
The recommendation of the niqaab

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(rahimahullaah)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

THE RECOMMENDATION OF THE NIQAAB:

EXTRACTS FROM TWO OF THE WORKS OF THE IMAAM, THE MUHADDITH OF THIS ERA, SHAIKH MUHAMMAD NAAṢIRUD-DEENAL-ALBAANEE -rahimahullaah- (d. 1420 H) IN REFUTATION OF THOSE WHO DECLARE THE COVERING OF THE FACE AND HANDS TO BE OBLIGATORY UPON THE WOMAN:

(1) *AR-RADDUL-MUFHIM `ALAA MAN KHAALAFAL-`ULAMAA. WA TASHADDADA WA TA`ASSABA WA ALZAMAL-MAR.ATA AN TASTURA WAJHAHAA WA KAFFAYHAA WA AWJABA, WA LAM YAQNA` BIQAWLIHIM: INNAHU SUNNAH WA MUSTAHABB.*

(THE DECISIVE REFUTATION WHICH SILENCES THOSE WHO CONTRADICT THE SCHOLARS, AND DISPLAY HARSHNESS AND FANATICISM, AND MAKE IT BINDING AND OBLIGATORY UPON THE WOMAN TO COVER HER FACE AND HANDS; AND IS NOT SATISFIED WITH THEIR SAYING THAT IT IS A SUNNAH AND SOMETHING RECOMMENDED);

&

(2) THE FIRST SECTION OF THE SHAIKH'S ORIGINAL BOOK *JILBAABUL-MAR-ATIL-MUSLIMAH* (THE MUSLIM WOMAN'S JILBAAB).



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Preface

In the Name of Allaah, the Extremely Merciful, the Bestower of Mercy.

All praise is for Allaah, the Lord of the whole of creation; and may He extol, and grant peace and security to our Prophet Muḥammad, and his followers, and Companions, and those who follow them upon good, until the Day of Recompense.

Shaikh al-Albaanee-rahimahullaah-wrote the book *Hijaabul-Mar.atil-Muslimah* in explanation of the conditions for the Hijaab of the Muslim woman.

He included the proofs from the Book of Allaah-the Most High-, the authentic Sunnah, and the explanation of the scholars. The book was completed on 7/5/1370 H (1951 CE).

The first section of the book shows the obligation upon the Muslim woman to cover the whole of her body when she leaves her house, except for her face and hands- which if she covers them then she has done well, and if she does not cover them then there is no sin upon her.

Shaikh al-Albaanee's defence of the position of the majority of the scholars from the earlier and later times that the woman's face and hands are not `awrah (that which must be covered) met with opposition from some, and a number of refutations of him were written.

Therefore Shaikh al-Albaanee-rahimahullaah-wrote the second treatise *ar-Raddul-Mufhim* (completed on 26/12/1411 H) (1991 CE) to clarify the correctness of the position that the woman's face and hands are not `awrah, and to answer those who had attempted to refute him, and to highlight the errors which they had fallen into.

What follows is an English translation of extracts from the Shaikh's refutation, followed by some extracts from the original work.

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Extracts from **AR-RADDUL-MUFHIM** by Shaikh al-Albaanee- *rahimahullaah*.



p. 5:

All praise is for Allaah, we praise Him, we seek His aid, and we ask for His forgiveness; and we seek Allaah's refuge from the evils of ourselves and from the evil consequences of our actions. Whomever Allaah guides, then none can misguide him; and whomever He misguides, then none can guide him. I testify that none has the right to be worshipped except Allaah, alone, having no partner; and I testify that Muḥammad is His Slave and His Messenger.

يَتَأَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ وَلَا تَمُوتُنَّ إِلَّا وَأَنْتُمْ مُسْلِمُونَ

[AALI 'IMRAAN (3):102]

[[Meaning: O you who believe! Fear and be dutiful to Allaah as He deserves, and do not die except as Muslims.]]

يَتَأَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً

وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

[AN-NISAA. (4):1]

[[Meaning: O mankind! Fear and be dutiful to your Lord Who created you from a single person, and from him He created his wife, and from the two of them He created many men and women; and fear Allaah through Whom you demand your mutual rights, and do not cut ties of kinship. Allaah is always a Watcher over you.]]

يَتَأَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا ﴿٧٠﴾ يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَمَنْ يُطِيعِ

اللَّهِ وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا

[AL-AHZAAB (33):70-71]

[[Meaning: O you who believe! Fear and be dutiful to Allaah, and speak with truth and justice, and He will rectify your deeds for you and forgive your sins; and whoever obeys Allaah and His Messenger has attained tremendous success.]] [AL-AHZAAB (33):70-71]

To proceed, then the best speech is the Book of Allaah, and the best way is the way of Muḥammad (صلى الله عليه وسلم). The worst of affairs are the newly introduced affairs, and every newly introduced affair is an innovation, and every innovation is misguidance, and all misguidance is in the Fire.

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p. 6:

To proceed, then having decided to reprint my book 'The Muslim Woman's Hijaab', after a number of years had passed over it, and after it had been printed a number of times.... I saw that I should re-examine it, so that perhaps I should be inspired to add some new points of benefit....; and I gave special attention to examining the books and treatises which I have gathered, which have been written in this time about women-and there are tens of them.

So I found that most of them had followed the others in refuting me. Some of them directly, by mentioning the book and the author; and some of them dealing with the issue directly, but without mentioning myself. In this one a professor claimed that I was alone in the saying that the woman's face is not `awrah and that it is not obligatory upon her to cover it, and that I had gone against the scholars of the Salaf and of the later times!

So I saw, by Allaah, the most amazing thing: that they [i.e. these writers] had united upon the saying that it is obligatory; and had blindly followed each other upon that, and upon their methodology of using as evidence that which is not authentic: in its narration, or in the manner in which it is used, as evidence; and how they wrongly explained away whatever texts contradicted them, from the narrations of the Salaf, and from the well known sayings of some of the imaams who are followed; and how they pretended to be ignorant of them: as if they did not exist! So this caused me to realise that they had all, unfortunately, been writing what they wrote whilst submitting to human emotions, and to personal motivations, and to the prevailing customs of their lands; and were not submitting to the proofs contained in the Legislation....

p. 7:

However I must indicate some of the most important topics of research which I dealt with in the introduction [i.e. to the book *Jilbaabul-Mar.atil-Muslimah*] which has been indicated, whilst abridging the speech as far as possible, so I say:

THE FIRST POINT OF RESEARCH:

The Aayah of the Jilbaab:

يُدْنِينَ عَلَيْنَهُنَّ مِنَ جَلْبَابِهِنَّ

[AL-AHZAAB (33): 59]

[[Meaning: Let them draw their jilbaabs close upon themselves]] [AL-AHZAAB (33): 59]

1-Some of those who oppose and display harshness towards the woman... persist and insist that the meaning of (يُدْنِينَ) is: 'Let them cover their faces', and this opposes the meaning of the root of this word: 'al-Idnaa.', in the language: which is: to draw something close, as I mentioned and explained in the book, and as will follow in its place. So I clarified that it is not a textual statement for covering the face; and that those who oppose must bring something which shows what they hold to be more correct; and this is something which they have not done, and will not be able to do. All they are able to do is to make accusations against those who disagree with them, from those who are following the Salaf of this Ummah, their scholars of tafseer, and their people of knowledge.

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So here we have al-Imaam ar-Raagh**h**ib al-A**s**bahaanee saying in *al-Mufradaat*:

“(DaNa**a**): DuNu**w** is closeness...; and it is said: ‘Daanaytu’ between two things, and ‘Adnayu**t**’ one of them to the other...”, and then he mentioned the Aayah;

And this was how the great explainer of the Qur.aan: `Abdullaah ibn `Abbaas-in what is authentic from him-explained the Aayah. So he said: “She should draw the jilbaab close to her face, but not pull it upon it”-and its referencing will follow.

So here Shaikh at-Tuwayjaree- may Allaah guide us and him-says at the end of his aforementioned book (p. 249): “So those who permit the uncovering of the women (he meant the uncovering of the face only), and who use as evidence for that the like of what al-Albaanee used, then he has opened wide the door to women going out and displaying their beauty (at-Tabarruj), and has led the women into committing blameworthy acts which are done by those women who uncover themselves today”!

This is what he said-may Allaah rectify and guide him-since this assault and this attack does not impinge upon myself alone; rather it also strikes against those who preceded me, and those who are my Salaf: from the Companions, the Taabi`een, the scholars of Tafseer and Fiqh, and others besides them, from those we have mentioned in the book-as will follow-and in the indicated introduction. So sufficient for me here will be a single example and it is what occurs in the book *al-Insaa**f** fee Ma`rifatir-Raajib minal-Khilaaf fee madhhabil-Imaamil-Mubajjal* Ahmad ibn Hanbal’ of Shaikh `Alaa.ud-Deen al-Mardaawee (1/452). He said: “What is correct in the [Hanbalee] madhhab is that the face is not from the `Awrah.”

Then he mentioned the same concerning the two hands, and this was the preferred saying of Ibn Qudaamah al-Maqdisee in *al-Mugh**h**nee* (1/637), and he used as evidence for his preferred view the fact that he (صلى الله عليه وسلم) forbade the woman in a state of ihraam from wearing gloves and the niqaab and he said: “If the face and the two hands were `awrah then it would not have been forbidden to cover them; and also because there is a need to uncover the face to buy and sell, and the two hands to take and give.”

This was also what he placed reliance upon and clearly stated in his book *al-`Umdah* (p. 66).

So what is the view of Shaikh at-Tuwayjaree about this statement from this great Hanbalee scholar?! Do you think that he was a caller to uncovering as well, and someone who opened wide the door to women going out and displaying their beauty, and...?!

p. 10:

THE SECOND POINT OF RESEARCH:

Many of those opponents who display harshness claim that the Jilbaab which has been commanded in the Aayah of al-A**h**zaab has the same meaning as what is mentioned in the other Aayah:

فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ

[AL-A**H**ZAA**B** (33):53]

[[Meaning: Then ask them from behind a screen]]

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and this is an amazing mix-up. They have been led into it by the fact that they know that the first Aayah does not contain any proof that the face and the hands are `awrah, contrary to the other one- which applies to the woman whilst she is in her home; for she does not usually wear the jilbaab or the khimaar whilst she is within it. So therefore she does not go out openly to the person who asks something, contrary to what some of those with no manners do today. So this distinction was pointed out by Shaikhul-Islam Ibn Taimiyyah, who said in *al-Fataawaa* (15/447):

“So the Aayah of the jilbaab refers to the covering garments worn when going out from the houses, and the Aayah of Hijaab refers to speaking to them whilst they are within the houses.”

I say: So neither of the two Aayahs contains anything which indicates an obligation to cover the face and the hands.

As for the first, then this is because the jilbaab is the covering garment which the woman wraps around herself over her clothes- and not upon her face-as is mentioned in what follows in the book (p. 83). This is what all of the books of the language state. None of them mention the face at all;

And it is authentic from Ibn `Abbaas that he said in explanation of it: “She draws the jilbaab towards her face, but she does not pull it upon it.”

This was reported by Aboo Daawood in his *Masaa'il* (p. 110); and whatever contradicts it is either ‘Shaadhah’ [contrary to the authentic reports], or unauthentic [da`eef]; and the details of this are contained in that introduction.

As for the other Aayah, then on account of what I have already just mentioned [i.e. that it refers to the woman who is screened by being within her house (transl.)]

Therefore it appeared to me that I should re-title the book ‘The Muslim Woman’s Jilbaab...’, since it is closer to the topic of the book as is clear; and Allaah-the Most High-is the One Who grants success.

p. 11:

THE THIRD POINT OF RESEARCH:

One of their self-contradictions is that whilst they make it obligatory upon the woman to cover her face, they permit her to uncover her left eye; and some of them make further allowances and say that she can uncover both eyes! They base this upon some very weak reports, from them a hadeeth of Ibn `Abbaas which follows in the book (p. 88)-whereas something which totally opposes it is also reported, with the wording: ‘The drawing-close (idnaa.) of the jilbaab is that she wears it upon the head and tightens it upon her forehead and this is a statement of our saying: that it does not include her face. So therefore all those who oppose conceal this report, and do not make any mention of it! And it has a weak chain of narration; however it has supporting witnesses-as will follow. And how truly the person spoke who said: “The Ahlus-Sunnah mention whatever is in their favour and whatever is against them; whereas the people of innovated desires only mention what is in their favour, and they do not mention what is against them!....

p. 12:

And it appears to me that they-because they realise within themselves that their evidence is weak-resort to using opinion (ra.y) and the language of emotions, or that which resembles philosophy. So

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they say: 'The most beautiful part of the woman is her face, so therefore it does not make any sense that she should be allowed to uncover it!' So it is said to them: And the most beautiful part of the face is the two eyes, so therefore cover her sight and command her to cover them with her jilbaab! And it can be said to them, as a contradiction: And the most beautiful part of the man-for the woman is his face, so command the man also-with this philosophy of yours-to cover their faces in front of the women: especially those who are exceptionally handsome, just as occurs in the biography of Abul-Hasan al-Waa`iz (the admonisher) who was well-known as 'al-Misree' (the Egyptian):

"That he used to have a gathering where he would speak and give admonition and his gathering and admonition was attended by men and women. So he used to wear a veil (burqa`) upon his face, for fear of tempting the women with his beauty." [Taareekh *Baqhdaad*: 12/75-76].

So what would the distinguished Shaikh at-Tuwayjaree, and whoever follows him from those who use philosophy, say: Was what this Egyptian did something legislated, or not? Despite their knowing that the Prophet (صلى الله عليه وسلم) was more handsome than him, and he did not do what he did!

So if you say that it is legislated, than you have contradicted the Sunnah of your Prophet and gone astray-and we do not hope that for you; and if you say that it is not so-which is what we expect from you, then you will be correct: and your philosophy is annulled; and it is binding that you retract from it, and suffice in your refutation of me with textual proofs-if you have any, for they will suffice you such that you have no need of falsely adorned speech, otherwise you will have gathered yourselves amongst the people of mere opinions! Just as is reported from Ahmad in *al-Ilal* (2/246) from Hammaad ibn Salamah that he said: "Aboo Haneefah faced the reports and the Sunan and rejected them with opinion."!

p. 13:

THE FOURTH POINT OF RESEARCH:

The Khimaar and the head-wrapper

and His Saying-He the Most High:

وَلْيَضْرِبْنَ خُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ

[AN-NOOR (24):31]

[[Meaning: And let them draw their khimaars over the front opening of their garments]]

We mention, in what follows in the book (p. 72) that the khimaar is covering for the head and not the face, and we used as evidence for this the speech of some of the scholars such as: Ibnul-Atheer and Ibn Katheer..."

p. 16:

As for his contradictions to the Sunnah, then they are many. From this is his (صلى الله عليه وسلم) saying:

<<Allaah will not accept the Prayer of an adult woman except with a khimaar>>¹

¹ And I think that the Shaikh will be the first one to oppose this hadeeth with his explanation of the khimaar, since I believe that he will not command his women-folk to cover their faces in the Prayer-if they are on their own, as he orders them to cover their heads-in accordance with our explanation of the khimaar....

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And it is an authentic hadeeth, referenced in *al-Irwaa*. (no. 196), from the narration of a group from them Ibn Khuzaymah and Ibn Hibbaan in their 'Saheehs'.

So will Shaikh at-Tuwayjaree say that it is obligatory upon the adult woman to cover her face in the Prayer?!

Likewise his (صلى الله عليه وسلم) saying concerning the woman who made a vow that she would perform Hajj with her head uncovered: <<Order her to ride, and to wear the khimaar, and to perform the Hajj>>, and in a narration: <<and let her cover her hair>> and it is authentic also: I have referenced it in *al-Ahaadeethus-Saheehah* (no. 2930).

So will the Shaikh permit the woman in the state of ihraam to tie her khimaar upon her face when he knows his (صلى الله عليه وسلم) saying: <<The woman in a state of ihraam may not wear the niqaab...>>?!

Likewise are the ahaadeeth concerning wiping over the khimaar in the wudoo: from his (صلى الله عليه وسلم) action, and his command; with regard to men and the women....

And from that is the saying of al-`Allaamah az-Zubaydee in *Sharhul-Qaamoos* (3/189) regarding the saying of Umm Salamah-radiyallaahu `anhaa-that she used to wipe over the khimaar. Ibn Abee Shaybah in *al-Musannaf* (1/22):

"She meant by the 'khimaar': the 'imaamah' (turban/head-scarf), since the man covers his head with it, just as the woman covers it with her khimaar."

And the same occurs in *Lisaanul-`Arab*.

And in *al-Mu`jamul-Waseet* -compiled by a committee of scholars under the supervision of Majma`ul-Lughatil-`Arabiyyah there occurs: "The khimaar is whatever covers; and from it is the khimaar of the woman, and it is a cloth which she covers her head with; and from it is the 'imaamah' (turban/head-scarf), because the man covers his head with it and wraps it under his chin."

So these are clear quotes from those scholars that the khimaar of the woman is like the 'imaamah' of the man. So just as the 'imaamah' (turban/head-scarf)-when mentioned unrestrictedly-does not mean the man's covering his face, then likewise the khimaar -when mentioned unrestrictedly does not mean the woman's covering her face with it.

So this is what the scholars-with their varying specialities-were upon, from the people of tafseer, hadeeth, fiqh, the language, and others: from the early and later times; and it has been made easy for me to come across the words of more than forty of them. I mentioned the statement in the research in the introduction which has been mentioned, and I gathered them all, stating the head and not the face-when defining the khimaar. Are these pillars (of knowledge), O Shaikh, in error-and they are the people who are such that one who follows them will not be wretched, and you are correct?!

1. So from them the scholars of tafseer: their Imaam, Ibn Jareer at-Tabaree (d. 310), al-Baghawee-Aboo Muhammad (d. 516), az-Zamakhsharee (d. 538), Ibnul-`Arabee (d. 553), Ibn Taymiyyah (d. 728), Ibn Hayyaan al-Andalusee (d. 754), and many, many others whom we have mentioned there.

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2. And from the scholars of hadeeth: Ibn Hazm (d. 456), al-Baajee al-Andalusee (d. 474)-and he added an explanation and a refutation upon the like of this Shaikh and his rashness, so he said: “And nothing should appear from her besides the circle of her face”; and Ibnul-Atheer (d. 606), and al-Haafiz Ibn Hajr al-`Asqalaanee (d. 852)-who said : The khimaar for the woman is like the ‘imaamah’ (turban/head-scarf) for the man”....; Badruddeenul-`Aynee (d. 855) in *Umdatul-Qaaree* (19/92), `Alee al-Qaaree (d. 1014), as-San`aanee (d. 1182), ash-Shawkaanee (d. 1250), and Ahmad Muhammad Shaakir al-Miṣree (d. 1377), and others.

3. And from the jurists: Aboo Haneefah (d. 150) and his student Muhammad ibn al-Hasan (d. 189) in his *Muwatta*.- and his wording will follow (p. 34), and ash-Shaafi`ee al-Qurashee (d. 204), and al-`Aynee (d. 855)-and this has preceded. He said in *al-Binaayah fee Sharhil-Hidaayah* (2/58): “And it is that which the woman covers her head with.

4. And from the scholars of the language: ar-Raaghib al-Aṣbahaanee (d. 502)..., Ibn Manzoor (d. 711), al-Fayroozabaadee (d. 816), and a group of the scholars who authored *al-Mu`jamul-Waseet* - as has proceeded, along with their clear statement that it is a covering of the head.

So because of these quotes from these notable scholars the noble Shaikh Muhammad ibn Salaam al-`Uthaymeen could not but contradict the Shaikh in his blindly sticking to his opinion, and instead agree with those imaams, so he said in his treatise (p. 6):

“The khimaar is that which the woman covers her head with...”

I say: So through these evidences of the Book and the Sunnah, and the sayings of the imaams of tafseer, hadeeth, Fiqh, and the language, our saying that the khimaar is a covering of the head is confirmed, and the saying of Shaikh at-Tuwayjaree and those who blindly follow him is nullified...

p. 23:

....Aiding my saying there that the fact that the khimaar is a covering for the head does not negate its being used sometimes to cover the face; and I mentioned some ahaadeeth as evidence for that... and I add here and say: There occurs in the story of the hunger of the Prophet (صلى الله عليه وسلم) that Anas-radiyallaahu `anhu-said: from Umm Sulaym: “So I took out some flat barley-loaves, and I took out a khimaar of mine and wrapped the bread in a part of it...”-the hadeeth. Reported by al-Bukhaaree (no. 3578) and Muslim (6/118) and others.

So the witness from it is clear: which is the khimaar which the woman covers her head with may be used to wrap and cover bread. So would anyone say that from the meanings of the khimaar, when the term is used, is that it covers up bread also?!....

p. 26:

THE FIFTH POINT OF RESEARCH:

DID THE MUSLIMS HAVE CONSENSUS (IJMAA`) UPON THE FACE OF THE WOMAN BEING `AWRAH, AND THAT SHE IS PREVENTED FROM GOING OUT WITH HER FACE UNCOVERED?

This is something which Shaikh at-Tuwayjaree-may Allaah guide him [rahimahullaah]-claimed, and some of them blindly followed him upon...he does this whilst he knows within his self that there is

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no ijmaa` concerning it, since he came across the disagreement but did not report it, and he sometimes reports it and then feigns ignorance of it!....

p. 29:

No one from the people of knowledge, as far as has reached me and to the extent of my knowledge has mentioned any ijmaa` (consensus) concerning this matter, except for the Shaikh....

So difference of opinion about it is ancient. The books written specifically about differences of opinion all contain it, and if I had time available I would write a specific treatise listing what I am able to from their sayings about this matter. However I must quote some of them here to show the baselessness of the consensus which he claimed. So I say:

Firstly: Ibn Hazm said in his book *Maraatibul-Ijmaa'* (p. 29): "And they agree that the hair and body of a free woman, except for her face and her hand, is `awrah; and they disagree about her face and hand, even about the nails, is it `awrah or not?" And Shaikhul-Islaam Ibn Taimiyyah consented to it in his notes upon it, and did not comment upon it-as he did at some other places.

Secondly: Ibn Hubayrah al-Hanbalee said in *al-Ijmaa'* (1/118: Aleppo edn.): "And they disagree about the `awrah of the free-woman and its extent. So Aboo Haneefah said: "All of her is `awrah except for the face, the hands, and the feet"; and it is related from him that he said that her feet are `awrah; and Maalik and ash-Shaafi`ee said "The whole of her is `awrah except for her face and two hands," and it is the saying of Ahmad in one report; and the other report is that the whole of her is `awrah except for the face in particular, and that is what is famous, and it was preferred by al-Khiraqee."

And he missed a third report which is that the whole of her is `awrah, even her fingernails.

Thirdly: There occurs in the book *al-Fiqh 'alal-madhaahibil-Arba`ah*, compiled by a committee of scholars-amongst them al-Jazeeree, in explanation of the limit of the `awrah of the woman (1/167:2nd edn.)

When she is in the presence of a strange/non-related man or a non-Muslim woman, then her `awrah is her whole body except for her face and two hands-for they are not `awrah, so it is permissible to look at them when there is security from fitnah (seduction/evil). Then they excepted from that the position of the Shaafi`ees, and that is doubtful due to what has preceded in *al-Ijmaa'* and what occurs elsewhere...

Fourthly: Ibn `Abdil-Barr said in *at-Tamheed* (6/364), having mentioned that the whole of the woman is `awrah except for her face and hands, and that this is the saying of the three imaams and their students, and the saying of al-Awzaa`ee and Aboo Thawr:

"This was held by most of the people of knowledge, and they were upon consensus that the woman uncovers her face in the Prayer and when in ihraam; and Aboo Bakr ibn `Abdir-Rahmaan ibn al-Haarith said: "Every part of the woman is `awrah, even her fingernails"."

Then Ibn `Abdil-Barr said: "This saying of Aboo Bakr is outside the saying of the people of knowledge, because of the consensus of the scholars that the woman may pray the Obligatory Prayer with her hands and face uncovered, with all of that from her touching the earth, and they had consensus that

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she does not pray wearing the niqaab, and that she does not have to wear gloves in the Prayer; and this contains the clearest proof that it is not from her `awrah, and that it is permissible for whoever looks at her to look at that, without causing suspicion or something hated. As for looking for the purpose of desire, then it is forbidden to look attentively at her with desire from beyond her clothes; so how about looking at her uncovered face....”

p. 32:

And I report in what follows in the book (p. 89) from Ibn Rus^hd that the position of most of the scholars is that the face of the woman is not `awrah; and its like from an-Nawawee, and that it is the position of the three imaams, and one narration from A^hmad. So a part of these sayings from those major scholars would be sufficient to abolish the Shaikh's claim of consensus. So how about them gathered together?!

p. 34:

FIRSTLY THE POSITION OF ABOO HANEFAH:

Imaam Mu^hammad ibn al-Hasan said in *al-Muwatta*. (p. 205 with the explanatory notes of *at-Ta`leequl-Mumajjad*, Indian edn.)

“The woman in i^hraam should not wear the niqaab. So if she wishes to cover her face, then let her let a cloth hang down from above her khimaar; and it is the saying of Aboo Haneefah and most of the jurists.”

And Aboo Ja`far at-Tahaawee said in *Sharh Ma`aaniyyil-Aathaar* (2/392-393): “It is permissible for people to look at what is not forbidden for them from the woman: at their faces and hands; and that it is forbidden for them regarding the wives of the Prophet (صلى الله عليه وسلم); and it is the saying of Aboo Haneefah, Aboo Yoosuf, and Mu^hammad-rah^himahullaahu ta`aalaa.

SECONDLY: THE POSITION OF MAALIK:

His student `Abdur-Ra^hmaan ibn al-Qaasim al-Mi^sree reported from him in *al-Mudawwanah* (2/221) the like of the saying of Imaam Mu^hammad concerning the woman in a state of i^hraam if she wishes to hang something down over her face, and he added further explanation, saying:

“And if she does not wish to cover, then she does not let something hang down.”

And Ibn `Abdir-Barr quoted in *at-Tamheed* (15/111) and was satisfied with it.

And he said, after mentioning the explanation of Ibn `Abbaas and Ibn `Umar of the Aayah

إِلَّا مَا ظَهَرَ مِنْهَا

[AN-NOOR (24):31]

[[Meaning: Except for what appears from it]] to mean the face and the hands]]:

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“And the jurists were upon the saying of Ibn `Abbaas and Ibn `Umar in this matter. So this is what occurs about the woman and the ruling of her covering in her Prayer and outside her Prayer.” So consider his saying: ‘And outside her Prayer’!

In the *Muwatta*. with the narration of Yahyaa (2/935) there occurs: “Maalik was asked: May a woman dine along with someone who is not a mahram of hers, or with her slave?

So Maalik said: “There is no harm in that, as long as it is in the manner in which a woman is known to dine along with men.” He said: “And the woman may eat along with her husband and with others who eat along with him.”

al-Baajee said in *al-Muntaqaa Sharhul-Muwatta*. (7/252), after this statement: “It necessitates that men looking at the face and hands of a woman is permissible, since that appears from her when eating along with her.”

THIRDY: THE POSITION OF ASH-SHAAFI`EE:

He said in the book *al-Umm* (2/185):

“The woman in a state of ihraam does not cover her face, unless she wishes to cover her face-then she keeps it away....” al-Baghawee said in *Sharhus-Sunnah* (9/23):

“So if she is a non-closely-related free woman, then the whole of her body is `awrah for the man. It is not permissible for him to look at anything from her, except for the face and the two hands up to the wrist-bones; and he should withhold the gaze from looking at her face and hands also if there is a fear of fitnah (seduction/evil).”....

FOURTHLY: THE POSITION OF AHMAD:

His son Saalih reported from his in his *Masaa'il* (1/310) that he said: “The woman in a state of ihraam should not cover her face, nor wear the niqaab; and there is no harm in letting something hang down: she may let something hand down over her face.”....

p. 39:

...From the references for his book (p. 109) is Ibn Muflih in *al-Aadaabush-Shar`iyyah*, and this Ibn Muflih was one of the major Hanbalee scholars of the eighth century; and from the students of Ibn Taimiyyah, and he used to say about him: 'You are not Ibn Muflih (the son of a successful one), rather you are Muflih (the successful one).' Indeed Ibnul Qayyim said about him: 'There is not beneath the dome of the sky anyone more knowledgeable of the madhhab of Imaam Ahmad than Ibn Muflih.' [*Shadharaatudh-Dhahab* (6/199)]

When you know this, then **Ibn Muflih said in his aforementioned book *al-Aadaabush-Shariyyah* (1/316):**

"Is it correct to criticise strange/unrelated women if they uncover their faces upon the road? The response to this rests upon whether it is obligatory upon the woman to cover her face or whether it is obligatory to withhold the gaze from her. So there are two sayings about this matter. al-Qaadee `Iyaad said concerning the hadeeth of Jareer-radiyallaahu `anhu-I asked Allaah's Messenger (صلى الله عليه وسلم) about the accidental glance, so he commanded me to turn my gaze away-reported by Muslim: The Scholars-rahimahumullaahu ta`aala said: This contains a proof that it is not obligatory upon the woman to cover her face upon the road; rather that is a sunnah and is recommended for her. And it is obligatory upon the man to withhold the gaze from her in all

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situations, except where there is a legislated purpose. Shaikh Muhiyyuddeen an-Nawawee mentioned it and did not add to it... So therefore is it correct to criticise? This rests upon criticism in matter of disagreement, and speech about it has preceded. As for upon our saying and the saying of a group of the Shaafi`ee and others: that looking at a strange/non-related woman is permissible without lust and without being alone with her. So it is not befitting to criticise."

p. 41:

THE SIXTH POINT OF RESEARCH:

The neutralizing the meaning of the authentic aḥadeeth which contradicts them.

So there are many aḥadeeth about the women uncovering their faces and their hands-as will follow in the book which when taken together reach the level of being mutawaatir in meaning with the people of knowledge. So it is not surprising that the majority of the scholars acted upon them...

*The first ḥadeeth: And it was the second one in the book (pp. 61-62): the ḥadeeth of the woman of the Khath`am tribe (al-Khath`amiyyah) [[Reported by al-Bukḥaaree (nos. 1513 & 1855), Muslim (no. 1334) and others]], and it contains the statement that she was beautiful and good-looking, and it contains 'so al-Faḍl began looking at her, and was amazed at her beauty.'

I say: The Shaikh and his blind-followers, or those who agree with him, take contradictory paths is trying to escape what the ḥadeeth indicates. So at times he says (p. 208):

"It does not state that the woman had her face uncovered. So it is possible that Ibn `Abbaas meant the beauty of her physique, and her build, and the beauty of what appeared from her extremities."!

This is speech such that its first parts is demolished by its last part, and its last part by its first part, since 'her extremities' are her hands, her feet, and her head-as is well-known in the language... since 'her extremities' include the face in the language. So in *al-Qaamoos* there occurs: 'The extremities (aṭraaf) of the body are the two hands, the two feet, and the head.'...

p. 43:

And sometimes he says: "If al-Faḍl saw her face, then his seeing it does not indicate that she left it uncovered for some time..."

So this is another case of obstinacy, which resembles the previous one in the feigning of ignorance, since the saying of Ibn `Abbaas: "So al-Faḍl began looking at her", and in the other narration: "So he began looking at her and her beauty amazed him" demolishes the saying of the Shaikh and those who blindly follow him...

So therefore Ibn Baṭṭaal said, as follows in the book (p. 63), said: "The Prophet (صلى الله عليه وسلم) did not turn the face of al-Faḍl away until he was staring at her, being amazed at her..."

Then he used this as evidence that it is not obligatory upon the woman to cover her face. So this is the only conclusion that can be understood by scholars who are free of blind adherence to a madḥhab. So therefore al-Ḥaafiz Ibn Ḥajr-along with his vast knowledge, and his awareness of the

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language and its usage-was not able to say anything in refutation of Ibn Battaal except: “She was in a state of ihraam.”

So it will not be hidden from the people of knowledge that this response would only stand if it were not permissible for the woman in a state of ihraam to cover her face by allowing a cloth to hang down. But this was not held by al-Haafiz or anyone else from the scholars. So the refutation is rejected.

So some of them perceived that weakness of this refutation, so they diverted from what the hadeeth clearly indicates, with regard to the permissibility of her uncovering her face, to instead stating that it does not contain evidence for the permissibility of looking at her face-as occurs in the treatise of Shaikh Ibn `Uthaymeen and others.

So we say: Yes, that is not permissible when there is a fear of fitnah (seduction, evil...), but it is likewise not permissible for her to look at the face of the man who is not closely related to her when there is a fear of fitnah. So is it obligatory upon him to cover his face from her?!

*The second hadeeth: And it is the third in the book (pp. 64-65): the hadeeth of the woman who said: “O Messenger of Allaah! I wish to give myself to you as a gift...”-the hadeeth. [[Reported by al-Bukhaaree (nos. 2310, 5029, 5030, 5087, 5121 &...) and Muslim (no. 1425) and others]].

I say: From that which causes laughter and weeping is that Shaikh at-Tuwayjaree included this hadeeth amongst those hadeeth which he used as evidence to show that it is permissible for the man proposing marriage to look at the face of the woman he is proposing to, and her neck (!) and the extremities of her arms; and then when he responded (p. 219) to my using the hadeeth as evidence, he tries to give the impression that it refers to the woman who has received a proposal of marriage! And he knows that the Prophet (صلى الله عليه وسلم) had not given her any proposal of marriage-as I mentioned from al-Haafiz Ibn Hajr-rather she offered herself to him, as is clearly stated in the hadeeth; and that was in the mosque- as occurs in the narration of al-Ismaa`elee; and it was being seen by the narrator Sahl ibn Sa`d; and by the people he was with –as occurs in the narration of al-Bukhaaree; and of Aboo Ya`laa and at-Tabaraanee, and their narration is more complete, as you will see there.

So is it correct, in the mind of the Shaikh and those who blindly follow him, to propose marriage in front of strange/non-related men?! And they criticise this strongly...

p. 48:

***THE SEVENTH POINT OF RESEARCH:**

Their usage of weak ahaadeeth and unauthentic narrations, and their persisting upon that after the weakness, which prevent them being used as evidence, have been pointed out to them...

-The first hadeeth: From Ibn `Abbaas who said: “Allaah has commanded the believing women when they go out from their houses for a need to cover their faces... and to uncover a single eye.”

[[Shaikh al-Albaanee said in Hijaabul-Mar.ah (p. 88):

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I say: This is not authentic from Ibn `Abbaas, since at-Tabaree reports it by way of `Alee from him; and this `Alee is Ibn Abee Talhah-as Ibn Katheer quotes it from him; and along with the fact that some of the scholars spoke in criticism of him, then he did not hear from Ibn `Abbaas: indeed he did not even see him. Then it has been said that between them was Mujaahid, so if that were established concerning this narration then its chain would be connected. However in the chain to him is Aboo Saalih, whose name was `Abdullaah ibn Saalih- and he had some weakness; and Ibn Jareer reports that which opposes this from Ibn `Abbaas, however its chain is also weak, but then I came across another authentic chain for it [i.e. for the opposing narration]...]]

-The second hadeeth: from the unauthentic evidences which they use as evidence....! Ibn Seereen's asking `Abeedah as Salmaanee about the Aayah of 'al-Idnaa.' [[i.e. Aayah 59 of Sooratul-Ahzaab]]. So `Abeedah put a covering garment upon his head, and he covered his whole head with it until he reached the eye-brows; and he covered his face, and he revealed his left eye."

...Its weakness is clarified from a number of angles:

1-It is maqoo' , mawqoof, so it is not a proof, since `Abeedah as-Salmaanee was a taabi'ee-by agreement. So if he had attributed it to the Prophet (صلى الله عليه وسلم) it would be 'mursal' and therefore not a proof. So how about when it halts at himself in this manner?! And how about its contradiction to the explanation of the great explainer of the Qur.aan: Ibn `Abbaas, and those Companions who were along with him?!

2- They contradict each other regarding which eye was uncovered. So it was said: 'the left one'-as you have seen; and it was said 'the right one'- and this was the narration of at-Tabaree (22/33); and it was said 'one of his eyes'- and this was another narration of his, and its like occurs in *Ahkaamul-Qur.aan* of al-Jassaas (3/371) and *Tafseerul-Baghhawe* (3/444) and elsewhere.

3- Ibn Taimiyyah mentioned it in 'al-Fataawaa' (15/371) with a totally different context to the one mentioned, and said: "And `Abeedah as-Salmaanee and others mentioned that the believing women used to let the jilbaab hang down from the top of their heads so that nothing showed except their eyes, so that they could see the path."

And at-Tuwayjaree (p. 166), Ibn `Uthaymeen (p. 13), and others quoted it from him, being satisfied with it.

So when you are aware of this, then known that 'idtiraab' (mutual contradiction) is counted as a weakness in a narration by the scholars of hadeeth, which relegates it from the position of being used as proof-even if it is only in its outward detail-as in this case-, since it shows that the narrator has not been precise in it, and has not memorized it. This along with the fact that the wording of Ibn Taimiyyah is not just a difference in detail, as is clear, since it does not occur as tafseer of the Aayah but as a piece of information about the condition of the women at the beginning...however that does not necessitate the obligation of covering, since it was only an action from them, and it does not negate the presence of others who did not cover their faces. Rather that is established in his (صلى الله عليه وسلم) time and after him...

4- Its contradicting the tafseer of Ibn `Abbaas of the Aayah...

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*The third hadeeth: From Muḥammad ibn Ka`b al-Qurazee- with the like of the first hadeeth of Ibn `Abbaas, concerning

يُدْنِينَ عَلَيْنَ مِنْ جَلْبِيهِنَّ

[AL-AHZAAB (33):59]:

that he said: "She should cover her face except for one of her eyes."

Ibn Sa`d reported it in *at-Ṭabaqaat* (8/176-177): Muḥammad ibn `Umar related to us: from Ibn Abee Sabrah: from Aboo Sakhr: from him.

I say: This is a fabricated (mawḍoo') chain of narration. Its problem is Ibn Sabrah. Imaam Aḥmad said in *al-`Ilal* (1/204): "He used to lie and fabricate hadeeth." And the narrator from him: Muḥammad ibn `Umar-and he is al-Waaqidee-is close to him. al-Haafiz said in *at-Taqreeb*: "Abandoned. Aḥmad said: A liar."

Then it is also 'mursal'...

*The fourth hadeeth: From al-Faḍl ibn `Abbaas who said: "I was riding behind Allaah's Messenger (صلى الله عليه وسلم) when a Bedouin appeared with a beautiful daughter of his. So he began presenting her to Allaah's Messenger (صلى الله عليه وسلم), hoping that he would marry her. He said: So I began turning to her, and Allaah's Messenger (صلى الله عليه وسلم) took my head and turned it away."

Reported by Aboo Ya`laa in his *Musnad* (12/97) by way of Yoonus ibn Abee Ishaaq: from Aboo Ishaaq: from Sa`eed ibn Jubayr: from Ibn `Abbaas with it.

I say: This is a weak chain of narration: Its narrators are reliable, but its text is 'munkar' (contradicting what is authentic), and it has five defects:

(i) The 'an`anah' of Ibn Ishaaq, who was as Sabee`ee, and he was a 'mudallis';

(ii) His 'ikhtilaat' (deterioration when he grew old)...

(iii) Some weakness in his son Yoonus and perhaps that is specific to when he narrated from his father...

(iv) His contradicting his son Israa.eel, and he was reliable and a better memorizer than his father...

(v) His contradicting all of the reliable narrators who report this hadeeth from Ibn `Abbaas, without the addition [[i.e. the mention of the Bedouin &...]]

*The fifth hadeeth: From Umm Salamah that she said: "I was with Allaah's Messenger (صلى الله عليه وسلم), and Maymoonah was with him. So Ibn Umm Maktoom came, and that was after we had been commanded with the hijaab, so the Prophet (صلى الله عليه وسلم) said: <<Screen yourselves with hijaab from him. >> So we said: O Messenger of Allaah! Is he not a blind man, and cannot see or recognise us?! So the Prophet (صلى الله عليه وسلم) said <<Are the two of you then blind?! Do you two not see him?!>>

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Reported by the compilers of the Sunan, except for Ibn Maajah, and others: by way of az-Zuhree who said: Nabhaan, the slave belonging to Umm Salamah, narrated to me from her. And it is referenced in 'al-Irwaa.' (6/210/1806) and *ad-Da'eefah* (no. 5958)...

And the conclusion of the checking in them is that:

- 1) The hadeeth is reported by Nabhaan alone, and from him by az-Zuhree; as an-Nasaa'ee, al-Bayhaqee, Ibn `Abdil-Barr and others said.
- 2) Nabhaan is unknown (majhoolul-`ayn) as al-Bayhaqee and Ibn `Abdil-Barr point out...

p. 79:

* THE EIGHTH POINT OF RESEARCH:

Emphasising the authenticity of his (صلى الله عليه وسلم) saying:

<<When the woman reaches adulthood it is not correct that anything should be seen from her except her face and her two hands. >>

I say, and I seek Allaah's aid:

The people have flocked to attack the text of this hadeeth, and to declare it weak (*da'eef*), opposing in that the preservers and verifiers of hadeeth who declared it strong, such as al-Bayhaqee in his 'Sunan', al-Mundhiree in his 'Targheeb', adh-Dhahabee in his *Tahdheeb*, and others. Their approaches in that regard vary, so some of them are satisfied with mentioning a single chain of narration and declaring it weak; and others add to that –as you will see. However they are all agreed upon reporting whatever criticism occurs about a narrator, but not declarations of his reliability. Indeed some of them deceive and give the false impression that there was no one who declared them reliable: indeed that he was at the furthest limit of weakness such that he could not be used as supporting evidence; and this is a pure lie. They are also all agreed upon contradicting the principle of the scholars in strengthening a hadeeth by its chain of narration and reports from the Salaf. So this emphasises the fact that they are foreigners to this knowledge; and if there is amongst them some who are upon some awareness of it, then he has strayed from the Sunnah and deviated from the truth-following fore-fathers and madhhabs.

Explanation of that is from three aspects.

Firstly: Even though I referenced the hadeeth in my books as a hadeeth of 'Aa.ishah, and Asmaa. Bint `Umays, and Qataadah; clarifying the weakness in the first two chains of narration, and that the third is 'mursal'; then the majority of them hid this reality and gave the false impression to their readers that I used the hadeeth of `Aa.ishah alone as evidence; and that I had not made clear the weakness in its chain of narration: and that is not the case, as is clearly written in the book...

Secondly: It is not permissible for them to restrict themselves to quoting the sayings of those who criticised the narrator, without quoting the sayings of those who disagreed with them, particularly

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when it is in the context of refuting those who oppose them. So this negates scholarly trustworthiness which is a condition upon them, as is clear.

And the one who took on the greater share of concealing this is Shaikh `Abdur-Qaadir as-Sindee-may Allaah guide him-since he added to it that he gave the false impression to the readers that the concealing was done by adh-Dhahabee-and he is free of that. Likewise he did not mention from the three a_hadeeth-following ash-Shanqeete, at-Tuwayjaree, and Ibn `U_haymeen-except the hadeeth of `Aa.i_hah! So he said, after mentioning its well-known disconnectedness (pp. 13-14):

“I say: Its chain contains another weakness which affects it, and it is that Sa`eed ibn Bas_heer is ‘munkar’ in hadeeth. Imaam adh-Dhahabee said:” ...

The he wrote six lines: all of them in criticism; and he added to them, as a reference: *Meezanul-l'tidaal* of Imaam adh-Dhahabee (2/128).”!

So I say: If the reader refers back to this reference, from which as-Sindee quoted those words, he will find the most amazing thing, and very strange boldness upon deceiving and misleading since he has left aside from *al-Meezaan* that which would greatly alter the scale of criticism and recommendations concerning him! So here is a part of what he left aside may Allaah guide him!

- 1- Aboo Haatim said: “His position is truthfulness”;
- 2- Shu`bah said: “Truthful/generally acceptable in tongue”,
- 3- Ibnul-Jawzee said: “He was declared reliable by Shu`bah and Du_haym”,
- 4- Aboo Haatim said: “He should be removed from (the book of weak narrators)”,
- 5- Ibn `A_diy said: “I do not see any harm in what the narrates”,

All of these are statements which Shaikh as-Sindee-may Allaah guide him-concealed from his readers; and they all occur in *al-Meezaan* from which he quoted the aforementioned criticisms. So perhaps that was to enable him to conclude those words of criticism with his saying:

“This narration is not suitable to have supporting reports and narrations brought for it...So the chain of narration of this hadeeth is very weak.”

This is the principal reason-as is said-why he concealed these words of declaration of his reliability; because they prevent him from declaring it to be severely weak, which is something he already held himself. Then he took from the speech of adh-Dhahabee whatever agreed with him...”

p. 85:

“So in summary: I do not desire from what preceded except to clarify what the shaikhs-and in particular as-Sindee-have done... with regard to concealing those statements which declare Sa`eed reliable, and which declare his condition to be strong, and that he is suitable to have witnessing reports brought; and Allaah grants success.

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Thirdly: They are ignorant, or feign ignorance, of the fact that Sa`eed ibn Basheer is not alone in reporting the text of this hadeeth. Rather he is supported in it by a reliable memoriser in the report of Aboo Daawood in *al-Maraaseel* (310/437), with an authentic chain from Hishaam: from Qataadah: that Allaah's Messenger (صلى الله عليه وسلم) said..., and he mentioned its like.

So this Hishaam is Ibn Abee `Abdillaah ad-Dustuwaa.ee, and he was reliable and sound, from that narrators of the two Shaikhs

I say: so this is a strong supporting narration from Hishaam for Sa`eed, which shows that Sa`eed had correctly memorized the text of the hadeeth, but erred in its chain to `Aa.ishah- since Hishaam contradicted him, since he did not take it beyond Qataadah. So its chain is 'Saheeh', as a 'mursal' narration, since Qataadah was a prominent taabi`ee. al-Haafiz said in *at-Taqreeb* : Reliable, firm."

So then the ruling of mursal hadeeth applies to it, if it has a witness, and explanation of that will follow. So from the ignorance of some of those who attach themselves to this knowledge is that after having declared the narration of Sa`eed ibn Basheer: from Qataadah: from Khaalid ibn Durayk: from `Aa.ishah to be very weak, he then starts to rely upon it to attack this authentic mursal narration of Qataadah, saying:

"Since Qataadah has narrated the hadeeth from Khaalid ibn Durayk: from `Aa.ishah. So it is not impossible that he could have dropped Khaalid and `Aa.ishah from the chain, and then mentioned it in 'mursal' form, since Qataadah was a 'mudallis'."!

This was what al-`Adawee said in his *Hijaab* (p. 72), and he was followed by al-`Anbaree in his pamphlet (p. 25).

So consider how he states with firmness the narration of Qataadah from Khaalid..., after having declared it very weak; and he uses it to explain away the authentic narration of Hishaam from Qataadah?!

Is this not a case of playing with two ropes, or weighing with two different scales?!

As for us, then we give preference to the mursal narration of Qataadah because of the strength of its chain of narration, following the science of hadeeth; even though we believe that that would not weaken our evidence at all, since the mursal and the connected narrations support each others texts; and they are both witnessed to by the third hadeeth from Asmaa. bint `Umays-which was mentioned in the book (p. 58). So al-`Adawee does with it in the same as as-Sindee did with the hadeeth of `Aa.ishah! He declared (p. 70) that it is very weak; then he explained three weaknesses for it, none of which support his aforementioned claim:

Firstly: Ibn Lahee`ah. I had mentioned in *al-Hijaab*, and made clear that he can be used for supporting evidence; and this was what the memorizers of hadeeth-such as Ibn Taimiyyah-rahimahullaah-were upon, as will follow (p. 96);

Secondly: `Iyaad ibn `Abdillaah. So he mentioned the disagreement of the scholars about him, and that the majority declared him weak. So this-as you can see-does not mean that he is severely weak;

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rather he is like Ibn Lahee`ah, as is indicated by the saying of al-Haafiz in *at-Taqreeb* : “There is weakness in him”, so therefore al-`Adawee avoided this.

Thirdly: The saying of the narrator: “I think it was from Asmaa....” He said: “And this weakens the chain.”!

So I say: No, not at all, since what he meant was the preponderant/overwhelming thought (*az-Zannur-Raajih*), which must be acted upon-as is confirmed in the principles, along with the fact that this saying only occurs in the narration of al-Bayhaqee, contrary to the narration of at-Tabaraanee in *al-Mu`jamul-Awsat* -and the chain is one and the same...

p. 91:

Then he took up more than a page with quotes from some of the imaams stating that the mursal narrations of Qataadah cannot be used as proof, and that they are just like the wind. So I say: And Allaah’s aid is sought against those who spring up in this time:

The fact that the mursal narrations of Qataadah are not taken as proof is not under dispute; but rather what the point is: Are they strengthened by a connected chain that is weak or not? This is the topic. So we hold, following al-Bayhaqee and others, that it can be supported...

p. 92:

So supporting a ‘mursal’ narration with witnesses is something well-known to the scholars, even if it is of the type which cannot be [itself] used as proof. So as Ahmad said: “There is nothing amongst the mursal narrations weaker than the mursal narrations of al-Hasan and `A`aa ibn Abee Rabaah” as occurs in *Jaami`ut-Tahseel* of `Alaa. (p. 102). So al-Hasan in this regard is like Qataadah, yet despite this Imaam ash-Shaafi`ee strengthened the ‘mursal’ narration of al-Hasan: “There is no marriage except with a guardian (Walee), and two just witnesses” with part of what we used to strengthen the *hadeeth* of Qataadah. So he said in his book *Ahkaamul-Quraan*, after this ‘mursal’ narration: “This, even though it is disconnected (meaning: mursal), then the majority of the people of knowledge base their saying upon it, and state that the difference between marriage and illicit intercourse is having witnesses; and it is established from Ibn `Abbaas and others from the Companions of the Prophet (صلى الله عليه وسلم).”

al-Bayhaqee said: “ash-Shaafi`ee-radiyallaahu `anhu- strengthened the ‘mursal’ narration of al-Hasan with two things:

Firstly: That the majority of the people of knowledge base their saying upon it;

And secondly: That it is established from Ibn `Abbaas as his saying.”

I say: This is what al-Imaam ash-Shaafi`ee strengthened the ‘mursal’ *hadeeth* of al-Hasan with, and it applies fully to the ‘mursal’ report of Qataadah-since the majority of the scholars act upon it, and from them was Imaam Ahmad in one narration-as has preceded; and at the same time it is something established from Ibn `Abbaas-as his saying-through authentic chains of narration from him...

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And there is a third matter to strengthen our hadeeth, which will give it strength on top of strength, and it is that it has two supporting witnesses with connected chains of narration from a hadeeth of `Aa.ishah and Asmaa. bint `Umays, as has also preceded.

And a fourth matter to strengthen it, which its narrators speaking or acting in accordance with it; and they are: `Aa.ishah, Asmaa. bint `Umays, and Qataadah.

1- As for `Aa.ishah, then it is authentic from her that she said about the woman in a state of ihraam:

“She may let a cloth hang down over her face if she wishes,” and its referencing has preceded (p. 37), and it was the saying of the four imaams and others.

2- As for Asmaa, then it is authentic that Qays ibn Abee Haazim entered with his father upon Aboo Bakr-radiyallaahu `anhu-, and Asmaa. was with him. So they saw that she was a white woman with her hands dyed-as you will see in the new edition of *al-Jilbaab*...

3- As for Qataadah, then he said in tafseer of the Aayah:

يُذْنِبْنَ عَلَيْنَ مِنْ جَلْبِيبِهِنَّ

[AL-AHZAAB (33): 59]

[[Meaning: let them draw their jilbaabs close]]...

“Allaah made it upon them to tighten their coverings upon the eye-brows”, meaning to fix their jilbaab upon their foreheads, and not upon their faces, just as Imaam Ibn Jareer explained...”

p. 102:

THE NINTH POINT OF RESEARCH:

Tafseer of the Aayah of Adornment:

إِلَّا مَا ظَهَرَ مِنْهَا

[AN-NOOR (24):31]

[[Meaning: Except for what appears therefrom]]

After having affirmed the authenticity of this hadeeth, upon the methodology of the people of hadeeth and the principles of its scholars firstly; and by some of them directly stating it to be strongly, secondly; and without there being anyone who disagreed with them worth mentioning, thirdly; then I wish to make clear to our noble readers that it is therefore suitable to explain His Saying-He the Most High:

وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا

[AN-NOOR (24):31]

[[Meaning: And let them not display their adornment except for what appears therefrom]]

So his (صلى الله عليه وسلم) saying in it: <<It is not befitting that anything should be seen from her...>> is an explanation of His Saying-He the Most High:

وَلَا يُبْدِينَ زِينَتَهُنَّ

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[AN-NOOR (24):31]

[[Meaning: And let them not display their adornment]]

meaning: The places of adornment from their bodies, and not their clothes-as has preceded; and his (صلى الله عليه وسلم) saying in it: <<Except her face and her hands>> is an explanation of His Saying-He the Most High:

إِلَّا مَا ظَهَرَ مِنْهَا

[AN-NOOR (24):31]

[[Meaning: Except for what appears therefrom]]

meaning: her face and her hands. So what is meant in the Aayah is what is meant in the hadeeth; and what is excepted in it is what is excepted in the hadeeth; and Allaah-the Tremendous-spoke the truth when He said:

وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ

[AN-NAHL (16):44]

[[Meaning: And we sent down the Reminder so that you should clearly explain to the people what has been sent down to them]].

So this makes clear the precision of understanding of the great explainer of the Qur.aan and those honourable Companions who were with him, when they explained the exception in it to mean the face and hands...

So at this point I must mention the names of the indicated Companions², with a mention those who reported their narrations and a mention of those who declared some of them authentic, so that the reader should be aware of the ignorance of those who contradict them, or denies some of them, or who declares that those who adhere to them are astray!

1. `Aa.ishah-radiyallaahu `anhaa-: (Reported by) `Abdur-Razzaaq, and Ibn Abee Haatim (*ad-Durrul-Manthoor*); and Ibn Abee Shaybah, and al-Bayhaqee, and it was declared authentic by Ibn Hazm;
2. `Abdullaah ibn `Abbaas-radiyallaahu `anhumaa-: Ibn Abee Shaybah, at-Tahaawee, al-Bayhaqee; and it was also declared authentic by Ibn Hazm; and there are-as has preceded (pp. 49-51) seven chains of narration from him;
3. `Abdullaah ibn `Umar-radiyallaahu `anhumaa-: Ibn Abee Shaybah; and it was declared authentic by Ibn Hazm;
4. Anas ibn Maalik-radiyallaahu `anhu-. Ibnul-Mundhir reported it in connected form, and al-Bayhaqee brought it in disconnected form;
5. Aboo Hurairah-radiyallaahu `anhu-: Ibn `Abdil-Barr in *at-Tamheed* ;

² i.e. those Companions who stated that what is meant by the exception in the Aayah is the face and hands: (transl.)

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6. al-Miswar ibn Makhramah-radhiyallaahu `anhu: Ibn Jareer at-Tabaree.”

p. 118:

And here now is what I promised you as regards the previous sayings of the scholars gathered together, those who clearly stated that which is indicated in this authentic hadeeth regarding the permissibility of the woman uncovering her face and hands, and of men looking at that from her without suspicious behaviour or causing doubts. So that it will become clear to the noble readers that some shaikhs who oppose are over-strict upon the people, deceive their readers, and give them the false impression that there is consensus contrary to the sayings of the indicated scholars; and we will mention the dates of their deaths, so that it will become clear to them how this saying has continued until this time of ours-along with action upon it. And we remind again that the goal in this is to clarify the knowledge which Allaah has obligated should be explained and which He has forbidden should be concealed; especially when some of those shaikhs have concealed it from the people, and have turned realities of the Legislation upside down to such an extent that it has led some extremists to take a position directly opposite to them. So one of them has written what he entitled ‘A reminder to the companions that the Niqaab is forbidden’! So this one is in one valley and they are in another valley, and the truth lies between the two of them. I mentioned the like of this in the introduction to the second edition of *al-Hijaab*. So here are their names, and alongside the date of their death, and along with it their sayings:

1- Sa`eed ibn Jubayr (d. 95):

“It is not permissible for an un-related man to see the Muslim woman, unless she has her veil upon the khimaar, and has pulled it upon her head and her chest.” (p. 51)

2, 3, 4- Aboo Haneefah (d. 150), and his two students: Aboo Yoosuf (d. 183), and Muḥammad ibn al-Ḥasan ash-Shaybaanee (d. 189), and their sayings will follow shortly.

5- Maalik ibn Anas (d. 179): “There is no harm in the woman eating along with a non-maḥram.” (p. 35)

6- Aboo Ja`far at-Tahaawee (d. 321): “It is permissible for the people to look at what is not forbidden from the women at their faces and hands; and that is forbidden as regards the wives of the Prophet (صلى الله عليه وسلم); and it was the saying of Aboo Haneefah, Aboo Yoosuf, and Muḥammad. (p. 34).

7- Ibn `Abdil-Barr (d. 463): “It is permissible to look at her hands and face, for everyone who looks at her without suspiciousness or anything disliked...” (p. 31)

8- al-Baghawee in *Sharḥus-Sunnah* (d. 516):

“It is not permissible for a man to look at anything from her except the face and the hands: except when there is fear of ‘fitnah’ (evil and seduction). (pp. 35-36)

9- az-Zamakhsharee (d. 538):

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“There is no harm in revealing what appears from her, such as the ring, the (eye-) kuḥl, and the (hand) dye.” (p. 27).

10- al-Qaadee `Iyaad (d. 544):

“The scholars said: It is not obligatory upon the woman to cover her face upon the road; rather that is a Sunnah, recommended for her; and it is obligatory upon the men to withhold the gaze in all conditions.” (pp. 27 & 40).

11- Ibnul-Qattaan (d. 628):

“We have already mentioned that it is permissible for the woman to reveal her face and her hands. So it is permissible to look at that, however with the condition that ‘fitnah’ (seduction/evil) is not to be feared; as long as the intention is not sensual enjoyment. So if sensual enjoyment is intended then there is no disagreement about its forbiddance.” (p. 115).

12- Ibn Muflih al-Hanbalee (d. 763):

“Our saying, and the saying of a group of the Shaafi`ees and others is that looking at a non-related woman without desire or being alone with her is permissible, so it is not correct to criticize them if they uncover their faces upon the road.” (p. 40)

13- Ibn Ruslaan in Sharḥ-Sunanit-Tirmidhee (d. 805):

“It is permissible to look at a non-related woman when there is security from ‘fitnah’ (seduction/evil)” (p. 27).

14- ash-Shawkaanee (d. 1255):

“The face and the hands are from what has been excepted”, and he used this hadeeth as evidence. (p. 28)

15- A group of the scholars of the four madḥhabs of the present-day, who said in *al-Fiqh `alal-Madḥaahibil-Arba`ah* :

“It is permissible to look at both of them [i.e. face and hands] when there is security from ‘fitnah’ (seduction and evil).

I say: So in summary, these sayings from these prominent scholars agree upon two matters:

Firstly: That the face and hands of a woman are not `awrah, and that is the position of the majority of the scholars; and it is one narration from Imaam Aḥmad, as we have confirmed in the fifth point of research (p. 27).

Secondly: That it is permissible to look at that from the woman, without desire...”

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p. 122:

The Fifth Doubt: One of the people of virtue said: “Even if we accept the authenticity of the hadeeth, then it is to be taken to have been before the Hijaab; since the texts of the Hijaab take it away from the original state, so they are given precedence.”!

Then I say: This understanding is not correct because of two matters:

Firstly: These texts do not contain any clear statement that shows an obligation to cover the face and hands, such that it would be correct to say that they take it away from the original state.

And the other: Is that the ‘texts of the Hijaab’ which have been indicated fall into two categories with regard to what they indicate:

(i) What pertains to the Hijaab (screening) in the houses, when the woman is wearing her usual clothes within her house. So this has no connection to the matter we are dealing with, as is clear. Then there is nothing regarding it except the ayah of al-Ahzaab:

وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسَأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ

[AL-AHZAAB (33):53]

[[Meaning: And if you ask them for something you need, then ask them from behind a screen]]

And we have already mentioned from Ibn Taimiyyah that this refers to the houses.

(ii) That which pertains to the woman when she goes out from her house, and it is the ‘jilbaab’. So the texts about it are of two categories also:

(a) That which informs about how the women used to wear the jilbaab in his (صلى الله عليه وسلم) time. So whatever occurs from this type stating the covering of the face, such as the hadeeth of `Aa.ishah in the story of the slanderous lie [[Reported by al-Bukhaaree: (no. 4750); and Muslim: (no. 2770)]], and its like from what I mentioned in the section on ‘The Legislation of covering the face’; then this has no connection to the topic of discussion, since it was just an action which cannot be used as something to move (the ruling) from its original state to prohibition. This is clear, and will not be hidden from a fair-minded scholar of Fiqh, even if some of the professors are heedless of it!

And (b): That which was legislation, containing a command with something contrary to what they were previously upon. So there is nothing like this except for the Aayah of drawing the jilbaabs close [[i.e. Aayah 59 of Sooratul-Ahzaab]], and the Aayah of pulling the khimaar upon the front-opening of the garment [[i.e. Aayah 31 of Sooratun-Noor]];

And these two do not contain any proof that it is forbidden to uncover the face and hands: neither from the aspect of the language, nor from the aspect of the Legislation-as has been verified in what preceded...

p. 127:

THE TENTH POINT OF RESEARCH:

Is it obligatory upon the women to cover their faces because of the corruption of these times, and to block the path to evil?

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This is a question which is put forth today by many of the blind-followers who do not look at the questions of legislated matters in the light of the Legislation and its evidences; and they do not refer for judgement, when there is disagreement, to the Book and the Sunnah; rather they refer to opinions and thoughts. So if only they responded to Allaah and to His Messenger when he called them to that which would give life to them, then they would have found rest and given response! However they turned away from that, and from the sayings of their imaams **which stated that what was upon them all: the men and the women: is to withhold the gaze**, as detailed previously; and they resorted instead to blindly following some blind-followers who came after the imaams; with a reason which they invented, which is their saying: ‘with the condition that there is security from ‘fitnah’; meaning: being seduced/put to trial by them; otherwise that it is obligatory upon her to cover her (face). To the extent that one of them-who has no Fiqh and no discernment-ascribed that to the agreement of the imaams-radiyallaahu `anhum! So what is immediately understood from the wording ‘the imaams’ is the four mujtahid imaams; and it is not known from a single one of them that they made the aforementioned condition...

p. 129:

“...from `Aa.ishah, and the wording of her narration, reported by al-Bayhaqee (2/226) is:

مَا ظَهَرَ مِنْهَا

[AN-NOOR (24):31]

[[Meaning: That which appears therefrom]]:

the face and the two hands.”

Its chain of narration is weak, however it has another chain of narration with its like reported by Ibn Abee Shaybah (2/284) and others.

And it is witnessed to by the report of Ibn `Umar, with the wording: “**The adornment which appears is the face and the two hands.**” Reported by Ibn Abee Shaybah (2/284) with a ‘saheeh’ chain from him.

Then he reported its like from Ibn `Abbaas, and its chain is ‘saheeh’ also...”

p. 132:

“Ibn Abee Shaybah-rahimahullaah-said in ‘al-Musannaaf’ (4/283): Ziyaad ibn ar-Rabee’ narrated to us: from Saalih ad-Dahhaan: from Jaabir ibn Zayd: **from Ibn `Abbaas:**

وَلَا يُبْدِينَ زِينَتَهُنَّ

[AN-NOOR (24):31]

[[Meaning: And let them not reveal their adornment....]]

He said: The hand and the disc of the face.”

I say: And this chain of narration is ‘saheeh’...

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p. 134:

So let us return to what we were dealing with, regarding the discussion of the condition laid down by those blind-followers, contradicting in that one who was a mujtahid in the madhhab: and he was al-`Allaamah as-Sarkhasee; not to mention the rest of the scholars of the earlier and later people right up to this time of ours: those who continued upon the saying that it is permissible to look at the face and hands of the woman if the one looking is secure from 'fitnah' (seduction/evil), and I have mentioned their sayings about that a short while ago (pp. 119-121)... and they all agree that it is obligatory upon the men not to look at the faces of the women when they fear 'fitnah'. So how ignorant that writer is who ascribed to the imaams that they were in agreement upon the fact that it is obligatory upon the woman to cover her face, so that the men are not tempted/put to trial by her! And they included those who were in the sixth century and afterwards, such as al-Qaadee `Iyaad, an-Nawawee, Ibn Muflih, and ash-Shawkaanee, and they said-as has preceded:

"It is not obligatory upon the woman to cover her face upon the road", and that it is not befitting to criticize them if they uncover their faces upon the road!...

p. 135:

And it is as if that author and those who are like him, from the blind-followers such as as-Saaboonee and al-Ghaawawjee and their like, wrongly think that there was security from 'fitnah' in those times, and that Allaah-the Exalted and Most High-did not place any preventatives and obstructions in front of them, with that which He obligated upon the women from the hijaab, and with what He ordered both of the sexes with as regards lowering the gaze; and He said regarding that:

ذٰلِكُمْ اَطَهَّرُ لِقُلُوْبِكُمْ وَقُلُوْبِهِمْ

[AL-AHZAAB (33): 53]

[[Meaning: That is purer for your hearts and their hearts]]

and they pretend to forget that human nature is one and the same at every time. As occurs in the Qur.aan:

زُيِّنَ لِلنَّاسِ حُبُّ الشَّهَوَاتِ مِنَ النِّسَاءِ وَالْبَنِينَ

[AALI `IMRAAN (3):14]

[[Meaning: Beautified for men is the love of that which they desire-of the women and sons...]]

–the Aayah; and that they only vary in accordance with taqwaa (fearfulness and dutifulness to Allaah) and with following the judgements of Allaah-the Most High.

So in that regard is the story of al-Faql ibn `Abbaas-radiyallaahu `anhumaa-along with the beautiful **Khath`amiyyah woman, and his looking at her repeatedly whilst performing Hajj! And how the Prophet (صلى الله عليه وسلم) sufficed with turning his face away from her, and he did not command her to drape a cloth upon her face; and this was the time of being attracted to her/put to trial by her, and for blocking the path-way towards it, as they claim. However he (صلى الله عليه وسلم) did not do that, so his (صلى الله عليه وسلم) practice shows the baselessness of what they hold as regards the obligation of covering [the face]-as is clear. Since the scholars are agreed that it is not permissible to delay the explanation from the time when it is needed...**

The recommendation of the niqaab

p. 137:

And I just said: 'And this was the time of fitnah (being attracted to her/put to trial by her)...' because of the saying of al `Abbaas-as occurs in the hadeeth of `Alee in the book (p. 28, 7th edn.): "O Messenger of Allaah! Why did you turn aside the neck of your cousin?" So he (صلى الله عليه وسلم) said: <<I saw a young man and a young woman and I did not feel secure from Satan with regard to them. >>

So this is a clear statement that he (صلى الله عليه وسلم) did that from fear of fitnah (seduction/evil), just as ash-Shawkaanee said in *Naylul-Awtaar* (6/97): " So whoever does, in the like of this situation, something contrary to what the Prophet (صلى الله عليه وسلم) did, then he has opposed his (صلى الله عليه وسلم) way, and has rendered himself liable to the threat of His Saying-He the Most High:

فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ

[AN-NOOR (24):63]

[[Meaning: Let those who oppose the command of the Messenger in any of their affairs fear and beware that a trial (Unbelief, hypocrisy, or heresy) should befall them, or a severe punishment]]

and his (صلى الله عليه وسلم) saying: <<Whoever turns away from my Sunnah is not from me>>-Agreed upon. Then how about if he makes the contradiction to him a continual principle which lasts for as long as Allaah wishes?!

Then ash-Shawkaanee-rahimahullaah-said:

"And Ibnul-Qattaan deduces from it the permissibility of looking when secure from fitnah (seduction/evil), in that he did not order her to cover her face. So if al-`Abbaas did not understand that looking was permissible he would not have asked; and if what he had understand were not permissible then he would not have confirmed him upon it."

p. 139:

So in summary: fitnah on account of the women was present at the time of the descent of the Revelation to the Prophet (صلى الله عليه وسلم), so therefore Allaah-the Mighty and Majestic- legislated rulings for both of the sexes-to block roots to evil as has preceded. So if Allaah-the Most High- had wished to make it obligatory upon the women to cover their faces in front of strange/non-related men, then He would have done so, to block that root to evil also:

وَمَا كَانَ رَبُّكَ نَسِيًّا

[SOORAH MARYAM (19):64]

[[Meaning: And your Lord is never forgetful]]

and He would have revealed to the Prophet (صلى الله عليه وسلم): command the Khath`miyyah woman to cover her face, since this was the time for clarification-as has preceded. However He wanted something contrary to this: that he (صلى الله عليه وسلم) should clarify to the people in that tremendous gathering that blocking the route to evil here is not done by forbidding that which Allaah has made lawful for the women: as regards their uncovering their faces if they wish to; but rather by applying the principle:

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يَغْضُوا مِنْ أَبْصَرِهِمْ

[AN-NOOR (24): 30]

[[Meaning: Let them lower their gaze]]

and that was by his turning the gaze of al-Fadl away from the woman.

And in my estimation there is no difference between those blind followers who make it obligatory upon the women to cover their faces-to block the route to evil, as they claim-and between someone saying: it is obligatory upon the men to cover their faces-as is done by those men who cover the lower part of their faces in some lands-so that the women are not put to trial by looking at them: also in order to block the route to evil! So this is like that, and whoever makes a difference then he has contradicted himself and it is biased towards the man at their expense of the women; since they all share in the obligation in lowering the gaze, so whoever adds to one a new ruling, without a proof from Allaah and His Messenger, then he has exceeded the limits and oppressed:

وَاللَّهُ لَا يُحِبُّ الظَّالِمِينَ

[AALI `IMRAAN (3):57]

[[Meaning: And Allaah does not love the wrong doers...]]

p. 141:

... And 'taqleed' (blind-following) is not knowledge ('ilm), by agreement of the people of knowledge-just as Ibnul-Qayyim said in, *I'laamul-Muwaqqi'een* (1/51 & 2/293); and Abul-Hasan as-Sindee, at the beginning of his notes upon Ibn Maajah, quoted as-Suyootee as having said: The 'muqallid' (blind-follower) is not called a scholar/person of knowledge. So therefore al-Marghiyaanee al-Hanafee in *Sharhul-Hidaayah* (6/359) called him [i.e. the muqallid] 'an ignorant person (jaahil)'; and he mentioned the disagreement about whether it is permissible for him to be given the position of judge; and Ibnul-Humaam in *Fathul-Qadeer* quoted Imaam Muhammad as having said: 'It is not permissible for the blind-follower to be a judge'!

And how fine is the example which Imaam ash-Shaafi`ee gave for the blind-follower, when he said:

"The one who seeks knowledge without proof is like a person who gathers firewood at night: he carries a bundle of wood and it contains vipers which will bite him, and he is unaware." al-Bayhaquee reported it in *al-Madkhal* (pp. 210-211) with an authentic chain from him.³

And from their proofs in that regard is his (صلى الله عليه وسلم) saying: <<Allaah does not take away the knowledge by snatching it away from the servants, but rather he takes away knowledge by taking away the scholars; until when no scholar remains the people take ignorant folk as heads. So they are asked questions and they deliver verdicts without knowledge (and in a narration: based upon their opinion), so they go astray and they leave others astray>> Agreed upon; and the wording, and the other narration are al-Bukhaaree's (no. 68: The Abridgement of al-Bukhaaree); and refer regarding it to *Fathul Baaree* (13/282-290) if you wish, for he is copious in explanation of it and in clarifying its points of benefit; and what is meant by 'ignorant ones as head' is the blind-followers. So reality in

³ Like it is what Ibn Sa'd reports in *at-Tabaqaat* (349 of the completion) with an authentic chain of narration: that a man said to Maalik: 'I have heard a hundred thousand hadeeth.' So Maalik said: "A hundred thousand hadeeth! You are a gatherer of firewood by night: You gather a mixed batch." He said: 'What is a mixed-batch?' He said: "Firewood which a person gathers at night. So perhaps he gathers along with it vipers which will bite him."

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most of the Islamic lands testifies to the truthfulness of this authentic hadeeth; and a case of this is the topic we are dealing with, and Allaah is the one whose aid is sought.

Then I say: If those blind followers were upon anything from knowledge they would not make it obligatory upon the women to cover their faces for fear of the men being put to trial by them, when they say that in its basis revealing the face is permissible. Rather they would say: If the woman fears that something disagreeable will befall her from some evil men, on account of her uncovering her face then she should not uncover her face-to block the route to evil; so if they had said this, then it would have been acceptable Fiqh. But as for making it binding upon all the women, at every time and in every place then this is legislation for which Allaah has sent down no sanction. So it is not surprising that no one from the scholars of Islaam has said it. Rather they state its opposite, as we have already mentioned from al-Qaadee `Iyaad, an-Nawawee, Ibn Mufliḥ and others from the great scholars.

p. 143:

***A SUMMARY OF THE PREVIOUS POINTS OF RESEARCH**

So to summarise what has preceded I say:

The following realities will have become clear to the noble readers of these illuminating researchers:

1. **Those who say it is obligatory upon the woman to cover her face and hands have no text for that from the Book, the Sunnah, or Consensus (ijimaa`).** Indeed they do not even have a authentic clear narration from the Salaf which it would be binding to follow. O Allaah, all they have is general or unrestricted texts which have been explained by the Sunnah; and the Ummah has not acted upon the generality and unrestricted meaning. So some of them except the face and hands; others except half of the face; others except from the face the two eyes; and some only make exception for a single eye! And the first ones are those who are most fortunate in following the Book and the Sunnah.
2. Their explanation of the 'khimaar', the drawing close (of the jilbaab) (al-Idnaa.), the 'jilbaab', and 'al-l`tjjaar' (wrapping a garment upon the head), and contrary to the prophetic ahadeeth and to the narrations from the Salaf, and to the language statements; indeed they are contrary to their own explanation of the Aayah concerning the elderly women [[i.e. Aayah 60 of Sooratun-Noor]]!
3. They use as evidences for that unauthentic ahadeeth, and weak and fabricated reports: which they either know or do not know!
4. Some of them claim consensus [ijima`] upon their saying, when they know that there is disagreement about it; and sometimes they even quote it themselves! However they act with disdain! So from those who disagreed with them are the three imaams, and along with them Aḥmad in one report!
5. They negate a number of clear authentic text which run contrary to their opinion. Sometimes they wrongly interpret them away and nullify what they indicate. At other times they do so feigning ignorance of them, or by declaring them weak. However they are, all of them, not people who have the ability to declare narrations authentic or weak. Rather they are compelled to enter themselves into that which they have no knowledge of. So they declare things authentic or weak, as they wish, in order to defend their opinion!

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6. Some of them sometimes change the chain of narration of a report, replacing one narrator with another, in order to strengthen it; and they delete things from the text of the hadeeth, or from the speech of the scholar, if it is a proof against them! And they quote a narration as a direct proof or as supporting evidence, when it is actually against them!
7. They rush together to declare weak his (صلى الله عليه وسلم) saying: <<When the woman attains adulthood, then it is not right that anything should be seen of her except for her face and hands.>> So they contradict the scholars of hadeeth who declared it strong, and the knowledge-based principles which necessitate its authenticity; using weakness and personal opinions which are not known to the people of knowledge.
8. They are agreed upon declaring weak the narrations reported from the Companions which witness to the hadeeth, even though some of them have authentic (saheeh) chains of narration, such as the reports from Ibn`Abbaas and Ibn `Umar; and the report from Ibn `Abbaas alone has seven chains of narration!
9. Some of them conceal the other chains of narration of the hadeeth which strengthen it; and some of them claim that some of its narrators are extremely weak, in order to enable them to free themselves from accepting it as supporting evidence. So they give the false impression to the readers that the narrator has no one who declares him reliable; and they point to certain references, and the reality that is found in them show them to have lied!
10. Some of them claim that the hadeeth was abrogated by the Aayah of drawing the jilbaab close, and this runs contrary to the knowledge based principles which necessitate harmonisation by taking the general text in the light of the specific, and so on.
11. They cling onto things which are not established with regard to their authenticity and their indication, in order to refute things which are established in their authenticity and their indication! And they cling onto unrestricted texts of the Qur.aan which have been restricted in the Sunnah.
12. Some of the blind-followers neutralize the meaning of the evidences of the Book and the Sunnah, and the sayings of their imaams also, which state that it is permissible for the woman to uncover her face; and they blindly follow some blind-followers who say that it is obligatory to cover in order to block the route to evil-they claim-, contrary to as-Sarkhasee and others from the scholars up to this time of ours.
13. One of their shaiKhs negates the principle of Fiqh: 'Delaying the clarification from the time of need is not permissible', and the principle of using his tacit approval and his remaining silent about a thing as evidence-in order to free himself from what is proven by the hadeeth of the Khath`amiyyah woman with regard to the permissibility of uncovering [the face].

These are in summary the realities, and the false ideas which have been fallen into by those who oppose and display undue harshness because of their bigoted adherence to their own view; and their neglecting the knowledge-based principles-relating to hadeeth and fiqh; and their turning away from taking benefit from the sayings and deductions of the other scholars-the earlier ones and the later ones. These will be perceived by the noble readers from these ten points of research. So I wished to set them down in front of the eyes, so that they should be a lesson for those who take lesson.

THE CONCLUSION

This (having been said), I must draw attention in this conclusion to the fact that being over-harsh in the Religion is an evil which contains no good. So the Prophet (صلى الله عليه وسلم) said: <<Good does not bring except good >>-Agreed upon; and likewise over-harshness does not bring except evil. Therefore there are many ahadeeth, and various different wordings, in warning against it. So he (صلى الله عليه وسلم) said:

Firstly : << The Religion is easy. No one overburdens himself with regard to the Religion except that it will overcome him. So strive for correctness, and be close to it...>>

Reported by al-Bukhaaree (no. 39)

Secondly: << Beware of exceeding the limits in the Religion! For those who came before you were only destroyed on account of exceeding the limits in the Religion.>> Reported by the compilers of the 'Saheehs': Ibn Khuzaymah, Ibn Hibbaan, al-Haakim, ad-Diyaa., and others; and it is referenced in as-Saheehah (no. 1283).

Thirdly: <<Do not over-burden yourselves, since those who came before you were destroyed through overburdening themselves, and you will find their remnants in the monasteries and convents.>> Reported by al-Bukhaaree in at-Taareekh and by others; and I have referenced it in as-Saheehah (no. 3124).

So this being the case, then the noble readers must have noticed this over-harshness having taken shape in what we have quoted from their sayings and opinions, from which were: 'Even her fingernails', and within the Prayer also! And their unnatural attempts at rebutting decisive proofs showing the continual practice upon uncovering the face throughout the generations whose goodness was attested to; and the witness of the virtuous Companions, Taabi`een, and Mujtahid Imaams upon the permissibility of that; and the saying of Imaam Maalik-the Imaam of the place of Hijrah-is not far from the memory of the reader; i.e. that it is permissible, or: there is no harm in a woman's eating along with someone who is not her mahram (refer to p. 35); and other sayings of theirs which clearly show that the face is not `awrah.

So I say: Yet despite this Shaikh at-Tuwayjaree declares astray those who hold this saying-as has been quoted from him (p. 8), indeed he declares that to be distorting/deviating with regard to Allaah's Aayaat... (p. 49)! Then he does not feel ashamed to quote consensus upon the woman's face being `awrah! When he himself mentioned that the majority of the scholars hold a different saying to that-as has preceded (p. 32); and his followers upon this over-harshness are unfortunately many.

This is from the aspect of knowledge which everyone who comes across their sayings will share with us in being aware of.

Then as for the aspect of practical application, then the affair is very amazing; and I have three examples to give:

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Firstly: An in-law of mine informed me that he went to visit a noble shaikh from those who are over-harsh, however he did not greet or meet him because of the fact that his wife had her face uncovered; despite the fact that her Hijaab was in accordance with the Legislation in every regard! This despite the fact that the shaikh is well-known for his humbleness and humility! So where is this with regard to the previous saying of Imaam Ahmad (p. 9):

“A jurist should not force the people upon his position”?!

Secondly: When I and my wife Ummul-Fadl performed `Umrah in the year 1410H we saw many women who were performing `Umrah carrying out the Sa`ee whilst wearing the niqaab (face-veil). So I was advising the men, and she was advising the women, that this is not permissible; and that if they must cover, then they should drape a cloth, and we would mention the hadeeth about that. But we did not find anyone responding. So I felt that this was an effect of the ever-harshness of some of the shaikhs with regard to the issue of the face! So it was upon them-if they insisted upon harshness-that they should add to it a warning to the women in ihraam not to wear the niqaab, since this was something very widespread. I saw that in all my Hajjs and Umrahs. I saw a youth performing Sa`ee in the place of Sa`ee, and at his side was a woman wearing a niqaab, so I drew close to him and asked him: “Is she in a state of ihraam?” He said: ‘Yes’. So I said: “O my brother! Allaah’s Messenger (صلى الله عليه وسلم) said: <<The woman in a state of ihraam may not wear the niqaab, and...>>. So he didn’t let me finish the hadeeth, and was quick to say: “This is a matter where there is a difference of opinion!” I said: “I am not discussing the face of the woman, rather the woman in a state of ihraam wearing the niqaab.” But he took no notice of me, and went off with her performing the Sa`ee.

Thirdly: In the same year, after the `Umrah, I was able to visit the eastern region of Saudi Arabia, and I delivered some lectures there; and I answered some questions from men and women: written and by telephone. So it reached me that some of those women who adhere to the Religion said, when they heard the hadeeth: <<The woman in a state of ihraam may not wear the niqaab...>>: “We will wear the niqaab, and not uncover our faces; and we will perform a sacrifice as expiation”!

So I said: How perfect is Allaah! Look what ignorance does to its people! Allaah has given them a way out: that they may cover their faces by letting a cloth hang down. However this is from the effects of the over-harshness of some of the shaikhs in that land; along with neglect of other aspects connected to the affair, and the facility in it.

So I believe that the like of this over-harshness upon the woman will not be able to produce for us a generation of women who are able to carry out the obligatory duties which have been placed upon their shoulders, in all lands and conditions, with their husbands and others- whom circumstances necessitate they should interact with, just as they used to in the time of the Prophet (صلى الله عليه وسلم); such as their serving guests and feeding them; and going out upon military expeditions: giving water to the thirsty, treating the wounded, transporting those killed; and sometimes directly fighting themselves when there was a dire-need. So will it be possible, for women who have been brought up upon fearing that they will be falling into sin if they pray or perform Hajj with the face and hands uncovered, to carry out the like of these actions, whilst wearing the niqaab and gloves? No, by my

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Lord. This will not be possible except through uncovering their faces and hands; and things which are not normally permissible (to uncover) may become uncovered, just as He-the Most High said:

إِلَّا مَا ظَهَرَ مِنْهَا

[AN-NOOR (24):31]

[[Meaning: Except for what appears therefrom.]]

As we shall see in some of the examples which show what the women were upon in the time of the Prophet (صلى الله عليه وسلم).

Firstly: From Faaṭimah bint Qays: that the Prophet (صلى الله عليه وسلم) said to her :<< Move to reside with Umm Shareek>>, and Umm Shareek was a rich woman of the Anṣaar who used to spend a tremendous amount in charity, and guests would lodge with her. So I said: “I will do so.” He said: <<Do not do so, for Umm Shareek is a woman who has many guests; and I dislike it for fear that your khimaar should fall from you...>>-the hadeeth. Muslim reported it, and it is mentioned in full in ‘al-Jilbaab’ (p. 66).

Secondly: From Sahl ibn Sa`d who said: “When Aboo Usayd as-Saa`idée married he invited the Prophet (صلى الله عليه وسلم) and his Companions. So no one prepared food for them, or served it to them, except his wife Umm Usayd... so his wife on that day was their servant, and she was the bride.”

Reported by al-Bukhaaree [nos. 5176 & 5591], Muslim, and others; and it is referenced in *Aadaabuz-Zifaaf*.

Thirdly: From Asmaa. bint Abee Bakr who said:

“az-Zubayr married me and he did not have any property, or slaves, or anything upon the land, besides his horse. She said: So I used to give fodder to his horse and look after it for him, and lead it along; and I used to pound date-stones for his milking-camel, and feed it to it; and I used to pour the water out, and sew his leather bucket, and knead the dough...she said: And I used to carry the date-stones from the land of az-Zubayr-which Allaah’s Messenger (صلى الله عليه وسلم) apportioned to him-upon my head, and it was two thirds of a league [two miles] away. She said: So I was coming one day, and the date-stones were upon my head. So I met Allaah’s Messenger (صلى الله عليه وسلم) and he had a group of his Companions with him. So he called me over. Then he said: <<|kh, lkh>> [i.e. to cause the camel to sit], to carry me behind him.

She said: But I felt shy...-the hadeeth.

Reported by al-Bukhaaree (no. 5224), Muslim (7/11), Aḥmad (6/347), and Ibn Sa`d (8/250).

Fourthly: From Jaabir: “That the Prophet (صلى الله عليه وسلم) came to a woman of the Anṣaar, so she laid out a mat for him amongst a cluster of date-palm trees, and she sprinkled water around it, and she slaughtered a sheep, and prepared food for him. So he ate and we ate along with him. Then he performed wudoo. for the Zuhr Prayer, and prayed. Then the woman said: ‘O Messenger of Allaah! We have something left over from our sheep, so would you like to eat dinner?’ He said: <<Yes>> So he ate, and we ate. Then he prayed the `Aṣr Prayer and he did not perform wudoo...”

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It was reported by Aboo Ya`laa in his *Musnad* (4/116/2160), and at-Tahaawee in *Sharhul-Ma`aane* (1/39) by way of Muḥammad ibn al-Munkadir from him.

I say: And its chain of narration is ‘Saḥeeh’...

Fifthly: From Anas who said: “On the day of Uḥud... I saw `Aa.ishah bint Abee Bakr and Umm Sulaym, and they had their garments tucked up. I could see their anklets upon their shins; and they were carrying water-buckets upon their backs, and pouring water into the mouths of the people. Then they would go back and refill them. Then they would return and pour them into the mouths of the people.” Reported by the two Shaiḫs [al-Bukḥaaree: (nos. 2880, 2902, 3811 & 4064); & Muslim (no.1811), and it occurs in the book (p. 40).

Sixthly: From ar-Rubayyi` bint Mu`awwidh who said:

“We used to go out upon military expeditions along with the Prophet (صلى الله عليه وسلم). So we would give water to the people and serve them, and we would bring the wounded and those killed back to al-Madeenah.”

Reported by al-Bukḥaaree (no. 2883) and Aḥmad (6/358).

Seventhly: From Umm `Atiyyah who said:

“I went out along with Allaah’s Messenger (صلى الله عليه وسلم) upon seven military expeditions. I would look after their baggage, and prepare food for them, and treat the wounded, and look after the sick.”

Reported by Muslim (5/199), Ibn Abee Shaybah in *al-Muṣannaf* (12/525), Aḥmad (5/84 & 6/407), Ibn Sa`d (8/455); and al-Bukḥaaree (no. 324) reports its like, and at-Ṭabaraanee (5/55/121).

Eighthly: From Anas who said: “On the day of Hunayn Umm Sulaym took a large dagger, and she had it with her. So Aboo Ṭalḥah saw her and said: ‘O Messenger of Allaah! This is Umm Sulaym with a large dagger!’ So Allaah’s Messenger (صلى الله عليه وسلم) said to her: <<What is this large dagger? >> She said: I took it so that if any of the Mushriks come near me I can split his stomach open with it.’ So Allaah’s Messenger (صلى الله عليه وسلم) began laughing...”-the ḥadeeth.

Reported by Muslim (5/196), Aḥmad (3/112, 190, 198, & 286) &...

And in a narration of his, and of at-Ṭabaraanee (25/123-124):

“He used to go out to fight along with Umm Sulaym, and some women of the Anṣaar were along with him when he went out to fight. So they would provide water, and treat the wounded.”

And it was declared ‘Saḥeeh’ by at-Tirmidḥee, and Ibn Hibbaan, and it is referenced in ‘Saḥeeh Abee Daawood’ (no. 2284).

Ninthly: From Ibn `Abbaas who said: “Allaah’s Messenger (صلى الله عليه وسلم) used to go out on military expeditions and take women along. So they would treat the wounded, and they would be given a little from the booty.”

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Reported by Muslim and others, and at-Tirmidhee declared it 'Saheeh', and it is referenced in *al-Irwaa*. (5/69/no. 1236) and in *Saheeh Abee Daawood* (nos. 2438 & 2439).

Then the practice continued upon this after his (صلى الله عليه وسلم) death, and here are some examples which it is easy to quote, with our condition of their being established:

Firstly: From Muhaajir al-Ansaaree: "That Asmaa. bint Yazeed al-Ansaariyyah was present at al-Yarmook along with the people, so she killed seven of the Byzantines with the tent-post which held her tent up."

Reported by Sa`eed ibn Mansoor in *as-Sunan* (3/2/307/2787), and at-Tabaraanee in *al-Mu`jamul-Kabeer* (24/157/403) with a 'hasan' chain of narration.

Secondly: From Khaalid ibn Sayhaan who said: "I was present at Tustar along with Aboo Moosaa, and we had with us four women who would treat the wounded. So he gave them a portion of the booty."

Reported by Ibn Abee Shaybah (12/527), and al-Bukhaaree in *at-Taareekh* (2/1/153) with a chain of narration such that it would be declared 'hasan'.

Thirdly: From `Abdullaah ibn Qurt al-Azdee who said: "I fought against the Byzantines along with Khaalid ibn al-Waleed, and I saw the wives of Khaalid ibn al-Waleed, and the wives of his companions tucking up their garments, carrying water for the Muhaajireen, and reciting verses of poetry."

Reported by Sa`eed (3/2/307/2788) with a 'Saheeh' chain of narration...

Fourthly: From Aboo Balj Yahyaa ibn Sulaym who said:

"I saw Samraa. bint Naheek, and she had reached the Prophet (صلى الله عليه وسلم), and she was wearing a thick outer-gown and a thick khimaar. She had a whip in her hand, and she would chastise the people, and order the good and forbid the evil."

Reported by at-Tabaraanee in *al-Mu`jamul-Kabeer* (24/311/785) with a good chain of narration; and al-Haythumee said: "And its narrators are reliable."

So I say: These are authentic events which decisively show what the women of the Salaf were upon from completeness, fine and easy behaviour, and correct cultivation; so they were able to carry out what was obligatory upon them from cooperation upon good-even when it was upon something that is not in its origin obligatory upon them. So how about when circumstances obligate that upon them, such as defending ones self-as Umm Sulaym-radiyallaahu `anhaa-did, when she took a large dagger on the day of Hunayn. And like it is what Asmaa. bint Abee Bakr-radiyallaahu `anhumaa-did and she was one who was educated and refined by the Prophet (صلى الله عليه وسلم) in her aforementioned hadeeth: <<...It is not befitting that anything should be seen of her except her face and her hands>>. So Ibn Sa`d reported (8/253) with a 'Saheeh' chain of narration: "That Asmaa. bint Abee Bakr took a large dagger in the time of Sa`eed ibn al-`Aas, as a precaution against robbers, and they had settled in al-Madeenah. So she used to keep it under her head."

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All of this is a result of the cultivation given by the Prophet (صلى الله عليه وسلم) to them upon the true and easy Religion which has no exceeding the limits and no falling short of what is required. So they were just as Allaah-the Most High-said:

كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ

[AALI 'IMRAAN (3):110]

[[Meaning: You are the best of peoples ever raised up for mankind: You enjoin the good, and you forbid the evil, and you truly believe in Allaah]]

and He said:

وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا لِتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ وَيَكُونَ الرَّسُولُ عَلَيْكُمْ شَهِيدًا

[AL-BAQARAH (2): 143]

[[Meaning: Thus have We made you a just and the best nation so that you should be witnesses over mankind and the Messenger will be a witness over you.]]

So it is obligatory that the shaikhs and callers establish the cultivation of the people: the men and the women upon this noble prophetic methodology, and they will not be able to do that unless they become aware of the Sunnah, and the authentic prophetic Seerah, which comprises his (صلى الله عليه وسلم) sayings, his actions, and his approval; and what our Pious Predecessors (Salaf) were upon: that which is authentic from them. So the Fiqh of a scholar will not be correct without all of that; taking the help upon that of the sayings of the mujtahid imaams and the verifying scholars; otherwise the person will deviate from the truth and the path of the Believers.

And how fine is what Allaah inspired Shaikhul-Islaam Ibn Taimiyyah-rahimahullaah-to say, when he drew attention to this-and it is one of his finest sayings, and I have not seen it as the saying of anyone else besides him: his saying which has preceded (p. 48):

“And what is reported from the Salaf and the scholars requires awareness of the establishment of its wording and its indication, just as what is reported from Allaah and His Messenger requires that.”

And my belief is that if the scholars were to adhere to this methodology, then many disagreements which occur between them would pass away, with the condition that they are true and sincere for Allaah-the Exalted and Most High-upon seeking the truth, and in avoiding blind-following of madhhabs, fathers and forefathers-which many people have been afflicted with today; and Allaah is the One Whose aid is sought.

And from the best of what I could conclude this book of mine with is the expiation for the gathering:
How perfect You are, O Allaah, and all praise is for You. I testify that none has the right to be worshipped except You. I ask for Your forgiveness and I repent to you.

And may Allaah extol Muhammad: the unlettered Prophet, and his true followers and Companions, and grant them peace and security.

Written by: Muhammad Naasiruddeen al-Albaanee, Aboo `Abdir-Rahmaan.

`Amaan: the evening of Monday, the 26th of Dhul-Hijjah of the year 1411.

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The recommendation of the niqaab

Extracts from *JILBAABUL-MAR-ATIL-MUSLIMAH* by Shaikh al-Albaanee-rahimahullaah.



SOME OF THE EVIDENCES AND STATEMENTS BROUGHT BY SHAIKH AL-ALBAANEE-rahimahullaah-IN HIS ORIGINAL WORK: *JILBAABUL-MAR-ATIL-MUSLIMAH*, SHOWING THAT THE HANDS AND FACE OF THE WOMAN ARE NOT `AWRAH (THAT WHICH MUST BE COVERED).

(1) *The Aayah of Adornment: The Saying of Allaah-the Most High:-

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

خُمُرَهُنَّ عَلَى جُجُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ

[Sooratun-Noor (24):31]

[[Meaning: And tell the believing women to lower their gaze, and to guard their private parts, and not to reveal their adornment except what appears therefrom; and let them draw their khimaars (head-covers) upon the front-opening of their garment, and not reveal their adornment]].

-Ibn Abee Shaybah reported in his 'Musannaf' (4/283):

"Ziyaad ibn ar-Rabee` narrated to us: from Saaliḥ ad-Dahhaan: from Jaabir ibn Zayd: from **Ibn `Abbaas** that he said:

وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا

[[Meaning: And not to reveal their adornment except what appears therefrom]]: The hand and the face."⁴

(Shaikh al-Albaanee said) (p. 59):" This is a 'Saḥeeḥ' chain of narration."

-Ibn Abee Shaybah reported in his 'Musannaf' (4/284):

"Shabaabah ibn Sawwaar said: Hishaam ibn al-Ghaaz related to us, saying: Naafi` related to us, saying: **Ibn `Umar** said:

"The adornment which appears is the face and the two hands."

(Shaikh al-Albaanee said) (p. 60): "And its chain of narration is 'Saḥeeḥ' also. "

(p. 72):

"Because 'al-khumur' is the plural of khimaar', and it is that which covers the head."⁵

⁴ The chain of narration for this and the next report have been inserted by the translator from the reference quoted by the Shaikh.(transl.).

⁵ That is what occurs in *an-Nihaayah* of Ibnul-Atheer, and *Tafseer al-Haafiz Ibn Katheer*, and *Fathul-Qadeer* of ash-Shawkaanee; and with others from the people of knowledge and awareness of the Arabic language and its usages; and al-Haafiz said in *al-Fath* (8/490):

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(p. 73):

Ibn Hazm said in 'al-Muḥallaa' (3/216-217):

'So Allaah-the Most High-commanded them to pull the khimaar upon the front-opening of the garment; and this is a text for the covering of the `awrah, the neck, and the breast; and it contains a textual statement of the permissibility of uncovering the face: nothing but this possible'."

(p. 7):

"Abul-Waleed al-Baaḡee (d. 474) said: "And nothing should appear from her except the oval of her face"."

p. 53:

So Ibn `Abbaas, and those Companions who were along with him and the Taabi`een, and the scholars of Tafseer indicate with their tafseer of the Aayah:

إِلَّا مَا ظَهَرَ مِنْهَا

[[Meaning: Except what appears therefrom]]

this usual behaviour which was well-known when it came down, and they had that approved of. So it is not permissible to oppose their tafseer with the tafseer of Ibn Mas`ood-which no one from the Companions followed him upon-for two reasons:

Firstly: That he left it unrestricted as 'the clothes', and no one holds this saying unrestrictedly, since it would include clothes worn underneath which are an adornment in themselves...; so therefore what he meant here was 'the jilbaab' only [[i.e. that she can only reveal her jilbaab, and she cannot reveal her face or hands, or anything from her body or clothes (transl.)]] That this is what the woman can reveal from her clothes when she goes out from her house.

And lastly: This tafseer, even though some of those with harshness are fervent about it, is not consistent with the rest of the ayah, which is

وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ

[[Meaning: And let them not reveal their adornment except to their husbands or their fathers...]]

-the Aayah.

So the first adornment and the second adornment are one and the same. This is well-known from the usage of the Arabs: that when they mention a specified noun, and then they repeat it, then it is

"The khimaar for the woman is just like the `imaamah (turban/head-scarf) for the man." This is something about which we know of no difference of opinion, and this is not negated by what occurs in the biography of al-Qaadee Aboo `Alee at-Tannookhee that he said... So he described her as having her khimaar upon on her face.

So I say: This does not negate what we mentioned regarding the meaning the khimaar, since using it to cover the face sometimes does not mean that this is normally required from it. Not at all! Do you not see that when the Prophet (صلى الله عليه وسلم) transported Safiyyah behind him he put his cloak upon her back and face., and that `Aa.ishah said in the story of the slanderous lie: "So I covered my face with my jilbaab"... So is it possible to take from this that the cloak and the jilbaab are two garments which normally cover the face?!..."

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one and the same thing. So this being the case, then is it not permissible for the fathers and those mentioned along with them to look at anything except the clothes worn underneath?!

So therefore Aboo Bakr al-Jassaas-rahimahullaah-said in *Ahkaamul-Qur.aan* (3/316):

The saying of Ibn Mas`ood that:

إِلَّا مَا ظَهَرَ مِنْهَا

[[Meaning: What appears therefrom]]

means the clothes, has no meaning; since it is known that He mentioned the adornment, and what is meant is the body part which adornment is upon. Do you not see that everything which she uses as adornment: jewellery, bracelets, ankle-rings, and necklaces, are permissible for her to reveal to the men when she is not wearing them. So therefore we know that what is meant is the places of adornment. Just as He said in the continuation of the Aayah:

وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ

[[Meaning: And let them not reveal their adornment except to their fathers...]]

and what is meant is the place of the adornment. So explaining it to mean the clothes has no meaning, since seeing the clothes upon her without anything from her body is just the same as seeing the clothes when she is not wearing them."

(2)* The Aayah of drawing the jilbaab close:

The Saying of Allaah- the Most High:-

يَتَأْتِيَا النَّبِيَّ قُلُوبًا لِّأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبَابِهِنَّ

[Sooratul-Ahzaab (33):59]

[[Meaning:: O Prophet! Say to your wives, and your daughters, and the women of the Believers: draw your jilbaabs upon yourselves]].

(p. 41):

Imaam Ibn Jareer at-Tabaree said: "The most correct of the sayings in that regard is the saying of those who say: That means the face and the two hands..."

(p. 6)

Sufficient in that regard as a proof is the fact that Ibn `Abbaas-the great explainer of the Qur.aan-explained it in that way, saying:

"She should draw the jilbaab close to her face, and not pull it upon it"⁶, meaning: not cover it...

⁶ "Reported by Aboo Daawood in his *Masaa'il* (p.110) with a very authentic (Saheeh) chain of narration. He reported it from Ahmad: from two Shaikhs of his: Yahyaa ibn Sa'eed and Rawh-who was Ibn `Ubaadah; and the wording is Yahyaa's. However Rawh contradicted him, and made an addition when asked 'What does 'she should not pull it upon it' mean? So he said: 'She should hold it lightly and bring it over her face, as if it is draped upon her face'.

So this is an addition which is 'Shaadhah', and not authentic, since Yahyaa was a mountain in memorization. Ahmad said: "He was the limit of precise verification in Basrah", and he said: "He is more reliable than those people"-meaning: Ibn Mahdee and others. So if you

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And that which they use as evidence which contradicts it is not authentic from him.

Secondly: They explain the 'jilbaab' to be: 'the garment which covers the face', and there is no basis for this in the language also. Rather it contradicts the explanation of the scholars that it is the garment which the woman puts upon her khimaar; and they did not say 'upon her face'....

(p. 83)

And the jilbaab is the covering-garment which the woman wraps around herself over her clothing-upon the most correct saying⁷.

(3)* (pp. 57-60)

The hadeeth: <<When the young woman attains adulthood it is not right that anything should be seen from her except her face and her hand, up to the joint. >>

-Aboo Daawood reported it in his *Maraaseel* (no. 437).. with a 'Saheeh' chain of narration from Qataadah: that the Prophet (صلى الله عليه وسلم) said:...

(Shaikh al-Albaanee said): "This is a 'Saheeh' mursal narration which is strengthened by what follows it..."

[Shaikh al-Albaanee declares this 'Saheeh' as a hadeeth of Allaah's Messenger (صلى الله عليه وسلم) since it is not severely weak, and it has supporting evidence:-

- (i) The majority of the scholars hold it as their saying;
- (ii) It is established as a saying of Ibn `Abbaas-radiyallaahu `anhumaa-through authentic chains from him;
- (iii) It has two supporting narrations traced back to the Prophet (صلى الله عليه وسلم)
 - (a) The hadeeth of `Aa.ishah-radiyallaahu `anhaa-reported by Aboo Daawood (2/182-183), al-Bayhaqee (2/226 & 7/86), at-Tabaraanee in *Mu`jamush-Shaamiyyeen* (pp. 511-512), and Ibn `Adiyy in 'al-Kaamil' (3/1209) by way of Sa`eed ibn Basheer: from Qataadah: from Khaalid ibn Durayk: from Aa.ishah.

(Its chain of narration contains Sa`eed ibn Basheer who was weak, the `an`anah of Qataadah, and the fact that it is disconnected between Khaalid ibn Durayk and `Aa.ishah).

compare this testimony from him with his saying concerning Rawh: "He was okay", then you will be aware of the distinction between them...[*al-Mufhim* (p.51)

⁷ And there have been seven saying in explanation of it. al-Haafiz brings them in *al-Fath* (1/336), and this is one of them; and it was stated by al-Baghawee in his *Tafseer* (3/544) when he said : "It is the covering garment which the woman envelopes herself with, above the gown and khimaar."

And Ibn Hazm said (3/217): "The jilbaab in the language of the Arabs, with which Allaah's Messenger (صلى الله عليه وسلم) spoke to us, is that which covers the whole of the body; not part of it."

And al-Qurtubee declared this correct in his *Tafseer*, and Ibn Katheer said: "It is the cloak worn above the khimaar; and it is like the wrapper/veil (izaar) of today."

I say: And perhaps it is the 'abaa.ah' (abaayah) which is used by the women of Najd, Iraq and elsewhere today."

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(b) The hadeeth of Asmaa. bint `Umays-radiyallaahu `anhaa-reported by at-Tabaraanee in *al-Kabeer* (24/143/378) and in *al-Awsat* (2/230/8959), and al-Bayhaqee, by way of Ibn Lahee`ah: from `Iyaad ibn `Abdillaah: that he heard Ibraaheem ibn `Ubayd ibn Rifaa`ah al-Ansaaree informing: from his father (I think): from Asmaa. bint `Umays.

-(Its chain of narration contains Ibn Lahee`ah who was weak and likewise `Iyaad ibn `Abdillaah.

(iv) Its narrators held it as their saying:

-`Aa.ishah-radiyallaahu `anhaa-used to say, in what is authentic from her, about the woman in a state of ihraam:

“She may drape a cloth over her face **if she wishes.**”

[Reported by al-Bayhaqee in his *Sunan* (5/47) with a ‘Saheeh’ chain of narration.]

-Asmaa. bint `Umays: It is authentic that Qays ibn Abee Haazim entered, along with his father, upon Aboo Bakr-radiyallaahu `anhu-, and Asmaa. was with him, and they saw that she was a white woman with her hands dyed.

[Reported by Ibn Jareer at-Tabaree in *Tahdheebul-Aathaar* (Musnad `Umar: 1/114/187), Ibn Sa`d in *at-Tabaqaat* (8/283), and at-Tabaraanee in *al-Kabeer* (24/131/359)...and its chain of narration is ‘Saheeh’].

-Qataadah said in tafseer of the Aayah of drawing the jilbaab close: “Allaah made it upon them to tighten their coverings upon the forehead.” [Tafseer Ibn Jareer at-Tabaree].

Therefore the hadeeth was declared to be strong by al-Bayhaqee, al-Mundhiree, adh-Dhahabee and others].

(4)* (p. 58):

And it was acted upon by many of the women in the time of the Prophet (صلى الله عليه وسلم), in that they would reveal their faces and hands in his (صلى الله عليه وسلم) presence, and he did not criticise them for that; and there are a number of ahadeeth in that regard, so we will mention what occurs to us at present from that:

1- From Jaabir ibn `Abdillaah who said: “I was present at the Prayer along with Allaah’s Messenger (صلى الله عليه وسلم) on the day of `Eid. So he began with the Prayer, before the khutbah, without any adhhaan or iqaamah. Then he stood up, leaning against Bilaal, and he enjoined dutifulness to Allaah, and he encouraged upon obedience to Him; and he admonished the people and reminded them. Then he proceeded until he came to the women, and he admonished them, and reminded them. So he said :<< Give in charity, because the majority of you (women) will be fuel for Hell-Fire. >> So a woman **with darkened cheeks** who was sitting in the midst of the women said: “Why, O Messenger of Allaah?” He said: << Because you make frequent complaints, and you show ingratitude to your

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husbands. >> He said: “So they began giving from their jewellery in charity, throwing their ear-rings and rings into the cloth of Bilaal.”⁸

2- From Ibn `Abbaas [from al-Faḍl ibn `Abbaas]: That a woman of Khath`am sought a verdict from Allaah’s Messenger (صلى الله عليه وسلم) during the Farewell Hajj [on the Day of Sacrifice], and al-Faḍl ibn `Abbaas was riding upon the same camel behind Allaah’s Messenger (صلى الله عليه وسلم) [al-Faḍl was a handsome man...so the Prophet (صلى الله عليه وسلم) halted for the people, in order to deliver verdicts to them]”-the hadeeth and it contains the wording:

“So al-Faḍl ibn `Abbaas began **turning his face to her, and she was a beautiful woman** [and in a narration: good looking] (and in a narration: so al-Faḍl began looking at her. So he turned his face the other way.”

And in a narration of Aḥmad (1/211) from the hadeeth of al-Faḍl himself: “So I was looking at her. So the Prophet (صلى الله عليه وسلم) looked at me, and he turned my face away from her face. Then I looked again, so he turned my face away from her face; until he did that three times, and I hadn’t stopped.”

-Its narrators [[i.e. those of the narration of Aḥmad]] are reliable, however its chain is broken if Hakam ibn `Utaybah did not hear it from Ibn `Abbaas.

And `Alee ibn Abee Taalib-radiyallaahu `anhu-narrated this incident, and he mentioned that the seeking for a verdict occurred at the place of sacrifice, after Allaah’s Messenger (صلى الله عليه وسلم) had stoned the stoning place, and he added:

“So al-`Abbaas said to him: ‘O Messenger of Allaah! Why did you turn away the neck of your paternal cousin?’ He said: <<I saw a young man and a young woman, and I did not feel safe for the two of them from Satan>>.”⁹

⁸ Reported by Muslim (3/9), an-Nasaa. (1/233), ad-Daarimee (1/377), Ibn Khuzaymah in his Saḥeeh (2/357/1460), al-Bayhaqee (3/296 & 300), and Aḥmad (3/318).

And the hadeeth clearly show what we have quoted it for, since otherwise the narrator would not have been able to describe the woman as having [darkened cheeks.]

⁹ Reported by al-Bukḥaaree (3/295, 4/54, & 11/8. [[nos. 1513, 1854, 1855, 4399, & 6228]], Muslim (4/101) [[no. 1334]], Aboo Daawood (1/286), an-Nasaa. (2/5)-and from him by Ibn Hazm (3/218), and Ibn Maajah also (2/214), and Maalik (1/329), and al-Bayhaqee; and the first addition between two brackets, and the one prior to it, are reported by al-Bukḥaaree, an-Nasaa. (2/5), Ibn Maajah, and Aḥmad in one report; and the second is reported by al-Bukḥaaree; and likewise the third; and the last one is reported by al-Bukḥaaree, and by Muslim in one narration; and it occurs in Saḥeeh Ibn Khuzaymah (4/342).

As for the hadeeth of `Alee with this story, then it was reported by at-Tirmidḥee (1/67-Boolaq edn.), and he said: ‘hasan saḥeeh’, and Aḥmad (nos. 562 & 1347), and his son `Abdullaah in Zawaa'idul-Musnad (nos. 564 & 613); and by al-Bazzaar in his Musnad (2/164/531, 532: Beirut edn.) and by ad-Diyaa. In al-Mukhtaarah (1/214), and its chain of narration is good; and al-Haafiz used it as a proof in al-Fath (4/67) that the seeking of the verdict occurred at the place of sacrifice, after the completion of the stoning.

I say: Meaning that the question came after leaving the state of ihraam, since, as is known when the person performing Hajj has stoned the Jamratul-`Aqabah everything is again permissible for him except the women. So therefore the Khath`amiyyah woman was not in a state of ihraam.

So the hadeeth proves what the hadeeth before it proves: that the face is not `awrah, since it is-as Ibn Hazm said:

“If the face were `awrah which must be covered, then he would not have consented to her uncovering it in the presence of the people; and he would have commanded her to drape a cloth upon it from above; and if her face had been covered, then Ibn `Abbaas would not have known whether she was beautiful or ugly.”

There occurs in al-Fath (11/8): “Ibn Battaal said: ‘The hadeeth shows the command to lower that gaze for fear of seduction and trial (fitnah); and what this necessitates is that when there is security from ‘fitnah’ it is not prohibited.’ He said: This is supported by the fact that he (صلى الله عليه وسلم) did not turn the face of al-Faḍl away until he was staring at her, and was delighted at her, so then he feared ‘fitnah’ for him.

It also shows how human nature overcomes the son of Adam, and his weakness on account of the inclination towards women and delighting in them which is in-built in him.

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3- From Sahl ibn Sa`d: "That a woman came to Allaah's Messenger (صلى الله عليه وسلم) [whilst he was in the mosque] and she said: 'O Messenger of Allaah! I have come to give myself [[i.e. in marriage]] as a gift to you.' So he remained silent. So I saw her standing for a while, or he said: a short while. **So Allaah's Messenger (صلى الله عليه وسلم) looked at her carefully and fixed his glance upon her.** The he lowered his head. So when the woman saw that he had no wish for her, she sat down,- the hadeeth.¹⁰

4- From `Aa.ishah-radiyahallaahu `anhaa-that she said:

"The women of the Believers used to attend the Fajr Prayer along with the Prophet (صلى الله عليه وسلم) covered with their veiling sheets, and then they would return to their houses when the Prayer was completed, and **they would not be recognised because of the darkness.**"¹¹

And the way in which it is evidence is her saying: "They would not be recognised because of the darkness", since what is understood from it is that but for the darkness they would have been recognised; and they are normally recognised by their faces which are uncovered. So what is required is established; and ash-Shawkaanee (2/15) mentioned the meaning of this from al-Baajee.

And it contains a proof that the women of the Believers do not have the same duty regarding Hijab as is binding upon the wives of the Prophet (صلى الله عليه وسلم), since if that were binding upon all of the women, then the Prophet (صلى الله عليه وسلم) would have ordered the Khath`amiyyah woman to cover; and he would not have (just) turned the face of al-Faql away.

He said: And it contains a proof that the woman's covering her face is not obligatory, since they are upon consensus that the woman may reveal her face in the Prayer, even if strangers were to see her.

This is all speech of Ibn Battaal, and it is strong and good, however al-Haafiz commented upon it critically, saying: "I say: His using the story of al-Khath`amiyyah as proof for what he claimed is open to question, since she was in a state of ihraam."

I say: Not at all, since there is no proof that she was in a state of ihraam. Rather what is apparent is the opposite, so we have already mentioned from al-Haafiz himself that the question of the Khath`amiyyah woman came to the Prophet (صلى الله عليه وسلم) after the stoning of Jamratul-Aqabah; meaning after leaving the state of ihraam. So it is as if al-Haafiz forgot that which he himself had determined-rahimahullaahu ta'laa.

Then even if she was in a state of ihraam, then this does not effect Ibn Battaal's using it as evidence in the way mentioned. This is because the woman in a state of ihraam shares with the woman outside the state of ihraam in that it is permissible for her to drape a cover over her face from above-as is indicated in the fourth and fifth hadeeth which follow (p. 108). What is obligatory upon her is just that she does not tie a niqaab. So if it were not permissible for a woman to reveal her face in front of strange men, then he (صلى الله عليه وسلم) would have commanded her to drape a cloth upon it from above-as Ibn Hazm said. Especially when she was one of the finest and most beautiful of the women, and al-Faql was almost put to trial on account of her! Yet despite all of this he (صلى الله عليه وسلم) did not command her. Rather he turned the face of al-Faql away from her. So this contains a proof also that the aforementioned covering is not obligatory upon the woman even if she is beautiful. Rather that it is recommended for her just as it is recommended for other than her.

As for the saying of some of the respectable people: The hadeeth does not contain a clear statement that she was uncovering her face, then this is one of the furthest of sayings from correctness. Since if that were not the case then how could the narrator, or the one looking, be aware that she was a beautiful and good-looking woman?!

And if the matter was as he said, then what was al-Faql looking at, repeatedly?! So the truth is that this hadeeth is one of the clearest and strongest proofs that the face of the woman is not `awrah. This is because the incident happened at the end of his (صلى الله عليه وسلم) life, and was witnessed by him (صلى الله عليه وسلم), which makes the ruling confirmed and fixed. So it is a text which clarifies the meaning of:

يُدْبِرْنَ عَلَيْنَ مِنْ جَلْبَابِهِنَّ

[AL-AHZAAB (33):59]

[[Meaning: Let them draw their jilbaabs close upon themselves]]

and that it does not include the face. So whoever tries to understand the Aayah without the aid of the Sunnah, then he has made a mistake.

¹⁰ Reported by al-Bukhaaree (9/107) [[nos. 2310, 5029, 5030, 5087 &...]], Muslim (4/143) [[no. 1425]], an-Nasaa.aa (2/86), and others... al-Haafiz said in al-Fath (9/210):

"It shows the permissibility of looking attentively at the beauties of a woman with the intention of marrying her, even if this was not preceded by a prior intention to marry her and even if a proposal of marriage has not been made"...

¹¹ Reported by the two ShaiKhs [[al-Bukhaaree (nos. 372, 578, 867 & 872) and Muslim (no. 645)]] and others, through chains of narration which I have referenced in 'Saheeh Abee Daawood' (no. 449)

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The recommendation of the niqaab

Then I found a narration which clearly states that, with the wording: “And we would not recognise each others faces.”¹²

5- From Faatimah bint Qays: “That Aboo `Amr ibn Hafṣ divorced her irrevocably (and in one narration: with the last of three divorces), and he was away from home... so she came to Allaah’s Messenger (صلى الله عليه وسلم) and mentioned that to him. So he ordered her to spend her waiting-period (‘iddah) in the house of Umm Shareek. Then he said: << That is a woman whom my Companions visit frequently. Spend your waiting period in the house of Ibn Umm Maktoom, for he is a blind-man and you will be able to put off your garments [whilst staying with him] (and in a narration: move and be with Umm Shareek-and Umm Shareek was a rich woman of the Anṣaar, who spent a huge amount in Allaah’s cause, and guests would descend upon her. So she said: ‘I will do so.’ Then he said: <<Do not do so. Umm Shareek is a woman who has many guests, so I dislike that your khimaar should fall away, or that your garment should uncover your shins, and that the people should therefore see from you part of what you dislike (to be seen). Rather move to the house of your paternal cousin: Ibn Umm Maktoom [the blind man... and he was from the same tribe as her. **[For if you remove your khimaar he will not see you]**. So I moved to lodge with him. So when my ‘iddah (waiting period) was completed I heard the caller announcing: ‘Gather for the Congregational Prayer.’ So I went out to the mosque and I prayed along with Allaah’s Messenger (صلى الله عليه وسلم). So when he completed his Prayer he sat upon the minbar and said: <<By Allaah! I did not gather you in order to encourage you or to cause you to fear. Rather I gathered you because Tameem ad-Daaree used to be a Christian man. So he came and accepted Islaam and gave the pledge of allegiance, and he narrated to me a story which agrees with what I have told you about ‘al- Maseehul-Dajjaal...>>”-the hadeeth.¹³

And it should be known that this story occurred at the end of his (صلى الله عليه وسلم) life, since Faatimah bin Qays mentioned that after the completion of her waiting-period she heard the Prophet (صلى الله عليه وسلم) narrate the story of Tameem ad-Daaree, and that he had come, and had accepted Islaam. Then it is established in the biography of Tameem that he accepted Islaam in the ninth year. So this shows that the incident occurred after the Aayah of the jilbaab. So the hadeeth is therefore a text that the face is not `awrah.

6- From Ibn `Abbaas-radiyallaahu `anhumaa-that it was said to him: ‘Were you present at the `Eid along with the Prophet (صلى الله عليه وسلم)?’ So he said: “Yes, and if it were not for my young age I would not have witnessed that which I witnessed. So he came to the (place of) the marker which is by the house of Kathheer ibn as-Salt, and he prayer. [He said: So the Prophet of Allaah (صلى الله عليه وسلم) descended, and it is as if I am looking at him now causing the men to sit with his hand. Then he came from between them], then he came to the women-and Bilal was with him, [and he said:

¹² Reported by Aboo Ya`laa in his *Musnad* (mss. 214/2) with a ‘saḥeeh’ chain from her.

¹³ Reported by Muslim in his ‘Saḥeeh’ (4/195, 196 & 203) [[nos. 1480 & 2942]]. And the way in which the hadeeth proves that the face is not `awrah is clear, and it is that the Prophet (صلى الله عليه وسلم) consented to the daughter of Qays being seen by the men whilst wearing the khimaar and it is a covering for the head. So this proves that the face is not something which she must cover, as it is obligatory for her to cover her head. However he (صلى الله عليه وسلم) feared for her that her khimaar would fall off and something would appear from her which is forbidden by text. So therefore he (صلى الله عليه وسلم) ordered her with something safer for her, which was to move to the house of Ibn Umm Maktoom-the blind man-who would not see her when she removed her khimaar.

As for the hadeeth: <<Are you two also blind>>?! Then it is weak in its chain of narration, reprehensible (munkar) in its wording, as I have verified in *al-Da`eefah* (no. 5957)...

The recommendation of the niqaab

يَتَأْتِيَا النَّبِيَّ إِذَا جَاءَكَ الْمُؤْمِنَاتُ يُبَايِعُنَّكَ عَلَىٰ أَنْ لَا يُشْرِكْنَ بِاللَّهِ

[AL-MUMTAHANAH (60):12]

[[Meaning: O Prophet! When the believing women come to give you the pledge that they will not associate anything in worship with Allaah]].

So he recited this Aayah until he completed it, then when he had completed it he said: <<Are you upon that? >> So a single woman said, and no one else from them responded: “Yes, O Prophet of Allaah!” He said:] so he admonished them, and he reminded them, and he commanded them to give in charity. [He said: So Bilaal spread out his garment. Then he said: <<Come on! May my father and mother be a ransom for you.>>] **So I saw them putting with their hands**, casting their (and in a narration bangles and rings) into the garments of Bilaal. Then he and Bilaal went off to his house.”¹⁴

7- From Subay`ah bint al-Haarith: “That she was married to Sa`d ibn Khawlah, and he died during the Farewell Hajj, and he had fought at Badr. So she gave birth before four months and ten days had elapsed since his death, so Abus Sanaabil ibn Ba`kak met her when she had left her after-birth bleeding period. **So she had applied collyrium (eye-kuhl), [and dyed (her hands), and prepared herself]**. So he said to her: ‘Wait! Perhaps you intend to get married? The period must be four months and ten days from the death of your husband. She said: So I went to the Prophet (صلى الله عليه وسلم) and mentioned to him what Abus-Sanaabil ibn Ba`kak had said. So he said: <<You became lawful (to marry) when you gave birth. >>¹⁵

8- From `Aa.ishah-radiyallaahu `anhaa-: “That a woman came to the Prophet (صلى الله عليه وسلم) to give him the Pledge, but **her hand was not dyed**. So he did not take the Pledge from her **until she had dyed her hand**.”¹⁶

9- From `Aṭaa, ibn Abee Rabaah who said: Ibn `Abbaas said to me: “Shall I not show you a woman from the people of Paradise?”

¹⁴ Reported by al-Bukhaaree (2/273) [[No. 977..]], and by way of him by Ibn Hazm (3/217); and Aboo Daawood (1/174), and by way of him by al-Bayhaqee (3/307); and an-Nasaa.ee (1/227), and Ahmad (1/331), and the addition and the other narration are his; ...Ibn Hazm said, after using the ayah of drawing on the khimaar to show that the face is not `awrah: “So here was Ibn `Abbaas, in the presence of Allaah’s Messenger (صلى الله عليه وسلم) seeing their hands. So it is correct that the hand and face of the woman are not `awrah. As for everything else, then that must be covered.”

I say: His (صلى الله عليه وسلم) taking the pledge from the women in this incident is a proof that it occurred after the obligation of the jilbaab, since that was made obligatory in the third year. As for the Aayah of giving the Pledge, then it came down in the sixth year, as will be verified on p.74; and this is supported by what he mentioned in al-Fath (2/377): that Ibn `Abbaas witnessing the incident was after the conquest of Makkah, and that is witnessed to by what follows.

¹⁵ Reported by Imaam Ahmad (6/432) with two chains of narration: one of them is ‘Saheeh’, and the other is ‘hasan’, and its origin occurs in the two ‘Saheehs’ and elsewhere; and in their narration there is the wording: “She had beautified herself for marriage proposal”, and it contains the wording that Abus-Sanaabil had proposed to her, but she had refused to marry him. And in the narration of an-Nasaa.ee: “She had adorned herself seeking a husband.”

So the hadeeth clearly proves that the two hands were not from the `awrah in the usage of the woman of the Companions, and likewise the face-or the eyes, at the very least. Otherwise it would not have been permissible for Subay`ah-radiyallaahu `anhaa- to appear like that in front of Abus-Sanaabil, particularly when he had proposed to her, and she had not accepted him.

And refer in this regard to an-Nazr fee Ahkaamin-Nazr of al-Haafiz Ibnul-Qattaan (mss. 67/2-68/2).

¹⁶ A hadeeth which is ‘hasan’ or ‘Saheeh’: Reported by Aboo Daawood (2/190), and by way of him by al-Bayhaqee (7/86); and at-Tabaraanee in ‘at-Awsat’ (1/219/2/3918-with my numbering), and it has many witnesses which I have quoted in ath-Thamrul-Mustataab fee Fiqhis-Sunnan wal-Kitaab.

The recommendation of the niqaab

I said: 'Yes indeed.' He said: "this black woman: since she came to the Prophet (صلى الله عليه وسلم) and said: I suffer epileptic fits, and I become uncovered, so supplicate to Allaah for me." He said: << If you wish you can have patience and Paradise will be yours, and if you wish I can supplicate to Allaah that He should cure you.>> So she said: "I will have patience." She said: "But I become uncovered, so supplicate to Allaah that I should not become uncovered." So he made supplication for her."¹⁷

10- And from Ibn `Abbaas also, that he said: "There used to be a beautiful woman, from the most beautiful of the people, who used to pray behind Allaah's Messenger (صلى الله عليه وسلم). [Ibn `Abbaas said: No, by Allaah, I never saw the like of her]. So some people used to move forward to be in the first row, so that they would not see her; whereas some others would stay back in order to be in the last row. So when he performed rukoo` he would look under his armpit (and spread his arms). So Allaah-the Most High-sent down:

وَلَقَدْ عَلِمْنَا الْمُسْتَقْدِمِينَ مِنْكُمْ وَلَقَدْ عَلِمْنَا الْمُسْتَخِيرِينَ

[AL-HIJR (15):24]

[[Meaning: And We certainly know those of you who precede amongst you, and those who fall behind]].¹⁸

11-From Ibn Mas`ood who said: "Allaah's Messenger (صلى الله عليه وسلم) saw a woman and she was pleasing to him. So he went to Sawdah, and she was making perfume, and she had some women with her. So they left him to be in private. So he fulfilled his need, then he said: <<Whichever man sees a woman who is pleasing to him, then let him go to his wife; for she has with her the like of what she has with her. >>¹⁹

12-From `Abdullaah ibn Muḥammad: from a woman from them who said: Allaah's Messenger (صلى الله عليه وسلم) entered upon me whilst I was eating with my left hand, and I was a woman who was left-handed. So he struck my hand, and a morsel of food fell. So he said: <<Do not eat with your left hand when Allaah-the Exalted and Most High-has made a right hand for you>>, or he said: <<When Allaah-the Mighty and Majestic-has let you have a right hand. >>²⁰

13- From Ṭhawbaan-raqiyallaahu `anhu-who said: "The daughter of Hubayrah came to the Prophet (صلى الله عليه وسلم), and she had gold bangles upon arm [meaning: large rings]. So the Prophet (صلى الله عليه وسلم) began striking her hand with a stick which he had with him, saying <<Would it please you that Allaah should put rings of fire upon your arm?!...>>-the hadeeth.²¹

¹⁷ Reported by al-Bukhaaree (10/94) [[no. 5652]], Muslim (8/16) [[no. 2576]], and Ahmad (no. 3240).

¹⁸ Reported by the compilers of the 'Sunan', and others- such as al-Haakim, and he declared it 'Saḥeeḥ', and adh- Dhahabee agreed with him, and it is just as they said; and I have checked and referenced it in *ath-Thamrul-Mustaṭaab fee Fiqhis-Sunnah wal-Kitaab* (The Prayer); and in 'as-Saḥeeḥah' (no. 2472); and Shaikh Ahmad Shaakir declared it 'Saḥeeḥ' (4/278)...

¹⁹ Reported by ad-Daarimee from Ibn Mas`ood, and the wording is his; and by Muslim, Ibn Hibbaan, and others, from Jaabir; and it was declared 'Saḥeeḥ' by Ibnul-Qattaan in 'an-Nazr' (mss. 18/12); and by Ahmad from Aboo Kabshah al-Anmaaree; and it is checked and referenced in 'as-Saḥeeḥah' (no. 235)

²⁰ Reported by Ahmad in his 'Musnad' (4/69 & 5/380), and al-Haythumee said in *al-Majma`* (5/26): "Ahmad and at-Tabaraanee reported it, and the narrators of Ahmad are reliable."

I say: Its narrators are reliable, as he said, narrators of the two 'Saḥeeḥ', except for `Abdullaah ibn Muḥammad-who was Ibn `Aqeel al-Madane, as I think, and he was 'hasan' in hadeeth.

²¹ I say: And its chain of narration is 'Saḥeeḥ', despite the obstinate ones who follow the saying of the majority and who follow their desires; and it was declared 'Saḥeeḥ' by Ibn Hazm, al-Haakim, al-Mundhiree, and al-'Iraaqee-as I have verified in *Aadaabuz-Zifaaf* (pp. 17-30, `Ammaan edn.). Then I saw that Ibnul Qattaan inclined to declaring it authentic also, in *al-Wahm wal-Eezaam*.

The recommendation of the niqaab

So these ahadeeth contain a proof for the permissibility of the woman's uncovering her face and hands. So they further strengthen the previous hadeeth of `Aa.ishah; and make clear that this is what is meant by His Saying-He the Most High:

إِلَّا مَا ظَهَرَ مِنْهَا

[AN-NOOR (24):31]

[[Meaning: Except what appears therefrom]]

as has preceded (p. 51). Along with the fact that His Saying-He the Most High-which comes afterwards:

وَلْيَضْرِبْنَ خُمْرَهُنَّ عَلَىٰ جُيُوبِهِنَّ

[AN-NOOR (24):31]

[[Meaning: And let them pull their khimaars upon the front opening of their garment]]

shows what is proven in some of the previous ahadeeth, which show that it is not obligatory upon the woman to cover her face, since 'al-khumur' is the plural of khimaar, which is that which covers the head;²² and 'al-Juyob' is the plural of 'al-Jayb', and it is the place where the gown and the shirt has a cutting/opening..."

(5)* p. 74:

"Nullification of the claims that these evidences came before the Jilbaab was made obligatory:

I say: So if it is said that what I have mentioned is very clear, however it is possible that this could have been before the obligation of the jilbaab. So therefore it is not correct to use this as evidence until it has been proven that it occurred after the jilbaab. Then our response to this is from two aspects:

Firstly: What is apparent from the evidences is that it occurred after the jilbaab, and two hadeeth come to mind in that regard:

The first: The hadeeth of Umm `Atiyyah-radiyallaahu `anhaa: "That when the Prophet (صلى الله عليه وسلم) commanded the women to go out for the `Eid Prayer, Umm `Atiyyah said: "If one of us does not have a jilbaab?" He said: <<Let her sister clothe her from her jilbaab. >> Agreed upon.

So this contains a proof that the women would only go out for the `Eid Prayer in their jilbaabs. So therefore the woman with the dark cheeks was wearing a jilbaab and this is supported by the following hadeeth, which is:

The second hadeeth: Her hadeeth also, that she said: "When Allaah's Messenger (صلى الله عليه وسلم) came to al-Madeenah he gathered the women of the Ansaar in a house. Then he sent `Umar ibn al-Khattaab to them. So he stood at the door and gave the greeting of Salaam to them, and they responded to his greeting of Salaam. So he said: 'I am the messenger of Allaah's Messenger (صلى الله عليه وسلم) to you.' So they said: 'Welcome to Allaah's Messenger (صلى الله عليه وسلم) and to his

²² This is what occurs in *an-Nihaayah* of Ibnul-Atheer, and in the *Tafseer* of al-Haafiz Ibn Katheer, and in *Fathul-Qadeer* of ash-Shawkaanee; and with others from the people of knowledge and awareness of the Arabic language and its usages, and al-Haafiz said in *al-Fath* (8/490): "And the khimaar for the woman is like the `imaamah (turban/headscarf) for the man"..."

The recommendation of the niqaab

messenger.’ So he said: ‘Give the pledge that you will not associate anything in worship with Allaah, and that you will not steal, nor commit fornication, nor kill your children, nor forge falsehood (buhtaan) between your arms and legs (and then ascribe the child falsely to your husbands), nor disobey in something good?’ They said: ‘Yes.’ So `Umar extended his hand outside the door, and they stretched out their hands from inside. Then he said: ‘O Allaah bear witness’; and he commanded us (and in a narration: so he commanded us) to bring out for the two `Eids the young women and the menstruating women, and he forbade us from accompanying funerals; and that there was no Jumu`ah upon us. So I asked him about the ‘forging falsehood....’ and about His saying:

وَلَا يَعَصِيَنَّكَ فِي مَعْرُوفٍ

[AL-MUMTAHANAH (60):12]

[[Meaning: And they should not disobey in something good]]

He said: “It (refers to) wailing/lamenting.”²³

And the way in which it is evidence becomes clear when we remember that the Aayah of the Pledge of the women:

يَتَأْتِيَا النَّبِيَّ إِذَا جَاءَكَ الْمُؤْمِنَاتُ يُبَايِعُنَّكَ عَلَىٰ أَنْ لَا يُشْرِكْنَ بِاللَّهِ

[AL-MUMTAHANAH (60):12]

[[Meaning: O Prophet! When the believing women come to you to give you the pledge that they will not associate anything with Allaah...]]

Came down on the Day of the Conquest, as Maqaatil said: (*ad-Durr* (6/211); and that it came down after the Aayah of testing-as Ibn Mardawaih reported from Jaabir: *ad-Durr* (6/211); and there occurs in ‘al-Bukhaaree’ from al-Miswar that the Aayah of testing came down on the Day of al-Hudaybiyah-and that was in the sixth year, in the correct saying, as was stated by Ibnul-Qayyim in *az-Zaad*; and the Aayah of Hijaab came down in the third year, or it is said: the fifth-when he (the Prophet) (صلى الله عليه وسلم) consummated his marriage with Zaynab bint Jahsh, as occurs in her biography in *al-Isaabah*.

So it is therefore established that the command for the women to go out to the `Eid came after the obligation of the Hijaab. This is further supported by the fact that in the hadeeth of `Umar he did not enter upon the women, but rather he took their pledge from behind the door; and in this hadeeth he conveyed to them the command of the Prophet (صلى الله عليه وسلم) to the women that they were to go out for the `Eid. And this was in the sixth year, after his (صلى الله عليه وسلم) return from al-Hudaybiyah, after the coming down of the Aayah of testing and the Pledge-as has preceded. So through this it is known that the saying of Umm `Atiyyah, at the beginning of her second hadeeth: “When Allaah’s

²³ Reported by al-Bukhaaree in *at-Taareekh* (1/1/361), Ahmad in ‘al-Musnad’ (6/408-409), al-Bayhaqee (3/184), ad-Diyaa. al-Maqdisee in *al-Mukhtaar* (1/104-105/1): by way of Ismaa`eel ibn `Abdir-Rahmaan ibn `Atiyyah: from his grandmother Umm `Atiyyah; and he said: “Ibn Khuzaymah and Ibn Hibbaan reported it in their ‘Saheehs’.”

I say: This Ismaa`eel was brought by Ibn Abee Haatim in *al-Jarh wat-Ta`deel* (1/1/185) and he does not mention anything for or against him; and Ibn Hibbaan (4/18) declared him reliable; and in *at-Taareeb* (there occurs ‘maqbool’ (acceptable if supported)). So the like of him can be used as supporting evidence, particularly when adh-Dhahabee declared its chain to be ‘hasan’ in *Mukhtasarul-Bayhaqee* (133/2); and the origin of the withdrawing of the hand is established in *Saheehul-Bukhaaree* (no. 4892) and in (*al-Mu`jamul-)* Kabeer of at-Tabaraanee (24/182/...) through chains of narration which no one but an obstinate and haughty person would deny].

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Messenger (صلى الله عليه وسلم) arrived at al-Madeenah” means: from al-Hudaybiyah, and it does not mean his arriving there as a migrant from Makkah-as may first occur to the mind, so reflect.

The second aspect: is that even if we were to accept that we are unable to establish what we have mentioned, then there is no doubt with the scholars that his (صلى الله عليه وسلم) consenting to the woman revealing her face in front of the men is a proof for its permissibility. This being the case, then it is known that the basic principle is that every ruling remains as it is until something comes which proves that it has been abrogated and removed; and we claim that nothing from that occurs here. Rather there occurs that which indicates that it remains and continues-as we shall see. So whoever claims the opposite, then it is upon him to bring the abrogating proof, and how far that is from being achieved!

This, along with the fact that we have previously established in the hadeeth of the Khath`amiyyah woman that the event occurred during the Hajj of the Prophet (صلى الله عليه وسلم); and this was after the obligation of the jilbaab for certain, and the responses which they have been given to this have already been refuted such as to leave no doubt remaining

Then this is aided by His Saying-He the Most High-at the beginning of the previous Aayah:

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ

وَقُلْ لِلْمُؤْمِنَاتِ

[AN-NOOR (24):30-31]

[[Meaning: And say to the believing men that they should lower their gaze, and guard their private parts]] ...
[[and say to the believing women...]]

because it gives the impression that there is something of the woman uncovered which it is possible to look at, so therefore He- the Most High-commanded withholding the gaze from them; and that is not except the face and the hands.

And like it is his (صلى الله عليه وسلم) saying:

<< Beware of sitting upon the path-ways...and if you refuse except to sit, then give the path-way its right. >> They said “And what is the right of the path-way, O Messenger of Allaah?” He said: <<Withholding the gaze, and withholding causing harm, and responding to the greeting of Salaam, and commanding the good, and forbidding the evil. >>²⁴

And his saying: <<O `Alee! Do not follow up one glance with another glance; for the first is for you, but the next is not for you>>²⁵

²⁴ Reported by al-Bukhaaree (11/9) [[no. 6229]], Muslim (7/3) [[no. 2121]], Aboo Daawood (2/291), al-Bayhaqee (7/89), and Ahmad (3/36) from a hadeeth of Aboo Sa`eed al-Khudree; and Muslim and Ahmad (4/30) from a hadeeth of Aboo Talhah al-Ansaaree.

²⁵ Reported by Aboo Daawood (1/335), at-Tirmidhee (4/14), at-Tahaawee in Sharhul-Aathaar (2/8-9) and in ‘al-Mushkil’ (2/352), and al-Haakim (3/194)-and he declared it ‘saheeh’ to the standard of Muslim, and adh-Dhahabee agreed; and al-Bayhaqee (7/90), and Ahmad (5/353 & 357) by way of Shareek: from Aboo Rabee`ah: from Ibn Buraydah: from his father, who traced it back to the Prophet

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And from Jareer ibn `Abdillaah who said: "I asked Allaah's Messenger (صلى الله عليه وسلم) about the unexpected glance. So he commanded **me to turn my gaze away.**"²⁶

(6)* p. 96:

"And in summary it is obligatory upon all of the women to cover, when they go out from their houses, with jilbaabs. There is no difference in that regard between free-women and slave girls; and it is **permissible for them to uncover** the face and the two hands only, since action was upon that in the time of the Prophet (صلى الله عليه وسلم) —and he consented to that.

So it will be beneficial here to bring what we missed out on in the previous editions with regard to **the reports from the Salaf, which show that action continued upon that after the Prophet** (صلى الله عليه وسلم). So I say:

1- From Qays ibn Haazim who said: "I and my father entered upon Aboo Bakr-radiyallaahu `anhu and he was a white man with a thin body; and with him was Asmaa bint `Umays, and she was defending him, **and she was a [white woman] with her hands dyed**: they had tattooed her in the days of Ignorance, in the manner of the Berbers. So he offered him two horses, and he was satisfied with them. So he mounted me upon one of them, and he mounted my father upon the other one."²⁷

2- From Abus-Saleel who said: "A daughter of Aboo Dharr came wearing two woollen veils, **and her cheeks were dark**, and she had a large basket with her. So she stood in front of him, and his companions were with him..."²⁸

3- From `Imraan ibn Husayn who said: "I was sitting with Allaah's Messenger (صلى الله عليه وسلم) when Faaṭimah-rahimahallaahu-came, and stood in front of him. So I looked at her, **and the blood had drained from her face**. So he said: << Come close, O Faaṭimah!>> So she drew close, until she stood in front of him. So he raised his hand and placed it upon her breast, in the place of the necklace, and he held his fingers apart. Then he said: <<O Allaah! He Who feeds the hungry to their fill, and He Who raises the lowly ones! Do not cause Faaṭimah bint Muḥammad (صلى الله عليه وسلم) to become hungry. >>

`Imraan said: So I looked at her, and **the blood had flowed back into her face**, and the yellowness had gone—just as the yellowness had previously overcome the blood.

(صلى الله عليه وسلم); and at-Tirmidhee said: "This is a hadeeth which is 'hasan ghareeb': we do not know of it except as a hadeeth of Shareek."

I say: And he is Ibn `Abdillaah al-Qaadee, and he had a poor memory. However he is supported, since at-Tahaawee reported it in his book, and al-Haakim (3/123), and Ahmad (nos. 1369, 1373) by way of Hamaad ibn Salamah: Muḥammad ibn Ishaaq narrated to us from Muḥammad ibn Ibraaheem at-Taymee: from Salamah ibn Abiṭ-Ṭufayl: that the Prophet (صلى الله عليه وسلم) said to him..., and he mentioned the hadeeth. al-Haakim said: "Its chain of narration is 'saheeh', and adh-Dhahabee agreed with him.

I say: It contains Ibn Ishaaq who was a 'mudallis', and he narrated it with 'an'anah'(saying 'from'). However the hadeeth is 'hasan through these two chains of narration, and it is witnessed to by the hadeeth which comes after it.

²⁶ Reported by Muslim (6/182), Aboo Daawood (1/335), at-Tirmidhee (4/14), ad-Daarimee (2/278), at-Tahaawee in his two previous books, al-Bayhaqee (7/89-90); and likewise al-Haakim (2/396) and Ahmad (4/358, 361).

²⁷ Reported by Ibn Jareer at-Tabaree in *Tahdheebul-Aathaar* (Musnad `Umar: 1/114/187)—and the context is his; and Ibn Sa'd in *at-Tabaaqat* (8/283), and at-Tabaraanee in *al-Kabeer* (24/131/359)—without his saying: "They had tattooed her..."; and its chain of narration is 'Saheeh'.

²⁸ Reported by Ibn Sa'd (1/164) and Aboo Nu`aym in *al-Hilyah* (1/164). I say: Its chain of narration is good as a witness.

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`Imraan said: So I met her later on, and asked her about it, so she said: 'I never became hungry afterwards, O `Imraan!'²⁹

4- From Qabeesah ibn Jaabir who said: "We used to share together with a woman in learning Soorahs of the Qur.aan, so I went off with an old woman of Banoo Asad to Ibn Mas`ood [in his house], in a group of three people, **so he saw her forehead shining**. So he said: 'Do you shave it?' So she became angry, and said: 'The one who shaves her forehead is your wife!' He said: 'Then enter upon her, and if she does it then she is free of me.' So she went, and then came back, and she said: 'No, by Allaah, I did not see her to have done it.'

So `Abdullaah ibn Mas`ood said: 'I heard Allaah's Messenger (صلى الله عليه وسلم) say: <<Allaah has cursed the women who tattoo and the women who get themselves tattooed...>>³⁰

5- From Aboo Asmaa. ar-Rahbee: that he entered upon Aboo Dharr [al-Ghifaaree-radiyallaahu `anhu] whilst he was at ar-Rabdhah, and he had with him a woman **who was a black and hungry-looking...**; he said: so he said: "Will you not see what this little black woman orders me with..."³¹

6- There occurs in *Taareekh Ibn `Asaakir* (19/73/2), and in the story of Salb ibn az-Zubayr: that his mother (Asmaa. bint Abee Bakr) came **with her face uncovered**, smiling.

7- From Anas who said: "A slave-girl belonging to some of the Muhaajireen or the Ansaar entered upon `Umar ibn al-Khattaab, and he used to recognise her, **and she was wearing a jilbaab- covering her head with it**. So he asked her: 'Have you been set free?' She said: 'No'. He said: 'Why then the jilbaab?!' Take it away from your head. The jilbaab is only for the free ones from the believing women.' So she hesitated, so he stood up to her with a cane, and he struck her head until she removed it from her head."³²

8- From `Umar ibn Muhammad: that his father narrated to him: from Sa`eed ibn Zayd ibn `Amr ibn Nufayl: 'That Arwaa disputed with him concerning a part of his property. So he said: "Leave her and her father, for indeed I heard Allaah's Messenger (صلى الله عليه وسلم) say: <<Whoever takes a hand span of land without right, then it will be made as a collar for him down to seven earths on the Day of Resurrection>>.

²⁹ Reported by Ibn Jareer in *at-Tahdheeb* ('Musnad ibn `Abbaas': 1/286/481), and ad-Doolaabee in *al-Kunaa* (2/122) with a chain of narration that is all right as a witness.

³⁰ Its chain of narration is 'hasan', and it is referenced in *Aadaabuz-Zifaaf* (p.115). [[al-Bukhaaree (nos. 4886, 4887, 5931, 5939, 5943, 5944, 5948), Muslim (6/166-167) [no. 2125], Aboo Daawood (2/191, at-Tirmidhee (3/16) and he declared it 'Saheeh' &...]]

³¹ Reported by Ahmad (5/159), Ibn Sa'd (4/236: Beirut edn.) and Aboo Nu`aym (1/161) with a 'Saheeh' chain of narration, and it has other chains of narration with him.

³² Reported by Ibn Abee Shaybah in *al-Musannaf* (2/231): `Alee ibn Mushir narrated to us: from al-Mukhtaar ibn Fulful: from Anas ibn Maalik...I say: And this chain of narration is good, and it is to the standard of Muslim; and it was declared 'Saheeh' by al-Haafiz in *ad-Diraayah fee takhreej ahaadeethil-Hidaayah* (1/124)...

And the way in which this report is an evidence is that `Umar radiyallaahu `anhu recognised this slave-girl even though she was covering her head with the jilbaab; and that clearly means that her face was apparent, otherwise he would not have recognized her.

So this being the case, then his-radiyallaahu `anhaa-saying: 'The jilbaab is only for the free ones' is a very clear proof that it was not a condition for the jilbaab with `Umar that it had to cover the face. So if all the women in the beginning had used to cover their faces with the jilbaabs then `Umar-radiyallaahu `anhu would not have said what he said. So therefore this report should be added to the previous reports from his son `Abdullaah, and Ibn `Abbaas, and `Aa.ishah-radiyallaahu `anhum-that the face is not `awrah.

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O Allaah if she is lying then blind her, and make her grave within her property.” He said: **So I saw her blind, feeling her way along the wall**, saying: ‘I have been struck by the supplication of Sa’eed ibn Zayd.’ Then one day she was walking in her home she passed a well, and fell into it, so it became her grave.’³³

9- From `Aṭaa. Ibn Abee Rabaah who said: “I saw `Aa.ishah radiyallaahu `anhaa –**twisting the threads to make garlands** for sheep, so that she could take a sacrificial sheep along with her.”³⁴

10- From `Abdullaah ibn Muḥammad ibn `Aqeel who said: “`Alee ibn al-Ḥusayn sent me to ar-Rubayyi` bint Mu`awwidh to ask her about the wudoo. of Allaah’s Messenger (صلى الله عليه وسلم), since he used to perform wudoo. in her presence. So I went to her and she brought out a pot which would hold one hands-full (mudd)... and she said: I used to use this to bring the water for wudoo. for Allaah’s Messenger (صلى الله عليه وسلم) ... the ḥadeeth.³⁵

11- From `Urwah ibn `Abdillaah ibn Qushayr: “that he entered upon Faaṭimah bint `Alee Abee Ṭaalib. He said: **So I saw on her arms large bracelets: two on each arm. He said: And I saw a ring upon her hand...**”

12- And from `Eesaa ibn `Uṭhmaan who said: “I was with Faaṭimah bint `Alee, and a man came and was praising her father to her. So she took some sand and threw it in his face.”³⁶

13- And from Yahyaa ibn Sulaym who said: “I saw Samraa bint Naheek-and she had reached the Prophet (صلى الله عليه وسلم). She was wearing a thick covering gown, and a thick khimaar. She had a whip in her hand, and she was correcting the people; and ordering the good and forbidding the evil.”³⁷

14- From Maymoon-who was Ibn Mihraam-who said:

“I entered upon Ummud-Dardaa., **and I saw her wearing a thick khimaar, and she had pulled it above her eyebrows.** He said: And it was short, so she lengthened it with some strips of leather. He said: And I never entered at a time of Prayer except that I found her praying.”³⁸

³³ Reported by Muslim (5/58) and Ya`laa in *al-Musnad* (2/250/ 951).

I say: This report rebuts those who say that the face of the woman is `awrah, and that it is not permissible to uncover anything from it! Unless they say: The most beautiful part of the woman is her eyes, so since she had become blind her beauty had departed, so therefore any chance of men being tempted by her had passed away!

Then we say: Along with the fact that this contradicts their using as evidence the ḥadeeth: ‘Are the two of you also blind?’-and it is weak (ḍa`eef) in our view-then why is it that you allow a woman who is not blind to cover her face with the niqaab, which reveals the most beautiful part of it?!

³⁴ `Abdur-Razzaq mentioned it: `Umar ibn Ḍharr narrated to us, saying: I heard `Aṭaa. Ibn Abee Rabaah..., as occurs in *at-Tamheed* of Ibn `Abdil-Barr (17/221), and its chain of narration is ‘Ṣaḥeeh.’

And perhaps one who is obstinate will rebut what the ḥadeeth indicates-that the two hands are not `awrah-and say she was wearing gloves!!

³⁵ Reported by al-Ḥumaydee in his *Musnad* (1/163/342) and at-Ṭabaraanee in *al-Mu`jamul-Kabeer* (24/267/677) and others; and its chain of narration is ‘ḥasan’ because of the well-known disagreement about Ibn `Aqeel. This is what Ibnul-Qattaan said (2/35/2).

And its like is referenced in ‘Ṣaḥeeh Abee Daawood’ (no. 117), and it contains the wording that he (صلى الله عليه وسلم) said to her: <<Pour water for wudoo. for me>>, and in a narration of at-Ṭabaraanee: <<Pour water for wudoo. out upon me>>, and in another one: “And I used to pour water upon his hands three times.” So it is therefore suitable to be mentioned in the previous section.

³⁶ These two were reported by Ibn Sa`d (8/466), and from him by Ibn `Saakir (19/503), and the chain of narration of the first is ‘Ṣaḥeeh’, and the second is good; and `Eesaa ibn `Uṭhmaan was mentioned by Ibn Hibbaan in *ath-Thiqaat* (7/233), and a group narrated from him.

³⁷ Reported by at-Ṭabaraanee in *al-Kabeer* (24/311/785) with a good chain of narration.

³⁸ Reported by Ibn `Asaakir in *Taareekh Dimashq* (19/562) by way of al-Baghawee: `Eesaa ibn Saalim ash-Shaashhee related to us Abul-Maleeh related to us: from Maymoon...

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15- From Mu`aawiyah-radiyallaahu `anhu-: "I entered, along with my father, upon Aboo Bakr-radiyallaahu `anhu-and I saw Asmaa. standing by his head, and she was white; and I saw Aboo Bakr-radiyallaahu `anhu and he was white and thin."³⁹

16- From `Uyainah ibn `Abdir-Rahmaan: from his father who said: "A woman came to Samurah ibn Jundub and mentioned that her husband did not have relations with her. So he asked the man, and he denied that; and he wrote to Mu`aawiyah-radiyallaahu `anhu-about him. He said: So he wrote (back): 'Marry him from the treasury to a woman having a share of beauty and Religion...'

He said: So he did so...He said: And the woman came covering her head (mutaqanni`ah)...."⁴⁰

(7)* p. 104:

The legislation of covering the face:

This, and then there are many shaiyks today who hold that the woman's face is `awrah, and that it is not permissible for her to uncover it, rather that this is forbidden. So in what has preceded from this treatise there is a sufficient refutation of them.

However they are directly opposed by another group who hold that covering it is bid`ah (innovation) and is extremism in the Religion! This has reached us from some of those who adhere to what is authentic from the Sunnah in some towns in Lebanon. So it is to those brothers and others that I address the following words:

It should be known that covering the face and the hands has a basis in the Sunnah, and it was something well-known in his (صلى الله عليه وسلم) time, as he (صلى الله عليه وسلم) indicated in his saying:

<<The woman in the state of ihraam may not wear the niqaab, and she should not wear the gloves.>>⁴¹

Shaikhul-Islam Ibn Taimiyyaah said in *Tafseer Sooratin-Noor* (p. 56): "So this proves that the niqaab and gloves were well-known to the women who were not in a state of ihraam; so this necessitates that they used to cover their faces and hands."

And there are many texts that the wives of the Prophet (صلى الله عليه وسلم) used to cover themselves, and even their faces. So here are some ahaadeeth and reports which support what we have said:

1- From `Aa.ishah who said: "Sawdah went out for her need after the Hijaab was obligated⁴² and she was a bulky woman, she would not go unrecognized by one who knew her. So `Umar ibn al-Khattaab

I say: This is a 'Saheeh' chain of narration,...

And Ummud-Dardaa-the wife of Abud-Dardaa.-her name was Hujaymah, or it is said: Juhaymah; and she was a reliable, female jurist, and a worshipper. She has an extensive biography in *at-Taareekh*.

³⁹ Reported by at-Tabaraanee in *al-Kabeer* (1/10/25) with a chain of narration that is good as a witness...

⁴⁰ Reported by al-Bayhaqee (7/228) with a 'hasan' chain...

⁴¹ Reported by al-Bukhaaree (4/42) [[no. 1838]], an-Nasaa. (2/9 & 10), al-Bayhaqee (5/46-47), and Ahmad (no. 6003) from Ibn `Umar: from the Prophet (صلى الله عليه وسلم) ...

And the 'niqaab' is the khimaar which is tied and worn upon the nose, or under the eye-sockets.

⁴² Meaning: The screening away of the persons of his (صلى الله عليه وسلم) wives, in His Saying-He the Most High:

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saw her and said: 'O Sawdah! By Allaah! **You are not hidden to us**, so take care about how you come out.' She said: 'So I turned and went back, and Allaah's Messenger (صلى الله عليه وسلم) was in my house, and he was eating the evening meal and he had a bone with some meat upon it in his hand. So I entered upon him, and said: O Messenger of Allaah! I went out for my need and `Umar said such and such to me. She said: So Allaah sent down Revelation to him and then it stopped; and the bone was still in his hand: he had not put it down. He said: <<You have been permitted to go out for your needs>>⁴³

2- And from her also, in the story of the slanderous lie (al-lfk), that she said:

"...So whilst I was sitting at my camping place my eyes became heavy and I slept; and Safwaan ibn al-Mu`attil as-Sulamee, then adh-Dhakwaanee, was behind the army. So he proceeded at the beginning of the night and in the morning he reached my camping place. So he saw the blackness of a person sleeping, and he recognized me when he saw me-and he used to see me before the Hijaab. So I awoke when he said: 'Indeed we belong to Allaah, and to Him we shall return!', when he recognized me. **So I veiled (and in a narration: I covered my face from him with my jilbaab...**" the hadeeth.⁴⁴

3- From Anas regarding the story of Khaybar and how he (صلى الله عليه وسلم) took Safiyyah for himself. He said:

"So Allaah's Messenger (صلى الله عليه وسلم) departed from Khaybar, and he had not consummated his marriage to her. So when the camel was brought near to Allaah's Messenger so that he could depart,

وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسْأَلُوهُنَّ مِن وَرَاءِ حِجَابٍ ذَلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ

[AL-AHZAAB (33): 53]

[[Meaning: And if you ask them for something you need, then ask them from behind a screen. That is purer for your hearts and their hearts]];

and the sending down of this Aayah is something which coincided with the saying of `Umar-radiyallaahu `anhu-, as reported by al-Bukhaaree (8/428) [[no. 4790]] and others from Anas who said: `Umar radiyallaahu `anhu-said: 'I said: O Messenger of Allaah! Good and bad people enter upon you. So if only you were to command the Mother of the Believers to screen themselves away. So Allaah sent down the Aayaah of Hijaab.'

⁴³ Reported by al-Bukhaaree (8/430-431) [[no. 4790]], Muslim (7/6-7), Ibn Sa'd (8/125-126), Ibn Jareer (22/25), al-Bayhaqee (7/88), and Ahmad (6/56).

The hadeeth contains a proof that `Umar-radiyallaahu `anhu-only recognized Sawdah by her body. So this indicates that she had her face covered; and `Aa.ishah mentioned that she would be recognized by her body. So therefore `Umar-radiyallaahu `anhu-desired that she should not be recognized in person, by her not leaving her house. However the Wise Legislator did not agree with him this time, because of the difficulty which that would cause. al-Haafiz-rahimahullaah-said in his explanation of the aforementioned hadeeth:

"There occurred in the heart of `Umar-radiyallaahu `anhu aversion to strangers seeing the female members of the Prophetic household, to the extent that he clearly said to him (صلى الله عليه وسلم): "Screen away your women-folk", and he emphasised that until the Aayah of Hijaab came down. Then after that he desired that their persons should not be seen at all, even if they were covered. So he went beyond what was required, and he was prevented from that; and they were permitted to go out for their needs, in order to repel difficulty and hardship."

And al-Qaadee `Iyaad said: "The obligation of the Hijaab (screening away) was something particular to them [i.e. the Mothers of the Believers]. So it was obligatory upon them, without any disagreement, with regard to the face and hands. So it was not permitted for them to reveal that in giving testimony, nor in anything else.

Nor that they should reveal their persons, even if they were covered, except where there was a need to come out."

al-Haafiz said (8/530): "Then he used as evidence what occurs in *al-Muwattaa*. That when `Umar died the people screened Hafsa away from being seen, and that Zaynab bint Jahsh had a dome placed upon her beir to hide her person.

However there is not, in what he mentioned, a proof for what he claimed that this was obligatory upon them. So they used to cover themselves and perform tawaaf after the Prophet (صلى الله عليه وسلم) had passed away, and the Companions and those who came after them used to hear hadeeth from them whilst their bodies were covered but their persons were not concealed; and there has already preceded in the Chapter of Hajj the saying of Ibn Juraij to `A'aa., when he mentioned the tawaf of `Aa.ishah to him: ('was that before the Hijaab or after it?') He replied: I saw that after the Hijaab'."

⁴⁴ Reported by al-Bukhaaree (8/365-388:with the explanation *Fathul-Baree*) [[no. 4141]], Muslim (8/113-118), Ahmad (6/194-197), Ibn Jareer (18/62-66), Abul-Qaasim-al-Hinnaa. in his *al-Fawa'id* (9/142/2), and he declared it 'hasan'; and the other narration along with the addition in his.

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Allaah's Messenger (صلى الله عليه وسلم) placed his foot for Safiyyah, for her to place her foot upon his thigh, but she refused and she placed her knee upon his thigh.

And Allaah's Messenger covered her and placed her behind him, and he placed his cloak over her back **and her face**. Then he tied it beneath her foot, and he carried her, and treated her as one of his wives."⁴⁵

...5- From Asmaa. bint Abee Bakr who said: "We used to **cover our faces** from the men, and we used to comb our hair before that whilst in the state of ihraam."⁴⁶

6- From Safiyyah bint Shaybah who said: "I saw `Aa.ishah performing Tawaaf around the House, and she was wearing a niqaab."⁴⁷

7- From `Abdullaah ibn `Umar who said: When the Prophet (صلى الله عليه وسلم) took Safiyyah as his wife, he saw `Aa.ishah **wearing the niqaab** in the midst of the people, and he recognized her."⁴⁸

8- From Ibraaheem ibn `Abdir-Rahmaan ibn `Awf: "That `Umar ibn al-Khattaab gave permission for the wives of the Prophet (صلى الله عليه وسلم) to perform Hajj during the last Hajj which he performed, and he sent `Uthmaan ibn `Affaan and `Abdur-Rahmaan ibn `Awf along with them. He said: `Uthmaan used to call out "Beware! Let no one draw near to them, **and let no one look at them**", and they were in the camel-litters upon the camels. So when they dismounted they would dismount at the heads of the mountain-pass, and `Uthmaan and `Abdur-Rahmaan would remain at the tail of the mountain-pass, so that no one would be able to ascend to them."⁴⁹

So these ahaadeeth contain a clear proof that veiling the face was well-known in his (صلى الله عليه وسلم) time, and that the women used to do that; and virtuous women who came after them followed their example; and here are two examples of that:

⁴⁵ Reported by Ibn Sa'd (8/86-87) through chains of narration: as a hadeeth of Aboo Hurairah, and Aboo Ghatafaan ibn Tareef al-Murree, and Anas ibn Maalik, and Umm Sinaan al-Aslamiyyah. Ibn Sa'd said: "The hadeeth of some of them are included within the hadeeth of others."

I say: And the two Shaikhs report its like from a hadeeth of Anas, and it has preceded along with its referencing (p. 94).

⁴⁶ Reported by al-Haakim (1/454), and he said: "A hadeeth which is 'Saheeh' to the standard of the two Shaikhs", and adh-Dhahabee agreed; and it is to the standard of Muslim alone, since al-Bukhaaree only reports from the narrator Zakariyyaa ibn `Adiyy outside *al-Jaami' us-Saheeh*-as occurs in *at-Tahdheeb*; and Maalik reported its like (1/305) from Faa'timah bint al-Mundhir.

And 'we used to cover means 'drape a cloth', as occurs in the previous hadeeth.

⁴⁷ Reported by Ibn Sa'd (8/49), and likewise `Abdur-Razzaaq in *al-Musannaf* (5/24-25): from Ibn Juraij: from al-Hasan ibn Muslim: from Safiyyah. And this is a chain of narration whose narrators are reliable, except that Ibn Juraij was a 'mudallis' and he narrates it with 'an`anah'.

⁴⁸ Reported by Ibn Sa'd (8/90): Ahmad ibn Muhammad ibn al-Waleed al-Azraqee related to us: `Abdur-Rahmaan ibn Abir Rijaal narrators to us: from him.

The narrators of this chain have some declarations of reliability, but it is disconnected between Ibn Abir-Rijaal and Ibn `Umar; however it has a witness with its like from a 'mursal' narration of `Ataa.- reported by Ibn `Asaakir in *al-Arbaa'een fee Manaaqib Ummahaatil Mu.mineen* (p. 89), &...

⁴⁹ Ibn Sa'd reported it (8/152): al-Waleed ibn `Ataa. ibn al-Agharr al-Makee related to us: Ibraaheem ibn Sa'd related to us: from his father: from his grandfather: that `Umar ibn Khattaab...

And this is a 'hasan' chain of narration...

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1-From `Aasim al-Ahwal who said: "We used to enter upon Hafsa bint Seereen,⁵⁰ and she had put the jilbaab like this: and she covered her face with it. So we would say to her: "May Allaah have mercy upon you! Allaah-the Most High-said:

وَالْفَوَاعِدُ مِنَ النِّسَاءِ الَّتِي لَا يَرْجُونَ نِكَاحًا فَلَيْسَ عَلَيْهِنَّ جُنَاحٌ أَنْ يَضَعْنَ ثِيَابَهُنَّ غَيْرَ مُتَبَرِّجَاتٍ بِزِينَتٍ

[AN-NOOR (24):60]

[[Meaning: And as for women past childbearing, who do not expect to marry, then there is no harm upon them if they put aside their outer clothes, without making a display of their adornment]]

-and it is the jilbaab. He said: So she said: 'What comes after that?' So we said:

وَأَنْ يَسْتَعْفِفْنَ خَيْرٌ لَهُنَّ

[[Meaning: But to refrain from putting off their outer clothes is better for them]].

So she said: "That is affirmation of the Hijaab."⁵¹

p. 113:

2-From Aboo `Abdillaah Muḥammad ibn Aḥmad ibn Moosaa al-Qaadee who said: I was present at the sitting of Moosaa ibn Ishaaq-the judge-in Rayy, in the year 286H, and a woman came forward, and her guardian claimed that she was owed 500 deenars by her husband for her mahr (dower), but he denied this. So the judge said: 'Your witnesses!' He said: 'I have brought them.' So he called upon some of the witnesses to look at the woman, in order to point her out when giving testimony. So the witness stood, and he said to the woman: 'stand!' So the husband said: 'You are going to do what?' So the attorney said: 'They will look at your wife with her face uncovered, so that they can correctly identify her.' So the husband said: 'I call the judge to bear witness that she now has a right upon me

⁵⁰ She is Umm Hudhayl al-Ansaariyyah, al-Basriyyah, and she was a noble woman of the Taabi`een. She learned the whole Qur.aan at the age of twelve, and she died at the age of seventy. Iyaas ibn Mu'aawiyah said: "I did not meet anyone whom I held to be more excellent than Hafsa." She died in the year 101H.

⁵¹ Reported by al-Bayhaqee (7/93) by way of Sa'daan ibn Naṣr: Sufyaan ibn `Uyainah narrated to us: from `Aasim al-Ahwal.. And this is a `Saḥeeh' chain of narration..."

ثِيَابَهُنَّ] [Meaning: (outer) clothes]]:

The explainers of the Qur.aan have different sayings in explanation of what is meant by this word. So the majority hold that it is the jilbaab, as this Hafsa said; and Ibn Jareer (18/114) reported it from Ibn Mas'ood, Ibn `Abbaas, and a number of the Taabi`een; and it was declared to be correct by al-Qurtubee.

And Jaabir ibn Zayd (and he was reliable, and a jurist, and he died in 93H) said: "It is the khimaar." This was reported by Ibn Jareer and Aboo Bakr al-Jassaas (3/411), and perhaps its basis is what occurs in 'al-Qurtubee':

The Arabs say: A woman who is 'waadi' to refer to the woman who is elderly, so she puts off the khimaar."

And this is supported by the fact that Allaah mentions this Aayah in Sooratin-Noor, after the previous Aayah commanding the woman to wear the khimaar; and it was left unrestricted. So it is as if Allaah-the Most High-wished to restrict it, and so brought this in the same Soorah, and Allaah knows best.

Then I saw Ibn `Abbaas-radiyallaahu `anhumaa-had clearly stated this meaning, and that the Aayah of the `Qawaa'id' (the women past childbirth) is an exception to the Aayah of the khimaars. Aboo Daawood (no. 4111) and al-Bayhaqee (7/93) reported it with a 'hasan' chain of narration from him.

So what is apparent is that Jaabir ibn Zayd took that from Ibn `Abbaas, since he-rahimahullaah-was one of those who narrated a great deal from him. So perhaps this more appropriate for the word (thiyaabahunna) [their clothes], since it is plural [[i.e. more appropriate that the explanation is something plural, i.e. jilbaab and the khimaar (transl.)]].

And I saw that Shaikh `Abdur-Rahmaan ibn Naasir as-Sa`dee noticed this, so he said in his 'Tafseer' (5/445):

"Meaning: The outer clothing, such as the khimaar and its like concerning which Allaah said to the women:

وَلْيَضْرِبْنَ كُمُرَهُنَّ عَلَىٰ جُجُوبِهِنَّ

[[Meaning: And let them pull their khimaars upon the front opening of their garments]]; and he was preceded in that by al-Haafiz Abul-Hasan ibn al-Qattaan in *an-Nazr ilaa Ahkaamin-Nazr*.

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to be given this dower which she claims, so that she does not uncover her face.’ So the woman was sent back, and she was informed of what her husband had said. So she said: ‘Then I call the judge to bear witness that I give that dower to him [i.e. her husband] as a gift, and I free him from responsibility for it in this world or the Hereafter.’ So the judge said: ‘This should be written amongst fine manners.’⁵²

So it is to be deduced from what we have mentioned that the woman’s covering her face with a burqa` or the like, from those things which are well-known today to the chaste women, is a Legislated and praiseworthy act; even though it is not obligatory upon her. Rather whoever does it has done well and whoever does not, then there is no harm. So from what has preceded the establishment of the first condition for the clothing of the woman when she goes out will become clear, and that is that she covers her whole body except for her face and her hands.

(8)* p. 121:

And know that it is not from adornment at all that the garment which the woman covers herself with should be of a colour other than white or black, as is wrongly understood by some practicing women; and that is because of two matters:

Firstly: His (صلى الله عليه وسلم) saying: <<The ‘perfume’ for the women is that whose colour is apparent, but whose fragrance is hidden...>>, and it is referenced in *Mukhtasarush-Shamaa.il* (no.188) [[Saheeh: Reported by Aboo Daawood (no. 2174), an-Nasaa.aa in *az-Zeenah*, and Ahmad (2/540-541)..from Aboo Hurairah]].

And secondly: The action of the female Companions was upon this, and I will quote here some established reports in that regard, from that which al-Haafiz Ibn Abee Shaybah reported in *al-Musannaf* (8/371-372):

- 1- From Ibraaheem-who was an-Nakha`ee-that he used to enter, along with `Alqamah and al-Aswad, upon the wives of the Prophet (صلى الله عليه وسلم), and he would see them wearing reddish covering sheets.
- 2- From Ibn Abee Mulaykah who said: I saw upon Umm Salamah a gown and a covering sheet, both of which were dyed with yellowish dye (safflower).
- 3- From al-Qaasim-who was Ibn Muhammad ibn Abee Bakr as-Siddeeq: that `Aa.ishah used to wear clothes dyed with a yellowish dye (safflower) whilst she was in the state of ihraam

And in one narration from al-Qaasim: That `Aa.ishah used to wear rose-coloured garments dyed with safflower whilst she was in the state of ihraam.

4- From Hishaam: from Faatimah bint al-Mundhir: that Asmaa. used to wear garments dyed with safflower whilst she was in the state of ihraam.

5- From Sa`eed ibn Jubayr: that he saw one of the wives of the Prophet (صلى الله عليه وسلم) performing tawaaf around the House wearing garments dyed with safflower.”

⁵² Reported by al-Khateeb in *Taareekh Baghdaad* (13/53).

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(9)* p. 89:

So it is established that the face is not `awrah which must be covered. This is the position of the majority of the scholars-as Ibn Rushd said in 'al-Bidaayah' (1/89)-and from them were Aboo Haneefah, Maalik, ash-Shaafi'ee, and one narration from Ahmad-as occurs in *al-Majmoo`* (3/169); and at-Tahaawee quotes it in *Sharhul-Ma'aanee* (2/9) from the two students of Aboo Haneefah also; and it is clearly stated in 'al-Muhimmaat' from the books of the Shaafi'ees as being what is correct-as was mentioned by ash-Shaikh ash-Sharbeenee in *al-Iqnaa`* (2/110).

However it is befitting that this be restricted to when there is not upon the face, and likewise the two hands, anything from adornment, because of the generality of His Saying-He the Most High:

وَلَا يُبْدِينَ زِينَتَهُنَّ

[AN-NOOR (24):31]

[[Meaning: And let them not reveal their adornment]]

otherwise it will be obligatory to cover that, especially in this time when women have been tempted to adorn their faces and hands with different types of adornments and colourings-which no Muslim, indeed no person with intellect and jealous shame, would doubt about their forbiddance; and 'kuhl' (eye collyrium) and hand-dye do not fall into this since they are excepted in the Aayah, as has preceded.

This is also supported by what Ibn Sa'd reports (8/238-239) by way of Sufyaan: from Mansoor: from Rib'ee ibn Khiraash: from a woman: from the sister of Hudhayfah-and he used to have sisters who had reached the Prophet (صلى الله عليه وسلم)-who said:

'Allaah's Messenger (صلى الله عليه وسلم) gave us an address and said: << O women! Is silver not sufficient for you as an adornment?! Indeed there is not amongst you a woman who wears gold jewellery, which she manifests, except that she will be punished on account of it.>> Mansoor said: So I mentioned that to Mujaahid, so he said: "I met them, and each of them would have a button upon her sleeve in order to cover her ring."

So my witness in this narration is not the hadeeth that has been traced back to the Prophet (صلى الله عليه وسلم), even though it is a clear statement, since its chain contains the woman who has not been named. Rather it is the saying of Mujaahid: "In order to cover her ring", since it is a clear statement of what we have mentioned; and all praise is to Allaah for His granting the successful attainment of correctness. Then I saw the saying of Mujaahid reported with another chain of narration, which is 'Saheeh' to him, in *Musnad Abee Ya'laa* (no. 6989)...

(10)* p. 30:

So along with my affirming that the face is not `awrah..., then I also affirmed that covering is what is better; and I refuted in it (p. 104) those who claim that covering is an innovation, and is extremism in the Religion: with many ahaadeeth and reports which are quoted. Then I concluded this with the statement (p. 114):

'So it is to be deduced from what we have mentioned that the woman's covering her face with a burqa' or the like, from those things which are well-known today to the chaste women, is a

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Legislated and praiseworthy act; even though it is not obligatory upon her. Rather whoever does it has done well and whoever does not, then there is no harm. '

So this was a clear statement from me about the preferability of covering, and a refutation of the two excessive groups: those who state it to be an obligation, and those who say that it is an innovation. 'And the best of affairs is that which is moderate'.⁵³

So the reality of the affair with me is that even though my heart almost breaks apart from grief and sorrow at this despicable uncovering (of the body), and this shameful display of attractions-which the women rush towards in this time, just as moths rush towards fire- then still I do not hold at all that the cure for this will be by making forbidden for them that which Allaah has made permissible for them with regard to the uncovering of the face; and that instead we make it obligatory upon them to cover it, without any order from Allaah or His Messenger.

Rather the wisdom in the Legislation, and the way in which it deals with affairs in careful stages, and some of its principles- from them his (صلى الله عليه وسلم) saying: <<Make things easy, and do not make things difficult>>⁵⁴, and the principles of correct cultivation and education: all of this makes it binding upon the jurists of the Ummah, and its educators, and its instructors, that they treat the women with kindness and gentleness; and that they deal with them with gentleness and not with harshness; and that they allow them ease where Allaah has given them ease, especially when we live in a time where there are few who act upon the duties and obligations, not to mention the recommended and superogatory acts!"

(11)* p. 37:

When we research the Aayahs of the Qur.aan and the Sunnah of Muḥammad (صلى الله عليه وسلم), and the reports from the Salaf regarding this important topic, then this makes it clear to us that when the woman goes out from her house it is obligatory upon her to cover the whole of her body, and that she does not reveal anything from her adornment-except for her face and her hands, if she wishes-with any type or form of clothing, as long as it fulfils the following conditions:

- 1- That the whole of the body is covered, apart from what has been excepted (pp. 39-117).
- 2- That it is not an adornment in itself. (pp. 119-123).
- 3- That it is thick, and not transparent. (pp. 125-129).
- 4- That it is loose and not tight fitting. (pp. 131-136)
- 5- That it is not fragranced or perfumed. (pp. 137-140)
- 6- That it does not resemble the clothing of the men. (pp. 141-159)
- 7- That it does not resemble the clothing of the unbelieving women. (pp. 161-212)

⁵³ A hadeeth whose chain of narration is weak (ḍa'eef), so therefore I do not hold it permissible to ascribe it to the Prophet (صلى الله عليه وسلم), especially when Aboo Ya'laa reports its like as a saying of Wahb ibn Munabbih, and its chain of narration is good.

⁵⁴ Reported by the two Shaikhs.

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8- That it is not clothing worn for fame/ostentation. (pp. 213-216)⁵⁵

⁵⁵ p.223: "The conditions for the jilbaab, and they are eight..."

And many of those who write refutations upon me have taken these conditions-and then amended the first one-and most of them do not make any reference to who complied them. So they leave aside the saying of the Scholars: 'From the blessing of knowledge is to refer a quote back to the person who said it', and the reason for them doing so will not be hidden from the discerning reader!"

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TRANSLATOR'S APPENDIX 1:

TAFSEER OF THE AAYAH OF HIJAAB (SCREENING)

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَدْخُلُوا بُيُوتَ النَّبِيِّ إِلَّا أَنْ يُؤْذَنَ لَكُمْ إِلَى طَعَامٍ غَيْرٍ نَظِيرِ بْنِ إِدْنَهُ وَلَٰكِنْ إِذَا
دُعِيتُمْ فَأَدْخُلُوا فَإِذَا طَعِمْتُمْ فَانْتَشِرُوا وَلَا مُسْتَعْسِبِينَ لِحَدِيثٍ إِنَّ ذَٰلِكُمْ كَانَ يُؤْذَى النَّبِيَّ فَيَسْتَحْيِي
مِنْكُمْ وَاللَّهُ لَا يَسْتَحْيِي ۚ مِنْ الْحَقِّ وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَٰلِكُمْ أَطْهَرُ
لِقُلُوبِكُمْ وَقُلُوبِهِنَّ ۚ وَمَا كَانَ لَكُمْ أَنْ تُؤْذُوا رَسُولَ اللَّهِ وَلَا أَنْ تَنْكِحُوا أَزْوَاجَهُ مِنْ بَعْدِهِ أَبَدًا إِنَّ
ذَٰلِكُمْ كَانَ عِنْدَ اللَّهِ عَظِيمًا

[SOORATUL-AHZAAB (33): 53]

[[Meaning: O you who believe! Do not enter the houses of the Prophet unless permission is given to you to enter for a meal, and then not so early that you await its preparation. Rather when you are invited, then enter; and when you have eaten, then disperse without sitting for conversation. Indeed that behaviour was annoying to the Prophet, but he feels shy to tell you to leave; but Allaah is not shy of clarifying the truth to you; and when you ask them [his (صلى الله عليه وسلم) wives] for some need, then ask them from behind a screen (hijab). That is purer for your hearts and for their hearts. And it is not right for you that you should annoy Allaah's Messenger, nor that you should ever marry his wives after him. Indeed with Allaah that would be a tremendous sin.]]

* AT-TABAREE said in his Tafseer of the Aayah :

“He says: And if you ask the wives of Allaah's Messenger (صلى الله عليه وسلم), and the women of the Believers- who you are not husbands to –for some need:

ذَٰلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ ۚ [[Meaning: Ask them from behind a screen]], He says: from behind a screen which is between you and them; and do not enter upon them in their houses. ذَٰلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ ۚ [[Meaning: That is purer for your hearts and for their hearts]]. He-the Most High in renown-says: Your asking them for a need: if you ask them for that from behind a screen, then this is purer for your hearts and their hearts from thoughts of glances of the eye arising within them; which is something which occurs in the chests of men regarding the women, and in the chests of women regarding the men; and it is better for preventing Satan from having any way with you or with them...”

* AL-BAGHAWEE said:

“The majority of the people of tafseer said: this Aayah came down with regard to the affair of the *walemah* of Zaynab bint Jahsh, when Allaah's Messenger (صلى الله عليه وسلم) had consummated his marriage to her...

وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ۚ [[Meaning: And if you ask them for some need, then ask them from behind a screen]]: i.e. from behind a screen. So after the Aayah of the Hijab it is not for anyone to look at a wife of Allaah's Messenger (صلى الله عليه وسلم), whether she is wearing a niqaab (face-veil) or she is not wearing a face-veil...”

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* ABUL-MUZAFFAR AS_SAM'AANEE said:

“Meaning: From behind a screen; and there occurs in tafseer that it was not permissible, after the Aayah of the Hijaab, for anyone to look upon a woman from the wives of the Prophet (صلى الله عليه وسلم) – whether she was wearing a face-veil or she was not wearing a face-veil, since Allaah-the Most High-said:

لَمِنْ وَرَاءِ حِجَابٍ [Meaning: from behind a screen]]. It is related that when `Aa.ishah performed tawaaf they would screen her from behind.”

* IBN KATHEER said:

“This is the Aayah of the Hijaab (Screening), and it contains legislated rulings and manners, and it was one of the cases where the Revelation confirmed the view of `Umar ibn al-Khattaab-radiyallaahu `anhu-. This is established in the two Saheehs from him that he said: “My saying conformed with that of my Lord-the Mighty and Majestic-in three cases...And I said: ‘O Messenger of Allaah! Both good and bad people enter upon your wives, so if only you were to screen them away. So Allaah sent down the Aayah of the Hijaab ...

And al-Bukhaaree said (no.4790): “Musaddad narrated to us: from Yahyaa: from Humayd: from Anas ibn Maalik who said: `Umar ibn al-Khattaab said: ‘O Messenger of Allaah! Both good and bad people enter upon you, so if you were to command the Mothers of the Believers with screening. So Allaah sent down the Aayah of the Hijaab.’ “And it came down on the morning after the marriage of Allaah’s Messenger (صلى الله عليه وسلم) to Zaynab bint Jahsh, who was married to him by Allaah-the Most High-Himself; and that occurred in Dhul-Qa`dah of the fifth year –upon the saying of Qataadah, al-Waaqidee, and others. However Aboo `Ubaydah Ma`mar ibn al-Muthanna and Khaleefah ibn Khayyaat claimed that this occurred in the third year, so Allaah knows best...

وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ [Meaning: And if you ask them for some need, then ask them from behind a screen]]: i.e. And just as I have forbidden you from entering upon them, then likewise do not look at them at all; and if one of you has a need to take something from them, then do not look at them, and do not ask for something except from behind a screen...”

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TRANSLATOR'S APPENDIX 2 :

THE HADEETH: <<THE WOMAN IS `AWRAH...>>

Shaikh al-Albaanee-rahimahullaah-said in 'as-Saheehah (no. 2688):

“ (The woman is `awrah, and when she goes out Satan raises his gaze to her, and she does not draw any closer to Allaah than when she is within the depths of her house):

-Reported by at-Tabaraanee in 'al-Aswat', in the biography of Ibraaheem ibn Haashim al-Baghawee (no. 3036 of my copied version):

Ibraaheem narrated to us: `Aasim ibn an-Nadr related to us: Mu`tamir ibn Sulaymaan related to us: from his father: from Qataadah: from Saalim ibn `Abdillaah: from his father: from Allaah's Messenger () that he said:..., and he mentioned it.

I say: This is a 'Saheeh' chain of narration: its narrators are reliable, narrators of Muslim-except for his Shaikh al-Baghawee, and he was declared reliable by ad-Daaraqutnee. He died in the year 297-as occurs in 'Taareekh Baghdaad' of al-Khateeb al-Baghdaadee.

The hadeeth also has a witness, which is strong, from a hadeeth on Ibn Mas`ood which is referenced in 'Irwaal-Ghaleel' (1/303/273).

Concerning the hadeeth al-Mundhree said in 'at-Targheeb': "at-Tabaraanee reported it in 'al-Awsat', and its narrators are those of the 'Saheeh'."

I say: Except for the shaikh, al-Baghawee, as we have mentioned.

...(Point of benefit): **Some of those who are over harsh upon the woman like to use this hadeeth as evidence to prove that the face of the woman is `awrah before strange men, and there is no proof for it in the hadeeth at all** since the meaning is as Ibn al-Atheer said in 'an-Nihaayah': "He declared her to be an `awrah herself since when she appears people feel shame and shyness, just as people feel shyness and shame at an `awrah (private-part) when it appears."

This meaning is further emphasised by the continuation of the hadeeth: <<And when she goes out Satan raises her gaze to her.>>

Shaikh `Alee al-Qaaree said in 'al-Mirqaat' (3/411):

"Meaning: He beautifies her in the eyes of the men; and it is said: It means that he looks at her in order to lead her astray and to lead others astray through her."

And the root-meaning of 'al-Istishraaf' is to place your hand upon your forehead and look, like a person who is shielding himself from the sun so that something appears clearly. Its basic meaning is from 'ash-Sharaf' which is elevation. So it is as if he is looking at her from a raised place, and so is better able to see her. ['an-Nihaayah']

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So from that which there is no doubt about is that the gazing which has been mentioned includes even the woman whose face is covered. So she is an `awrah whatever the case when she goes out. So the hadeeth has no connection to whether the woman's face is `awrah-with the Fiqh meaning. So reflect fairly upon this.

Then the great majority of the scholars hold that it is not `awrah, and this has been explained in my book 'Jilbaabul-Mar.atil-Muslimah' ..."
