjoined on the woman to cover the face with the veil, and this command has been relaxed by the exception "except what is unavoidable", so that she may uncover the face if required under necessity, provided that she does not mean to display her charms. Then, on the other side, men were enjoined to "restrain their eyes", so that if a modest woman uncovered her face under necessity, they would cast their looks down and refrain from staring at her in an indecent way.

If one carefully considers these injunctions for Purdah, one will find that the Islamic Purdah is not a custom of ignorance, but it is a rational law. A custom of ignorance is something rigid : it does not permit of modification or change under any circumstances. If it covers a thing, it covers it for ever, and it cannot be uncovered whatever may happen. In contrast to this, a rational law is flexible. It permits of strictness and laxity according to the circumstances ; it permits of exceptions in its rules according to the time and occa-

sion. Such a law cannot be followed blindly: it demands discrimination. A sensible follower can decide for himself where he should obey the general rule and where under the law he is allowed to avail himself of the exceptions in view of "genuine needs". Then he himself can settle the question: How far in a particular situation can he make use of the exception and how can he keep in view the object of the law? In all such matters, the conscience of an honest, sincere Believer alone can be the true judge, as has been said by the Holy Prophet:

"Ask for the verdict of your conscience and discard what pricks it".

That is why Islam cannot be properly followed without knowledge. It is a rational law, and to follow it rightly one needs to exercise reason and understanding at every step.

## Divine Laws for the Movements of Women

**A**FTER fixing the bounds for *satar* and clothing, the final Commandment given to women is :

1. "... and remain in your houses, and do not go about displaying your fineries as women used to do in the days of ignorance . . ." (33 : 33).
2. "... they should not stamp the ground in walking so as to reveal their hidden decoration (ornaments, etc., by their jingle) . . ." (24 : 31).
3. "... do not talk in a soft voice, lest the man of the unhealthy heart should cherish false hopes from you . . ." (33 : 32).

Due to the variant readings of the word **قَرْنَ** (*qarna*) in the first-quoted verse, the two different renderings will be as follows :

"Stay in or stick to your houses".

"Remain in your houses with dignity and peace"

*Tubarruj* (تبرج) has two meanings :

(a) to display decoration and charms, and

(b) to walk in a coquettish manner displaying the charms of gait.

The verse implies both these meanings. In the pre-Islamic days of ignorance, women used to come out fully decorated as they are coming out now in the modern age of ignorance. Then the gait adopted by them was such as allured the hearts of onlookers. Qatādah, who was a follower of the Companions, and a famous commentator of the *Qur'an* says :

"Their gait was coquettish ; therefore Allah forbade them to walk in that manner".

And one need not go back to history in search of this picture. One has only to visit a place frequented by women clad in the Western style, and one will witness the "coquettish gait" of the pre-Islamic days of ignorance. Islam forbids this. It says that the real place for the woman is the house and she has been exempted from the outdoor duties so that she may lead a dignified and peaceful life at home and carry out her domestic responsibilities efficiently. She has, however, been allowed to go out of the house to fulfil her genuine needs, but while going out she must observe complete modesty. Neither should she wear glamorous clothes that attract attention, nor should she cherish the desire to display the charms of the face and the hand, nor should she walk in a manner as may invite the attention of others. Moreover, she should not go out wearing such ornaments as jingle and please the other people. She should not speak to them without necessity, and if she has to speak, she should not speak in a sweet and soft voice. If the woman observes these laws and limits she may go out of the house as and when required.

This is in brief the teaching of the *Qur'an*. Now let us refer to *Hadith* and see how the Holy Prophet enforced this Divine teaching in the society, and how the Companions and their women practised these laws.

#### Permission to Leave the House

It has been related in the Traditions that even before the Commandments of Purdah came down, Hazrat 'Umar had requested the Holy Prophet to enjoin his wives to observe Purdah. Therefore, when once Hazrat Saudah, a wife of the Holy Prophet, came out of the house Hazrat 'Umar saw her and said aloud, "Saudah, I have recognized you". By this he meant that somehow the women should be prohibited from coming out of the house. After this, when the Commandments of Purdah were sent down, Hazrat 'Umar felt relieved and started more often checking the women for coming out of the houses. Thus, he again encountered Hazrat Saudah outside the house and remonstrated with her. She complained to the Holy Prophet, who said :

"Allah has permitted you to go out of the house for genuine



needs".<sup>1</sup>

This shows that the Divine injunction, "Remain in your houses", does not mean that women should not at all step out of the four walls of the house. They are allowed to go out under necessity. But this permission is neither unconditional, nor unlimited. Women are not allowed to move about freely and mix with men in social gatherings. From the viewpoint of *Shari'ah*, genuine needs are those needs which require women to come out and work outside the house. Obviously, it is not possible to determine every aspect of the permission to come out of the houses for all women for all times and occasions. The Law-giver, however, has made rules to regulate the movements of women in the normal circumstances of life and enjoined the observance of *Purdah* and allowed relaxation therein according to those circumstances. One should study these rules and form an idea about the spirit and trend of the law of Islam, and then should determine for one's personal guidance the limits of *Purdah*, and the grounds of relaxation therein, according to one's special circumstances. To explain this, we shall present a few illustrations in the following pages.

#### Permission to Visit the Mosque

It is well known that the foremost obligatory duty in Islam is to offer the prescribed prayers, as far as possible; in the mosque in congregation. But in this regard, the Commands for the males are different from those meant for the females. For the males the best prayer is that which is offered in the mosque in congregation, whereas for the females the best prayer is that which is offered inside the house in seclusion. *Imām Ahmad* and *Tabarāni* have reported the following *Hadith* from *Umm Humaid Sā'idiyyah* :

She said, "O Prophet of Allah, I desire to offer prayers under your leadership". The Holy Prophet said, "I know that ; but your offering the prayer in a corner is better than your offering it in your closet ; and your offering the prayer in your closet is better than your offering it in the courtyard of your house; and your offering the prayer in the courtyard is better than your

1. This is the gist of many Traditions on the subject contained in the Collections of *Hadith* by *Muslim* and *Al-Bukhārī*.

offering it in the neighbouring mosque ; and your offering it in the neighbouring mosque is better than your offering it in the biggest mosque of the town".<sup>1</sup>

Another *Hadīth* on this subject has been related from Ibn Mas'ūd in the Collection by *Abū Da'ūd*. The Holy Prophet said :

"It is better for a woman to offer her prayers in her closet than in the main room of the house, and it is better for her to offer her prayers in her hiding-place than in her closet".

Obviously, the order here has been reversed. For the males, the prayer of the least value is that which is offered in seclusion, and of the greatest worth that which is offered in the biggest congregation. But for the females, on the other hand, the prayer offered in seclusion is of greater worth than the prayer in congregation ; so much so that a prayer offered in seclusion by them has been regarded as of greater value and worth than even the greatest blessing for a Muslim, that is, a prayer offered in congregation in the Mosque of the Prophet under the leadership of Muhammad himself (may Allah's peace be upon him), the greatest of the Prophets of Allah. The question is : What is the reason for this discrimination ? Obviously, nothing than this that the Law-giver has disapproved women's coming out of the houses frequently and mixing with the males in congregations.

The Islamic Prayer, of course, is a holy worship and the mosque

1. Women can better understand the wisdom as to why they have been instructed to offer the prayers in seclusion. Women have to discontinue offering prayers for some days during every month on account of the menses. Thus, the reason for discontinuance which no modest woman would like even her brothers and sisters to know becomes known. Many women stop offering prayers permanently for this reason. The Law-giver, therefore, has instructed them to offer prayers in privacy, so that nobody could observe when they offered the prayer and when they discontinued offering it. But this is only an instruction, not a command. Women may arrange their congregational prayers separately under the leadership of a woman. Umm Waraqah, daughter of Naufal, had been authorised by the Holy Prophet to lead women in prayers (*Abu Da'ud*). According to *Darqutni* and *Baihaqi*, Hazrat 'Ā'ishah led women in prayers while standing in the same line with them in the middle. This shows that when a woman has to lead the prayer, she should not take her position in the front but should stand inside the line along with other women.

a sacred place. The Law-giver has expressed his real intention by pointing out the worth and value of the prayers offered at different places, so that the mixing of the sexes may be prevented, but he has not prohibited women at all from coming to such a sacred place as the mosque for such a pious purpose as of offering the prayers. The words of the *Hadīth* in which women have been permitted to come to the mosques point to the great wisdom of the Law-giver. He said :

1. "Do not prohibit the slave-girls of Allah from coming to the mosques of Allah. When a wife of one of you asks for permission to go to the mosque, she should not be refused the permission". (*Al-Bukhāri* and *Muslim*).
2. "Do not prevent your women from coming to the mosques, though their houses are better for them". (*Abū Da'ūd*).

These words clearly show that the Law-giver does not prohibit women from going to the mosques, because it is not a sin to go to the mosques for offering prayer, but at the same time they cannot be allowed to mix with the males for moral reasons. Therefore, women have been allowed to visit the mosques but the males have not been instructed to send their women to the mosque or bring them along with them. What has been enjoined is that if they at all ask for permission to go to the mosque for offering a prayer of less spiritual merit than the one of greater merit in the house, they should not be refused the permission. Hazrat 'Umar who was fully conscious of the spirit of Islam understood well the wisdom of this instruction of the Law-giver. It has been reported in *Mu'attā* that he always had a conflict in this regard with his wife 'Ātikah, daughter of Zaid. He did not want her to go to the mosque, but she always insisted on going. Whenever she asked for permission, Hazrat 'Umar would keep quiet, strictly in accordance with the command of the Holy Prophet. Thus he would neither stop her nor permit her in clear words. But she was also a lady of her will. She would say, "By God, I will go to the mosque till I am forbidden in clear words".<sup>1</sup>

1. Besides the wife of Hazrat 'Umar, many other women also visited the mosque to join in congregational prayers in the time of the Holy Prophet. According to *Abū Da'ūd*, the number of such women generally rose so high that they had to stand in two rows.

### Conditions of Visting the Mosque

The permission to visit the mosque has been made conditional. The first condition is that women should not go to the mosque in the day-time, but they may join in those prayers which are offered in the dark, that is, the Night Prayer and the Dawn Prayer. According to Ibn 'Umar, the Holy Prophet said :

“Let the women come to the mosque at night”. (*Al-Tirmizi, Al-Bukhāri*).

According to Nāfi', the famous pupil of Hazrat Ibn 'Umar, night-time has been specified because women can easily observe Purdah in the dark. Hazrat 'Ā'ishah says that the Holy Prophet used to offer the Dawn Prayer so early that the women could not be recognized in the dark, when, wrapped in their outer-garments, they returned home after the prayer.<sup>1</sup> (*Al-Tirmizi*).

Secondly, women should not come to the mosque with decoration and perfume. Hazrat 'Ā'ishah says that once the Holy Prophet was in the mosque when a woman from the clan of Muzainah came, walking in a coquettish manner, with full decoration. The Holy Prophet said :

“O People, prohibit your women from coming to the mosque with decoration and coquetry”. (*Ibn Mājah*).

About the use of perfume by women, he said :

“Do not use any perfume or scent in the night when you want to join the prayers in the mosque. Come in a simple dress. The women who uses perfume will not have her prayer rewarded by Allah”. (*Mu'attā, Muslim and Ibn Mājah*).

Thirdly, women should not mix with the males in the congregation, nor should they stand in the front rows. They should stand separately behind the rows of men. The Holy Prophet said :

“The best place for men is in the front rows, and the worst at the rear, whereas the best place for women is at the rear, and the worst in the front rows”.

1. Other Traditions on this subject have also been reported in the Collections of *Hadīth* by Al-Bukhari, Muslim, Abu Da'ūd and others. It has also been related that after the prayers were over, the Holy Prophet and all the males remained sitting till the women had left the mosque. Then they would rise and disperse

That is why he enjoined that in congregational prayers man and woman should not stand side by side even if they were the husband and the wife, or the mother and the son. Hazrat Anas says, "Mulaikah, my maternal grandmother, invited the Holy Prophet to a meal. After it was over, the Holy Prophet rose for prayers. Yatīm and I stood behind him and Mulaikah stood behind us". (*Al-Tirmizi*). According to another Tradition from Hazrat Anas, the Holy Prophet offered prayers in his house, when he and Yatīm stood behind him and Umm Sulaim, his mother, stood behind them. (*Al-Bukhāri*). Hazrat Ibn 'Abbas says, "Once the Holy Prophet stood up for prayers. I stood beside him and Hazrat 'Ā'ishah stood behind us". (*Nasā'i*).

Fourthly, women are not allowed to raise their voice during the prayer. Therefore, if the Imām has to be warned of an error men should say *Subhan-Allah* (Allah be glorified), but women should only tap their hands. (*Al-Bukhāri* and *Abū Da'ūd*).

Despite these conditions, when Hazrat 'Umar felt that there was a danger in the mixing of the sexes in congregations, he fixed a separate door of the mosque for use by women, and forbade men to use that door for entrance and exit. (*Abū Da'ūd*).

#### Rules for Women during Hajj

The second congregational duty in Islam is the performance of *Hajj* which is obligatory both for men and for women. But women have been prohibited from mixing with men as far as possible while moving round the Ka'abah. According to a tradition related by 'Atā' in the Collection by *Al-Bukhāri*, women used to move round the Ka'abah along with men during the time of the Holy Prophet, but they did not mix with them. According to a tradition related by Ibrahīm Nakhī in *Fath-al-Bārī*, Hazrat 'Umar had forbidden the males and the females to mix during the ceremonial rounds of the Ka'abah. Once when he saw a man in the midst of women, he caught hold of him and whipped him. (Vol. III, p. 312). According to *Mu'attā*, Hazrat 'Abdullah bin 'Umar used to send the members of his family in advance from Muzdalifah to Minā, so that the women could offer the Dawn Prayer and perform the stone-throwing ceremony before the people arrived. Similarly, Asmā, a

daughter of Abū Bakr, used to leave for Minā early in the morning when it was still dark, as that was the common practice among women during the time of the Holy Prophet.

### Participation in Friday and 'Īd Prayers

The importance of religious congregations on Friday and on the 'Īd occasions in Islam cannot be exaggerated. Keeping in view the importance of these congregational prayers, the Law-giver waived the first condition for joining in the daily prayers, that is, the prohibition to join in the day-time, though women have been exempted from the obligation of offering the Friday Prayers. (*Abū Da'ūd*). Their participation in the 'Īd Prayer is also not compulsory. But if they so desire they may join in these prayers, provided that they observe the other conditions for them for joining in the congregational prayers. Traditions show that the Holy Prophet himself used to take his wives to the religious congregations on the 'Īd occasions.

According to Umm 'Atiyyah, the Holy Prophet used to take unmarried young girls and married and menstruating women along with him to the 'Īd congregations. The menstruating women would keep away from the prayers, but would join in the invocation, (*Al-Tirmizi*). According to Ibn 'Abbās, the Holy Prophet took his daughters and wives to the 'Īd congregations. (*Ibn Mājah*).

### Attending Funerals and Visiting Graves

Attending the funeral of a Muslim is a duty, though optional, and the instructions exhorting the Muslims to attend funerals are well known to the people who care. But these instructions are meant only for the males. As for women, they have been prohibited, though not strictly, from attending funerals. Traditions show that women were sometimes allowed to attend funerals, but the Law-giver did not approve of this. A tradition related by Umm 'Atiyyah in the Collection by Al-Bukhāri says: "We were prohibited, though not strictly, from accompanying funeral processions". According to *Ibn Mājah* and *Nasā'i*, once the Holy Prophet was attending a funeral when he saw a woman. Hazrat 'Umar reproved her, but the Holy Prophet said: "O 'Umar, leave her alone". It appears that the woman was a near relative

of the dead person and had accompanied the funeral under the intensity of grief. The Holy Prophet had a regard for her feelings and forbade Hazrat 'Umar to reprove her.

Similar is the injunction about visiting the graves. Women are by nature soft-hearted, and they keep the memory of the dead ones fresh in their minds for a long time. That is why the Holy Prophet did not like to suppress their feelings completely, but instructed that frequenting the graves by women was prohibited. According to a tradition related by Hazrat Abū Hūrairah in the Collection by *Al-Tirmizi*, "The Holy Prophet cursed the woman who visited the graves frequently".<sup>1</sup> Hazrat 'Ā'ishah went to the grave of her brother, Hazrat 'Abdur Rahmān bin Abī Bakr, and said, "By God, if I had been present at the time of your death, I would not have visited your grave today". (*Al-Tirmizi*). According to Anas bin Mālik, when the Holy Prophet saw a woman crying over a grave, he did not forbid her, but said "Fear God, and have patience" (*Al-Bukhāri*).

Now let us consider these instructions carefully. The Islamic prayer is a holy worship; the mosque is a sacred place; pilgrim to the Ka'abah performs the ceremonies with the purest thoughts; and the person attending a funeral and visiting a grave has the thought of death foremost in his mind, and is overwhelmed by grief. At all such occasions, sexual feelings are either wholly absent or suppressed by the pure feelings. But in spite of that the Law-giver did not approve that the male and the female should mix in such social and religious gatherings. Though he allowed women to go out of the houses in view of the solemnity of the occasions, purity of the purpose and their delicate feelings—sometimes even took them along with him—he imposed such restrictions of Purdah as would guard against the least probabilities of mischief. Then he ruled that except for *Hajj* it was better for women not to attend the other religious congregations.

It is obvious that the Law which has such trends cannot be expected to allow that the two sexes should freely mix in schools and

1. Traditions with the same content have been reported by Hazrat Ibn 'Abbās and Hassān bin Thābit in the Collection by *Ibn Mājah*.

colleges, offices and factories, parks and places of entertainment, theatres and cinemas, and cafes and ballrooms as and when they please.

### Participation in Battle

Now that we have seen the strictness of the laws of Purdah, let us see where and why they are relaxed.

Imagine for a while that the Muslims are engaged in war and emergency has been declared. Circumstances demand that the whole collective strength of the nation should be mustered in defence. Under such extreme conditions Islam enjoins the Muslim women also to contribute their due share to the war effort. But it keeps in view the fact that woman was created for motherhood and not for killing and shedding blood. Therefore, to equip her with the weapons of war is to distort her very nature. That is why Islam allows women to take up arms only in self-defence, but it does not favour carrying them in the battle-field and recruiting them in the forces. It employs them only to give first aid to the wounded, take water to the thirsty, cook food for the soldiers, and guard the camp in their absence. In order that they may carry out these duties efficiently, restrictions of Purdah have been considerably relaxed. In fact, they have been allowed by *Shari'ah* to wear the same sort of dress, with a little modification, as is worn by the Christian nuns now-a-days.

Traditions show that the wives of the Holy Prophet and the other Muslim women used to give first aid to the wounded and water to the thirsty at the battle-field. This practice remained in force even after the commandments of Purdah had been ordained. (*Al-Bukhāri*). According to *Al-Tirmizi*, Umm Sulaim and certain other women from among the *Anṣār* accompanied the Holy Prophet to many a battle-field. According to *Al-Bukhāri*, a woman requested the Holy Prophet to pray for her that she might accompany those people who were to go for the naval battle. He prayed, "O Allah, let her be one of them!" On the occasion of the battle of Uḥd, when the soldiers of Islam had been compelled to retreat, Hazrat 'Ā'ishah and Umm Sulaim brought leather-bags full of water on their backs and took water to the fighters. Hazrat Anas



says that he saw them running to and fro with their trousers tucked up ; so much so that the lower part of their shins could be seen. (*Al-Bukhāri*). Hazrat 'Umar has related this Saying of the Holy Prophet about another woman, named Umm Sulait :

“During the battle of Uḥd, wherever I looked, to the right or to the left, I saw Umm Sulait fighting desperately to protect me”.

In the same battle, Rubai', daughter of Mu'awwaz, accompanied by a party of women was busy giving first aid to the wounded, and the same women were also carrying the wounded back to Madīnah. (*Al-Bukhāri*). In the battle of Hunain, Umm Sulaim was seen moving about with a dagger in her hand. The Holy Prophet asked, “What is this for?” She replied, “If some unbeliever comes near me, I will rip open his belly”. (*Ibn Mājah*).

Umm 'Atiyyah took part in seven battles and was responsible for guarding the camp, cooking food for the soldiers, and nursing the wounded and the sick. (*Ibn Mājah*). According to Hazrat Ibn 'Abbās, the women who performed such war services were awarded prizes from the booty. (*Muslim*).

This shows that the Islamic Purdah is not a custom of ignorance which cannot be relaxed under any circumstances. On the other hand, it is a custom which can be relaxed as and when required in a moment of urgency. Not only is a woman allowed to uncover the face and the hand but even if she has to uncover a part of her *satar* under necessity, there is no harm. But as soon as the necessity is over, she has to observe the normal rules of Purdah. Just as this Purdah is not a Purdah of ignorance, so the relaxation allowed in observing it is not like the license of ignorance. The Muslim woman cannot be compared with the European woman who came out of the house in view of the emergency created by war, but even after the war was over, she refused to return to her natural sphere.

