

# Is The Niqab Wajib For All Muslim Women?

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## بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

إن الحمد لله ، نحمده ونستعينه ونستغفره ، ونعوذ بالله من شرور أنفسنا وسيئات أعمالنا ، من يهده الله فلا مضل له ، ومن يضلل فلا هادي له ، وأشهد أن لا إله إلا الله وحده لا شريك له ، وأشهد أن محمدا عبده ورسوله صلى الله وسلم عليه وعلى آله وصحبه ومن اهتدى بهديه إلى يوم الدين .

While the covering of a Muslim woman's hair and body is well-established to be compulsory (*wajib*) in Islamic *fiqh*, there is contention over whether the same applies to also covering the face, or whether it remains an option. If indeed the *niqab* (face-veil) is obligatory, it would imply that those wearing only a head-cover and loose clothing down to their feet are committing a sin by omission. Hence, the issue of concern in this paper is not whether it is beneficial or preferable to wear the *niqab* but whether the *niqab* is compulsory for all Muslim women.

### Clarification of terms:

The "*niqab*" refers to the covering of the face by a piece of cloth or one's outer garment, leaving at most only one or two eyes exposed in order to see where one is going. The Qur'an does not contain the word "*niqab*" but rather uses the terms "*hijab*", "*jilbab*" and "*khimar*" when referring to a woman's concealment.

The term "*hijab*" may be found in 3 verses of the Qur'an:

﴿يَأْيُهَا الَّذِينَ ءَامَنُوا لَا تَدْخُلُوا بُيُوتَ النَّبِيِّ إِلَّا أَنْ يُؤْذَنَ لَكُمْ إِلَى طَعَامٍ غَيْرِ نَظْرِينَ إِنَّهُ وَلَكِنْ إِذَا دَعَيْتُمْ فَادْخُلُوا فَإِذَا طَعِمْتُمْ فَانْتَشِرُوا وَلَا مُسْتَنْسِينَ لِحَدِيثٍ إِنَّ ذَٰلِكُمْ كَانَ يُؤْذَى النَّبِيَّ فَيَسْتَحْيِي مِنْكُمْ وَاللَّهُ لَا يَسْتَحْيِي مَنْ الْحَقِّ وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَٰلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ وَمَا كَانَ لَكُمْ أَنْ تُؤْذُوا رَسُولَ اللَّهِ وَلَا أَنْ تُنْكِحُوا زُجُجَاهُ مِنْ بَعْدِهِ أَبَدًا إِنَّ ذَٰلِكُمْ كَانَ عِنْدَ اللَّهِ عَظِيمًا﴾ - سورة الأحزاب ، ٥٣

- 1) "O believers! Do not enter the houses of the Prophet without permission, nor stay waiting for meal-time: but if you are invited to a meal, enter, and when you have eaten disperse and do not seek long conversation. Such behavior annoys the Prophet, he feels shy in asking you to leave, but Allah does not feel shy in telling the truth. If you have to ask his wives for anything, speak to them from behind a curtain (*hijab*). This is more chaste for your hearts and for theirs. It is not proper for you to annoy the

Messenger of Allah, nor ever to marry his wives after him; this would be a grievous offence in the sight of Allah.” (Qur’an 33:53)

Here, the word “*hijab*” is referring to the curtain between the Prophet’s wives and visiting men who enter their dwellings. It was used to distinguish between their private quarters and the public area of the home.

﴿ وَإِذَا قُرَأَتِ الْقُرْآنُ جَعَلْنَا بَيْنَكَ وَبَيْنَ الَّذِينَ لَا يُؤْمِنُونَ بِالْآخِرَةِ حِجَابًا مَسْتُورًا ﴾  
- سورة الإسراء، ٤٥،

- 2) “When you recite the Qur’an, We put a hidden barrier (*hijab*) between you and those who do not believe in the hereafter.” (Qur’an 17:45)

In this verse, the “*hijab*” is referring to a metaphysical barrier of perception, knowledge, and spiritual benefit between those who believe and those who disbelieve.

﴿ وَمَا كَانَ لِبَشَرٍ أَنْ يَكْلِمَهُ اللَّهُ إِلَّا وَحْيًا أَوْ مِنْ وَرَآئِ حِجَابٍ أَوْ يُرْسِلَ رَسُولًا فَيُوحِيَ بِإِذْنِهِ مَا يَشَاءُ إِنَّهُ عَلَىٰ حَكِيمٍ ﴾ - سورة الشورى، ٥١،

- 3) “It is not fitting for a man that Allah should speak to him except by inspiration of from behind a veil (*hijab*) or by the sending of a Messenger to reveal with Allah’s permission what Allah wills: for He is Most High Most Wise.” (Qur’an 42:51)

Here, again, the “*hijab*” refers to a metaphysical concealment. A hadith in *Sahih Muslim* explains this veil of Allah’s further:

﴿ عَنْ أَبِي مُوسَى ، قَالَ : قَامَ فِينَا رَسُولُ اللَّهِ ﷺ يَخْمَسُ كَلِمَاتٍ . فَقَالَ « إِنَّ اللَّهَ عَزَّ وَجَلَّ لَا يَنَامُ وَلَا يَنْبَغِي لَهُ أَنْ يَنَامَ . يَخْفِضُ الْقَسْطَ وَيَرْفَعُهُ . يَرْفَعُ إِلَيْهِ عَمَلُ اللَّيْلِ قَبْلَ عَمَلِ النَّهَارِ . وَعَمَلُ النَّهَارِ قَبْلَ عَمَلِ اللَّيْلِ . حِجَابَهُ النَّورُ ( وَفِي رِوَايَةٍ أَبِي بَكْرٍ : النَّارُ ) لَوْ كَشَفَهُ لَأَحْرَقَتْ سَبْحَاتٍ وَجْهَهُ مَا انْتَهَى إِلَيْهِ بَصَرُهُ مِنْ خَلْقِهِ » ﴾  
- أخرجه مسلم في كتاب الإيمان ، باب في قوله عليه السلام : إن الله لا ينام

Narrated Abu Musa, “The Messenger of Allah ﷺ<sup>1</sup> was standing amongst us and he told us five things. He said, ‘Verily the Exalted and Mighty God does not sleep, and it does not befit Him to sleep. He lowers the scale and lifts it. The deeds in the night are taken up to Him before the deeds

<sup>1</sup> ﷺ Sallallahu ‘alaihi wa sallam (May the peace and blessings of Allah be upon him).

of the day, and the deeds of the day before the deeds of the night. His veil is the light.' In the hadith narrated by Abu Bakr (instead of the word 'light') it is 'fire'. 'If he withdraws it (the veil), the splendour of His countenance would consume His creation so far as His sight reaches.'" (*Sahih Muslim*, Vol. 1, No. 179)

From the above, it would appear that the Qur'an does not utilize the term "*hijab*" for a woman's clothing per se, but rather a screen or barrier of any sort. Nonetheless, the actions of the Prophet's wives following "the verse of the *hijab*" (33:53) in veiling their entire bodies whenever they encountered non-*mahram* men suggests that a *hijab* can also refer to clothing through which a woman conceals herself from view.

Though "*hijab*" is used in the contemporary sense as denoting a head-cover, the term "*khimar*" is used in the Qur'an (24:30-31 – see p.4 below for text) for a covering that includes a woman's hair. Since the verse endorses a new way of wearing the *khimar* for believing women (by drawing it also over their chests), it would appear that the *khimar* was known in pre-Islamic times to be a head-covering that left the chest exposed. Hadith scholar Muhammad Nasiruddeen al-Albani writes that several Qur'anic commentators have noted that the *khimar* used to hang down a woman's back, leaving her neck, shoulders and ears uncovered. (1994, *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami.<sup>2</sup> p.78)

Ibn Mandhur in *Lisan al-Arab* (Vol.4, p.257), Ibn Muflih in *Al-Mubdi'* (Vol.1, p.366) and al-Bahuti in *Kashshaf al-Qina'* (Vol.1, p.318) define the *khimar* as a garment that covers one's head<sup>3</sup>. Imam Raghib al-Isfahani in his famous work, *Mufradat alfadh al-Qur'an* explains that, "The root meaning of the word is "to cover", and the *khimar*, therefore, is the cover or veil, but it has become synonymous with a veil with which a woman covers her head (i.e., headscarf); the plural of the word is *khumur* (as used in the Qur'an: An-Nur: 31)." Ibn Kathir says, "*Khumur* is the plural of *khimar*, which means something that covers, and is what is used to cover the head." (*Tafsir al-Qur'an al-Azeem*, tafsir of Surah an-Nur, verse 31). Sheikh Muhammad al-Munajjid on *Islam Q&A* (online) said, "*Khimaar* comes from the word *khamr*, the root meaning of which is to cover. For

<sup>2</sup> The book was also released as *Hijab al-Mar'ah al-Muslimah*

<sup>3</sup> In common usage of Arabic, the words "head" and "face" are distinct. Unless specified otherwise, the word "head" is *not* taken to refer to the face, but instead refers to the rest of the head, while the word "face" is specially used to designate the face. An example of this is the process of *wudu'*: the Qur'an and ahadith mention washing the "face" separately from wiping the "head", and Muslims are not expected to run their hands over their faces again when getting to the stage of wiping the head. If the *khimar* is said to just cover the "head" then the general meaning is that it covers the hair. In order to argue that the *khimar* is a garment which covers the face, scholars would have to specify that it covers the "face".

example, the Prophet ﷺ said: 'Khammiru aaniyatakum (cover your vessels).' Everything that covers something else is called its *khimaar*. But in common usage, *khimaar* has come to be used as a name for the garment with which a woman covers her head; in some cases this does not go against the linguistic meaning of *khimaar*. Some of the *fuqahaa'* have defined it as that which covers the head, the temples and the neck." Sayyid Qutb states that the Islamic *khimar* covers the head, neck and chest areas. (*In the Shade of the Qur'an*), though al-Albani states that, linguistically, the *khimar* refers to the covering of the head only, as in the hadith which mention wiping over the *khimar* for ablution (1994, *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami. p.6-7, 72). Nonetheless, in practical reality, a *khimar* could be extended to cover other body parts as well, as the Qur'an enjoins.

Ibn Mandhur defines the *jilbab* as a garment larger than the *khimar*, generally covering a woman's head and chest but which may also extend down to cover the rest of a woman's body (*Lisan al-'Arab* Vol.1, p.272-273). The dictionary *Al-Qamus al-Muhit* by Abu Tahir al-Fayruzabadi provides the definition, "The *jilbab*... is that which conceals the clothes like a cover." Jawhari's dictionary *Al-Sihah* says, "The *jilbab* is a cover and some say it is a sheet." The *Al-Munjid* dictionary defines a *jilbab* as a loose dress or shirt. Al-Baghawi in his *Tafsir* (Vol.3, p.518) said, "It is the garment which a woman covers herself with, worn above the dress (*dir*) and the headscarf." Ibn Kathir says in his *Tafsir* of Surah *al-Ahzab* verse 59, "The *jilbab* is a *rida'* (robe), worn over the *khimar*. This was the view of Ibn Mas'ud, 'Ubaydah, Qatadah, Al-Hasan Al-Basri, Sa'id bin Jubayr, Ibrahim An-Nakha'i, 'Ata' al-Khurasani and others. It is like the *izar*<sup>4</sup> used today."

Al-Albani makes reference to a narration about 'Umar to illustrate what the *jilbab* did not cover. He states that a slave woman went to 'Umar about a matter, whereupon 'Umar told her to remove the *jilbab* from her head since she was a slave and the *jilbab* was only for free women to wear. Al-Albani argues that this narration indicates that the wearing of the *jilbab* did not prevent 'Umar from recognizing that the woman was a slave, and therefore that it could not be covering her face (1994, *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami. p.99-100).

The hadith literature suggests a variety of terms for both men's and women's clothing (such as *thawb*, *mirt*, *dheel*, etc.). Most such references to clothing are discussed under the subject of prayer. Furthermore, most of these terms are used interchangeably for both

<sup>4</sup> Material usually tied around the waist.

men and women. For example, al-Bukhari's chapter on Prayer has a reference to women who used to pray the dawn prayer wrapped up in their sheets (*murut*; sg. *mirt*). In *Sahih Muslim* (No.3881), there is reference to the fact the Prophet was wearing a *mirt* one day. Ibn Mandhur also quotes a hadith narrated by Umm Salamah that the Prophet used to wipe his hands in ablution over his shoes and his "*khimar*" – here used to mean a turban (cited by al-Baraazi, 1995, *Hijab al-Muslima*, p.36). This would indicate that many of the above-mentioned terms do not specify a particular style; merely general categories of clothing such as the word "dress," "coat" or "shirt" in English, which indicate neither length nor a detailed description of appearance.

Throughout the Muslim world, regional differences in terms used for a Muslim woman's dress (eg. *dupetta*, *tarha*, *haiak*, *telekong*, *burqa*, *hijab*, *sadl*, *ghataa*, *thawb*, etc.) have however not altered the general meaning of *khimar* as a head-cover, and a *jilbab* as an outer garment worn over one's underclothes. Only some elements of modern Algeria regard the *jilbab* as including a face-veil (Anne Sofie Roald, 2001, "Islamic Female Dress" in *Women in Islam: The Western Experience*. Routledge, p.263).

#### Arguments of those who say *niqab* is *wajib*:

The proponents of *niqab* being *wajib* put forward the following verses and hadith in support of their view<sup>5</sup>:

#### A1)

﴿بِأَيْهَا النَّبِيُّ قُلْ لَأَزُوجِكُمْ وَبَنَاتِكُمْ وَنِسَاءَ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبَابِهِنَّ ذَلِكَ أَدْنَىٰ أَنْ يَعْرِفْنَ فَلَا يُؤْذِينَ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا﴾ – سورة الأحزاب، ٥٩

"O Prophet, tell your wives and your daughters and the believing women that they should draw their cloaks (*jalabib*; sg. *jilbab*) over themselves. That will be better so that they will be recognized and not molested, and Allah is Oft-Forgiving, Most Merciful." (Qur'an 33:59).

It has been related that the meaning of "draw their *jalabib* over themselves" is to cover their faces, and this has been attributed to Ibn Mas'ud, Ubayda as-Salamani and some others. (Cited by Sheikh Yusuf al-Qaradawi, 1996, *Fatawa al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'.

<sup>5</sup> We have left the original Arabic terms used for a woman's garment in each of the *ayat* and hadith listed so as to clarify the meaning of the statements for the reader. Proponents of the *niqab* as *wajib* usually translate all of the terms (eg., *jalabib*, *khumur* and *hijab*) as "veils" or full-body coverings, leaving just one eye or two to see the way. This interpretation has been questioned by other scholars, as will be expounded upon later in the paper.

Vol.2, p.326; and Imam al-Qurtubi, *Tafsir al-Qurtubi*. Beirut: Dar al-Kutub al-Ilmiyah. Vol.14, p.156). It has also been reported that Ibn 'Abbas, with reference to this verse, said that Muslim women are to cover their heads and faces with the exception of one eye (*Ma'rifatul-Qur'an* Vol.7, p.217; *Tafsir Ibn Jarir* Vol.22, p.29; *Tafsir al-Qurtubi*. Beirut: Dar al-Kutub al-Ilmiyah. Vol.14, p.156; *Tafsir Ibn Kathir*). Ibn Taymiyyah argues that Ibn 'Abbas initially held the position that the face and hands may be seen after the revelation of Surah *an-Nur* but when Surah *al-Ahzab* was revealed, he changed his view, and thus baring only one eye was his final position (*Fatawa al-Kubra*).

## A2)

﴿... وقل للمؤمنات يغضضن من أبصرهن ويحفظن فروجهن ولا يبدين زينتهن إلا ما ظهر منها وليبصرن بخمرهن على جيوبهن...﴾ - سورة النور، ٣١ - ٣٠

"...And tell the believing women to lower their gaze and to be mindful of their chastity, and to not display their adornment (*zeenah*) except that which may be apparent, and to draw their coverings (*khumur*; sg. *khimar*) over their bosoms..." (Qur'an 24:30-31).

Proponents of *niqab* as *wajib* argue that in this verse, the words "except that which may be apparent" ("*illa ma dhahara minha*") refer to the outer garment a woman wears, and this is the view of Ibn Mas'ud, al-Hasan, Ibn Sirin, Abu al-Jawza' and Ibrahim Nakha'i (*Tafsir Ibn Kathir*). Al-Baghawi (d. 516A.H.) says in *Ma'alim al-Tanzil* (1994, Dar al-Tayyibah. Vol.6, p.34) that Ibn Mas'ud's view was based on Allah's saying, "... take hold of your *zeenah* in every place of worship" (Qur'an 7:31), and what was meant by that was clothing.

## A3) Qur'an 33:53 as listed above (on page 1).

The author of *Adwa al-Bayan* argues that if the Prophet's wives were commanded to veil themselves because it would serve to bring about better purity in the men that came to visit them as well as themselves<sup>6</sup>, and they already were the purest of the Muslim women, then other believing women should be even more required to wear the veil as they are in even greater need of purifying their hearts and minds. This is also reported to be the view of Abdul Azeez Ibn Baz (*Hijab wa Safur*).

## A4)

﴿عن صفية بنت شيبة أن عائشة رضي الله عنها كانت تقول : لما نزلت هذه الآية ﴿... وليبصرن﴾﴾

<sup>6</sup> "...If you have to ask his wives for anything, speak to them from behind a curtain (*hijab*). This is more chaste for your hearts and for theirs..." (Qur'an 33:53)

﴿ بخمرهن على جيوبهن ﴾ أخذن أزهرن فشققنها من قبل الحواشي فاخترن بها ﴿  
- أخرجه البخاري في كتاب تفسير القرآن ، باب ﴿ وليضرن بخمرهن على جيوبهن ﴾

Narrated Safiya bint Shayba, "Aisha used to say, 'When (the verse) "They should draw their *khumur* over their bosoms" was revealed, (the women) cut their waist sheets at the edges and covered their faces with the cut pieces.'" (*Sahih al-Bukhari* Vol.6, No. 4759)

#### A5)

﴿ عائشة قالت : لقد كان رسول الله ﷺ يصلي الفجر فيشهد منه نساء من المؤمنات متلفعات في مروطهن ، ثم يرجعن إلى بيوتهن ما يعرفهن أحد ﴾  
- أخرجه البخاري في كتاب الصلاة ، باب في كم تصلي المرأة من الثياب

Narrated 'Aisha, "Allah's Apostle used to offer the *Fajr* prayer and some believing women covered with their sheets (*murut*) used to attend the *Fajr* prayer with him and then they would return to their homes unrecognized." (*Sahih al-Bukhari* Vol.1, No. 372)

Proponents of compulsory *niqab* argue that the only way women could be unrecognized is if they wore full body coverings, including the face. (Sheikh Ibn Uthaimin, *Hijab*, p.12-13)

#### A6)

﴿ عن عائشة أن أزواج النبي ﷺ كن يخرجن بالليل إذا تبرزن إلى المناصع - وهو صعيد أفيح - فكان عمر يقول للنبي ﷺ : احجب نساءك . فلم يكن رسول الله ﷺ يفعل . فخرجت سودة بنت زمعة زوج النبي ﷺ ليلة من الليالي عشاء ، وكانت امرأة طويلة ، فناداها عمر : ألا عرفناك يا سودة . حرصا على أن ينزل الحجاب . فأنزل الله آية الحجاب ﴾  
- أخرجه البخاري في كتاب الوضوء ، باب خروج النساء إلى البراز

Narrated 'Aisha, "The wives of the Prophet used to go to Al-Manasi, a vast open place (near Baqia at Madinah), to answer the call of nature at night. 'Umar used to say to the Prophet, 'Let your wives be screened (*ihjub*, from *hijab*),<sup>7</sup> but Allah's Apostle did not do so. One night Sauda bint Zam'a, the wife of the Prophet, went out at 'Isha' time and she was a tall lady. 'Umar addressed her and said, 'I have recognized you, O Sauda.' He said so, as he desired eagerly that the verses of *Al-Hijab* may be revealed. So Allah revealed the verses of *Al-Hijab*.'" (*Sahih al-Bukhari* Vol.1, No. 146)

<sup>7</sup> *Ihjub nisa'aka.*"

**A7)**

﴿ عن النبي ﷺ قال المرأة عورة فإذا خرجت استشرفها الشيطان ﴾  
- سنن الترمذي ، قال أبو عيسى هذا حديث حسن غريب

Narrated Ibn Mas'ud, "The Prophet ﷺ said, 'A woman is 'awrah (and thus should be concealed), for when she goes out the shaytan looks at her.'" (*Tirmidhi*, No. 3109 in Alim Software Version 4.5)

**A8)**

﴿ عن أم سلمة ، قالت : لما نزلت (يدنين عليهن من جلابيبهن) خرج نساء الأنصار كأن على رؤوسهن الغربان من الأكسية ﴾  
- أخرجه أبي داود ، كتاب اللباس ، باب في قوله تعالى (يدنين عليهن من جلابيبهن)

Narrated Umm Salamah, "When the verse that, 'they should cast their outer garments over their persons' was revealed, the women of Ansar came out as if they had crows over their heads by wearing outer garments." (*Abu Dawood*, No. 4090)

Some proponents of *niqab* argue that this hadith indicates that the *sahabiyat* wore complete coverings that were black like crows.

**A9)**

﴿ عن عبد الخبير بن ثابت بن قيس بن شماس ، عن أبيه ، عن جده ، قال : جاءت امرأة إلى النبي ﷺ يقال لها أم خلد ، وهي منتقبة ، تسأل عن ابنها وهو مقتول ، فقال لها بعض أصحاب النبي ﷺ : جئت تسألين عن ابنك وأنت منتقبة ؟ فقالت : إن أرزأ ابني فلن أرزأ حياتي ، فقال رسول الله ﷺ : «ابنك له أجر شهيدين» قالت : ولم ذاك يا رسول الله ؟ قال : «لأنه قتله أهل الكتاب» ﴾  
سنن أبي داود : كتاب الجهاد ، باب فضل قتال الروم على غيرهم من الامم

Narrated Thabit ibn Qays, "A woman called Umm Khallad came to the Prophet ﷺ while she was veiled. She was searching for her son who had been killed (in the battle). Some of the Companions of the Prophet S said to her, 'You have come here asking for your son while veiling your face?' She said, 'If I am afflicted with the loss of my son, I shall not suffer the loss of my modesty.' The Apostle of Allah S said, 'You will get the reward of two martyrs for your son.' She asked, 'Why is that so, Apostle of Allah?' He replied, 'Because the people of the Book have killed him.'" (*Abu Dawood*, No. 2488)

**A10)**

﴿ عن عائشة رضي الله عنها أنها قالت : يرحم الله نساء المهاجرات الأول ، لما أنزل الله

(وليضرين بخمرهن على جيوبهن) شفقتن أكتف، قال ابن صالح: أكتف مروطهن، فاختمرن بها ﴿ سنن أبي داود : كتاب اللباس ، باب في قوله (وليضرين بخمرهن على جيوبهن)

Narrated 'Aisha, "May Allah have mercy on the early immigrant women. When the verse, 'That they should draw their veils over their bosoms' was revealed, they tore their thick outer garments and covered themselves (made *khumur*) from them." (*Abu Dawood*, No. 4102)

Ibn Hajr Al-Asqalani said that the phrase, "covered themselves", in the above hadith means that they "covered their faces" (*Fath al-Bari*).

### A11)

﴿ وحدثني عن مالك ، عن هشام بن عروة ، عن فاطمة بنت المنذر أنها قالت : كنا نخمر وجوهنا ونحن محرمات ونحن مع أسماء بنت أبي بكر الصديق ﴿ - الموطأ ، كتاب الحج ، باب تخمير المحرم وجهه

"Yahya related to me from Malik from Hisham ibn Urwah that Fatima bint al-Mundhir said, 'We used to veil our faces when we were in *ihram* in the company of Asma' bint Abi Bakr as-Siddiq.'" (*Al-Muwatta'*, Book 20, No.18)

This hadith is used by face-veiling advocates to indicate that the *sahabiyyat* all covered their faces, and that even in *ihram* a woman is required to cover her face when in the presence of other men.

### A12)

﴿ عن عائشة قالت : كان الركبان يمرون بنا ونحن مع رسول الله ﷺ محرمات ، فإذا حاذوا بنا سدلت إحدانا جلبابها من رأسها على وجهها فإذا جاوزنا كسفناه ﴿ - أخرجه أبي داود ، كتاب المناسك (الحج) ، باب في المحرمة تغطي وجهها

Narrated 'Aisha, "Riders would pass us when we accompanied the Apostle of Allah ﷺ while we were in the sacred state (wearing *ihram*). When they came by us, one of us would let down her *jilbab* from her head over her face, and when they had passed on, we would uncover our faces." (*Abu Dawood*, No.1829)

### A13)

﴿ عن عكرمة أن رفاعة طلق امرأته فتزوجها عبد الرحمن بن الزبير القرظي قالت عائشة : وعليها خمار أخضر ﴿ - أخرجه البخاري في كتاب اللباس ، باب الثياب الخضرة

Narrated 'Ikrima, "Rifa'a divorced his wife whereupon 'Abdur-Rahman bin az-Zubair al-Qurazi married her. 'Aisha said that the lady (came), wearing a green *khimar*." (*Sahih al-Bukhari* Vol.7, No. 5825)

#### A14)

عن أم عطية قالت : أمرنا أن نخرج الحيض عن مصلاهن . قالت امرأة : يا رسول الله إحدانا ليس لها جلباب . قال : «لتلبسها صاحبته من جلبابها»  
- أخرجه البخارى في كتاب الصلاة ، باب وجوب الصلاة في الثياب

Narrated Umm 'Atiyyah, "We were ordered to bring out our menstruating women and secluded women in the religious gatherings and invocation of Muslims on the two 'Eid festivals. These menstruating women were to keep away from their Musalla. A woman asked, 'O Allah's Apostle, What about one who does not have a *jilbab*?' He said, 'Let her share the *jilbab* of her companion.'" (*Sahih al-Bukhari* Vol.1, No. 351)

#### A15)

Narrated Anas, "...The Prophet ﷺ said,

﴿ولو أن امرأة من نساء أهل الجنة اطلعت إلى الأرض لأضاءت ما بينهما ، ولملأت ما بينهما ريحا ولنصيفها يعني الخمار خير من الدنيا وما فيها﴾  
- أخرجه البخارى في كتاب الرقاق، باب صفة الجنة والنار

'...and if one of the women of Paradise looked at the earth, she would fill the whole space between them (the earth and the heavens) with light, and would fill whatever is in between them with perfume, and the *khimar* of her eyes/face is better than the whole world and whatever is within it.'" (*Sahih al-Bukhari* Vol.8, No. 6568)

This hadith is interpreted by proponents of *niqab* as *wajib* to mean that even the pure women of Paradise wear veils. Therefore, it is even more desirable that the women of Earth wear them, and that the word "*khimar*" means to cover the face.

#### A16)

﴿عن عائشة رضي الله عنها قالت : أو مت امرأة من وراء ستر بيدها كتاب إلى رسول الله ﷺ ، فقبض النبي ﷺ يده ، فقال : « ما أدري أيد رجل أم يد امرأة » قالت : بل امرأة ، قال : « لو كنت امرأة لغيرت أظفارك » يعني بالحناء﴾  
سنن أبي داود : كتاب الترجل ، باب في الخضاب للنساء

Narrated Aisha, "A woman made a sign from behind a curtain to indicate that she had a letter for the Apostle of Allah ﷺ. The Prophet ﷺ closed his hand, saying: 'I do not know if this is a man's or a woman's hand.' She said: 'No, a woman.' He said, 'If you were a woman, you would make a difference to your nails', (meaning with henna)." (*Abu Dawood*, No. 4166)

Proponents of the *niqab* as *wajib* view argue that this is an example of how women after the revelation of Surah *al-Ahzab* (chapter 33) used to only speak to the Prophet ﷺ behind a veil of some sort.

### A17)

﴿ عن عائشة ، عن النبي ﷺ أنه قال « لا يقبل الله صلاة حائض إلا بخمار » ﴾  
سنن أبي داود : كتاب الصلاة ، باب المرأة تصلي بغير خمار

Narrated 'Aisha, "The Messenger of Allah ﷺ said, 'Allah does not accept the prayer of a woman who has reached puberty unless she wears a *khimar*.'" (*Abu Dawood*, No. 641)

### A18)

﴿ عن عائشة زوج النبي ﷺ أنها قالت : كان عتبة بن أبي وقاص عهد إلى أخيه سعد بن أبي وقاص أن ابن وليدة زمعة مني فاقبضه إليك ، فلما كان عام الفتح أخذه سعد فقال ابن أخي : قد كان عهد إلي فيه فقام إليه عبد بن زمعة فقال أخي وابن وليدة أبي ولد على فراشه فتساوقا إلى رسول الله ﷺ فقال سعد : يا رسول الله ابن أخي كان عهد إلي فيه وقال عبد بن زمعة : أخي وابن وليدة أبي ولد على فراشه فقال رسول الله ﷺ : (( هو لك يا عبد بن زمعة )) ثم قال رسول الله ﷺ : (( الولد للفراش ، وللعاهر الحجر )) ثم قال لسودة بنت زمعة : (( احتجبي منه )) لما رأى من شبهه بعنتبة فما رآها حتى لقي الله تعالى ﴿  
- أخرجه البخاري في كتاب الأحكام باب من قضى له بحق أخيه فلا يأخذه فإن قضاء الحاكم لا يحل حراما ولا يحرم حلالا

Narrated 'Aisha, "Utba ibn Abi Waqqas said to his brother Sa'd ibn Abi Waqqas, 'The son of the slave girl of Zam'a is from me, so take him into your custody.' So in the year of Conquest of Mecca, Sa'd took him and said, '(This is) my brother's son whom my brother has asked me to take into my custody.' 'Abd ibn Zam'a got up before him and said, '(He is) my brother and the son of the slave girl of my father, and was born on my father's bed.' So they both submitted their case before Allah's Apostle. Sa'd said, 'O Allah's Apostle! This boy is the son of my brother and he entrusted him to me.' 'Abd ibn Zam'a said, 'This boy is my brother and the son of the slave girl of my father, and was born on the bed of my father.' Allah's Apostle said, 'The boy is for you, O 'Abd ibn Zam'a!' Then Allah's Apostle further said, 'The child is for the owner of the bed, and the stone is for the adulterer.' He then said to Sauda bint Zam'a, 'Veil

(screen) yourself before him,' when he saw the child's resemblance to 'Utba. The boy did not see her again till he met Allah." (*Sahih al-Bukhari* Vol.9, No. 7182)

### A19)

﴿ عن أم سلمة ، قالت : كنت رسول الله ﷺ وعنده ميمونة ، فأقبل ابن أم مكتوم ، وذلك بعد أن أمرنا بالحجاب ، فقال النبي ﷺ : « احتجبا منه » فقلنا : يا رسول ، أليس أعمى ، لا يبصرنا ولا يعرفنا ، فقال النبي ﷺ : « أفعميا وان أنتما ؟ ألستما تبصرانه ؟ » ﴾  
سنن أبي داود : كتاب اللباس ، باب في قوله : (وقل للمؤمنات يغضضن من أبصارهن)

Narrated Umm Salamah, "I was with the Apostle of Allah ﷺ while Maymunah was with him. Then Ibn Umm Maktum came. This happened when we were ordered to observe veiling. The Prophet ﷺ said, 'Observe the veil from him.' We asked, 'Apostle of Allah! Is he not blind? He can neither see us nor recognise us.' The Prophet ﷺ said, 'Are both of you blind? Do you not see him?'" (*Abu Dawood*, No. 4112)

### A20) Ibn Umar narrated that the Prophet ﷺ said:

﴿ ولا تنتقب المرأة المحرمة ، ولا تلبس القفازين ﴾  
- أخرجه البخارى فى كتاب جزاء الصيد باب ما ينهى من الطيب للمحرمة والمحرمة

"A pilgrim woman must neither cover her face nor wear gloves." (*Sahih al-Bukhari* Vol.3, No. 1838. Also found in *Ahmad* and *Abu Dawood*, and authenticated by al-Albani).

The proponents of *niqab* being *wajib* for women argue that the fact that this hadith mentions an exception indicates that covering the face and wearing gloves was, outside of *ihram*, the rule.

### A21) Advocates of compulsory veiling also utilize the jurisprudential method of *Sadd ad-Dhara'i* to buttress their argument. *Sadd ad-Dhara'i* means blocking the means that lead to *haram*. It is argued that at the time of the Prophet S and the first generation of Companions, people's minds were pure and therefore women could leave their faces open without any fear of trouble. However, the present times are replete with moral deficiencies, *fitnah*<sup>8</sup> is everywhere, and society takes every opportunity to consume a woman as an object of temptation. Therefore, women must cover their faces not because their faces are *'awrah* but in order to protect themselves, and thus block the means to such *fitnah*.

<sup>8</sup> troubles, trials, enticements, temptations, and disorder

**A22)** The legal status<sup>9</sup> of anything in Islam is carefully analysed by the jurists of *fiqh*. Therefore, it is important to ascertain their views on this issue. Most Hanbalis regard the entire body of a woman as *'awrah* outside of *salah*. Ahmad ibn Hanbal views the hands as *'awrah* at all times and states that the face may be covered in *salah* and *ihram* if there are non-*mahram* men around.

**A23)** Some proponents of *niqab* as *wajib* have written that there is a consensus among the four well-known schools of (Islamic) law that the face of a woman should be covered, and that this is the view of Imams Malik, Al-Shafi'i and Ahmad. (See, for example, the works of Sheikh al-Tuwaijree and internet sites such as <http://www.geocities.com/livingpurdah/light.html>).

### Arguments of those who say *niqab* is not *wajib*:

**B1)** The vast majority of *ulama* argue that the *niqab* is not *wajib* (Ibn Rushd, *Bidayat al-Mujtahid wa Nihayat al-Muqtasid*). They use the same verses referred to in A1-A3 to justify their position, contending that the correct meaning of *khimar* and *jilbab* do not necessarily involve covering one's face.

**B2)** They also explain that the fact that the terms "*khimar*", "*jilbab*", and "*hijab*" may have more than one meaning implies that an isolated meaning (such as covering of the entire face or leaving only one or two eyes) cannot be used to establish an obligation (or prohibition of the other meanings).

**B3)** It has been reported that the majority of the *ulama* among the Companions and the *Tabi'un* (Succeeding Generation) interpreted the phrase "*illa ma dhahara minha*" ("except that which may be apparent") in Qur'an 24:31 as being the face and hands (Al-Hafiz al-Suyuti, *Al-Dharr al-Mansur fil-Tafsir bil Ma'thoor*). Some have interpreted it to mean the *kohl* and ring and thus what places on the body such accessories occupy (*ibid.*).

For example, Ibn Mansur, Ibn Jarir, Abd ibn Humayd, Ibn al-Mundhir and al-Baihaqi related that Ibn 'Abbas said that *kohl*, the ring, bangle and necklace are permitted to be seen (as "that which may be apparent"). Abdul-Razzaq also related from Ibn 'Abbas that the bangle and the ring are allowed to be displayed (Sheikh Yusuf al-Qaradawi, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.317). Abdul-Razzaq,

<sup>9</sup> i.e. whether it is *wajib* (obligatory), *mustahab* (commendable), *mubah* (permissible), *makruh* (discouraged), or *haram* (prohibited).

Ibn Jarir, Ibn Jurayj, Ibn Abi Shaybah and Tahawi with a solid chain said that Ibn 'Abbas regarded the ring and the parts of the face as what is permissibly apparent (*ibid.*, p.318; Sheikh Yusuf al-Qaradawi, 1989, *The Lawful and the Prohibited in Islam*, p.156). Al-Qurtubi also reports that Ibn 'Abbas and Qatadah said that nothing may be seen of a woman except her face (*Tafsir al-Qurtubi*. Beirut: Dar al-Kutub al-Ilmiyah. Vol.14, p.156).

Ibn Abi Shayba, Abd ibn Humayd and Ibn al-Mundhir said that 'Aisha was asked about what the adornments are that shouldn't be seen. She replied that they were the chest, the heart, the opening of the chest, and what comes together in the chest (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.318).

**Al-Miswar ibn Makhramah** said what may be apparent include bracelets, rings, and *kohl* (Ibn al-Jawzi (d. 597A.H.), 1987, *Zad al-Masir*. Dar al-Fikr. Vol.5, p.355-356; Ibn al-'Arabi, *Ahkam al-Qur'an*).

**Mujahid** said *kohl*, rings and dye may be seen (Ibn al-Jawzi, *Zad al-Masir*, Op. Cit.).

**Al-Hasan** said that rings and bracelets are permissible to be exposed (Ibn al-Jawzi, *Zad al-Masir*, Op. Cit.).

Ibn Abi Shayba said that **'Ikrima** said the face and a little part of the neck may be seen. (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Op. Cit.)

Ibn Jarir said that **Ibn Jabir** and **Ibn 'Ata** said the face and hands may be seen. (*ibid.*).

Other notable Companions who have been mentioned in the books of jurists as sharing this view include **al-Dahhak** (Al-Baghawi, 1994, *Ma'alim al-Tanzil*. Dar al-Tayyibah. Vol.6, p.34), **Urwah** and **Anas** (Sheikh Yusuf al-Qaradawi, *Fatawi al-Mu'asira*. Op. Cit., Vol.2, p.326; *The Lawful and the Prohibited in Islam*, 1989, p.156).

Sheikh Yusuf al-Qaradawi adds that, "**Sa'id ibn Jubayr**, **'Ata** and **Al-Awza'i** have stated explicitly that the showing of the face and hands is permissible.<sup>10</sup> 'Aisha, Qatadah, and others have added bracelets to what may be shown of the adornments; this interpretation implies that a part of the arm may also be shown." (*The Lawful and the Prohibited in Islam*, Op. Cit.).

<sup>10</sup> This is echoed by Al-Shawkani (d. 1250A.H.), 1995, *Fath al-Qadir*. Al-Maktabah al-'Asriyyah. Vol.4, p.29.

Abdul-Razzaq and Ibn Jarir said that **Qatadah** said the place (on a woman's body) where description of a person is made (i.e. the face), the ring and *kohl* are permitted to be seen. (Sheikh Yusuf al-Qaradawi, *Fatawi al-Mu'asira*. Op. Cit., Vol.2, p.318)

#### **B4) Refutations of the arguments of those who say niqab is wajib:**

In addition to arguing that the words "*khimar*" and "*jilbab*" have been erroneously translated as "veil", and that there are numerous reports from the Companions and *Tabi'un* to substantiate this view, those who argue that the *niqab* is optional offer the following refutations to each of the arguments made by the proponents of *niqab* as *wajib*:

**Refutation of A1** – referring to Q33:59 – Sheikh Nasiruddeen al-Albani mentions that the distinguished linguist al-Raghib al-Isfahani in *al-Mufradaat* defines the term "*al-idnaa*"<sup>21</sup> as meaning "to come close to"<sup>22</sup> and therefore it may not be inferred to mean "covering the face". He also states that Ibn 'Abbas' explanation of the verse, as related in the *Tafsir* of al-Tabari, is that a woman "should bring the *jilbab* close to her face without covering it", and any other narration that contradicts this is unauthentic (1996, "Introduction" in *Jilbab al-Mar'ah al-Muslimah*, 3<sup>rd</sup> edition. Al-Maktabah al-Islamiyyah, p.5). Al-Albani alleges that most scholars are aware that the hadith related by Ibn 'Abbas that women are only permitted to reveal one eye is weak<sup>23</sup> (1994, *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami. p.11).

Concerning the claim that Ibn 'Abbas changed his initial stance after the revelation of Surah *al-Ahzab*, Dr. Syed Mutawalli Darsh states that Ibn Taymiyyah was mistaken in deducing that Surah *al-Ahzab* came after Surah *an-Nur* (1995, *Hijab or Naqab*. London: Dar al-Dawa Bookshop, p.16). Most of Surah *al-Ahzab* relates to the Battle of Khandaq, which took place in Shawwal of 5 A.H. In addition, verse 53 of this surah (which commands *niqab* for the Prophet's wives is reported by Anas ibn Malik to have been revealed during the *walima* for the marriage of the Prophet ﷺ to Zaynab bint Jahsh<sup>24</sup>. This marriage took place in Dhu'l Qidah of 5 A.H. Verse 33:53 is generally agreed by the scholars to mark the commencement of the revelation of verses related to women's

<sup>21</sup> Verse 33:59 mentions that the Prophet (s) should tell his wives, daughters and the believing women to "*yudnina alaihinna min jalabib hinna*"

<sup>22</sup> i.e. "to draw their *jilbabs* close to themselves"

<sup>23</sup> due to a defect in Abdullah ibn Salih and doubt over whether Ibn Abi Talhah actually heard from Ibn 'Abbas

<sup>24</sup> see footnote 19 in this paper

dressing. Surah *an-Nur* was revealed after the incident of the slander of 'Aisha, which occurred after Zaynab's marriage to the Prophet had been well-established. (See B25 below for more details of how this chronology was reached). Surah *an-Nur* verse 31 is generally agreed to mark the final definitive statement on women's dressing. Thus, if Ibn 'Abbas' commentary of 24:31 was that the face and hands are what is "apparent", then this (and not his alleged commentary of 33:59) must be his final word on the matter.

**Refutation of A2** – With respect to the argument of Ibn Mas'ud and some others that what may be seen of a woman's adornment (*zeenah*) is her outer garment only, Ahmad ibn Ahmad al-Shanqiti states that the best *tafsir* of the Qur'an is the Qur'an itself, and the same verse in the Qur'an describes "*zeenah*" ("adornments") as jewellery or accessories and not the outer dress: see the phrase "they should not strike their feet in order to draw attention to their (hidden) ornaments" ("*zeenatihinna*")<sup>15</sup>. (*Mawahib al-Jaleel min Adillat Khaleel*. Qatar: Idarat 'Ihya al-Turath al-Islami, Vol.1, p.148).

Qur'an 24:60 also mentions the word "*zeenah*" with reference to what is underneath a woman's outer garments:

﴿وَالْقَوَاعِدُ مِنَ النِّسَاءِ اللَّاتِي لَا يَرْجُونَ نِكَاحًا فَلَيْسَ عَلَيْهِنَّ جُنَاحٌ أَنْ يَضَعْنَ ثِيَابَهُنَّ غَيْرَ مُتَبَرِّجَاتٍ بِزِينَةٍ وَأَنْ يَسْتَغْفِنَ خَيْرٌ لَّهُنَّ وَاللَّهُ سَمِيعٌ عَلِيمٌ﴾ - سورة النور، ٦٠

"As for older women, who have no hope of marriage, it is no sin for them if they discard their (outer) clothing in such a way as not to show their adornments (*zeenah*). But to remain modest is better for them, and Allah is All-Hearing, All-Knowing."

Al-Baghawi (d. 516 A.H.) says, "His (Allah's) saying '... they should not show their *zeenah* (beauty/decoration)' means... the hidden *zeenah*, for there are two *zeenahs*: hidden and open. The hidden type is things like the anklets, dye on the feet, bracelets on the wrist, earrings and necklaces. These it is not permissible for her to show, nor for the non-*mahram* man to look at. But what is meant by *zeenah* is the place of *zeenah* (in other words, where these jewellery are placed). His saying '... except what is apparent thereof' refers to the open *zeenah*." (1994, *Ma'alim al-Tanzil*. Dar al-Tayyibah. Vol.6, p.34).

<sup>15</sup> Qur'an 24:31

Al-Nasafi (d. 710A.H.) said, “*Zeenah* is what the woman uses to decorate herself in jewellery, or *kohl* or dye. And the meaning [of the verse is]: they should not show the places of *zeenah*, for showing the *zeenah* itself - which is jewellery and the like - is permissible... And the [jewellery/accessories] are placed there to show off those places, not for showing of [the jewellery] in itself. And its places are the head, the ears, the neck, the chest, the upper arms, the lower arms, the shin – which are for the diadem, the earrings, the necklaces, the sash worn over the shoulder, the bracelet, the armband and the anklet.” (1998, *Madarik al-Tanzil*. Dar Ibn Kathir. Vol.2, p.500).

Moreover, it is widely understood that the Qur’an mentions exceptions as an alleviation or concession (*rukhsah*) from what may otherwise pose hardship. The exception in 24:31 (“except that which may be apparent”) cannot be the outer cloth as that is something which cannot be avoided being seen and cannot be further covered, and thus cannot be a concession. Yusuf al-Qaradawi argues that the verse is referring to what may be covered but does not have to be, and therefore it makes more sense to say it is the face and hands (1996, *Fatawi al-Mu’asira*. Al-Mansura: Dar al-Wafa’. Vol.2, p.319).

Other opponents of the idea that *niqab* is *wajib* also point to the wording in Verse 24:31, which tells women to draw the *khumur* over their “*juyub*” (sg. “*jayb*”). The word “*jayb*” refers to a pocket, a mathematical curve which looks like a wave with depressions and peaks, or a bosom. For example, the Prophet Musa (عليه السلام) is commanded in the Qur’an (28:32) to put his hand on his “*jayb*”<sup>16</sup>, meaning his chest or pocket. It is argued that an interpretation of the word “*jayb*” as including the face is therefore not tenable according to both its literal meaning and usage. Ibn Kathir states, “and to draw their *khumur* over their *juyub*’ means that they should wear the outer garment in such a way as to cover their chests and ribs, so that they will be different from the women of the *Jahiliyyah*, who did not do that but would pass in front of men with their chests completely uncovered, and with their necks, forelocks, hair and earrings uncovered.” (*Tafsir* of Surah *an-Nur*). Sheikh Muhammad al-Ghazali contends that had the requirement been to lower the *khimar* over the face, the word “*wujuh*” (“faces”) would have been used instead of “*juyub*” (1989, *As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith*, p. 39).

<sup>16</sup> “*Usluk yadaka fi jaybika...*” (Qur’an 28:32)

Again on wording, al-Albani in an interview states that verse 24:31 cannot be taken to mean cover the face as "*wal-yadribna*" means "and to pull/draw together"<sup>17</sup>, and if Allah wanted to command that the face be covered, He would have used more explicit words such as "let fall" ("*sadala*"). (See the interview at [http://www.uh.edu/campus/msa/articles/tape\\_.html#khimar](http://www.uh.edu/campus/msa/articles/tape_.html#khimar)). This is confirmed by Ibn Kathir who states, "Sa'id bin Jubayr said, '*wal-yadribna*' means to pull it around and tie it securely." (*Tafsir* of Surah *an-Nur*, verse 31).

**Refutation of A3** – The argument that some *mufasssirin* make that the specific command to the Prophet's wives in 33:53 has wider application to all Muslim women to veil themselves because they are in even greater need of purifying their hearts and minds has been rejected by other *ulama* on the grounds that if the verse had general import, Allah would have stated it in general terms and not used the words "his wives" (referring to the Prophet ﷺ). Other verses in the same chapter mention the unique position of the Prophet's wives and place a number of conditions on only them because of this special position<sup>18</sup>. The wording of the verse also clearly describes an offensive situation which occurred specifically to the Prophet S wherein guests would not leave his home at meal-times nor give him and his wives any privacy<sup>19</sup>. Such *ulama* also

<sup>17</sup> As in "*wal-yadribna bi khumurihinna alaa juyub hinna*" ("and to draw their *khumur* together over their bosoms")

<sup>18</sup> "O wives of the Prophet! If any of you are to become guilty of manifestly immoral conduct, she will have double punishment (in the Hereafter). This is indeed easy for God. But any of you who devoutly obeys God and His Messenger, to her We shall grant reward twice and We have prepared for her a most excellent Sustenance (in the Hereafter). O wives of the Prophet! You are not like any of the (other) women. If you are conscious of God, let not your speech be too complaisant, in case any in whose heart there is a disease should desire (you). Speak in a right (*mar'oof*) way. Stay in your houses and do not flaunt your charms as they used to do in the former times of ignorance. Establish regular prayers and give regular charity and obey God and His Messenger. O members of the household! God wishes to remove from you that which is loathsome and He wants to purify you to utmost purity." (Qur'an 33:30-33)

<sup>19</sup> "O believers! Do not enter the houses of the Prophet without permission, nor stay waiting for meal-time: but if you are invited to a meal, enter, and when you have eaten disperse and do not seek long conversation. Such behavior annoys the Prophet, he feels shy in asking you to leave, but Allah does not feel shy in telling the truth..." (Qur'an 33:53). Anas describes the context of the verse's revelation in the following manner: "I know (about) the *Hijab* (the order of veiling) more than anybody else. Ubayy bin Ka'b used to ask me about it. Allah's Apostle became the bridegroom of Zaynab bint Jahsh whom he married at Medina. After the sun had risen high in the sky, the Prophet invited the people to a meal. Allah's Apostle remained sitting and some people remained sitting with him after the other guests had left. Then Allah's Apostle got up and went away, and I too followed him till he reached the door of 'Aisha's room. Then he thought that the people must have left the place by then, so he returned and I also returned with him. Behold, the people were still sitting at their places. So he went back again for the second time, and I went along with him too... When we reached the door of 'Aisha's room, he returned and I also returned with him to see that the people had left. Thereupon the Prophet hung a curtain between me and him and the Verse regarding the order for (veiling) *Hijab* was revealed." (*Sahih al-Bukhari* Vol.7, No. 375).

argue that the thoughts that need to be purified are not the urge for temptation or *fitnah* but, rather, any ideas of marrying the Prophet's wives after his death<sup>20</sup>. (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p. 329).

Aside from the Qur'anic references mentioned, several hadith have been used to support the contention that the obligation to cover the face was unique to the Prophet's wives. These include the following:

(i)

﴿ عن أم سلمة ، قالت : كنت رسول الله ﷺ وعنده ميمونة ، فأقبل ابن أم مكتوم ، وذلك بعد أن أمرنا بالحجاب ، فقال النبي ﷺ : « احتجبا منه » فقلنا : يا رسول ، أليس أعمى ، لا يبصرنا ولا يعرفنا ، فقال النبي ﷺ : « أفعميا وان أنتما ؟ أألستما تبصرانه ؟ » ﴿  
 [ قال أبو داود : هذا لأزواج النبي ﷺ خاصة ، ألا ترى إلى اعتداد فاطمة بنت قيس عند ابن أم مكتوم ، قد قال النبي ﷺ لفاطمة بنت قيس « اعندي عند ابن أم مكتوم ؛ فإنه رجل أعمى تضعين ثيابك عنده » ].  
 سنن أبي داود : كتاب اللباس ، باب في قوله : (وقل للمؤمنات يغضضن من أبصارهن)

Narrated Umm Salamah, "I was with the Apostle of Allah ﷺ while Maymunah was with him. Then Ibn Umm Maktum came. This happened when we were ordered to observe veiling. The Prophet ﷺ said, 'Observe the veil from him.' We asked, 'Apostle of Allah! Is he not blind? He can neither see us nor recognise us.' The Prophet ﷺ said, 'Are both of you blind? Do you not see him?'" Abu Dawood said: This was peculiar to the wives of the Prophet ﷺ. Do you not see that Fatimah daughter of Qays passed her waiting period with Ibn Umm Maktum. The Prophet ﷺ said to Fatimah daughter of Qays, "Pass your waiting period with Ibn Umm Maktum, for he is a blind man. You can put off your clothes with him." (*Abu Dawood*, No.4112; *Tafsir al-Qurtubi* Vol.11, p. 228)

﴿ عن فاطمة بنت قيس ؛ أن أبا عمرو بن حفص طلقها البتة . وهو غائب . فأرسل إليها وكبله بشعير . فسخطته . فقال : « ليس لك عليه نفقة » . فأمرها أن تعتد في بيت أم شريك . ثم قال : « تلك امرأة يغشاها أصحابي . اعندي عند ابن أم مكتوم . فإنه رجل أعمى . تضعين ثيابك . فإذا حللت فأذنيني » ﴿

<sup>20</sup> "...It is not proper for you to annoy the Messenger of Allah, nor ever to marry his wives after him; this would be a grievous offence in the sight of Allah." (Qur'an 33:53)

– أخرجه مسلم في كتاب الطلاق ، باب المطلقة ثلاثا لا نفقة لها

Another version of the latter hadith states that Fatimah bint Qays narrated that Abu Amr ibn Hafs divorced her absolutely when he was away from home, and he sent his agent to her with some barley. She was displeased with him and when he said, "I swear by Allah that you have no claim on us"; she went to Allah's Messenger ﷺ and mentioned that to him. He said, "There is no maintenance due to you from him", and he commanded her to spend her *Iddah* in the house of Umm Sharik, but then said, "That is a woman whom my companions visit. So you had better spend this period in the house of Ibn Umm Maktum, for he is a blind man and you can take off your garments. And when the *Iddah* is over, inform me." (*Sahih Muslim*, Vol. 2, No. 1480)

(ii)

﴿ سمع أنس بن مالك رضي الله عنه أن النبي ﷺ أقام على صفية بنت حبي بطريق خيبر ثلاثة أيام حتى أعرس بها وكانت فيمن ضرب عليها الحجاب ﴾  
– أخرجه البخاري في كتاب المغازي باب غزوة خيبر

Narrated Anas bin Malik, "The Prophet stayed with Safiya bint Huyai for three days on the way of Khaibar where he consummated his marriage with her. Safiya was amongst those who were ordered to use a veil." (*Sahih al-Bukhari* Vol 5, No. 4212)

The wording "amongst those" indicates that there were a select group of women who were required to wear the *niqab*, and not all.

Certain hadith indicate that observing the face-veil was taken as a sign of being of noble status or a wife of the Prophet ﷺ. The following is one such hadith:

﴿ سمع أنس رضي الله عنه يقول: أقام النبي ﷺ بين خيبر والمدينة ثلاث ليال يبنى عليه بصفية ، فدعوت المسلمين إلى وليمته ، وما كان فيها من خبز ولا لحم وما كان فيها إلا أن أمر بلالا بالأنتاع فبسطت فألقى عليها التمر والأفط والسمن فقال المسلمون : إحدى أمهات المؤمنين أو ما ملكت يمينه قالوا : إن حجبتها فهي إحدى أمهات المؤمنين ، وإن لم يحجبها فهي مما ملكت يمينه ، فلما ارتحل وطأ لها خلفه ومد الحجاب ﴾  
– أخرجه البخاري في كتاب المغازي باب غزوة خيبر

Narrated Anas<sup>21</sup>, "The Prophet stayed for three nights between Khaibar and Medina and was married to Safiya. I invited the Muslims to his marriage banquet and there was neither meat nor bread in that banquet but the Prophet ordered Bilal to spread the leather mats on which dates, dried yogurt and butter were put. The Muslims said amongst themselves, 'Will she (i.e. Safiya) be one of the mothers of the believers, (i.e. one of the wives of the Prophet) or just (a lady captive) of what his right-hand possesses?' Some of them said, 'If the Prophet makes her observe the veil, then she will be one of the mothers of the believers (i.e. one of the Prophet's wives), and if he does not make her observe the veil, then she will be his lady slave.' So when he departed, he made a place for her behind him (on his camel) and made her observe the veil." (*Sahih al-Bukhari* Vol 5, No. 4213)

Another version of this hadith also narrated by Anas says at the end,

﴿ فلما ارتحل وطأ لها خلفه ومد الحجاب بينها وبين الناس ﴾  
 - أخرجه البخارى في كتاب النكاح باب اتخاذ السراري ومن أعتق جاريتهم ثم تزوجها

"So when the Prophet proceeded from there, he spared her a space behind him (on his she-camel) and put a screening veil between her and the people." (*Sahih al-Bukhari* Vol.7, No. 5085).

A narration of Ibn Kathir further confirms the imposition of veiling as being uniquely upon the Prophet's wives. He relates the incident of Qilah bint Qais who was divorced by the Prophet ﷺ. After his death, she became re-married to 'Ikrima ibn Abi Jahl. Abu Bakr, upon hearing of this, was angry but 'Umar informed him that "She is not one his (the Prophet's) wives as the Prophet did not make her his choice (he did not consummate their marriage) and he did not veil or screen her." With this information, Abu Bakr became satisfied. (Ibn Kathir, *Tafsir al-Qur'an al-Azeem*. Damascus: Dar al-Qur'an. Vol.3, p.486). A similar case is mentioned regarding the Prophet's marriage to Asma' bint Nu'man ibn Abi al-Jawm, whom he was prohibited from consummating the relationship with. She also re-married after the Prophet's death, explaining to 'Umar that the Prophet ﷺ never veiled her because she was not one of the "Mothers of the Believers". (Cited by Ibrahim Olatunde Uthman,

<sup>21</sup> Anas said of himself, "I know (about) the *Hijab* (the order of veiling) more than anybody else. Ubayy bin Ka'b used to ask me about it." (*Sahih al-Bukhari* Vol.7, No. 375)

1997, *The Hijab of the Muslim Woman and a Call to Every Reformer*. Abeokuta, Nigeria: The Islamic Conscious Group, p.6).

**Refutation of A4** – The original Arabic of this hadith does not mention covering the face. “*Ikhtamarna biha*” does not translate as “covered their faces”, but rather that the women covered themselves (or made *khumur*) with their cut material. It is an interpretation that “covered themselves” means “covered their faces.” This interpretation is contested by those who argue that the word “*ikhtamar*” comes from “*khimar*” and therefore alludes to “covering their heads.” The same hadith is also found in Abu Dawood (see A10).

**Refutation of A5** – The hadith does not, in fact, end with the words “they would return to their homes unrecognized” but actually says “they would return to their homes unrecognized because of the darkness.” With respect to this phrase, Darsh quotes al-Baqi who says, “This shows that women used to unveil their faces. For if they were used to covering their faces, it would have been difficult to recognize them whether it was dark in the early morning or whether it was light (i.e. the fact that it was dark would have made no difference.” (Dr. S.M. Darsh, 1995, *Hijab or Naqab*. London: Dar al-Dawa, p.25).

**Refutation of A6** – The hadith in question only alludes to one of the reasons why verse 33:53 was revealed to the wives of the Prophet ﷺ. The command to veil was directed to the “Mothers of the Believers” only in order to protect their good name and the dignity of the Prophet’s household. This is evident from the reason ‘Umar advocated veiling for them. He is reported to have said, “O Messenger of Allah, different people call at your house. Some of them are decent and righteous but others are insolent. Could you not ask your wives to be screened?” (Cited by Dr. S.M. Darsh, *Hijab or Naqab*. Op. Cit., p.11). Many *mufasssirin* have mentioned with regard to the revelation of 33:59 that women who went out at night to ‘relieve themselves’ would often be harassed by mischief-makers seeking sexual pleasure from slave-girls. (Al-Razi, *Tafsir al-Kabir* Vol.6, p.591). Numerous hypocrites were also seeking to defame the household of the Prophet ﷺ. This was a concern to ‘Umar, who wished to protect the Prophet’s wives and the Prophet ﷺ himself from harm.

**Refutation of A7** – Regarding the hadith that a woman is (entirely) ‘*awrah*, those who advocate the *niqab* as optional argue that if it is taken to mean the entire body of a woman is ‘*awrah* and that this is

an absolute and universal rule, then it should be the case even for *salah* and *Hajj*. Yet this would be contrary to the consensus that a woman may reveal her face and hands for *salah* and *Hajj*. Scholars such as Sheikh Muhammad al-Ghazali argue that it would be senseless for the Shari'ah to allow a woman to expose her 'awrah in two of the most important Islamic rites of worship which require the utmost purity and remembrance of Allah without distraction, and therefore that the face and hands cannot possibly be classed as 'awrah.

Sheikh Yusuf al-Qaradawi also contends that the hadith requires qualification because it would be too burdensome for all women to have to cover their face and hands, and it is allowed to look at a woman even outside of *salah* and *Hajj* for seeking marriage (1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.329). He therefore interprets the hadith to mean that the larger part of a woman's body (and not all of it) is 'awrah.

Ibn Qudamah in *Al-Mughni*, said that, "the face and hands constitute a specific exemption to the general meaning of this hadith". This is supported by Imam al-Razi, who states, "Since the showing of the face and hands is necessary, the jurists had no choice but to agree that they are not 'awrah, and since the showing of the feet is not necessary, they have differed concerning whether or not they are 'awrah." (*Tafsir al-Kabir* of *Fakhr al-Deen al-Razi* Vol.20, p.205-206)

**Refutation of A8** – This hadith describes how the women came out in their new *jilbabs*. However, supporters of the idea that *niqab* is *wajib* say the description "like they had crows on their heads" does not suggest that their faces were covered, but rather that their heads were covered with something "on" top of them. This hadith, it is argued, is another proof that the *jilbab* does not necessarily have to cover the face.

**Refutation of A9** – *Ulama* who say the face may be exposed contend that this hadith is actually in their favour. If veiling the face were so common, the Companions would have no cause to ask Umm Khallad why she appeared before them wearing one. Sheikh Yusuf al-Qaradawi also argues that her response shows that it was not a command of Allah or the Prophet ﷺ but her own personal choice. Furthermore, if the face-veil were known to be compulsory, for the Companions to be surprised would be as absurd as asking, "Why are you observing *salah*?" (1996, *Fatawi al-Mu'asira*. Op. Cit., Vol.2, p.324).

**Refutation of A10** – Those who refute the proponents of *niqab* as *wajib* say the text of this hadith does not mention anything about covering the face. Ibn Hajar held this interpretation due to his position on what a woman is allowed to reveal of herself. However, the term "*khimar*" may not be inferred to mean a face-cover. (See section on "Clarification of terms" and Refutations to A2 and A4 above.)

**Refutation of A11** – The opponents of the position that *niqab* is *wajib* argue that this hadith indicates only a custom of some women during the Prophet's time to cover their faces, but not an obligation as there were others who did not do so (see examples starting from B5 below). As proof, al-Albani cites a tradition from 'Aisha related by al-Baihaqi with an authentic chain of narrators, regarding the female in *ihram*: "She may drape the garment on her face, if she wishes." Al-Albani argues that this indicates that covering one's face with one's outer garment is a matter of choice (1996, *Jilbab al-Mar'ah al-Muslimah*, 3rd edition. Al-Maktabah al-Islamiyyah).

Sheikh Yusuf al-Qaradawi extends this argument to say that accepted '*urf*' or local customs among certain societies today such as secluding and veiling women and not permitting them to enter mosques are not a basis to effect universal prohibitions. Even within these same societies, some customs are practiced in bigger cities and not in smaller towns or the desert or rural villages, and vice versa. (1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.331).

It has also been argued by opponents of compulsory face-veiling that if a woman in *ihram* is still supposed to cover her face around non-*mahram* men, she in reality would have to cover her face at all times on the *Hajj* (due to its being a very public rite, with vast crowds), and that this is just the same as wearing an affixed veil (*niqab*) – which was specifically prohibited by the Prophet ﷺ (see B9 below).

**Refutation of A12** – The hadith about riders passing by 'Aisha and her company when they were in *ihram* is said to be *da'if*<sup>22</sup> in its *isnad*<sup>23</sup> (Shiekh Muhammad al-Ghazali, 1989, *As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith*. p.40), due to doubtfulness over the narrator Yazid ibn Abi Ziyad, and a *da'if* hadith cannot be used

<sup>22</sup> weak

<sup>23</sup> chain of narration

as a basis to establish a *wajib*<sup>24</sup>. (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Op. Cit., Vol.2, p.328). Al-Ghazali contends that this hadith is much weaker than the Asma' hadith (see B6 below) which is corroborated by other evidence.

Moreover, Sheikh al-Qaradawi argues that even if 'Aisha did cover her face on the occasion, it does not imply that it is compulsory for others to do so. He points out that since not all the actions of the Prophet are compulsory for believers, it is unreasonable to use the actions of those other than the Prophet's as a basis to make something compulsory for everyone (*ibid.*).

Another interesting observation is the implication of the wording in the hadith. 'Aisha describes the *jilbab* as being "let down" from the head to cover the face. This is a proof that the *jilbab* was not originally covering the face by default.

**Refutation of A13** – The wife of Rifa'a was wearing a green *khimar*. Those who argue against *niqab* as *wajib* say that the hadith merely shows a woman obeying the command in Surah *an-Nur* verse 31 to wear a *khimar*, but it does not say anything in itself to indicate that the *khimar* was covering her face. Indeed, the full text of this hadith reads:

﴿ عن عكرمة أن رفاعة طلق امرأته فتزوجها عبد الرحمن بن الزبير القرظي قالت عائشة: وعليها خمار أخضر فشكت إليها وأرتها خضرة بجلدها ، فلما جاء رسول الله ﷺ والنساء ينصر بعضهم بعضا قالت عائشة : ما رأيت مثل ما يلقى المؤمنات لجلدها أشد خضرة من ثوبها ... ﴾ – أخرجه البخاري في كتاب اللباس ، باب الثياب الخضرة

Narrated 'Ikrima, "Rifa'a divorced his wife whereupon 'Abdur-Rahman bin az-Zubair al-Qurazi married her. 'Aisha said that the lady (came), wearing a green *khimar* (and complained to her ('Aisha) of her husband and showed her a green spot on her skin caused by beating). It was the habit of ladies to support each other, so when Allah's Apostle came, 'Aisha said, 'I have not seen any woman suffering as much as the believing women. Look! Her skin is greener than her clothes!'" (*Sahih al-Bukhari* Vol.7, No. 5825).

If the woman were wearing 'the full veil' her skin would not be visible for the Prophet ﷺ to look at. Her face or her hands must have been showing. It seems most likely that it was the skin on her face that had turned green, as hands rarely turn this colour after a

<sup>24</sup> an obligation

beating. If this is true, then the *khimar* does not imply clothing that covers the face.

**Refutation of A14** – The word used for what the women were to wear in this hadith is a "*jilbab*", but nowhere within the text of the hadith is there a description on whether or not the *jilbab* is to cover the face. Imam an-Nawawi mentioned in his *Sharh Sahih Muslim* with respect to this hadith that several jurists have provided explanations for the meaning of "*jilbab*." For instance, An-Nadr ibn Shamil states that the *jilbab* is a short cloth but wider than a *khimar*, and large enough for a woman to cover her head with. Another scholar said that it is a loose dress which may be distinguished from a robe (*rida*) and covers a woman's chest and back. Yet another scholar said that it is a simple wide cover one throws over oneself, and another said it is like an *izar*<sup>25</sup>. (*Sharh Sahih Muslim* Vol.2, p.542).

**Refutation of A15** – This hadith refers to the women of Paradise wearing some sort of veil on their faces. Yet opponents of those who use this hadith as proof for *niqab* being *wajib* argue that no jurist at any time in Islamic history has ever used the way of life of the people of Paradise as a basis for the establishment of a Shari'ah rule. If so, one would have to apply to all other features of Paradise to what is legally permissible and prohibited on Earth: the wearing of fragrances for women so strong that it may be smelled vast distances away, the drinking of wine, the use of gold goblets and reclining on luxurious cushions, permission to have 70 wives, etc.

Abu Hurairah also narrated that, "The Prophet ﷺ said, 'Allah said, 'I have prepared for My pious worshippers such things as no eye has ever seen, no ear has ever heard of, and nobody has ever thought of. All that is reserved, besides which, all that you have seen, is nothing (*Hadith Qudsi* No.37.)'" Then he recited (Qur'an 32:17): "No soul knows what is kept hidden (in reserve) for them of joy as a reward for what they used to do.'" (*Sahih al-Bukhari* Vol.6, No.303 in Alim Version 4.5. See also *Sahih al-Bukhari* Vol.4, No.467; Vol.9, No.589; and *Sahih Muslim*, No.6783). Hence, what is truly meant by women who are veiled in Paradise is inconceivable to us. From the hadith above on the nature of the Hereafter, we may be certain that it cannot be referring to the same sort of face-veils that we are accustomed to seeing today.

<sup>25</sup> Material usually tied around the waist

The *khimar*, like the *jilbab*, is a general term, and there were different styles of wearing it during Jahiliyyah and after the revelation. However, it is argued that if the word *khimar* already means to cover the face, why would it be necessary to specify the “*khimar* of the face” in the hadith in question? In Islamic jurisprudence (*usul ul-fiqh*), a word which has multiple and ambiguous meanings cannot be used to establish a definitive ruling.

**Refutation of A16** – Some scholars argue that the text of this hadith, contrary to proving that covering the face is compulsory, appears to be clear proof that women can display their hands in public, for the Prophet ﷺ could not have made the observation that he did if the woman were wearing gloves. In any case, the hadith merely shows that it is permissible for all women to use a screen, not that it is compulsory, as there are many other instances where women approached the Prophet ﷺ or the Companions without being behind a screen. (For example, see B5-B7, B11-B15, and B17-B19 below).

**Refutation of A17** – Al-Albani argues that this hadith is, in fact, a strong proof for the claim that the *niqab* is not compulsory, because the consensus of scholars is that covering the face in *salah* is not a condition for its validity (1994, *Jilbab Al-Mar’ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami. p.7). It therefore also suggests that the *khimar* is a headscarf and not a *niqab*. This understanding was conveyed by al-Shawkani in his commentary on this hadith (*Nayl al-Awtar*).

**Refutation of A18** – Sauda bint Zam’ā is one of the wives of the Prophet ﷺ. Those who view the *niqab* as optional say that the Prophet’s commanding her to screen herself only confirms that the *Ummahat al-Mumineen* (Mothers of the Believers) were to do so in obedience to Surah *al-Ahzab* verse 53. This hadith does not say anything about the obligations of ordinary Muslim women.

**Refutation of A19** – Sheikh Nasiruddeen al-Albani contends that this hadith has been categorized as unauthentic by hadith scholars such as Imam Ahmad, al-Baihaqi and Ibn Abd al-Barr, and al-Qurtubi also confirms this (1996, *Jilbab al-Mar’ah al-Muslimah*, 3rd edition. Al-Maktabah al-Islamiyyah). Its weakness is due to an unknown narrator in its *isnad*, whom only one person narrated from. It also contradicts a reliable narration that the Prophet ﷺ approved of Fatimah bint Qays staying at the same Ibn Umm al-Maktum’s home, “The Prophet ﷺ said to Fatimah, daughter of Qays, ‘Pass your waiting period with Ibn Umm Maktum, for he is a blind man. You

can put off your clothes with him.” (*Abu Dawood*, No.1905; *Tafsir al-Qurtubi* Vol.11, p. 228)<sup>26</sup>. A similar narration related by al-Tabarani states that Fatimah herself said, “He instructed me to be at Ibn Umm Maktum’s home because he couldn’t see me whenever I took my headscarf off.” (Cited by al-Albani, *Jilbab al-Mar’ah al-Muslimah*, 3rd edition. Op. Cit.).

**Refutation of A20** – Regarding the contention that the requirement to not veil during *ihram* implies that veiling was customary when not in *ihram*, Sheikh Muhammad al-Ghazali states that this argument is as illogical as saying because men are forbidden from covering their heads when in *ihram* that it is compulsory for them to do so when out of *ihram* (1989, *As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith*, p.38). Sheikh al-Qaradawi explains that, “Whatever is forbidden for someone in pilgrimage was originally permissible (but not compulsory). There is no regulation of *ihram* wherein something that was originally compulsory then in *ihram* becomes *haram*. That is why many jurists use this point to argue that if the face and hands are 'awrah, then the Prophet ﷺ would never say it is *haram* to uncover some of the 'awrah.” (1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.327).

The *ulama* of *fiqh* understand that a conditional prohibition indicates a permissibility outside of that condition but not an obligation. The hadith prohibiting veiling in *ihram* is thus similar to the hadith of Umm 'Atiyah that “the Messenger of Allah said: ‘A woman should not mourn for any deceased person for more than three days, except in the case of her husband’s death, which she may mourn for a period of four months and ten days. Such a woman (in mourning) is not to wear any (brightly) colored dress. She may wear only plain dress. During this period she should not use any adornment or eye makeup, nor wear any perfume, nor dye her hands and feet with henna, nor comb her hair, except at the end of her menstruation period, when she may use some cleaning or refreshing agents (such as perfume, etc.) to get rid of any offensive smell left over from her period.” (*Fiqh us-Sunnah* Vol.4, No.23 in Alim Version 4.5). This hadith indicates that the wearing of adornment, eye make-up, perfume, henna, etc. is usually permitted when a woman is not in the condition of mourning, but not that they are obligatory for her to wear.

**Refutation of A21** – See Refutation of the Fitnah argument section on pg.25

<sup>26</sup> See the full text of this hadith in the Refutation to A3 above.

**Refutation of A22** – See (vii) and (viii) under B23 (Classical jurists who view the *niqab* as not obligatory)

**Refutation of A23** – Al-Albani contests the position that there is a consensus among the four well-known schools of law that a woman's face should be covered (1994, *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami. , p.5-20). He cites, for example, Ibn Hubairah al-Hanbali, who states in *al-Iftsaah* that the face is not considered 'awrah in the Maliki, Shafi'i and Hanafi schools as well as being "a narrated position of Imam Ahmad." Al-Albani states that this position is also preferred by many Hanbali scholars, though not all.<sup>27</sup>

Those who argue that the *niqab* is not *wajib* state that aside from the refutations above, there is ample evidence from the Sunnah that the Prophet ﷺ and his Companions did not command women in general to cover their faces. The following are examples of this evidence:

**B5)** Sa'id ibn Mansur narrated that Mujahid said, "A man came to Ibn 'Abbas and said to him, 'Such and such a woman came to me with all her make up while I was in the state of *ihram*. I could not control myself and ejaculated. (What should I do?)' Ibn 'Abbas laughed until he fell on his back and said: 'You are very lustful. There is no harm, but you must slaughter a sheep. Your Hajj is complete.'" (As-Sayyid Sabiq, 1992, *Fiqh us Sunnah*, "Book of Hajj and 'Umrah." Trans. Muhammad S. Dabas and M.S. Kayani. Indianapolis, USA: American Trust Publications. Vol.5, p.58)

This hadith is an indication that a woman appeared before a man in *ihram* without covering her face and even having beautified herself with make-up such that it was too much of a temptation for the man. However, Ibn 'Abbas' response was not to send for her or to criticize her actions. Rather, he attributed the blame to the man who was too easily tempted.

**B6)**

﴿ عن عائشة رضی اللہ عنہا ، أن أسماء بنت أبي بكر دخلت على رسول الله ﷺ وعليها ثياب رقاق ، فأعرض عنها رسول الله ﷺ ، وقال : (( يا أسماء إن المرأة إذا بلغت المحيض لم تصلح أن يرى منها إلا هذا وهذا )) وأشار إلى وجهه وكفيه ﴾  
- أخرجه أبي داود ، كتاب اللباس ، باب فيما تبدى المرأة من زينتها

<sup>27</sup> See the section in this paper on classical jurists who view the *niqab* as not *wajib* (p.21-23) for examples of Hanbali scholars who take this position, as well as the founders and jurists of other schools.

Narrated 'Aisha, "Asma', daughter of Abu Bakr, entered upon the Apostle of Allah ﷺ wearing thin clothes. The Apostle of Allah ﷺ turned his attention from her. He said, 'O Asma', when a woman reaches the age of menstruation, it does not suit her that she displays her parts of body except this and this,' and he pointed to her face and hands." (Abu Dawood, No. 1902).

This hadith has been criticized as being *mursal*<sup>28</sup> but is strengthened<sup>29</sup> in its meaning by other sahih chains of narration. Al-Albani notes that two other authentic chains are provided in his book, Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah (1994, Beirut: Al-Maktab al-Islami. p.57-59): one from Asma' bint 'Umays<sup>30</sup> and the other from Qatadah<sup>31</sup>, in abbreviated format. This, he explains, is why he authenticated 'Aisha's hadith about Asma' as *hasan* in his books Jilbab al-Mar'ah al-Muslimah, Al-Irwah, Sahih Jami' as-Sagheer, and Takhreej al-Halal wal-Haram. Other scholars who have also strengthened it include al-Baihaqi, al-Thalabi, al-Mundhiri, al-Zayla'i, Ibn Hajr al-Asqalani and al-Shawkani (1996, Jilbab al-Mar'ah al-Muslimah, 3rd edition. Al-Maktabah al-Islamiyyah).

**B7)** Mawdudi writes that Ibn Jarir related an incident where Muzinah bint Abdullah ibn Tufail, a niece of 'Aisha, paid her a visit. When the Prophet saw her, he turned his face away. 'Aisha then said "O Messenger of Allah, she is my niece". The Prophet replied, "When a woman reaches the age of puberty, it is not lawful for her to display her body except the face and hands." (Narrated by 'Aisha in S. Abu A'la Maududi, n.d., The Meaning of the Qur'an, Delhi: Board of Islamic Publications, Vol.4, p.353).

Another version of the same hadith reads that Abu Bakr narrated on the authority of Ibn Jurayj that 'Aisha said, "The daughter of Abdullah ibn

<sup>28</sup> There is a missing narrator between 'Aisha and Khalid ibn Duraik.

<sup>29</sup> Al-Albani notes that the well-known hadith science rule that 'unreliable narrations are strengthened by (reliable) narrations similar to them' is often overlooked when it comes to this hadith. He also states that the use of such supportive evidence is practiced by eminent scholars such as Imam Ahmad and Ibn Taymiyyah. (1996, Jilbab al-Mar'ah al-Muslimah, 3rd edition. Al-Maktabah al-Islamiyyah)

<sup>30</sup> Asma' bint 'Umays narrated that, "The Messenger of Allah ﷺ entered the house of 'Aisha bint Abu Bakr while her sister, Asma' bint Abu Bakr, was with her. She was wearing a dress from al-Sham (a region covering the Lebanon and Syria of today) with wide sleeves. When the Messenger of Allah ﷺ saw her, he got up and went out. 'Aisha said, 'Leave the room for the Messenger of Allah has seen something he does not like.' So she withdrew. The Messenger of Allah ﷺ re-entered and Aisha inquired as to why he stood to leave. He said, 'Did you not see what she was wearing? It is not permitted for anything to be seen of a Muslim woman except this and this' and he took his sleeves and covered the upper part of his hands until nothing could be seen of his hands except his fingers. Then he lifted his hands to his temples until only the face could be seen." (Al-Baihaqi).

<sup>31</sup> Qatadah narrated that the Prophet ﷺ said, "When a young lady begins to menstruate, it is not proper that anything should be seen of her except her face and hands." (Abu Dawood)

Tufail of Muzaynah, my half-brother through my mother, entered my house. Then the Prophet ﷺ entered, but turned away from here. I said to him, 'She is the daughter of my brother and she is a young girl.' He said, 'Once a girl starts to menstruate, it is forbidden for her to uncover any part of her body except her face and what is beyond this' – and he grasped his hand just above the wrist, leaving beyond the wrist a space equal to a hand's width." (Cited by Dr. S.M. Darsh, 1995, *Hijab or Naqab*. London: Dar al-Dawa, p.19).

### B8)

﴿ عن صفية بنت شيبة ، عن عائشة رضی اللہ عنہا ، أنها ذكرت نساء الأنصار فأثنت عليهن ، وقالت لهن معروفًا ، وقالت : لما نزلت سورة النور عمدن إلى حجور أو حجوز ، شك أبو كامل ، فشققنهن فاتخذنه خمرًا ﴾  
 – أخرجه أبي داود ، كتاب اللباس ، باب في قوله تعالى (يدنين عليهن من جلابيبهن)

Safiya, daughter of Shayba, said that 'Aisha mentioned the women of Ansar, praised them and said good words about them. She then said: "When Surat *an-Nur* came down, they took the curtains, tore them and made head-covers (*khumur*) of them." (*Abu Dawood*, No. 4089 in Alim Version 4.5).

In this hadith, the Ansari women who took the verse to mean they should cover wear head-covers were praised by 'Aisha – thus indicating that their understanding of the verse's interpretation was correct. Al-Albani comments that had the women been expected to cover more, they would have been corrected and not praised. (1994, *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami).

### B9) Abdullah ibn 'Umar narrated that the Prophet ﷺ said

﴿ ... ولا تنتقب المرأة المحرمة ، ولا تلبس القفازين ﴾  
 – أخرجه البخارى في كتاب جزاء الصيد باب ما ينهى من الطيب للمحرم والمحرمة

"...the *Muhrima* (a woman in the state of *ihram*) should not cover her face, or wear gloves." (*Sahih al-Bukhari* Vol.3, No. 1838)

*Fiqh us-Sunnah* Vol.5, No.49 in Alim 4.5 states, "This proves that a woman in the state of *ihram* should not cover her face and hands. The scholars, however, say that there is no harm if she covered her face with something other than a veil. She may also use an umbrella or similar item as a screen between men and herself." Again, this argument suggests an element of choice.

Sheikh Muhammad al-Ghazali warns that it is improper to claim that the uncovering of the face which is advocated for two entire pillars of the faith (*Haji* and *Salah*) would pave the way for unlawful instincts and acts to occur (1989, *As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith*, p.36). If indeed, revealing the face was bound to lead to *haram*, the Prophet S would never have made it permissible (and even enjoined it) for such important rites of Islam, where concentration and purity are expected to be at their highest.

### B10)

Fiqh us-Sunnah states, "Ibn 'Umar reported, 'Allah's Messenger ﷺ forbade women pilgrims from wearing gloves, veils, and clothes dyed with saffron or warse. (a sweet smelling plant that was used to dye clothes yellow). Besides these, they may wear anything else, any color, silk clothes, ornaments, trousers, or a shirt or shoes.' (Reported by Abu Dawood, Al-Baihaqi and Al-Hakim, with a sound chain of authorities) Bukhari reported that 'Aisha wore a dress that was dyed with *'usfur* (safflower, the red dyestuff prepared from its flower heads) while she was in a state of *ihram*, and she said, 'A woman must neither wear a veil to cover her face, nor wear clothes that are dyed with saffron or other fragrant dyeing material.' Jabir said, 'I do not consider *'usfur* a scent.'" (*Fiqh us-Sunnah* Vol.5, No.49 in Alim Version 6.0)

### B11)

﴿أخبرني عبد الله بن عباس رضي الله عنهما قال : أردف رسول الله ﷺ الفضل بن عباس يوم النحر خلفه على عجز راحلته وكان الفضل رجلا وضيئا فوقف النبي ﷺ للناس يفتيهم ، وأقبلت امرأة من خنعم وضيئة تستفتي رسول الله ﷺ ، فطفق الفضل ينظر إليها وأعجبه حسنها ، فألتفت النبي ﷺ والفضل ينظر إليها ، فأخلف بيده فأخذ بذقن الفضل فعدل وجهه عن النظر إليها ، فقالت : يا رسول الله إن فريضة الله في الحج على عباده أدركت أبي شيخا كبيرا ، لا يستطيع أن يستوي على الراحلة فهل يقضي عنه أن أحج عنه قال : (( نعم )) ﴾  
- أخرجه البخارى في كتاب الاستئذان باب قول الله تعالى : ﴿ **وقل للمؤمنين يغضوا من أبصارهم ويحفظوا فروجهم** ﴾

Narrated Ibn 'Abbas, "Al-Fadl ibn 'Abbas rode behind the Prophet as his companion rider on the back portion of his she camel on the Day of Nahr (slaughtering of sacrifice, 10th Dhu'l-Hijja) and al-Fadl was a handsome man. The Prophet stopped to give the people verdicts. In the meantime, a beautiful woman from the tribe of Khath'am came, asking the verdict of Allah's Apostle. Al-Fadl started staring at her as her beauty attracted him. The Prophet looked behind while al-Fadl was looking at her; so the Prophet held out his hand backwards and caught the chin of al-Fadl and turned his face (to the other side) in order that he should not gaze at her. She said, 'O Allah's Apostle! The obligation of Performing *Haji* enjoined

by Allah on His worshippers, has become due (compulsory) on my father who is an old man and who cannot sit firmly on the riding animal. Will it be sufficient that I perform *Hajj* on his behalf?' He said, 'Yes.'" (*Sahih al-Bukhari* Vol.8, No. 6228. See also *Sahih al-Bukhari* Vol.3, No.79)

﴿ عن عبد الله بن عباس ؛ أنه قال : كان الفضل بن عباس رديف رسول الله ﷺ . فجاءته امرأة من خثعم تستفتيه . فجعل الفضل ينظر إليها وتنظر إليه . ﷺ وجه الفضل إلى الشق الآخر . قالت : يا رسول الله ! إن فريضة الله على عباده في الحج أدركت أبي شيخا كبيرا لا يستطيع أن يثبت على الراحلة . أفأحج عنه ؟ قال : (( نعم )) . وذلك في حجة الوداع ﴿  
- أخرجه مسلم في كتاب الحج باب الحج عن العاجز لزمانة وهمم ونحوهما ، أو للموت

Another version says: 'Abdullah ibn 'Abbas reported that "while al-Fadl ibn 'Abbas had been riding behind Allah's Messenger ﷺ, a women of the tribe of Khath'am came to him (to the Holy Prophet) asking for a religious verdict. Al-Fadl looked at her and she looked at him. Allah's Messenger S turned the face of al-Fadl to the other side. She said, 'Messenger of Allah, there is an obligation from Allah upon His servants in regard to *Hajj*. (But) my father is an aged man; he is incapable of riding safely. May I perform *Hajj* on his behalf?' He said, 'Yes.' It was during the Farewell Pilgrimage." (*Sahih Muslim*, Vol. 2, No. 1334)

Those who argue that *niqab* is not *wajib* point out that neither Fadl nor the Prophet ﷺ were *mahram* to the woman. Therefore, if *niqab* was compulsory, she should have hid her face around them according to those who advocate that even in *ihram* a woman should screen herself from men. However, al-Albani argues that Fadl could only be attracted to the woman's face, therefore her face must have been left exposed, and that there is no way that he would gaze so continuously and be so amazed by her beauty if he only saw her face accidentally for a moment, or could only see her size, stature and outer dress (1996, *Jilbab al-Mar'ah al-Muslimah*, 3rd edition. Al-Maktabah al-Islamiyyah). Ibn Hazm further said that if the woman's face was *'awrah*, the Prophet S would have commanded her to cover it and not just instead turn Fadl's head away. (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.323).

It has been noted that Tirmidhi's version of this hadith also includes al-Abbas asking the Prophet ﷺ why he turned Fadl's face away. His reply was "I saw two young people looking at each other, and I was afraid of what effect Shaytan might have upon them." ("Abwab al-Hajj", No.885). This indicates that the possibility of desire and *fitnah* developing was the cause for the Prophet's action. However, such a cause did not pre-empt him to command the woman to cover her face.

Moreover, it is argued that her appearance before non-*mahram* men without a face-veil could not be because she was elderly, as Tirmidhi's version indicates that she was a young woman. In addition, a report from 'Ali ibn Abi Talib states that the incident occurred on the day of sacrifice after the rituals of *Hajj* had been completed and thus the woman would not have been in *ihram*. This is strong evidence that had the *niqab* been compulsory when out of *ihram*, she should have been wearing one. (Cited by al-Albani, 1994, *Jilbab al-Mar'ah al-Muslimah fil-Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami).

Sheikh Muhammad al-Ghazali also explains that the Fadl hadith took place in the Prophet's last pilgrimage (as mentioned in the second narration) and that no hadith came after it abrogating the rule of permissibility of showing the face (1989, *As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith*. p.38-39). Al-Shawkani adds, "This sound hadith may be taken as proof that the verse of the *Hijab* (33:53) is a special rule for the wives of the Prophet ﷺ, for the verse of the *Hijab* was revealed earlier, in the fifth year, whilst this incident took place in the final year." (*Nayl al-Awtar*). Since the Prophet ﷺ did not command the woman to cover her face in the final year of his mission, permissibility of facial exposure must have been the final rule.

## B12)

﴿ عن عبد الرحمن بن عباس ، سمعت ابن عباس رضي الله عنهما سأله رجل شهدت مع رسول الله ﷺ العيد ، أضحى أو فطرا؟ قال : نعم . ولولا مكاني منه ما شهدته يعني من صغره قال : خرج رسول الله ﷺ فصلى ثم خطب ، ولم يذكر أذانا ولا إقامة . ثم أتى النساء فوعظهن وذكرهن ، وأمرهن بالصدقة، فرأيتهن يهوين إلى آذانهن وحلوقهن يدفعن إلى بلال ، ثم ارتفع هو وبلال إلى بيته ﴾  
- أخرجه البخارى في كتاب النكاح باب ﴿ والذين لم يبلغوا الحلم منكم ﴾

Narrated Abdurrahman ibn Abis, "I heard Ibn 'Abbas answering a man who asked him, 'Did you attend the prayer of '*Eid al-Adha* or '*Eid-al-Fitr* with Allah's Apostle?' Ibn 'Abbas replied, 'Yes, and had it not been for my close relationship with him, I could not have offered it.' (That was because of his young age). Ibn 'Abbas further said, 'Allah's Apostle went out and offered the '*Eid* prayer and then delivered the sermon.' Ibn 'Abbas did not mention anything about the *Adhan* (the call for prayer) or the *Iqama*. He added, 'Then the Prophet went to the women and instructed them and gave them religious advice and ordered them to give alms and I saw them reaching out (their hands to) their ears and necks (to take off the earrings and necklaces, etc.) and throwing (them) towards Bilal. Then the Prophet returned with Bilal to his house.'" (*Sahih al-Bukhari* Vol.7, No. 5249)

Ibn Hazm makes the point that in this hadith, Ibn 'Abbas has clearly seen the hands of these women, indicating that they are not *'awrah* (AL-Muhalla Vol.3, p.285).

﴿ عن جابر بن عبد الله. قال : شهدت مع رسول الله ﷺ الصلاة يوم العيد. فبدأ بالصلاة قبل الخطبة. بغير أذان ولا إقامة. ثم قام متوكئاً على بلال . فأمر بتقوى الله. وحث على طاعته. ووعظ الناس. وذكرهم. ثم مضى. حتى أتى النساء. فوعظهن وذكرهن. فقال «تصدقن. فإن أكثركن حطب جهنم» فقامت امرأة من سطة النساء سفعاء الخدين . فقالت : لم ؟ يا رسول الله ! قال «لأنكن تكثرن الشكاة. وتكفرن العشير» قال : فجعلن يتصدقن من حليهن. يلقين في ثوب بلال من أقرطتهن وخواتمهن ﴾

- أخرجه مسلم في كتاب صلاة العيدين

In another report, Jabir ibn Abdullah narrated, "I observed prayer with the Messenger of Allah on the *'Eid* day. He commenced with prayer before the sermon, without *adhan* or *iqama*. He then stood up leaning on Bilal and he commanded (them) to be on guard (against evil for the sake of) Allah and he exhorted (them) on obedience to Him, and he preached to the people and admonished them. He then walked on till he came to the women and preached to them and admonished them and encouraged them to give alms, for most of them are the fuel for Hell. A woman having a dark spot on her cheek stood up and said, 'Why is it so, Messenger of Allah?'. He said, 'For you grumble often and show ingratitude to your spouses.' And they began to give alms out of their ornaments such as their earrings and rings, which they threw in the cloak of Bilal." (Sahih Muslim Vol 2, No. 885R1)

The hadith indicates that Jabir saw the face of the woman he described, and thus that both the face and the hands were not considered as compulsory to be covered (Muhammad al-Ghazali, 1989, As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith. p.38)

### B13)

﴿ أن شبيعة بنت الحارث أخبرته أنها كانت تحت سعد بن خولة وهو من بني عامر بن لؤي وكان ممن شهد بدرًا فتوفي عنها في حجة الوداع وهي حامل فلم تنشب أن وضعت حملها بعد وفاته فلما تعلت من نفاسها تجملت للخطاب فدخل عليها أبو السنابل بن بعكك رجل من بني عبد الدار فقال لها مالي أراك تجملت للخطاب ترجين النكاح فإنك والله ما أنت بناكح حتى تمر عليك أربعة أشهر وعشر قالت سببها : فلما قال لي ذلك جمعت علي ثيابي حين وأمسيت وأتيت رسول الله ﷺ فسألته عن ذلك فأفتاني بأني قد حللت حين وضعت حملي وأمرني بالتزوج إن بدالي ﴾

– أخرجه البخارى فى كتاب المغازي باب

Narrated Subayya bint Al-Harith that she was married to Sa'd ibn Khaula who was from the tribe of Bani 'Amr ibn Luai, and was one of those who fought the Badr battle. He died while she was pregnant during Hajjat-ul-Wada' (the Farewell Pilgrimage). Soon after his death, she gave birth to a child. When she completed the term of delivery (i.e. became clean from blood-flow), she prepared herself for suitors. Abu As-Sanabil ibn Bu'kak, a man from the tribe of Bani Abd-ud-Dal called on her and said to her, "What! I see you dressed up (beautified) for the people to ask you in marriage. Do you want to marry? By Allah, you are not allowed to marry unless four months and ten days have elapsed (after your husband's death)." Subayya in her narration said, "When he (i.e. Abu As-Sanabil) said this to me, I put on my dress in the evening and went to Allah's Apostle and asked him about this problem. He gave the verdict that I was free to marry as I had already given birth to my child and ordered me to marry if I wished." (*Sahih al-Bukhari* Vol.5, No. 3991)

Other versions include that she had henna on and had made herself up. Sheikh Yusuf al-Qaradawi notes that she appeared before Abu Sanabil when he was not her *mahram*, and that if her face and hands were not exposed, he would not have known that she had beautified herself. (1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.324). The hadith also indicates that this took place in the 10<sup>th</sup> year of Hijrah after the Farewell Pilgrimage, and therefore was long after the verses on women's dressing were revealed. Muhammad al-Ghazali says that all these circumstances point to an environment where the exposure of the face was common (1989, *As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith*. p.41).

#### B14)

﴿ عن ابن عباس قال : كانت امرأة تصلي خلف رسول الله ﷺ حسناء من أحسن الناس فكان بعض القوم يتقدم حتى يكون في الصف الأول لألى يراها ويستأخر بعضهم حتى يكون في الصف المؤخر فإذا رجع نظر من تحت إبطيه فأنزل الله تعالى : ولقد علمنا المستقدمين منكم ولقد علمنا المستأخرين ﴾ – سنن الترمذي

Ibn Abbas said, "A beautiful woman, from among the most beautiful of women, used to pray behind the Prophet. Some of the people used to go to pray in the first row to ensure they would not be able to see her. Others would pray in the last row of the men, and they would look from underneath their armpits to see her. Because of this act, in regard to her, Allah revealed, 'Verily We know the eager among you to be first, and verily We know the eager among you to be behind' (Surah *al-Hijr* verse

24)." (Ibn Majah; Abu Dawood; Tayalisi; al-Baihaqi; Ahmad; Tirmidhi, and Nasa'i, and judged as *sahih* by al-Albani in *Silsilat al-Ahadith as-Sahih*, No. 3472).

Imam al-Bukhari relates a hadith narrated by Sa'id ibn Jubayr that, "Ibn 'Abbas was asked, 'How old were you when the Prophet died?' He replied. 'At that time I had been circumcised.' At that time, people did not circumcise the boys till they attained the age of puberty.'" The author of *Al-Isabah* also writes that Ibn 'Abbas was born three years before the Hijrah. Both narrations would make him around 13 years of age when the Prophet S died in 11 A.H. If Ibn 'Abbas commenced praying in congregation at the age of 10, this would be in 7 or 8 A.H., after both Surah *al-Ahzab* and Surah *an-Nur* were revealed. Thus, the incident in this hadith of a woman's beauty clearly visible by other men in the mosque would have occurred at the earliest in 7 or 8 A.H. This indicates that women had their faces exposed after the verses on women's covering were revealed, and therefore that covering the face was not considered compulsory for all.

### B15)

﴿ عن عمار بن ياسر أتى رجلا مرت به امرأة فأحذق بصره إليها فمرس وجهه فأتى رسول الله ﷺ ووجهه يسيل دما فقال يا رسول الله إني فعلت كذا وكذا فقال رسول الله ﷺ إذا أراد الله بعد خيرا عجل عقوبة ذنبه في الدنيا فإذا أراد به غير ذلك أمهل عليه بذنوبه حتى يوافي بها يوم القيامة كأنه غير ﴾ -مجمع الزوائد ومنبع الفوائد و رواه الطبراني وإسناده جيد

Ammar ibn Yasir narrated that a man saw a woman pass by and was so attracted by her beauty that he followed her until he knocked his face against a wall (due to not looking where he was going). He then went to the Prophet ﷺ and told him what had happened while the blood was still running down his face. The Prophet ﷺ replied that if Allah wants good for a person, he punishes him in this world, and if Allah wants harm for a person, he reserves it for the Hereafter. (Related in *Majma al-Zawa'id* Vol.10, p.192. *Tabarani* also related the hadith and said its *isnad* was good).

Sheikh Yusuf al-Qaradawi comments on this hadith that it shows that at the time of the Prophet ﷺ, there were women who had their faces exposed and who were so beautiful that some men even followed them around. Yet, they were not commanded to veil their faces (1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.324).

**B16)**

﴿ عن جابر بن عبد الله ، قال : قال رسول الله ﷺ « إذا خطب أحدكم المرأة ، فإن استطاع أن ينظر إلى ما يدعوه إلى نكاحها فليفعل » [قال] : فخطبت جارية فكننت أتخباً لها ، حتى رأيت منها ما دعاني إلى نكاحها [وتزوجها] فتزوجتها ﴾  
 - أخرجه أبي داود ، كتاب النكاح ، باب في الرجل ينظر إلى المرأة وهو يريد تزويجها

Narrated Jabir ibn Abdullah, "The Prophet ﷺ said: 'When one of you asks a woman for marriage, if he is able to look at what will induce him to marry her, he should do so.'" He (Jabir) said, "I asked a girl in marriage, I used to look at her secretly, until I looked at what induced me to marry her. I, therefore, married her." (*Abu Dawood*, No. 2082)

Another narration describes a Companion telling the Prophet ﷺ that he was going to get married. The Prophet ﷺ asked if he had seen her. When the man said, "No", he ﷺ said: "Go and look at her for it is more likely to engender love between the two of you." (Reported by *Ahmad* and others and classed as *sahih*)

A hadith in *Sahih Muslim*, the "Book of Marriage", states,

﴿ عن أبي هريرة . قال : كنت عند النبي ﷺ . فأتاه رجل فأخبره أنه تزوج امرأة من الأنصار . فقال له رسول الله ﷺ « أنظرت إليها ؟ » قال: « فأذهب فانظر إليها . فإن في عين الأنصار شيئاً » ﴾  
 - أخرجه مسلم في كتاب النكاح باب ندب النظر إلى وجه المرأة وكفيها لمن يريد تزويجها

"Abu Hurairah reported that a man came to the Prophet ﷺ to tell him that he had proposed to an Ansari woman. The Prophet ﷺ asked him, 'Have you seen her? For the women of Madinah have some defects in their eyes.'" (*Sahih al-Muslim* Vol.2, No. 1424)

Al-Nawawi in his commentary (*Sharh Sahih Muslim*) of this hadith says, "This hadith recommends looking at the face of the woman when a person wishes to marry her. This is our (Shafi'i) view, and the view of Malik, Abu Hanifa, Ibn Hanbal and the view of the overwhelming majority of the scholars." (Cited by Dr. S.M. Darsh, 1995, *Hijab or Naqab*. London: Dar al-Dawa Bookshop, p.27-28).

**B17)**

﴿ عن سهل بن سعد أن امرأة جاءت رسول الله ﷺ فقالت : يا رسول الله جئت لأهب لك نفسي . فنظر إليها رسول الله ﷺ فصعد النظر إليها وصوبه ، ثم طأطأ رأسه فلما رأت المرأة أنه لم يقض فيها شيئاً جلست . فقام رجل من أصحابه فقال : يا رسول الله إن لم يكن لك بها

حاجة فزوجنيها. فقال له : «هل عندك من شيء». فقال : لا والله يا رسول الله : «اذهب إلى أهلك فانظر هل تجد شيئاً» فذهب ثم رجع فقال : لا والله يا رسول الله ما وجدت شيئاً. قال : «انظر ولو خاتما من حديد». فذهب ثم رجع فقال : لا والله يا رسول الله ولا خاتما من حديد ولكن هذا إزارى قال سهل : ما له رداء فلها نصفه فقال رسول الله ﷺ «ما تصنع بإزارك إن لبسته لم يكن عليها منه شيء وإن لبسته لم يكن عليك شيء». فجلس الرجل حتى طال مجلسه، ثم قام فقرأ رسول الله ﷺ مولياً فأمر به فدعي فلما جاء قال: «ماذا معك من القرآن؟» قال : معي سورة كذا ، وسورة كذا ، وسورة كذا. عداها قال : «أتقرؤون عن ظهر قلبك» . قال : نعم . قال : «اذهب فقد ملكتها بما معك من القرآن» ﴿

- أخرجه البخارى فى كتاب فضائل القرآن باب القراءة عن ظهر القلب

Narrated Sahl bin Sa'd, "A lady came to Allah's Apostle and said, 'O Allah's Apostle! I have come to you to offer myself to you.' He raised his eyes and looked at her and then lowered his head. When the lady saw that he did not make any decision, she sat down. On that, a man from his companions got up and said, 'O Allah's Apostle! If you are not in need of this woman, then marry her to me.' Allah's Apostle said, 'Do you have anything to offer her?' He replied. 'No, by Allah, O Allah's Apostle!' The Prophet said to him, 'Go to your family and see if you can find something.' The man went and returned, saying, 'No, by Allah, O Allah's Apostle! I have not found anything.' The Prophet said, 'Try to find something, even if it is an iron ring.' He went again and returned, saying, 'No, by Allah, O Allah's Apostle, not even an iron ring, but I have this waist sheet of mine.' The man had no upper garment, so he intended to give her half his waist sheet. So Allah's Apostle said, 'What would she do with your waist sheet? If you wear it, she will have nothing of it over her body, and if she wears it, you will have nothing over your body.' So that man sat for a long period and then got up, and Allah's Apostle saw him going away, so he ordered somebody to call him. When he came, the Prophet asked him, 'How much of the Qur'an do you know?' He replied, 'I know such Surah and such Surah,' and went on counting it. The Prophet asked him, 'Can you recite it by heart?' he replied, 'Yes.' The Prophet said, 'Go, I have married this lady to you for the amount of the Qur'an you know by heart.'" (*Sahih al-Bukhari* Vol.6, No. 5030)

Sheikh Muhammad al-Ghazali argues that if the woman's face was not exposed, there would have been no reason for the Prophet ﷺ to look at her (1989, *As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith*. p.38).

## B18)

﴿ والقواعد من النساء التى لا يزوجون نكاحا فليس عليهن جناح أن يضعن ثيابهن غير متبرجت بزينة وأن يستعففن خير لهن والله سميع عليم ﴾ - سورة النور ، ٦٠

“As for older women, who have no hope of marriage, it is no sin on them if they discard their (outer) clothing in such a way as not to show their adornments. But to remain modest is better for them, and Allah is All-Hearing, All-Knowing.” (Qur’an 24:60).

Al-Albani said that the majority of scholars have interpreted this to mean that an elderly woman is permitted to remove her *jilbab* and may appear before men in a headscarf with her face exposed (1994, *Jilbab Al-Mar’ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami. p.7). This opinion has been reported from Ibn Abbas, Ibn Umar, Mujahid, Sa’id ibn Jubayr, Abu Ash-Sha’tha, Ibrahim An-Nakha’i, Al-Hasan, Qatadah, Az-Zuhri, and Al-Awza’i in Imam Ibn Kathir’s *Tafsir* on Surah *an-Nur* verse 60. This, it is contended, is further proof that the *niqab* is not compulsory for all Muslim women.

### B19)

﴿ عن عبد الله بن مسعود قال : رأى رسول الله ﷺ امرأة فأعجبته ، فأتى سودة وهي تصنع طيبا وعندها نساء فأخينته ، فقضى حاجته ثم قال « أيما رجل رأى امرأة تعجبه فليقم إلى أهله ، فإن معها مثل الذى معها » ﴾

Narrated Abdullah ibn Mas’ud, “Allah’s Messenger ﷺ saw a woman who charmed him, so he went to Sauda who was making perfume in the company of some women. They left him, and after he had satisfied his desire he said, ‘If any man sees a woman who charms him he should go to his wife, for she has the same kind of thing as the other woman.’” (*Tirmidhi*, No.927 in Alim 6.0; Darimi also transmitted it.)

﴿ عن جابر ؛ أن رسول الله ﷺ رأى امرأة . فأتى امرأته زينب ، وهي تمسح منيئة لها . فقضى حاجته ثم خرج إلى أصحابه فقال « إن المرأة تقبل في صورة شيطان، وتدبر في صورة شيطان ، فإذا أبصر أحدكم امرأة فليأت أهله . فإن ذلك يرد ما في نفسه » ﴾ – أخرجه مسلم في كتاب النكاح باب ندب من رأى امرأة ، فوقع في نفسه ، إلى أن يأتي امرأته أو جاريتها فيواقفها

Another version states that Jabir reported that Allah’s Messenger ﷺ saw a woman, and so he came to his wife, Zaynab, as she was tanning leather and had sexual intercourse with her. He then went to his Companions and told them: “The woman advances and retires in the shape of a devil, so when one of you sees a woman, he should come to his wife, for that will repel what he feels in his heart.” (*Sahih Muslim*, Vol. 2, No. 1403)

﴿ عن جابر بن عبد الله ؛ أن النبي ﷺ رأى امرأة فدخل على زينب ، فقضى حاجته وخرج وقال إن المرأة أقبلت فأقبلت في صورة شيطان ، فإذا رأى أحدكم امرأة فأعجبته فليأت أهله .

فإن معها مثل الذي معها ﴿

In another narration, Jabir reported that the Prophet said, "If anyone sees a woman and is attracted to her, he should go to his wives and that will certainly take away that which he feels" (*Tirmidhi*).

All these hadith suggest that there is something of a woman that is usually seen which may captivate a man. Most *ulama* state that, since the body is usually covered, it must be a woman's face.

## B20)

*Fiqh us-Sunnah* states with respect to what clothes a woman may pray in: "There is no such dispute over what constitutes a woman's 'awrah. It is stated that her entire body is 'awrah and must be covered, except her hands and face. Says Allah in the Qur'an, 'And to display of their adornment only that which is apparent (do not expose any adornment or beauty save the hands and face).' It has been authentically related from Ibn 'Abbas, Ibn 'Umar and 'Aisha that the Prophet said, 'Allah does not accept the prayer of an adult woman unless she is wearing a head-covering (*khimar*).' This is related by 'the five,' except for an-Nasa'i, and by Ibn Khuzaimah and al-Hakim. At-Tirmidhi grades it as *hasan*.

"It is related from Umm Salamah that she asked the Prophet, 'Can a woman pray in a long shirt (like a night shirt) and head-covering without a loincloth?' He said, 'If the shirt is long and flowing and covers the top of her feet.' This is related by Abu Dawood. The scholars say it is sahih in *mauqoof* form (as a statement of Umm Salamah and not that of the Prophet.)

"It is also related that 'Aisha was asked, 'In how many garments is a woman to pray?' She answered, 'Ask 'Ali ibn Abu Talib and then return to me and tell me what he said.' 'Ali's answer was, 'In a head-cover and a long flowing shirt.' This was told to 'Aisha and she said, 'He has told the truth.'

"The clothes worn must cover the 'awrah, even if they are tight enough to highlight those features. If the clothes are so thin that one's skin color can be seen, they are not suitable for prayer." (*Fiqh us-Sunnah* Vol.1, No.113)

Another narration describes clothing appropriate for women's prayer:

﴿ وحدثني عن مالك ، عن محمد بن زيد بن قنفذ ، عن أمه أنها سألت أم سلمة زوج النبي ﷺ ، ماذا تصلي فيه المرأة من الثياب؟ فقالت: تصلي في الخمار والدرع السايغ إذا غيب

﴿ ظهور قدميها ﴾

– الموطأ ، كتاب صلاة الجماعة ، باب الرخصة في صلاة المرأة في الدرع الخمار

“Yahya related to me from Malik from Muhammad ibn Zayd ibn Qunfudh that his mother asked Umm Salamah, the wife of the Prophet ﷺ ‘What clothes can a woman wear in prayer?’ She said, ‘She can pray in a shift that reaches down and covers the top of her feet.’” (*Al-Muwatta’* Vol.8, No.37)

These statements all support the argument that if a woman may validly pray with her face and hands exposed, then such body parts cannot constitute part of her ‘awrah (that which should not be seen).

### B21)

﴿ حدثني يحيى عن مالك، أنه بلغه أن عائشة زوج النبي ﷺ، كانت تصلي في الدرع والخمار ﴾  
– الموطأ ، كتاب صلاة الجماعة ، باب الرخصة في صلاة المرأة في الدرع الخمار

“Yahya related to me from Malik that he had heard that ‘Aisha, the wife of the Prophet ﷺ, used to pray in a shift and head-covering.” (*Al-Muwatta’* Vol.8, No.36. See also No.37-39)

### B22)

﴿ عن عبادة بن الصامت أن النبي ﷺ قال اضمنوا لي من أنفسكم أضمن لكم الجنة اصدقوا إذا حدثتم وأوفوا إذا وعدتم وأدوا إذا أوتمنتم واحفظوا فروجكم وغضوا أبصاركم وكفوا أيديكم ﴾

Narrated Ubadah ibn as-Samit, “The Prophet ﷺ said, ‘If you guarantee me six things on your part I shall guarantee you Paradise: Speak the truth when you talk, keep a promise when you make it, when you are trusted with something fulfill your trust, avoid sexual immorality, lower your eyes, and restrain your hands from injustice.’” (*Ahmad; al-Baihaqi; Tirmidhi*, No. 1260 in Alim 6.o)

﴿ عن عبد الرحمن يزيد قال : دخلت مع علقمة والأسود على عبد الله، فقال عبد الله: كنا مع النبي ﷺ شبابا لا نجد شيئا، فقال لنا رسول الله : ((يا معشر الشباب ، من استطاع الباءة فليتزوج ، فإنه أغض للبصر وأحصن للفرج ، ومن لم يستطع فليصم فإنه له وجاء)). ﴾  
– أخرجه البخاري في كتاب النكاح باب من لم يستطع الباءة فليصم

﴿ عن عبد الله. قال : قال لنا رسول الله ﷺ : « يا معشر الشباب! من استطاع منكم الباءة فليتزوج . فإنه أغض للبصر، وأحصن للفرج. ومن لم يستطع ، فعليه بالصوم . فإنه له وجاء » ﴾

– أخرجه مسلم في كتاب النكاح باب إستحباب النكاح لمن تآقت نفسه إليه ووجد مؤنة ،  
واشتغال من عجز عن المؤمن بالصوم

Narrated Abdullah ibn Mas'ud, "We were with the Prophet while we were young and had no wealth whatever. So Allah's Apostle said, 'O young people! Whoever among you can marry, should marry, because it helps him lower his gaze and guard his modesty (i.e. his private parts from committing illegal sexual intercourse etc.), and whoever is not able to marry, should fast, as fasting diminishes his sexual desire.'" (Sahih al-Bukhari Vol.7, No. 5066; Sahih Muslim, Vol. 2, No. 1400R2)

Muhammad al-Ghazali says there is no point in Allah and the Prophet ﷺ enjoining men to lower their gaze if there was nothing to gaze at. (1989, As-Sunnan Nabawiyya Bayna Ahl al-Fiqh wa Ahl al-Hadith, p.36) Sheikh Yusuf al-Qaradawi (1996, Fatawi al-Mu'asira. Al-Mansura: Dar al-Wafa'. Vol.1, p.431) makes the point that lowering the gaze "does not mean the shutting of the eye, or the bowing of the head in order that the human being does not see anyone. This is not possible. For verily, the meaning of the expression 'lowering the gaze' (*al-ghudd min al-absaar*) does not mean the lowering of the whole gaze (*ghudd al-absar*)."<sup>32</sup> He also argues that if a man is afraid of temptation, he should not look at the woman concerned.

This explanation of lowering the gaze is supported by the hadith that Jarir ibn Abdullah narrated:

﴿ عن جرير بن عبد الله . قال : سألت رسول الله ﷺ عن نظر الفجأة . فأمرني أن أصرف  
بصري ﴾ – أخرجه مسلم في كتاب الآداب باب نظر الفجأة

"I asked the Messenger of Allah ﷺ about the unexpected glance. He replied, 'Avert your eyes,' meaning, do not look back deliberately." (Sahih Muslim, Vol. 3, No. 2159). Also reported by Ahmad, Abu Dawood, and Tirmidhi.

Ibn Muflih al-Hanbali<sup>33</sup> in Al-Adab al-Shari'ah said that Qadi 'Iyad commented on this tradition that, "The scholars, may Allah Most High have mercy upon them, have said that there is proof in this hadith that it is not compulsory for a woman to cover her face in the street. Instead, it is a recommended practice for her to do so and it is compulsory for the

<sup>32</sup> Just as in a verse of the Qur'an which says, "Lower your voice" (31:19). Clearly, this does not mean that one should seal one's lips.

<sup>33</sup> It is reported that Ibn al-Qayyim al-Jawziyyah said, "There is no one under the dome of the sky more knowledgeable about the school of Imam Ahmad than Ibn Muflih." (Cited by M. Nasiruddeen al-Albani, 1996, Jilbab al-Mar'ah al-Muslimah, 3<sup>rd</sup> edition. Al-Maktabah al-Islamiyyah).

man to lower his gaze from her at all times, except for a legislated purpose. Sheikh Muhyiddeen al-Nawawi mentioned that without further explanation.”

In other words, “lowering of the gaze” means to avert one’s gaze from the faces of the passers-by and not to caress the attractive features of the members of the opposite sex with one’s eyes – implying that there would be some attractive features that would be visible in passers-by. A narration from Buraydah ibn al-Hasib clarifies how much is permitted to a man who sees an attractive woman:

﴿ قال رسول الله ﷺ لعلي: «يا علي، لا تتبع النظرة النظرة، فإن لك الأولى، وليست لك الآخرة» ﴾ - سنن أبي داود : كتاب النكاح ، باب ما يؤمر به من غرض البصر

“The Prophet ﷺ told ‘Ali ibn Abi Talib, “Ali, do not let a second look follow the first. The first look is allowed to you but not the second.” (Reported by *Ahmad; Abu Dawood*, Book of Marriage, No.2149; and *Tirmidhi*)

## B23)

### Classical jurists who view the *niqab* as not obligatory:

- (i) **Imam Malik** held the view that it is permissible for a woman to reveal her face and hands (Ibn Rushd, *Introduction and Commentary of Al-Mudawwanah al-Kubra*<sup>34</sup> Vol.1, p.109; Al-Nawawi, *Al-Majmu’: Sharh al-Muhadhdhab*).
- (ii) The position of the **Maliki scholars** is mentioned by the author of *Aqrab al-Masaalik ‘ala Madhhab Malik*, who states that the ‘awrah of a woman who is not a slave is her entire body except her face and two hands. Al-Sawi also writes that it is permissible to look at the face and hands of a woman if it is not aimed at evoking desires, and that it makes no difference whether it is the inner or outer part of the hand. (Cited by Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu’asira*. Al-Mansura: Dar al-Wafa’. Vol.2, p.314). Ibn Rushd in *Bidayat al-Mujtahid wa Nihayat al-Muqtasid* states that the general position of the Maliki madhhab is that the face and hands may be exposed. Zarruq in a book called *Al-Waghliyya* differentiates between an attractive and unattractive woman, arguing that an attractive woman should cover her face and

<sup>34</sup> One of the most well-known and authoritative Maliki texts, by Qadi Sahnoun (d. 240 AH)

hands, especially if she feels threatened by revealing them (Sheikh Yusuf al-Qaradawi, *Fatawi al-Mu'asira*. Op. Cit.).

- (iii) One of the views of **Imam al-Shafi'i** is that the 'awrah of a free woman is her entire body with permission to reveal her face due to necessity. (Abdurrahman al-Jaziri, *Fiqh of the Four Schools of Thought*, Vol.5, p.54). Imam al-Shafi'i himself in his book, *Al-Umm*, wrote, "All of a woman's body is 'awrah with the exception of her hands and her face. The top of her feet is also 'awrah."
- (iv) The position of the **Shafi'i scholars** may be found in various texts such as al-Shirazi's *Al-Muhadhdhab*, which states that a free Muslim woman is entirely 'awrah except her face and hands. Imam an-Nawawi in his *Al-Majmu': Sharh al-Muhadhdhab* explained this permissibility as including up to the wrists. Their verdict rests on the basis of (a) Ibn 'Abbas's interpretation of "except that which is apparent" as the face and hands, (b) the Prophet's prevention of a woman from wearing *niqab* and gloves while in *ihram*, thus indicating that such body parts are not 'awrah, and (c) the need to reveal the face in times of buying and selling, and the hands in taking and giving. An-Nawawi also stated that some jurists in the Shafi'i school view a woman's face and the inner part of the leg as not 'awrah, and al-Muzani said that the two feet are not 'awrah. (*Al-Majmu': Sharh al-Muhadhdhab* Vol.3, p.167-168).

According to other Shafi'i scholars, the 'awrah of a woman depends on her location. In the privacy of her home, it is between the navel and her knees; in *salah* and *Hajj*, it is everything except the face and hands; and outside of her home, it is the entire body. (Ahmad Ibn al-Naqeeb al-Misri, *Reliance of the Traveller*, Section on Women's Obligatory Clothing).

Ahmad ibn Naqib (d. 765 A.H. which is 1367 C.E.) in *Umdat as-Salik* reports the position of the Shafi'i *madhhab* in his time to be that *niqab* is *fard* and this is the position of other late Shafi'i scholars like Ibn Hajr. Therefore, one may conclude that the opinion of the early Shafi'i scholars was that showing the face is not compulsory, despite the contrary view of Shafi'is several centuries later.

- (v) The books of **Hanafi scholars** view it as being permissible to look at a woman's face and hands if there is no fear of desires

overcoming oneself, because these aspects of a person are the points of interpersonal interactions and necessary to know one person from another. Seeing the face and hands, it is argued, is necessary for trade, buying and selling in the markets, witnessing in courts, identification for security, etc. (Cited by Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura: Dar al-Wafa'. Vol.2, p.314, 325). The Hanafi scholar Abu Bakr al-Jassas in *Ahkam al-Qur'an* says, "The imams of our *fiqh* say, 'The exception ("*illa ma dhahara minha*") in the verse means the face and the palm of the hands because *kohl* is the adornment of the eyes while henna and the ring are the beautification of the hands. When looking at the adornments of the face or hands is permitted, it follows positively that looking at the face and hands is not prohibited." However, gazing at such body parts in order to evoke attraction is prohibited. (Abdullah ibn Mahmud ibn Maudood al-Mausali al-Hanafi, *Al-Ikhtiyaar li Tahleel al-Mukhtar* Vol.4, p.156).

There are some views by some Hanafi scholars of more recent times that covering the face and hands is *wajib*, on the basis of extra precautions needed to overcome *fitnah* in the modern age. This argument is handled below (see the section in this paper on Refutation of the Fitnah argument – p.35). Nonetheless, the general and historical view of the Hanafi school, based on traditional sources, is that the face and hands of a woman may be revealed.

- (vi) **Abu Hanifa** also states that the feet are also not *'awrah* as they are naturally seen when walking. Furthermore, the face and hands are more attractive. Therefore, if the face and hands may be seen, so may the feet. (This view of Abu Hanifa's that the face, hands and feet may be visible is cited by Ibn Taymiyya in *Fatawa al-Nisa'*, p.36; Ibn Rushd in *Bidayat al-Mujtahid wa Nihayat al-Muqtasid*; al-Kasani in *Badi' al-Sana'i fi Tartib al-Shara'i* Vol.5, and Burhan al-Din Abul-Hasan 'Ali ibn 'Abdul-Jalil Abu Bakr al-Marghinani al-Rushdani al-Hanafi in *Al-Hidayah al-Muhtadi Sharh Bidayat al-Mubtadi*. The face-and-hands-alone opinion has also been attributed to Imam Abu Hanifa by Ahmad ibn Naqib in his *Umdat as-Salik*).
- (vii) Two opinions are recorded from **Imam Ahmad ibn Hanbal**. According to one opinion, a woman may display her face<sup>35</sup>

<sup>35</sup> Related by al-Shawkani, *Nayl al-Awtar*, and al-Nawawi, *Al-Majmu'*

(there is a dispute about the hands), while according to the other opinion, *niqab* is *fard*.

- (viii) Among the **Hanbali scholars**, there are divergent views on whether a woman may reveal her face and hands. Despite the stance of many jurists in the school that the *niqab* is mandatory, Ibn Qudamah, the great Hanbali scholar, said that there is no argument that it is permissible for a woman to leave her face exposed when praying, and that nothing may be uncovered of a woman usually except her face and two hands. (*Al-Mughni* Vol.1, Al-Manar Publishers, p.601). In his classic text, *Al-Mughni*, Ibn Qudamah states the view of Abu Hanifa (as mentioned above) as well as Malik, Awza'i and Shafi'i that all of a woman is '*awrah*' except her face and hands. He then says that some jurists state that a woman is all '*awrah*' because of the narration from the Prophet ﷺ in Tirmidhi that a woman is (in general) '*awrah*', but that women are allowed to leave their faces and hands open because (a) it would be too difficult to cover them at all times, and (b) it is allowed for someone seeking marriage with a woman to look at her face (*ibid.* Vol.1, Vol.6).

The renowned Hanbali jurist, Ibn Muflih, writes, "Chastisement (of a marriageable woman who has her face uncovered in the street) is not allowed in issues where there is a difference of opinion, and the difference has already been mentioned. As regards our opinion and that of a group of Shafi'ite scholars and others, looking at a marriageable woman without desire or in a secluded circumstance is permissible." (*Al-Adab al-Shari'ah*).

- (ix) The majority of *ulama* that belonged to schools other than those mentioned above also viewed the face and hands of a free woman as permissible to be seen. Imam an-Nawawi mentioned that these *ulama* agreed with the stance of Abu Hanifa, Malik, Awza'i, al-Thawri, and a narration of Ahmad. Al-Thawri also shared Abu Hanifa and al-Muzani's view that the feet are not '*awrah*' (*Al-Majmu'* Vol.3, p.169). Ibn Hazm's view was that all of a woman's body should be covered except her face (*Al-Muhalla*), and Imam Dawood said the face and hands were permissible to be revealed (Al-Shawkani, *Nayl al-Awtar* Vol.2, Beirut: Dar al-Jeel, p.55). Sheikh Yusuf Qaradawi further states that this is the view of the majority of *ulama* among the Companions (1996, *Fatawi al-Mu'asira*. Al-Mansura: Dar al-Wafa'. Vol.2, p.316).

**B24) Mufasssiron who view the *niqab* as not *wajib*:**

- (i) **Abu Ja'far al-Tabari** explains the verse "let them draw their *khumur* over their bosoms" as meaning that women should cover their hair, necks and earrings. After citing various scholars' opinions on what a woman should cover, Tabari concludes by saying, "The strongest and most accurate view is that which says that the exemption refers to the face and the hands. Also included are kohl, rings, bracelets, and makeup. We say that this is the strongest and most accurate opinion because all scholars are unanimous that everyone who needs to pray must cover the '*awrah* in his or her salat. A woman may reveal the face and the hands in her *salah*, while she must cover the rest of her body except what is reported from the Prophet S that he allowed up to a hand's width of the forearm. What is not '*awrah* is not haram to be revealed" (*Jami Bayan Ta'wil al-Qur'an*, Vol.18, p.118-119 – *tafsir* of 24:31). This view is also supported by al-Razi, al-Qurtubi and al-Baydawi (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura: Dar al-Wafa'. Vol.2, p.319).
- (ii) **Imam Abu'l-Qasim Zamakhshari** says, "Why is the woman permitted to display 'what may be apparent of it'? Because to conceal that would cause her inconvenience. A woman is forced to deal in commodities with her hands. She is compelled by genuine need to expose her face especially at the times of giving evidence, litigating in court, and marriage. She is compelled to walk the streets and expose her feet, especially poor women. This is the meaning of '*illa maa dhahara min ha'*, that is, what the situations of ordinary life compel her to expose" (*Tafsir al-Kashshaf, tafsir* of Surah *an-Nur* ayah 31).
- (iii) **Al-Baji** (d. 474AH) explains that Qur'an 24:31 means, "nothing should be seen of her besides the circle of her face" (Cited in Al-Albani, 1994, *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami, p.8).
- (iv) **Al-Qurtubi** says, "It seems probable that, since the face and hands are customarily uncovered, and it is, moreover, required that they be uncovered during acts of worship such as *salah* and *Haji*, the exemption (referred to in the verses of Surah *al-Nur*) pertains to them." (Cited by Sheikh Yusuf al-Qaradawi, 1989, *The Lawful and the Prohibited in Islam*).

- (v) **Ibn al-'Arabi** says, "The correct point of view concerning the apparent adornments is that which is on the face and the hands, for it is these which appear in prayers and on *Hajj*. As an act of *ibadah* and as a way of life, they are customarily uncovered." (*Ahkam al-Qur'an*)
- (vi) **Al-Razi** (d. 606 A.H.) states that, "Since the showing of the face and hands is necessary, the jurists had no choice but to agree that they are not '*awrah*', and since the showing of the feet is not necessary, they have differed concerning whether or not they are '*awrah*.'" (*Tafsir* of Fakhr al-Deen al-Razi, Vol.20, p.205-206).
- (vii) **Al-Nasafi** (d. 710A.H.) says, "Except what is apparent thereof means 'except what has become customary and is the nature to show', and that is the face, the hands and the feet, for in covering them is clear difficulty, as the woman has no way of getting around and doing things with her hands. Also, there is the necessity of uncovering the face, particularly in the issue of witnessing, or trials, or marriage. It is also inevitable when walking the streets, as well as the showing of the feet, and particularly for poor women." (1998, *Madarik al-Tanzil*. Dar Ibn Kathir. Vol.2, p.500).
- (viii) Sheikh Yusuf al-Qaradawi states that because 'Aisha, Qatadah, and others have added bracelets to what may be shown of the adornments; some interpreters have understood that this implies that a part of the arm may also be shown. Various scholars have thus commented that the exposure of the lower part of the arm up to a length varying between about four inches to one-half of the arm is permissible. He writes that al-Tabari, al-Zamakhshari, al-Razi, al-Jalalayn, and al-Baghawi<sup>36</sup> all conclude that the face, hands, and their ornaments such as kohl and rings are not part of the '*awrah*'. In addition, other scholars who are frequently quoted by the proponents of *niqab* such as al-Jassas, Ibn al-'Arabi and al-Qurtubi list both opinions but prefer Ibn 'Abbas'. (1989, *The Lawful and the Prohibited in Islam*, p.156)

**B25)** The *ulama* who contend that the *niqab* is not *wajib* also rely on chronological dating of the verses in the Qur'an to buttress their argument. Darsh, for example, (Dr. S.M. Darsh, 1995, *Hijab or Naqab*.

<sup>36</sup> Al-Baghawi (d. 516A.H.), 1994, *Ma'alim al-Tanzil*. Dar al-Tayyibah. Vol.6, p.34.

London: Dar al-Dawa Bookshop. p.15) points out that even if verse 33:59 in Surah *al-Ahzab* was interpreted to mean women should cover their faces with their *jalabib* (sg. *jilbab*), verse 24:31 in Surah *an-Nur* was revealed afterwards<sup>37</sup>, thereby abrogating the need for *niqab* with the *khimar*. He supports this chronology of revelation by using internal evidence that Surah *an-Nur* mentions the slander against 'Aisha which happened after the time the Prophet ﷺ had already married Zaynab, whereas verse 53 in Surah *al-Ahzab* is said to have been revealed in the context of the marriage between Zaynab and the Prophet ﷺ<sup>38</sup>.

To illustrate how the majority of the *ulama* support the above order of revelation, we have quoted at length below from the *tafsir* of Syed Abu'l-Aala Maududi (*The Meaning of the Qur'an*, n.d., Delhi: Board of Islamic Publications). In his "Introduction to Surah *al-Ahzab*", he says, "The Surah discusses three important events which are: the Battle of the Trench (or *Al-Ahzab*: the Clans), which took place in Shawwal, A. H. 5<sup>39</sup>; the raid on Bani Quraizah, which was made in Dhil-Qa'dah, A.H. 5; and the Holy Prophet's marriage with Hadrat Zaynab, which also was contracted in Dhil-Qa'dah, A.H. 5." He also mentions that this surah was the initial phase of introducing reforms to social behaviour between the sexes, which was complemented by Surah *an-Nur* one year later when the slander was made against Aisha.

In Mawdudi's "Introduction to Surah *an-Nur*", he writes, "The consensus of opinion is that it was sent down after the Campaign against Bani al-Mustaliq and this is confirmed by vv. 11-20 that deal with the incident of the 'Slander', which occurred during that Campaign. But there is a difference of opinion as to whether this Campaign took place in 5 A.H. before the Battle of the Trench or in 6 A.H. after it..."

"According to Ibn Sa'd, the Campaign against Bani al-Mustaliq took place in Shaban 5 A.H. and the Battle of the Trench in Dhil-Qa'dah the same year. This opinion is based on some traditions from Hadrat 'Aisha about the events connected with the 'Slander' in which she refers to a dispute between Hadrat Sa'd bin 'Ubadah and Sa'd bin Mu'az. Hadrat Sa'd bin Mu'az, according to authentic traditions, died during the Campaign against Bani Quraizah, which took place immediately after the Battle of the Trench. It is, therefore, evident that he could not be present in 6 A.H. to take part in a dispute about the 'Slander'.

<sup>37</sup> This chronological information was also related by Suyuti in *Al-Itqam fi 'Ulum al-Qur'an* Vol.1, "Knowledge of the First Revelations"

<sup>38</sup> See footnote 19 for Anas' hadith on the subject.

<sup>39</sup> Darsh states that this date is given by Ibn Hisham, and supported by Ibn al-Jawzi, al-Bukhari, and Ibn Hazm (1995, *Hijab or Nagaab*. London: Dar al-Dawa Bookshop, p.12).

"On the other hand, Muhammad bin Ishaq says that the Battle of the Trench took place in Shawwal 5 A.H. and the Campaign against Bani al-Mustaliq in Sha'ban 6 A.H. This opinion is supported by many authentic traditions from Hadrat 'Aisha and others. According to these traditions, (1) the Commandments about purdah had been sent down in Surah *al-Ahzab* before the incident of the 'Slander', (2) the Holy Prophet had married Hadrat Zaynab in Dhil-Qa'dah 5 A.H. after the Battle of the Trench, (3) Hamnah, sister of Hadrat Zaynab, had taken a leading part in spreading the 'Slander', just because Hadrat 'Aisha was a rival of her sister. All this evidence supports the view of Muhammad bin Ishaq.

"Now let us consider the two opinions a little more closely. The only argument in favor of the first opinion is the mention of the presence of Hadrat Sa'd bin Mu'az in a dispute connected with the incident of the 'Slander'. But this argument is weakened by some other traditions from Hadrat 'Aisha, in which she mentions Hadrat Usaid bin Hudair instead of Hadrat Sa'd bin Mu'az in this dispute. It may, therefore, be assumed that there has been some confusion regarding the two names in reporting the traditions. Moreover, if we accept the first opinion, just because of the mention of the name of Hadrat Sa'd bin Mu'az in some traditions, we encounter other difficulties that cannot be resolved in any way. For, in that case, we shall have to admit that the revelation of the Commandments of *purdah* and the Holy Prophet's marriage with Hadrat Zaynab had taken place even earlier than the Battle of the Trench. But we learn from the Qur'an and many authentic traditions that both these events happened after that Battle and the Campaign against Bani Quraizah. That is why Ibn Hazm, Ibn Qayyim and some other eminent scholars have held the opinion of Muhammad bin Ishaq as correct, and we also hold it to be so. Thus, we conclude that Surah *al-Ahzab* was sent down earlier than Surah *an-Nur*, which was revealed in the latter half of 6 A.H. several months after Surah *al-Ahzab*." (Syed Abu'l-Aala Mawdudi, n.d., *The Meaning of the Qur'an*, Delhi: Board of Islamic Publications)

#### **B26) Refutation of the Fitnah argument:**

An argument made by some proponents of *niqab* as *wajib* is that during the time of the Prophet S and his righteous Companions, people were pure, but now there is *fasad* (mischief) and *fitnah* in the land. They contend that exposure of a woman's face would capitalize on the weakness in people's hearts and bring about greater *fitnah*. Therefore, the Shari'ah tool of *Sadd ad-Dhara'i* may be used to block the means to such *haram*. In this way, even if the face is otherwise permissible to be exposed, it may be prohibited because of the danger of it leading to *haram* today.

The *ulama* who oppose this argument state that despite the first generation's exemplary standards, their period was also a period of man, and among men there are those who are weak and make mistakes. Even in the Prophet's time, there were those who were committing *zina* and receiving the *hadd* punishment, there were *fasiqoon* and those who were hurting women, who had diseases in their hearts, and who had unIslamic moral attitudes. This is why the Qur'an sent strong warnings to those who would not desist from wrongdoing, and enjoined believing women to send a message through their dressing that they were to be respected and not bothered. (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.331-332; Nasiruddeen al-Albani, 1994, *Jilbab al-Mar'ah al-Muslimah fil Kitab was-Sunnah*. Beirut: Al-Maktab al-Islami).

Darsh states that those who make *niqab wajib* for all rely on specific instructions given to the Prophet's wives only to safeguard their social distinction in the society (1995, *Hijab or Naqab*. London: Dar al-Dawa Bookshop, p.38). Furthermore, women's dress during the lifetime of the Prophet ﷺ and his Companions was more a sign of status (particularly with respect to the differences between the dress of free women and that of slaves)<sup>40</sup> rather than a means of preventing temptation. (*ibid.*). This was confirmed by al-Razi who stated that verse 33:59 was revealed because men seeking prostitution would frequently approach slave girls who were out at night, and covering one's body was a sign of being a free woman who was not to be approached. (*Tafsir al-Kabir* Vol.6, p.591).

Professor Khaled Abou El-Fadl makes the point that the early jurists ruled on women's dressing based not on the degree of *fitnah* in society at the time but on what was considered a woman's '*awrah*', which is independent of whether there is *fitnah* or not. "The '*awrah*' is to be covered even if it doesn't cause a *fitnah*," such as in times of solitary

<sup>40</sup> The difference in what was considered '*awrah*' for female slaves as opposed to free women may also be considered a proof for the side of those who say *niqab* is not compulsory for all Muslim women. Female slaves during the lifetime of the Prophet ﷺ and first four Caliphs were not required to cover their hair, arms, or part of their legs in the presence of non-*mahram* men, regardless of the potential for *fitnah* that exposing such body parts would cause. See al-San'aani, *Al-Musannaf* Vol.3, p.128-136; Ibn Rushd, *Bidayat al-Mujtahid wa Nihayat al-Muqtasid* Vol.1, p.156-158; Qadi Sahnoun, *Al-Mudawwanah* Vol.1, p.94; al-Qaraafi, *Al-Dhakheerah* Vol.2, p.101-105; al-Qurtubi, *al-Jami'*, Vol.12, p.152-153, 157, Vol.14, p.156-157; al-Shafi'i, *Al-Umm* Vol.1, p.109; al-Mawardi, *Al-Haqwi al-Kabir* Vol.2, p.165-171; al-Kasani, *Bada'i al-Sana'i*, p.543-546; al-Nasafi, *Tafsir al-Nasafi* Vol.3, p.140, 313; Ibn Qudamah, *Al-Mughni* Vol.1, p.601; Ibn Muflih, *Al-Mubdi'* Vol.1, p.361-367; al-Tabari, *Jami' al-Bayan* Vol.18, p.93-95, Vol.22, p.33-34; al-Jassas, *Ahkam* Vol.3, p.409-410, 486; al-Zamakhshari, *al-Kashshaf* Vol.3, p.60-62, 274; al-Suyuti, *al-Durr al-Manthur* Vol.5, p.45-46, 239-241; and al-Tusi, *Al-Mabsut* Vol.1, p.87-88. Al-Bahuti only says it is preferable for a slave-girl to cover herself in the same fashion as a free woman (*Kashshaf al-Qina'* Vol.1, p.316). Later jurists such as Ibn Hazm ruled that slaves have the same '*awrah*' as free women (*Al-Muhalla* Vol.2, p.239).

prayer. (2001, *Speaking in God's Name: Islamic Law, Authority and Women*. Oxford: Oneworld Publications, p.233).

Nonetheless, *fitnah* between the sexes, it is argued, is normal and innate, as are trials related to wealth, children and even one's faith. (Dr. Syed Mutawalli Darsh in an interview, Anne Sofie Roald, 2001, "Islamic Female Dress" in *Women in Islam: The Western Experience*. Routledge, p.286). Those who advocate *niqab* as only an option state firmly that whatever Allah and the Prophet left alone without making an obligation should be sufficient for us. Al-Albani issues a warning in his book *Jilbab Al-Mar'ah Al-Muslimah fil Kitab was-Sunnah* (Op. Cit.) that *Sadd ad-Dhara'i* may only be resorted to if the existing provisions in the Shari'ah are insufficient to deal with an impending problem.

El-Fadl makes the case that placing responsibility upon an individual for the potential indiscretions of another violates Qur'anic injunctions about one soul not bearing the burden of another<sup>41</sup> and effectively makes those prone to immorality the determiners of the law, rather than Allah. (Khaled Abou El-Fadl, 2001, *Speaking in God's Name: Islamic Law, Authority and Women*. Oxford: Oneworld Publications, p.235).

Sheikh Yusuf al-Qaradawi explains that the *ulama* of *fiqh* and *usul ul-fiqh* said that taking the tool of *Sadd adh-Dhara'i* to the extreme is as bad as taking unblocking the means to *haram* to the extreme. He also argues that if Allah and the Prophet ﷺ left something alone in our reality (such as the natural inclination between the sexes), then we should not try to remove them, because if we try to remove a permission from our reality as a general rule for all, we are prohibiting something Allah has permitted, or we are bringing something new into the religion. The injunctions of the Qur'an and Sunnah<sup>42</sup> are enough *Sadd adh-Dhara'i* for us<sup>43</sup>, since Allah is the Most Wise and Knower of all. (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.329-330).

Sheikh al-Albani agrees, saying "It is well known that when Allah Most High instructed men and women to lower their gazes and instructed women to cover themselves in front of men, He did that to block the road to corruption and prevent temptation. In spite of that, He (Most Gracious and Glorious) did not command that they cover their faces and

<sup>41</sup> Qur'an 6:164; 17:15; 35:18; 39:7; 53:38; 24:11; 2:286; 4:32; 33:58

<sup>42</sup> To wear appropriate Islamic dress, not show off or be excessive, not to be in privacy with a non-*mahram*, and to lower one's gaze.

<sup>43</sup> These Islamic injunctions, al-Qaradawi argues, are enough to prevent unlawful desires and their consequent problems in society. The present social ills are, in this perspective, a result of not following these very injunctions and not the fact that women's faces are visible to men.

hands in front of them. The Prophet S further emphasized that in the story of al-Fadl by not commanding the woman to cover her face. And Allah was truthful when He said, 'And your Lord is not forgetful.'<sup>44</sup> The reality is that the condition of there not being *fitnah* was only mentioned by scholars regarding the man's looking at the woman's face, as in [al-Jaziri's] *Fiqh 'ala al-Madhaahib al-Arba'ah [Fiqh of the Four Schools of Thought]*, p.12." (1996, *Jilbab al-Mar'ah al-Muslimah*, 3rd edition. Al-Maktabah al-Islamiyyah).

Sheikh al-Qaradawi further argues that if a *hukm* (ruling) of Shari'ah is authentic, it is general and permanent, not for one generation or two and then later ceases to be applicable. If this was so, the Shari'ah would not really be permanent and this would be contrary to the fact that it is the last Shari'ah for mankind. This argument that Shari'ah should be modified to modern times is also the argument used by modernists and those who seek more secular laws. Therefore, it is highly dangerous to impose one's own personal views over the Shari'ah<sup>45</sup>, which should in reality be over us. (1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.332).

Opponents of the *fitnah* argument state that the fear of *fitnah* alone cannot justify any prohibition, and that there are no Shari'ah provisions for the prohibition of showing the face, either through an explicit text or by indication or analogy. Furthermore, *Sadd ad-Dhara'i* can only be invoked if there is a near-definite probability that the prohibited item will lead to *haram*. Sheikh al-Qaradawi expounds that whenever there is no clear text that is authentic and direct that prohibits an action, it remains lawful. Had Allah willed wearing the *niqab* to be compulsory and the wearing of the head-cover alone to be classed as sinful and insufficient, He would have revealed a verse to that effect so that there would be no confusion over what is obligatory. (Sheikh Yusuf al-Qaradawi, 1996, *Fatawi al-Mu'asira*. Al-Mansura, Egypt: Dar al-Wafa'. Vol.2, p.333). Furthermore, Allah has issued a warning to those who seek to make *haram* for themselves what Allah has permitted:

﴿قُلْ أَرَأَيْتُمْ مَا أَنزَلَ اللَّهُ لَكُمْ مِنْ رِزْقٍ فَجَعَلْتُمْ مِنْهُ حَرَامًا حَلَلًا قُلْ ءآلَهُ  
أَذْنُ لَكُمْ أَمْ عَلَى اللَّهِ تَفْتَرُونَ﴾ - سورة يونس، ٥٩

<sup>44</sup> Qur'an 19:64

<sup>45</sup> Sheikh al-Qaradawi quotes in this respect the verse, "If the Truth had been in accord with their desires truly the heavens and the earth and all beings therein would have been in confusion and corruption! Nay We have sent them their admonition but they turn away from their admonition. " (Qur'an 23:71)

“O Prophet, ask them, ‘Have you ever considered that out of the sustenance which Allah has given you, you yourselves have made some things *halal* (lawful) and others *haram* (unlawful)?’ Ask them, ‘Did Allah permit you to do so, or do you ascribe a false thing to Allah?’” (Qur’an 10:59)

A hadith of the Prophet ﷺ echoes this warning:

﴿ قالت عائشة رضي الله عنها صنع النبي ﷺ شيئاً ترخص فيه وتنزه عنه قوم فبلغ ذلك النبي ﷺ فحمد الله ثم قال : « ما بال أقوام يتنزهون عن الشيء أصنعه فوالله إني أعلمهم بالله وأشدهم له خشية » ﴾ - أخرجه البخارى في كتاب الإعتصام بالكتاب والسنة باب ما يكره من التعمق والتنازع في العلم والغلو في الدين والبدع

Narrated Aisha, “The Prophet did something as it was allowed from the religious point of view but some people refrained from it. When the Prophet heard of that, he, after glorifying and praising Allah, said, ‘Why do some people refrain from doing something which I do? By Allah, I know Allah more than they.’” (*Sahih al-Bukhari* Vol 9, No. 7301)

This is why, according to Ibn Taymiyyah, the *salaf* were reluctant to use the word “*haram*” unless it was explicitly made so by Allah or His Messenger (Ibn Taymiyyah, *Al-Halal wal-Haram fil-Islam*).

The *ulama* who permit the face to be revealed often conclude their arguments with a reminder that imposing strict and rigid rules upon others in order to force purity fulfils neither the letter nor the spirit of Islam, which is ease and mercy. In support of choosing the easier of two options, the following texts are quoted:

﴿... فإِنما بعثتم مبسرين ، ولم تبعثوا معسرين﴾  
- أخرجه البخارى في كتاب الوضوء ، باب صب الماء على البول في المسجد

Abu Hurairah narrated that the Prophet ﷺ said, “...You have been sent to make things easy and not to make them difficult.” (*Sahih al-Bukhari* Vol.1, No. 220).

﴿ سمعت أنس بن مالك رضي الله عنه قال : قال النبي ﷺ : يسروا ولا تعسروا  
وسكنوا ولا تنفروا ﴾  
- أخرجه البخارى في كتاب الأدب ، باب قول النبي ﷺ : « يسروا ولا تعسروا »

Narrated Anas bin Malik, "The Prophet said, 'Make things easy for the people, and do not make it difficult for them, and make them calm (with glad tidings) and do not repulse (them).'" (*Sahih al-Bukhari* Vol.8, No. 6125).

﴿ يريد الله أن يخفف عنكم وخلق الإنسان ضعيفا ﴾ - سورة النساء ٢٨،

"Allah wishes to lighten your burdens, for man has been created weak." (Qur'an 4:28)

﴿ يريد الله بكم اليسر ولا يريد بكم العسر ﴾ - سورة البقرة ١٨٥،

"Allah wills that you shall have ease, and does not will you to suffer hardship." (Qur'an 2:185)

﴿ هو اجتبتكم وما جعل عليكم في الدين من حرج ملأه أئبيكم إبراهيم ﴾  
- سورة الحج ٧٨،

"He has chosen you and has not laid upon you any hardship in the observance of your faith – the faith of your father Ibrahim (Abraham)." (Qur'an 22:78)

### Conclusion:

As evident above, the strength of the evidence rests with the position of the majority of *ulama* that the face and hands of a Muslim women are permitted to be revealed in public. However, the debate between the proponents and opponents of the idea that *niqab* is *wajib* may likely continue for some time. Differences of interpretation and personal inclinations towards or away from restrictions have existed since the time of the Companions. The *sahaba*, however, and those who followed them, respected one another and continued to remain a *jama'ah*. This example is especially relevant for Muslims today who generate a lot of heat and division over such debates. It is from the mercy of Allah that everyone is measured by his or her intentions and that even a mistaken *ijtihad* is a ground for reward in the Hereafter.