

الحقوق و الواجبات على

الرجال و النساء في الإسلام

The Rights and Obligations Upon
Men & Women
in Islaam

By the Esteemed Shaykh:
Rabee' ibn Haadee ibn Umayr Al-Madkhalee

With the Introduction of Shaykh:
Saalih ibn Fawzaan Al-Fawzaan

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The Introduction of Shaykh Saalih Al-Fawzaan

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

All praise is due to Allaah, the Most Wise, the Well-Informed who created the male and the female and established for the both of them rights. There are rights and obligations for Him, and the prayers of peace are for our prophet Muhammad and upon his family, companions, and whomsoever follows his guidance and holds fast to his *Sunnah*.

As to what follows:

With certainty, it is known that Allaah, the Glorified and Exalted, legislated for His servants that which is most beneficial for them both in issues of their religion as well as their worldly affairs; just as He commanded them with the establishment of justice between them. This arises by adhering to the Book and the *Sunnah* and not by the following of the aspirations and one's inclinations. If the principle was made to cater to these inclinations, indeed this would lead to the decline of the elation of the earth and its inhabitants.

Whoever is not pleased with what Allaah has legislated is not a believer as Allaah the Exalted says:

﴿ وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ ۗ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا ﴾

“It is not for a believing man or woman, when Allaah and His Messenger have decided a matter that they should have any choice in their affair. And whoever disobeys Allaah and His Messenger, he has indeed strayed into clear error.”

[Sooratul-Ahzaab (33):36]

Allaah the Exalted says:

﴿ فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِي مَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا ﴾

“But no, by your Lord, they will not believe, until they make you (O Muhammad) judge concerning all the issues of dispute between them, and they find in themselves no opposition to what you have judged, and accept (it) with full submission.”

[Sooratun-Nisaa' (4):65]

This issue of women's rights has become a subject of dispute in recent times. It seems that both women and men similarly have spoken on this issue, but they speak either from ignorance or from their common desires. A prime example of this can be found in what emerged in the conference of women, which concluded in Jeddah a few days previously. The Noble Shaykh Rabee' ibn Haadee 'Umayr Al-Madkhalee, may Allaah preserve him clarified what occurred in that assembly of confusion, ignorance and false claims; that the Muslim woman is oppressed and her rights are subjugated.

If this claim of theirs was directed towards Islaam and asserted that Islaam oppresses women, then it necessitates disbelief in Allaah. If indeed this claim is directed at some men who oppress women, then this is possible, but we do not ascribe this behavior to Islaam. Indeed this rogue behavior is to be only attributed to whomever it is

derived from. Yes, oppression can result from the actions of some men towards women, but the oppression which occurs by way of women towards men is possibly greater.

The way of alleviating this oppression returns to the Islaamic Legal Courts and not to conferences and assemblies just as Shaykh Rabe'e has mentioned, and may Allaah preserve him. Indeed his response was precise and beneficial and may Allaah reward him with good and place great benefit in what he has written.

Written by:

Saalih ibn Fawzaan Al-Fawzaan

Member of the Permanent Committee of Senior Scholars

The Introduction

As to what follows:

It has become prevalent in recent times in the land of the *Haramayn*,¹ that certain people call to the establishment of women's rights and express pretension concerning this issue. It was discovered from some women those who call to what is similar to the call to women's rights. Therefore this call compels the Muslim to say a word of truth in clarification of the rights of men and women and their respective obligations, while also clarifying the status of women in non-Muslim nations. Therefore, in presenting these issues of opposition, it is hoped that things may become clearer.

¹ Two sacred sites in which certain actions are prohibited

Chapter 1:

The Condition of People Prior to Islaam & the Rights of the Women

From the *Hadeeth* of Iyyaadh ibn Himmaar At-Taweel has come the statement of the Messenger of Allaah ﷺ:²

«وإِنِّي خَلَقْتُ عِبَادِي حُنَفَاءَ كُلَّهُمْ وَإِنَّهُمْ أَتَتْهُمُ الشَّيَاطِينُ فَاجْتَالَتْهُمُ عَنْ دِينِهِمْ وَحَرَمَتْ عَلَيْهِمْ مَا أَحَلَّلْتُ لَهُمْ وَأَمَرْتُهُمْ أَنْ يُشْرِكُوا بِي مَا لَمْ أُنْزِلْ بِهِ سُلْطَانًا وَإِنَّ اللَّهَ نَظَرَ إِلَى أَهْلِ الْأَرْضِ فَمَقْتَهُمْ عَرَبَهُمْ وَعَجَمَهُمْ إِلَّا بَقَايَا مِنْ أَهْلِ الْكِتَابِ»

“Indeed, I have created all of my servants possessing a natural inclination towards My worship, but it is the devils who come to them and turn them away from their religion. They prohibit what has been made permissible for them and they command them to associate others in worship with Me, while they have not received revelation which commands them to do so. Certainly, Allaah looked to the inhabitants of the earth (land) and detested both the ‘Arabs and the Non-‘Arabs except those who remained from the People of the Book.”³

² **Editors Note:** This Hadeeth is referencing the period before advent of Islaam, and the character of the people before Islaam came to rectify the character of the people.

³ Saheeh Muslim (2865), Ahmad (162/4)

Book 040, Number 6853: ‘Iyyaadh bin Himmaar ﷺ reported that Allaah’s Messenger ﷺ, while delivering a sermon one day, said: Behold, my Lord commanded me that I should teach you which you do not know and which He has taught me today. (He has instructed): The property which I have conferred upon them is lawful for them. I have created My servants as one having a natural inclination to the worship of Allaah but it is Satan who turns them away from the

Indeed the Noble Qur'aan has mentioned many examples of Pre-Islaamic women and their behavior, as well as the pagans, and the People of the Book. From these examples is the pre-Islaamic 'Arab's oppression of the woman, and her belittlement and depreciated status amongst them and their indignation of her and dissatisfaction with her from the time of her birth until death overtook her.

﴿ وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ﴿٥٨﴾
يَتَوَارَىٰ مِنَ الْقَوْمِ مِنْ سُوءِ مَا بُشِّرَبِهِ ۚ أَيَسْكُرُ عَلَىٰ هُونٍ أَمْ
يَدُسُّهُ فِي التُّرَابِ ۗ أَلَا سَاءَ مَا يَحْكُمُونَ ﴿٥٩﴾ ﴾

“And when one of them is informed of (the birth) of a female, his face becomes dark, and he withholds his grief! He hides himself from the people because of the evil of that which he has been informed. Should he keep it with disgrace or bury it in the ground? Certainly, evil is their decision.”

[Sooratun-Nahl 16:58-59]

Her status with respect to other nations is even worse. She does not have any familial rights, and she used to be bought and sold in the markets. During the Roman Era, there existed for men absolute dominance and complete rights over his family; so the man is given the ultimate decision over his wife and can determine death for her for the slightest of accusations, just as it is for him to kill his children or torture them without question.

right religion and he makes unlawful what has been declared lawful for them and he commands them to ascribe partnership with Me, although he has no justification for that. Verily, Allaah looked towards the people of the world and He showed hatred for the 'Arabs and the non-'Arabs, but with the exception of some remnants from the People of the Book.

The woman according to the Hindus, is in an extreme state of humility and lowliness. If her husband dies, then it is upon her to burn her own body in a place which is near the location of her husband's body. ⁴ Indeed, she must be pleased with this end because it liberates her from the maltreatment and humility, which she experiences.

According to the Jews, she is a curse, because she misled Aadam. According to some groups from among them, the father has the right to sell her, and to abandon sitting with her and eating with her if she menses, and she is not to touch any eating or drinking utensils until her touch does not 'contaminate'. ⁵

⁴ **Editor's Note:** This is often related to dowry, when the bride's family cannot pay up to the amount demanded by the in-laws. Often the in-laws make demands in excess of those made at the time of marriage. When the deadline specified runs out, the bride is burned in often gruesome fashions. At least 5000 women die each year for not bringing in enough dowry. At least a dozen women die each day in 'kitchen fires,' which are often passed off as accidents, because their in-laws are not satisfied with their dowries. Only a few of the murderers are brought to justice. [Kitchen 1997]

A Hindu-Aryan husband could at any time accuse his wife of infidelity. In case the wife protests her innocence, the council of village elders would then order an ordeal by fire. The accused wife would be required to pass through a blazing flame. Not just death, but any signs of burns would be taken as a sign of guilt and the wife would then have to undergo the penalty for infidelity [EB 8:986 'ordeal']. Adultery carries the death sentence in Aryan law, so either way she would have to pay with her life for her husband's or elders' mere suspicions. The ideal role model for this custom was Sita, Ram's wife. She was required by her spouse, the "ideal husband" of the Hindus, to pass through the fire ordeal after her return from Sri Lanka.

⁵ **Editor's Note:** "When a woman has her regular flow of blood, the impurity of her monthly period will last seven days, and anyone who touches her will be

The early Christians determined that marriage was impure and that it was obligatory to abstain from it. They also proclaimed that the woman was the door to satan (devil), therefore a relationship with her was an abomination. ⁶

In the year 586 of the Christian era; a conference was held by some Frenchmen to establish whether or not the woman is human, and whether or not she possesses a soul; and if indeed she possesses soul, then is this soul human or animal in its nature. It was finally determined upon the conclusion of this assembly that she possesses a human soul although she was created only for the sole purpose of serving the man.

Women remained subjugated conforming to English law in general until approximately the middle of the last century where they were

unclean till evening. Anything she lies on during her period will be unclean, and anything she sits on will be unclean. Whoever touches her bed must wash his clothes and bathe with water, and he will be unclean till evening. Whoever touches anything she sits on must wash his clothes and bathe with water, and he will be unclean till evening. Whether it is the bed or anything she was sitting on, when anyone touches it, he will be unclean till evening.” (Lev. 15:19-23)

⁶**Editor’s Note: St. Augustine of Hippo (354-430 CE), He wrote to a friend:** “What is the difference whether it is in a wife or a mother; it is still Eve the temptress that we must beware of in any woman... I fail to see what use woman can be to man, if one excludes the function of bearing children.”

St. Thomas Aquinas (1225-1274 CE): “As regards to the individual nature; woman is defective and misbegotten, for the active force in the male seed tends to the production of a perfect likeness in the masculine sex; while the production of woman comes from a defect in the active force or from some material indisposition, or even from some external influence.”

Martin Luther (1483-1586): “If they [women] become tired or even die, that does not matter. Let them die in childbirth, that’s why they are there.”

not counted or considered individuals, nor citizens of whom the law has designated with this name. For this reason there did not exist for them personal rights, nor did they possess rights to the money that they earned themselves. They did not even possess the right to own even the clothes they used to wear.

Rather, English Law up until 1805 of the Christian Era used to permit a man to sell his wife and even established her worth to equal sixty cents or approximately half a shilling. In the year 1931 an Englishman sold his wife for five hundred pounds, and his lawyer responded in his defense by saying: "Indeed English Law in 1801 set the price of the wife at sixty cents with the condition that the wife's consent is sought in order to complete the transaction." The court responded that this law be rescinded in 1805 with a law which prohibits the sale of wives or their abandonment. So following deliberation, the court sentenced the seller of his wife to ten months in prison.⁷

⁷ **Editor's Note:** Before the act of 1857, adultery did not give a person grounds for divorce, so there was no legal remedy for an adulterous wife/husband. In some cases, a woman may have even had children by her lover and the husband would be bringing up another man's children in his own house!

It seems that men living under these circumstances were often forced to take drastic measures to gain back their self-respect, and wife selling became acceptable practice. To give validity to the practice, it was necessary to make it a very public exercise, and it was mostly carried out at markets or fairs, this way the transaction could be recorded by market officials, and was genuinely held to be legal by country people.

As an example, if a husband knew his wife was having an affair. Chances are so did the whole village. Very often, the husband would arrange with the other man the sale of his wife, to be conducted at a public place before witnesses. The wife would usually be led to market by a halter or collar. The other man would place his bid, with the wife handed over; the husband could then wash his hands of the wife and free himself of the financial burden, not to mention his humiliation.

In the magazine entitled *Hadhaarah Al-Islaam (The Civilization of Islaam)* in the second year issue on page 1078 it stated: “Last year an Italian sold his wife to another upon installments, so when the buyer withheld the final payments the seller killed him.”⁸

The going rate for a wife in the mid 1800's varied from pennies to pounds, I have read of sums, which varied from 2s 6d (two shillings and sixpence) to £20 (twenty pounds).

The opening chapter of Thomas Hardy's *Mayor Of Casterbridge* describes Michael Henchard selling his wife for five guineas at the livestock fair! Thank goodness times have changed for us, although torture and wife selling still goes on today in parts of the world. Sources - *Ten Years Of Looking Into The Family Tree 1984 - 1994, Volume Two*.

⁸ **Editor's Note: Brazilian man tried to sell his wife on eBay site for \$50**

Rio De Janeiro, Brazil - Brazilian authorities have ordered an online auction site, partially owned by eBay, to take down an ad placed by a man advertising the sale of his wife for about \$50.

The popular site, **Mercado Livre**, was told to take down the ad offering to sell the woman for about \$50. The Secretariat of Public Policies for Women announced late Friday it had ordered Mercado Livre, partially owned by eBay to remove the ad. The ad was no longer visible on the site Saturday. Officials said the ad violated Brazil's laws against selling human organs.

The ad was posted by a man who gave his name as Breno and said: “I sell my wife for reasons I prefer to keep short... I really need the money.”

He said she was 35 and “worth her weight in gold.” The ad also said his wife was in near “mint condition” and was “very good in bed, great in the kitchen, cleans the house like a pro, has never has children...”

The man said he was having financial problems and was willing to buy his wife back once he was back on his feet. The Estado news agency said it wasn't clear if the ad was meant as a joke. It said Mercado Livre released a note where it says that it is always on the lookout for inappropriate and offensive material like that and that its policy is to take it down as soon as it spots it. The site also explained that

The Professor Muhammad Rasheed Ridhaa said: “From the extremely strange affairs which have reached us by way of some English papers in recent times, is that there is still found in some of the English rural areas men who sell their women for an extremely small price, like thirty shillings. Some of the English newspapers revealed the names of them conveying them from the likes of *Awdah Al-Hijaab (The Return of the Veil)* ⁹ and they summarized some of its content concerning this.

It has been reported from a researcher in America, that there exists in America people who exchange their wives with one another for a fixed period. Then each wife is returned to her respective husband after having been used just as a villager might lend his animal, or as the settler in an urban region of our land might lend something of his household amenities. The history of women as it relates to China and Persia epitomized maltreatment. This was the condition of women in Non-Islaamic societies.

As for Islaam, then it most certainly raised women from the depths of lowliness and drove away from them the nightmare of oppression, and the darkness of humiliation and exclusion, and affirmed for them a noble stature and a place not afforded to her by other societies whether she is a mother, daughter, wife, or sister.

Allaah ﷻ affirmed her humanity from above the seven heavens in His statement:

the huge number of products it offers makes it impossible for them to censor this kind of material in real time. Sources-Many eBay Related blogs.

⁹ Volume 2 pages 41-47

﴿يَتَأْتِيهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ
لِتَعَارَفُوا ۗ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقْوَمُ ۗ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ ﴿١٣﴾﴾

“O mankind! Indeed We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Indeed, the most honorable of you with Allaah is the most righteous of you. Verily, Allaah is All-Knowing, Well-Informed.”

[Sooratul-Hujuraat (49):13]

Consequently, the Muslim women are in no need of holding conferences in order to affirm their humanity and to establish their rights because both Allaah and His Messenger have affirmed this for them and the Muslims have ensured them.

They have the right of migration, victory, and protection from the believers:

﴿يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِذَا جَاءَكُمْ الْمُؤْمِنَاتُ مُهَاجِرَاتٍ
فَأَمْتَحِنُوهُنَّ ۗ اللَّهُ أَعْلَمُ بِإِيمَانِهِنَّ ۗ فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ فَلَا
تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ ۗ لَا هُنَّ حِلٌّ لَهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ ۗ﴾

“O you who believe! When the believing women come to you as emigrants, test them, Allaah knows best as to their Faith. Then if you know them to be believers, then do not return them to the disbelievers, they are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.”

[Sooratul-Mumtahinah (60):10]

Allaah ﷻ has prohibited that anyone should harm the believing men or women without reason:

﴿ وَالَّذِينَ يُؤْذُونَ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ بَغَيْرِ مَا اكْتَسَبُوا
فَقَدْ أَحْتَمَلُوا بُهْتَنَنَا وَإِنَّمَا مُبِينًا ﴾

“And those who harm believing men and women for something which they have not earned, indeed they bear upon themselves slander and clear sin.”

[Sooratul-Ahzaab (33):58]

And He ﷻ promises the one who lures the believing men or women away from their religion with the punishment of Hellfire:

﴿ إِنَّ الَّذِينَ فَتَنُوا الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ ثُمَّ لَمْ يَتُوبُوا فَلَهُمْ
عَذَابُ جَهَنَّمَ وَهُمْ فِيهَا فِي عَذَابٍ مُّحْرَقِينَ ﴾

“Verily, those who torture (put to trial) the believing men and believing women and have not repented, will have the punishment of Hell, and they will have the punishment of the burning Fire.”

[Sooratul-Burooj (85):10]

Allaah has commanded His Noble Messenger ﷺ to seek forgiveness for himself as well as the believing men and women as Allaah the Exalted says:

﴿ فَأَعْلَمْ أَنَّهُ لَا إِلَهَ إِلَّا اللَّهُ وَأَسْتَغْفِرُ لِدُنْيَاكَ وَالْمُؤْمِنِينَ
وَالْمُؤْمِنَاتِ ﴾

“So know (O Muhammad) that none has the right to be worshipped except Allaah, and ask forgiveness for your sin, and for the believing men and believing women.”

[Soorah Muhammad (47):19]

So if the believer (whose Islaamic perception is corrupt) as well as the opponents of Islaam wants to know something of the status of the woman in Islaam, then let them direct their attention to her burial and funeral preparation and the prayer that is established over her. Perhaps from the affairs, which will cause the disbelievers and hypocrites to marvel, is the sight of hundreds of thousands of worshippers at the two noble mosques straightening and organizing their rows in preparation for the funeral prayer of a single believing woman or infant.

Islaam has given this distinction to the believing woman and this distinction is not found in other religions which have been distorted or innovated. It is unattainable by their unrealistic laws no matter how much that they claim to honor the woman.

Rather, the current movement that is being driven by the Jews and the Christians has indeed misrepresented the woman in a disgraceful manner, for it portrays her as a cheap commodity and a plaything for men in the workplace as well as the markets, clothing boutiques, magazines and periodicals. ¹⁰ How much of this do we

¹⁰ **Editor’s Note:** The English Writer, Lady Cook said:

“Assuredly, men invented intermingling and it gives the woman desires that are opposed to her nature. Also, increased intermingling leads to increased children out of wedlock, which is a severe trial for women.” She went on to say: “Teach them to stay far away from men and inform them to be on the lookout for the results of this hidden evil plan”.

The Englishman, Samuel Smiles said:

“Without a doubt, the system that is in place that women enter the workplace was

witness in the magazines from the degrading pictures of women? These pictures dishonor the women and preoccupy those who are lewd, and who find pleasure in these shameful and degrading depictions. Perhaps the statistics have failed to record the occurrence of unwanted pregnancy¹¹ and unlawful childbearing.

originated with the idea of improving the society. The result of this is the destruction of the foundation of the life at home. This is because it is an attack on the framework of the home and it demolishes the pillars of the family and shatters the connections between family members. The wives are separated from their husbands and the children are separated from their close relatives. The result is that a new type of woman develops with no result except for lowering her character. The job of the woman in truth is doing those jobs in the house. Such as cleaning the house, bringing up the children, and economizing in the means of her life with doing those things that are necessary in the house.

However, joining the workforce separates her from all of these tasks as the houses become other than houses, the children are sacrificed, and they grow up without proper upbringing. They are cast away in neglected seclusion and the spousal compassion is extinguished for the man. She becomes his partner in work and labor and she becomes exposed to those influences which generally erase the humility of thought and character, which are those things that, to him, preserve her virtue.”

If we wish to examine what the Western writers have concerning the intermingling between men and women, which are the result of the women entering the arenas of work of the men, it would be extremely lengthy. These are just small signs that benefit us and are sufficient without the need for us to expound upon them. (See **Tarbiyyah Bookstore publication: Supporting the Rights of the believing Women**)

¹¹ **Editor's Note:** The United States has the highest rates of teen pregnancy and births in the western industrialized world. Teen pregnancy costs the United States at least \$9 billion annually. Thirty-one percent of young women become pregnant at least once before they reach the age of 20- about 750,000 a year. Eight in ten of these pregnancies are unintended and 81 percent are to unmarried teens. (Hoffman, Saul, Ph.D. (2006). *By the Numbers: the Public Cost of Teen Childbearing*. Washington, DC: the National Campaign to Prevent Teen Pregnancy.)

All of this is a result of the laws which claim that she is the woman who is treated most equitably and the one who is given her rights which include freedom and equality.

All of this is a direct result of the offensive modern media which is encouraged and reinforced by the laws and legislative systems. These same systems oppose the legislation of Allaah, the All-Wise Creator. It is Allaah who has given both men and women their respective rights of honor, justice, and equity by way of The Book and the *Sunnah* in Islaam.

These are the legislative systems and laws which are used by the immoral foolish ones from Islaam-like the Orientalists, the liberalists, and the uninhibited legalizers in the Muslim lands-who wish to subject the Muslim woman to the depths of their destructive quagmire.

Certainly, Islaam has given both the man and the woman their respective rights with justice and precise balance. Islaam has legislated for the man rights and obligations, which are suitable for his manhood; strength, intellect, the ability to face danger, bear calamity, trials, and inherent nature, which Allaah has afforded him.

Islaam has legislated for the woman rights and obligations suitable for her womanhood; and weakness and deficiency as it relates to the man in terms of their rationalizing and strength; as well the woman's weaknesses concerning the facing of danger and calamity.

The Muslims, men and women alike are pleased with this divine legislation which is wise and merciful and is considered from the

affairs of belief which are willingly accepted. Whoever liberates himself from this, then he is not a believer, and is considered to be correcting Allaah and His Messenger and may Allaah forbid such a thing for a person who believes in Allaah, His Messenger, and His Books.

Islaam has carefully considered and respected these differences and established upon them rights and obligations for both the men and women respectively after the Rights of Allaah upon the both of them. From the rights of Allaah upon His servants, men and women alike is that they worship Allaah and associate no partners in worship with Him and that they establish the well-known pillars of Islaam and *Eemaan*. They should establish kind treatment of their parents and connect the family ties. Additionally, they should command the good, forbid the evil, and complete the duties, which are shared by both men and women.

As for the obligations which are specific to the men:

- 1- *AlJihaad* with one's self as well as his wealth for the pleasure of Allaah to make the word of Allaah uppermost and aid in the spread of Islaam as well as the defense and protection of Muslim lands.
- 2- The Friday prayer as well as congregational prayer in the Mosques.
- 3- Sustenance, clothing, housing are all obligatory upon the men concerning their wives in accordance with that which is known and acceptable. These are tremendous matters in which money, great efforts, and energy must be exerted and there is nothing upon the woman except what she exerts of her own free will.
- 4- The members of the Muslim armies should consist only of men and should exclude women.

Moreover, from the legislated rights which Allaah has given favored the men over the women with are:

- 1- Protection and Maintenance as Allaah says:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ
وَمَا أَنفَقُوا مِنْ أَمْوَالِهِمْ فَالصَّالِحَاتُ قَنِبَتْنَ حَفِظَتْ لِلْغَيْبِ بِمَا
حَفِظَ اللَّهُ﴾

“Men are the protectors and maintainers of women, because of what Allaah has granted one of them to over the other, and because of what they spend (to support them) from their wealth. Therefore the righteous women are devoutly obedient, and guard in their husband’s absence what Allaah orders them to guard.”

[Sooratun-Nisaa’ 4:34]

- 2- Authority over the woman in the contract of marriage. This authority is for none other than the men, so the woman cannot complete the contract of marriage while under the custody of herself or as the guardian of another woman.
- 3- The preference of the male over the female concerning the *Aqeeqah*¹² when two sheep are sacrificed for the boy and one sheep is sacrificed for the girl.

¹² **Al-Aqeeqah:** (Linguistically) Al-Aqeeqah is the hair of every newborn which is born to humans and animals which grows while in the womb of its mother. The plural of Aqeeqah is Aqaa’iq. (legally) Al-Aqeeqah is what is sacrificed for a newborn on the day when its hair is created. [Al-Qaamoos Al-Fiqhee Lughataan Wa Istilaahaan; Sa’dee Aboo Jayb]

- 4- The preference of the male over the female concerning inheritance. So for the woman is half of the inheritance of the man whether she was a daughter, sister, mother, or wife.
- 5- The difference in blood money. The blood money required for a woman is half of that which is required for men.
- 6- Preference is given to the man over the woman in affairs of testimony such that the testimony of the male is equivalent to the testimony of two women. There also exist some affairs which the testimony of a woman is not accepted at all such as the criminal punishments, offenses, or *Jinaayaat* ¹³.
- 7- From them are the affairs of the leadership, administration, judgment, the commanding of armies, as well as the management and handling of affairs related to the Muslim nation. This is for the men and an obligation upon them.
- 8- It is for the men to increase their number of wives up to four, and it is not for the women to increase the number of their husbands. This is a preference which transcends this life and continues into the Hereafter.

Indeed Islaam has granted the woman rights which exceed the number of obligations which are imposed upon her. Consequently, some of the demanding and burdensome obligations consist of exerting one's wealth and one's self, indeed these obligations have been imposed upon the men while the women have been exempted.

¹³ **Al-Jinaayah:** (Linguistically) Al-Jinaayah: is a crime or offense. The plural of Jinaayah is Jinaayaa or Jinaayaat. (legally) Al-Jinaayah: is a name for a prohibited action which directly affects a person's wealth or body. The Jurists further specify that (Ghasb) robbing and (Sariqah) stealing are crimes affecting the wealth while Jinaayah is the crime which directly affects a person's body or limbs. The statement of Ibn Atheer states that Jinaayah is: Whatever humans do from the actions that necessitate Islamic legal retribution or punishment or requital in this life or the life to come. [Al-Qaamoos Al-Fiqhee Lughataan Wa Istilaahaan; Sa'dee Aboo Jayb]

So what system, past or present, grants the woman what is similar to this?

From the obligations which have been imposed upon the woman:

- 1- Obedience to her husband in everything that does not constitute transgression against Allaah ﷻ and the right upon her husband is greater than the right of her father upon her.
- 2- The maintaining of the home and the family. The woman is the maintainer of the home and is responsible for the household of her husband.
- 3- She does not fast voluntarily except with the permission of her husband.
- 4- She does not permit anyone to enter her husband's household except with his permission.
- 5- She does not leave her home without his permission.
- 6- She preserves her husband's religion and honor.

There exist additional rights of the husband upon his wife

As for the rights of the woman upon the man:

- 1- He pays her *Mahr* ¹⁴ before marrying her.
- 2- He provides her sustenance from his means from that which is well-known and acceptable.
- 3- He provides her clothing and housing.
- 4- He lives with her in kindness and good treatment.

There is further explanation for these listed rights. From them are, that the husband should be loving towards her, and call her by the

¹⁴**Al-Mahr:** (Linguistically) is the dowry (bridal money) of a woman. Al-Mahr is whatever is given as a payment by the husband to his wife at the time of his marriage contract. [Al-Qaamoos Al-Fiqhee Lughataan Wa Istilaahaan; Sa'dee Aboo Jayb]

most beloved names, and that he honors her speech. All of this is included in his good behavior and kind treatment of her.

Indeed, in addition to my belief in the superiority of men over women, I still most certainly honor the woman regardless if she is a mother, daughter, wife, sister, or any woman from amongst those who share with me the familial ties.

My view is that it is upon the Muslims to honor her and dignify her, and to make her a subject of great care and concern just as the Messenger of Allaah ﷺ advised the Muslims to do so and taught them concerning her rights which were stripped from the women of pre-Islaamic 'Arabia but preserved for her. He advised the women to know the rights of the men and to establish them in a manner which Allaah has legislated. Each of the two groups should establish the rights of Allaah and the rights of each other in addition to his obligations. Doing this benefits both spouses and the family and also makes pleasant both the life of this world and the Hereafter.

I came across what was printed in the *AlMaddinah* newspaper in an attachment dated Wednesday (*YawmulArbi'aa*) the twenty-second of *Dhul-Qa'dah* (of the Islaamic lunar calendar) from the year 1424 Hijrah entitled The Women's Assembly for a number of female writers in the Kingdom of Saudi 'Arabia.

Organizers of this assembly raised a number of issues in the name of Islaam. Indeed many verses of the Qur'aan were mentioned and many prophetic narrations were mentioned during their discussions in addition to a call to the return to the way of the noble female companions of the Messenger of Allaah ﷺ and may Allaah be pleased with all of them.

I have collected some objections and censure which cannot be examined extensively in this treatise, but it is necessary that I mention some of it.

Firstly: From these challenges are the concept of political speeches and an element of opposing claims.

From their generalization are the following:

- 1- The demand for justice, rights, and equality of the sexes.
- 2- The idea of freedom and liberation.
- 3- The extraction of apparent human rights which are hidden by the religion and that the revealing (disclosure) of this and its implementation is to be achieved through secular legal means as well as legislation.
- 4- Their demand for independence and their desire for their own self-sufficient guardianship and similarity of relations (associations).
- 5- The acknowledgement that the guardianship and protection of the man for the woman is a service for the woman and a duty (obligation) but it is not a means of honoring her.¹⁵
- 6- **Quoting one of them:** "I could possibly be better him, as I have gained status from males as a result of my own writings; in my article series which describes the ignorance of women concerning their own rights. I am speaking the truth and from among us are many from those who are ignorant of Islaam who believe that the woman is nothing other than a follower of the man. The woman is not a follower of the man, rather she is an equal to the man in her rights or obligations..."

¹⁵ **Author's Footnote:** it is a means of honoring her and also an obligation by looking after the woman and considering what is best for her.

- 7- The focus upon the rights of women and only alluding briefly towards the rights of men.
- 8- The explicit mention of the oppression of women without mentioning the oppression of men caused by women.
- 9- The accusation of some of the women concerning the scholars: “They believe that the majority of their affairs of *ijtihad* ¹⁶ (independent judgment) are based upon selective evidences, and by this we mean: we select what we want. So the women have rights and it is upon her to demand them. Do not feel as though the community and customs have shackled her and restricted the grip around her throat. More specifically the religious speakers from amongst them selected parts of Qur’aanic verses and parts of Prophetic narrations which are more appropriately associated with customs and traditions in order to prove and establish that the woman is less than the man and that she must always be under the guardianship of the man.”

This has been a summarized presentation of a portion of what has been recorded from that women’s gathering. This is not a comprehensive presentation of everything which transpired in that gathering. Nor does my time permit me to shed extensive light on even that which I have presented. Certainly I have considered that the clearest of some of the most important affairs from it. I will indeed place both the men and the women in their proper places in accordance with the place which Islaam has prescribed for them without addition or subtraction.

¹⁶ **Al-Ijtihad:** (Linguistically) Al-Ijtihad is from Juhd (striving) which entails both Mashaqqah (Difficulty) and Taaqah (capacity/ability) (legally) Al-Ijtihad is the exertion of one’s abilities in seeking knowledge concerning Islamic legal rulings. [Mu’jam Mustalahaat Usoolul-Fiqh by Dr. Qoutoub Moustapha Sano]

I truly believe that the sound intellect and the upright nature of people will respect this legislation and will acknowledge that indeed in this legislation is true justice and equity, and that the intellect will be stunned by this wise legislation because it truly achieved the limits of wisdom and justice.

The Affairs Needing Clarification from the Demands of the Women of this Assembly

- 1- The demand for equality of the sexes concerning the rights and obligations.
- 2- The authority which was legislated by Allaah and implemented by the Muslims and a clarification of its purposes.
- 3- Is the evidence of the scholars selective?
- 4- Is the woman the only oppressed one?



Chapter 2:

The Demand for Equality Between the Man & the Woman & the
Demand for Equality Concerning Rights & Obligations

This is the equality that some of them claim as well as Zaynab Ghaasib but not all of them. She also asserted that the woman is not a follower of the man and that she is an equal to the man whether that be in the rights or the obligations. She used as evidence the statement of Allaah the Exalted:

﴿ مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً ۖ وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ ﴾

Whoever works righteousness, whether male or female, while he is a believer, We will surely cause him to live a good life, and We will certainly give them their reward in accordance to the best of what they used to do.

[Sooratun-Nahl 16:97]

Then she said: “So Allaah the Glorified and Exalted did not make the actions and rewards exclusively for the men, nor did He multiply their reward, rather He most certainly made them equal concerning the rights and obligations. Allaah mentions that He has preferred the man by a level. This level is the sustenance which is obligatory upon the man to provide.”

She then went on to speak with that which borders the correct position but this is while basing it upon this opinion.

So I say: Indeed this equality which is called for by this woman is something which has not come to us by way of Islaamic Law or the intellect. As for Islaamic law, then Allaah the Glorified and Exalted has clarified in His precise Book that He created the woman for the man; for she is a bounty from the bounties which Allaah has granted the men in this world as well as the Hereafter.

1- Allaah the Exalted says:

﴿وَاللَّهُ جَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا وَجَعَلَ لَكُمْ مِنْ أَزْوَاجِكُمْ
بَنِينَ وَحَفَدَةً وَرَزَقَكُمْ مِنَ الطَّيِّبَاتِ﴾

“And Allaah has made for you from yourselves, wives of your own kind, and has made for you, from your wives, sons and grandsons, and has provided for you from the good things.”

[Sooratun-Nahl 16:72]

2- Allaah the Exalted says:

﴿وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا
وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ﴾

“And from among His Signs is that He created for you from yourselves wives from among yourselves, that you may find tranquility in them, and He has placed between you affection and mercy. Indeed, in that are sure signs for a people who reflect.”

[Sooratur-Room 30:21]

Contemplate the following O believing men and women of intellect: **“He created for you from yourselves”** and **“made for you from yourselves”** in order to realize that Allaah has distinguished the man with over the woman and that she was made for the man and for this reason and this is a tremendous bounty. Another wonderful bounty originates from her and it is that she gives birth to children and grandchildren for him who are not ascribed to anyone but him, not to the woman. So it is said *ibn* (son of) so and so and *bint* (daughter of) so and so and *Hafeed* (grandson of) so and so and *Hafeedah* (granddaughter of) so and so.¹⁷

Similarly the verse in *Sooratur-Room* is a textual proof that the woman was created for the man with great wisdom. This wisdom is exemplified in that tranquility and personal peacefulness are achieved. This bounty is emphasized by the establishment of affection and mercy between the husband and wife. So indeed this bounty of tranquility cannot be achieved unless it is beautified by affection and mercy.

So if the woman at man as though he is better than her or an equal to her and that this equality occurs in both the rights and obligations, then life transforms into a tenacious and hellish battle which is unbearable. The tranquility and personal peacefulness leaves with the passing of the wind; as well as affection and mercy.

The Messenger ﷺ said:

«الدُّنْيَا مَتَاعٌ وَخَيْرُ مَتَاعِهَا الْمَرْءُ الصَّالِحُ»

¹⁷ **Translator’s Note:** All of these ascriptions return to a male origin although it does not appear as such upon translation.

“This world is a provision, and the best of this world’s provisions is a righteous woman.”¹⁸

The provision here is whatever contains benefit from the things of this world whether the benefit is small or large; and the best of the things from which a man benefits is the righteous woman. Therefore, the righteous woman is a bounty and the unrighteous woman is an affliction.

Allaah the Exalted says:

﴿يَتَأْتِيهَا الَّذِينَ ءَامَنُوا مِنْ أَزْوَاجِكُمْ وَأَوْلَادِكُمْ عَدُوًّا
لَكُمْ فَأَحْذَرُوهُمْ وَإِنْ تَعَفَّوْا وَتَصَفَّحُوا وَتَغْفِرُوا فَإِنَّ اللَّهَ غَفُورٌ
رَحِيمٌ﴾

“O you who believe, indeed, among your wives and your children are enemies to you, therefore beware of them. But if you pardon, overlook, and forgive, then truly, Allaah is Oft-Forgiving, Most Merciful.”

[Sooratut-Taghaabun 64:14]

So the unrighteous woman could be a trial for the man concerning his religion and could inhibit him from obedience and the doing of good. Just as she could encourage him in the severing of family ties and other than that; he should beware of her because this action of hers is the action of an enemy. For that reason, it is upon him to advice, direct, admonish, and encourage her to fear Allaah. Then pardoning, overlooking, and forgiveness will aid him against what he experiences from her actions, specifically from the woman who sees herself as his equal.

¹⁸ Narrated by Muslim (No. 3533) as well as An-Nasaa'i and Ibn Maajah.

3- Allaah the Exalted says:

﴿ زُيِّنَ لِلنَّاسِ حُبُّ الشَّهَوَاتِ مِنَ النِّسَاءِ وَالْبَنِينَ وَالْقَنَاطِيرِ
الْمُقَنْطَرَةِ مِنَ الذَّهَبِ وَالْفِضَّةِ وَالْخَيْلِ الْمُسَوَّمَةِ وَالْأَنْعَامِ وَالْحَرْثِ
ذَٰلِكَ مَتَاعُ الْحَيَاةِ الدُّنْيَا ۗ وَاللَّهُ عِنْدَهُ حُسْنُ الْمَبَاقِ ﴾

“Beautified for people is the love of that which they desire; of women and sons, large sums of gold and silver, and fine branded horses, cattle, and well-tilled land. This is the pleasure of the worldly life; but Allaah has with Him the most excellent reward.”

[Soorah Aali 'Imraan 3:14]

These things are established as things which are desired by men and objects for which they strive for and seek pleasure in from the worldly life. From amongst these things, rather the very first thing mentioned was the woman. She is a provision for the man and from the foremost things desired by men.

If the man is righteous and his woman is righteous, then how blessed is this provision. Similarly wealth, if it is used to facilitate the obedience of Allaah, then how blessed is the righteous wealth for a righteous man. If both the man and woman are unrighteous, then how wretched a provision and how wretched a thing from which pleasure is sought.

Moreover, just as the woman is from the blessings of Allaah upon the man in the life of this world she is also in the hereafter a blessing. She is from the things that Allaah rewards His righteous servants with for their faith and virtuous actions.

- 4 Allaah the Exalted says immediately following the verse which was previously mentioned:

﴿ قُلْ أُوْنِبْتُكُمْ بِخَيْرٍ مِّنْ ذَٰلِكُمْ ۖ لِلَّذِينَ اتَّقَوْا عِنْدَ رَبِّهِمْ جَنَّاتٌ
تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا وَأَزْوَاجٌ مُّطَهَّرَةٌ وَرِضْوَانٌ
مِّنَ اللَّهِ ۗ وَاللَّهُ بَصِيرٌ بِالْعِبَادِ ﴾

“Say: ‘Shall I inform you of something better than that? For those who fear Allaah will be Gardens with their Lord, underneath which rivers flow. Therein they will abide eternally and purified spouses, and Allaah will be pleased with them. And Allaah is All-Seer concerning (His) slaves.”

[Soorah Aali ‘Imraan 3:15]

- 5- Allaah the Exalted says:

﴿ وَبَشِّرِ الَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ أَنَّ لَهُمْ جَنَّاتٍ تَجْرِي مِنْ
تَحْتِهَا الْأَنْهَارُ ۖ كُلَّمَا رُزِقُوا مِنْهَا مِنْ ثَمَرَةٍ رِّزْقًا ۖ قَالُوا هَٰذَا الَّذِي
رُزِقْنَا مِنْ قَبْلُ ۖ وَأُتُوا بِهِ مُتَشَابِهًا ۖ وَلَهُمْ فِيهَا أَزْوَاجٌ مُّطَهَّرَةٌ ۖ وَهُمْ
فِيهَا خَالِدُونَ ﴾

“And give glad tidings to those who believe and do righteous deeds that for them will be Gardens under which rivers flow. Whenever they will be provided with a fruit from the provisions there from, they will say: “This is what we were provided with before,” and they will be given that

which is similar. And they will have therein purified spouses, and they will abide therein forever.”

[Sooratul-Baqarah 2:25]

Certainly Allaah has mentioned the reward for the believers in the Hereafter in several chapters in the Qur'aan. From among them is the reward of purified spouses from the women.

6- Allaah the Exalted says in Sooratun-Naba':

﴿ إِنَّ لِلْمُتَّقِينَ مَفَازًا ﴿١٠٠﴾ حَدَائِقَ وَأَعْنَابًا ﴿١٠١﴾ وَكَوَاعِبَ أَتْرَابًا ﴿١٠٢﴾
وَكَأْسًا دِهَاقًا ﴿١٠٣﴾ لَا يَسْمَعُونَ فِيهَا لَغْوًا وَلَا كِذْبًا ﴿١٠٤﴾ ﴾

“Verily, for the righteous will be great success; Gardens and vineyards; and full-breasted maidens of equal age; and a full cup. No false speech will they hear therein, nor any lying”

[Sooratun-Naba' 78:31-35]

As a result, if the reward of the believing women is mentioned, then indeed it is mentioned following the reward of the believing men and their reward is not to be considered from the reward of the men whose characteristics are such and such.

Allaah the Exalted says:

﴿ مَثَلُ الْجَنَّةِ الَّتِي وَعِدَ الْمُتَّقُونَ ۚ فِيهَا أَنْهَارٌ مِّن مَّاءٍ غَيْرِ آسِنٍ وَأَنْهَارٌ مِّن لَّبَنٍ لَّمْ يَتَغَيَّرْ طَعْمُهُ وَأَنْهَارٌ مِّن خَمْرٍ لَّذَّةٍ لِلشَّرِيبِينَ وَأَنْهَارٌ مِّن عَسَلٍ مُّصَفًّى ۖ وَهُمْ فِيهَا مِن كُلِّ الثَّمَرَاتِ وَمَغْفِرَةٌ مِّن رَّبِّهِمْ ۗ ﴾

“The description of Paradise which the righteous have been promised is that which contains unaltered rivers of water; rivers of milk the taste of which never changes; rivers of wine delicious to those who drink; and rivers of pure honey, therein for them is every kind of fruit; and forgiveness from their Lord.”

[Soorah Muhammad 47:15]

Allaah the Exalted says:

﴿لِيَدْخُلَ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ
خَالِدِينَ فِيهَا وَيُكَفَّرَ عَنْهُمْ سَيِّئَاتِهِمْ ۗ وَكَانَ ذَلِكَ عِنْدَ اللَّهِ فَوْزًا
عَظِيمًا﴾

“That He may admit the believing men and the believing women to Gardens under which rivers flow (i.e. Paradise), to abide therein forever, and to expiate from them their sins, and that is with Allaah, a supreme success.”

[Sooratul-Fath 48:5]

With these verses the believing men and women who believe in Allaah comprehend the superiority of the man over the woman in this world and in the hereafter. No one disagrees with this except those who argue with the verses of Allaah with falsehood in order to suppress the truth. Therefore, soe to the ones who suppresses the truth, as they should fear the recompense of Allaah.

All of this is emphasized by what has come by way of textual evidence from the Qur’aan and the narrations of the Prophet ﷺ:

7- Allaah the Exalted says:

﴿أَوْ مَنْ يُنشَأُ فِي الْحِلْيَةِ وَهُوَ فِي الْخِصَامِ غَيْرُ مُبِينٍ﴾

**“Or is one who is brought up in adornments, and in the
midst of dispute unable to be clear?”**

[Sooratuz-Zukhruf 43:18]

This exposed and censured the foolish from the pagan ‘Arabs who claimed that the angels were the daughters of Allaah and also clarification of the true reality of the female. Ash-Shawkaanee said: “The meaning of brought up here is to be raised; and bringing up is the meaning of rising. The meaning of adornments is decorative ornaments. The meaning here is that they have established for Him the Glorified those whose affair must be maintained, and they must be raised in adornments. They are unable to care for their own affairs and if debated, they are unable to defend themselves against the arguments of their opponents due to their deficiency in intellect and weakness in opinion.”

Ibn Zayd has mentioned that the meaning here is Idols. This explanation is incorrect and is refuted by the opinion which is nearly an issue of consensus amongst the explainers of the Qur’aan.

From amongst them is Ibn ‘Abbaas who said: “‘Abd ibn Hameed extracted from him (Ibn ‘Abbaas). He said: it is the women. He differentiated between the appearance of them and the appearance of the men and their deficiency in inheritance, testimony and their being restricted to their homes and he called them counterparts.”¹⁹

The ‘Arabs in pre-Islaamic ‘Arabia used to worship idols and make them partners with Allaah in worship. From them was Al-Laati, Al-

¹⁹ Fath Al-Qadeer Volume 4 pages 658-659.

'Uzza, and Manaat the third and one.²⁰ They gave these idols female names and Allaah censured them for their actions.

8- Then He said:

﴿ أَفَرَأَيْتُمُ اللَّاتَ وَالْعُزَّىٰ ﴿٣٨﴾ وَمَنْوَةَ الثَّلَاثَةَ الْآخَرَیٰ ﴿٣٩﴾ أَلَكُمُ الذَّكَرُ ﴿٤٠﴾
وَلَهُ الْأُنثَىٰ ﴿٤١﴾ تِلْكَ إِذَا قَسَمَةٌ ضِیْرَىٰ ﴿٤٢﴾

“Have you considered *Al-Laat*, *Al-Uzza*, and *Manaata*, (which is) the third other and other one? Is it for you the males and for Him the females? That indeed is an unjust division!”

[Sooratun-Najm 53:19-22]

Al-Haafidh Ibn Katheer ؒ said concerning this verse: “Have you assigned for Allaah a child, and established that the child is female? You choose for your own selves males. If this was your division, or the division allotted to something else from creation similar to you, then this division would surely be unjust, oppressive, and false. So how is it that you assign this division to your Lord while if it were assigned to the creation it would be oppressive and indecent.”²¹

9- From the Prophetic narrations is what has been narrated by Aboo Sa'eed Al-Khudree ؓ:

«يَا مَعْشَرَ النِّسَاءِ تَصَدَّقْنَ فَإِنِّي أُرِيْتُكُنَّ أَكْثَرَ أَهْلِ النَّارِ فَقُلْنَ:
وَبِمَ يَا رَسُولَ اللَّهِ؟ قَالَ: تُكْفِرْنَ اللَّعْنَ وَتَكْفُرْنَ الْعَشِيرَ، مَا

²⁰ **Translator's Note:** All three of these names are ascriptions to idols that the pagans of pre-Islaamic Arabs used to worship besides Allaah.

²¹ Tafseer Al-Qur'aan Al-'Adheem Volume 4 Page 272.

رَأَيْتُ مِنْ نَاقِصَاتِ عَقْلِ وَدِينٍ أَذْهَبَ لُبُّ الرَّجُلِ الْحَازِمِ مِنْ
إِحْدَاكُنَّ قُلْنَ: وَمَا نُقْصَانُ دِينِنَا وَعَقْلِنَا يَا رَسُولَ اللَّهِ؟ قَالَ:
أَلَيْسَ شَهَادَةُ الْمَرْأَةِ مِثْلَ نِصْفِ شَهَادَةِ الرَّجُلِ؟ قُلْنَ: بَلَى، قَالَ:
فَذَلِكَ مِنْ نُقْصَانِ عَقْلِهَا. أَلَيْسَ إِذَا حَاضَتْ لَمْ تُصَلِّ وَلَمْ
تُصُمْ؟ قُلْنَ: بَلَى، قَالَ: فَذَلِكَ مِنْ نُقْصَانِ دِينِهَا»

“O women give charity for indeed I have seen that you are the majority of the people of the hellfire. They then asked: why is that so O Messenger of Allaah? He replied: you curse frequently and are ungrateful to your husbands. I have not seen anyone more deficient in their intelligence or religion than you. A cautious sensible man could be led astray by some of you. The women asked O Messenger of Allaah, what is deficient in our intellect and religion? He replied: Is not the testimony of two women equivalent to the testimony of a single man? They replied in the affirmative. He said: This is the deficiency in your intelligence. Is it not true that a woman can neither pray nor fast during her menses? The women replied in the affirmative. He replied: this is the deficiency in their religion.”²²

In this narration is explicit mention of the deficiency of women in both religion and intellect. It appears that this deficiency is the reason that they frequently curse and are from the reasons that they are ungrateful to their husbands.

²² Relayed by Imaam Al-Bukhaaree in the Book of Menses, narration number 304. Imaam Muslim relays a similar narration in the Book of Faith upon the authority of Ibn ‘Umar narration number 132. Imaam Muslim refers to the narration of Aboo Sa’eed ؓ and to a narration which is similar to it upon the authority of Aboo Hurayrah ؓ.

Similarly the narration explicitly mentions that the testimony of two women is equivalent to the testimony of a single man and the reason for this is their deficiency in intellect.

Al-Haafidh Ibn Hajr رحمته الله said and indicated with his statement: “The example of half the testimony of a man mentioned in the statement of Allaah the Exalted: then a man and two women, from those whom are acceptable to you as witnesses. Because the seeking of the assistance of another woman is indicative of her lack of precision in narration and one might understand from this her deficiency in intellect.”

10- And upon the authority of Aboo Umaamah رضي الله عنه and other than him that narrated that the Prophet صلى الله عليه وسلم said:

«أَيُّمَا امْرِئٍ مُسْلِمٍ أَعْتَقَ امْرَأً مُسْلِمًا كَانَ فَكَأَكُهُ مِنَ النَّارِ يُجْزِي كُلُّ عَضْوٍ مِنْهُ عَضْوًا مِنْهُ وَأَيُّمَا امْرِئٍ مُسْلِمٍ أَعْتَقَ امْرَأَتَيْنِ مُسْلِمَتَيْنِ كَانَتَا فَكَأَكُهُ مِنَ النَّارِ يُجْزِي كُلُّ عَضْوٍ مِنْهُمَا عَضْوًا مِنْهُ»

“Any Muslim who emancipates a Muslim then this will be his ransom from the fire which is rewarded with each of his limbs for his limbs (i.e. each limb of the emancipated will be a protection for the emancipator). And any Muslim who emancipates two Muslim women then that will be his ransom from the fire which is rewarded with a pair of their limbs for single limb of his.”²³

Ibnul-Qayyim رحمته الله said: “This indicates that the emancipation of a single male slave is better and that the emancipation of a single male slave is equivalent to the emancipation of two female slaves. The majority of the slaves whom the Prophet صلى الله عليه وسلم freed were male and this is one of the five circumstances where the woman is half of the man.

²³ Imaam At-Tirmidhi said concerning this narration that it is authentic (Saheeh).

The second occurrence is the '*Aqeeqah*. The '*Aqeeqah* of a newborn girl is a sheep and a newborn boy is two sheep according to the majority and many authentic (*Saheeh*) and good (*Hassan*) narrations that have been recorded concerning this. The third occurrence is the testimony, for indeed the testimony of two women is equivalent to the testimony of a single man. The fourth occurrence is inheritance and the fifth occurrence is the *Diyyah* ²⁴ [blood money]."
25

And there exists affairs in which the testimony of women is not accepted:

The First: *Az-Zina* [Adultery/Fornication] ²⁶ and whatever else necessitates the Islaamic legal punishment. In this nothing is accepted except the testimony of four free men. The testimony of women here is unacceptable.

The Second: *Al-Qisaas* [Recompense] ²⁷ and *Al-Hudood* ²⁸. The only testimony that is acceptable is that of two free men.

²⁴ **Ad-Diyyah:** (legally) What is paid by the killer in reparation to the family of the deceased; based upon the guardians receipt of this reparation. Or the wealth given to the guardians/family of the deceased as a ransom which spares the killer's life. [Mu'jam Mustalahaat Usoolul-Fiqh by Dr. Qoutoub Moustapha Sano]

²⁵ *Zaadul-Ma'aad* Volume 1 page 160

²⁶ **Az-Zina:** (legally) *Az-Zina* is to sexually enter the opening of a human, without a valid Islamic legal contract. [Mu'jam Mustalahaat Usoolul-Fiqh by Dr. Qoutoub Moustapha Sano]

²⁷ **Al-Qisaas:** (legally) The reward for a crime. The establishment of equity between a crime and its punishment whether the crime entails killing or the severing of a limb. [Mu'jam Mustalahaat Usoolul-Fiqh by Dr. Qoutoub Moustapha Sano]

²⁸ **Al-Hudood:** (Linguistically) *Al-Hudood* is the plural of *Al-Hadd* which means to prevent. It is also described as something which separates two things. (legally) It is the prescribed punishment which is obligatory because of Allaah the Exalted's

The Third: Issues dealing with material goods, money, or the affairs which usually occur primarily to men. Also, the situations which do not include *AlHudood* and *AlQisaas* like divorce, lineage, guardianship, contractual substitution in contracts which do not include money and the establishment of wills and whatever is similar to this. Anything other than two men in these affairs is unacceptable so the testimony of a woman here is not valid. As a result, if a man and two women bear witness in a case involving premeditated murder, neither the *Qisaas* nor the *Diyyah* can be paid.

There does exist affairs in which the testimony of a single man and two women is acceptable like selling, loans, the presentation of property as a pledge for a loan, the establishment of a will, and also the right of refusal concerning selling or the delaying of sale, renting, partnership, the right of pre-emption, transfer of debt, seizure, and treaties.”²⁹

The affairs which specifically require men do not permit even tens of women. In the affairs which permit the testimony of men and women together; the testimony of women is rejected if it is not coupled with the testimony of men even if the women are many.

The affairs which are not always known to men like the disfiguring of a woman which is hidden by her clothing, and nursing, the sighting of the moon, the virginity of a woman or the absence of virginity and menstruating of a woman, in these affairs the testimony of a single woman is acceptable. There exists a narration

right to suppress and restrain [crime]. [Al-Qaamoos Al-Fiqhee Lughataan Wa Istilaahaan; Sa'dee Aboo Jayb]

²⁹ Al-Muqni' and its explanation Volume 3 pages 706-708.

attributed to Imaam Ahmad that the testimony of less than two women is unacceptable.³⁰

Aboo Bakr who is known as Ibn Al-'Arabee ؓ said in explanation of the statement of Allaah:

﴿وَأَسْتَشْهِدُوا شَهِيدَيْنِ مِنْ رِجَالِكُمْ فَإِنْ لَمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ

وَأَمْرَأَتَانِ﴾

“And present two witnesses from among your men. And if there are not two men (available), then a man and two women.”

[Sooratul-Baqarah 2:282]

Allaah the Exalted preferred the male over the female from six different perspectives:

The First: That he (the male) is the origin of her and she is an extension of him. This is because she was created from him as mentioned by Allaah in His Book.

The Second: Certainly she was created from the curvature of his rib.

The Prophet ﷺ said:

«إِنَّ الْمَرْأَةَ خُلِقَتْ مِنْ ضِلْعِ أَعْوَجٍ إِنْ ذَهَبَتْ تُقِيمُهُ كَسَرْتَهُ، وَإِنْ اسْتَمْتَعَتْ بِهَا اسْتَمْتَعَتْ بِهَا عَلَى عِوَجٍ وَقَالَ: وَكَسَرُهَا طَلَّاقُهَا»

³⁰ Al-Muqni' and its explanation

“Indeed the woman was created from the most curved portion of the rib, if you attempt to straighten it you will break it. If you seek pleasure in them, then you are seeking pleasure with them upon this curvature. And he said: The breaking of her is divorce.”

The Third: There exists deficiency in her religion.

The Fourth: There exists deficiency in her intellect.

In the narration:

«مَا رَأَيْتُ مِنْ نَاقِصَاتِ عَقْلِ وَدِينٍ أَذْهَبَ لِلْبِ الرَّجُلِ الْحَازِمِ
مِنْ إِحْدَاكُنَّ قُلْنَ: وَمَا نُقْصَانُ دِينِنَا وَعَقْلِنَا يَا رَسُولَ اللَّهِ؟ قَالَ:
أَلَيْسَ تَمَكُّتُ إِحْدَاكُنَّ اللَّيَالِي لَأَ تَصُومُ وَلَا تُصَلِّي وَشَهَادَةُ
إِحْدَاكُنَّ عَلَى نِصْفِ شَهَادَةِ الرَّجُلِ»

“I have not seen anyone more deficient in their intelligence or religion than you. A cautious sensible man could be led astray by some of you. The women asked O Messenger of Allaah, what is deficient in our intellect and religion? He replied: Is not that one of you remains many nights without fasting and praying and your testimonies are equivalent to half the testimony of a single man?”

The Fifth: There exists for her deficiency in her inheritance. As Allaah says:

﴿لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ﴾

“For the male, a share equal to that of two females.”

[Sooratun-Nisaa' 4:11]

The Sixth: She is deficient in her strength. For that reason, she does not fight nor is she to take part in the fighting.

There is wisdom in all of these examples. So if it is said: How is it that deficiency is attributed to them and it is not from their actions? Then we say: This is from the wisdom of Allaah that He lowers and raises whomever He wills and legislates what He pleases. He praises and He criticizes, and He is not asked about what He does, rather they are asked. This is because the creation has been established upon different levels and organized upon degrees. He clarified this for us and taught us. We have believed in it and submitted to it.³¹

The one who contemplates what we presented of textual evidence consisting of Qur'aanic verses and Prophetic narrations will find that the perspectives from which Allaah has given preference to the man over the woman are more than that mentioned by Ibn Al-'Arabee رحمته. This is the preference of Allaah who assigns His bounties to whomever He wills.

The believing man is a submitter who surrenders to Allaah and he does so with all of his faith while being pleased with it. Similarly the believing woman is a submitter and this is a fulfillment of Allaah's Lordship, His right to be worshipped alone, and His complete wisdom. Whoever despises or shows disdain for Allaah's wisdom, His verses of legislation, and signs within creation, he harms no one but himself and he does not harm Allaah in the least.

Indeed every Muslim is aware of the reward for the arrogance, and Allaah has shown within His legislation the differences between the men and women in both rights and obligations. So some affairs become obligatory upon the men while the women are not obliged to fulfill them. An example of this is Jihaad with one's wealth and

³¹ Ahkaam Al-Qur'aan Volume 1 pages 300-301.

one's self, and the Friday prayer, and each of the congregational prayers, which are to be established in the Masaajid.

Both the men and women share in the obligation of prayer, charity, fasting, and the pilgrimage to Makkah, as well as ritual purity and whatever known requirements it entails.

It is obligatory that she is to be given her *Mahr*, sustenance, housing, clothing, and that she is to be lived with in kindness. It is also incumbent upon the man to provide sustenance for his children. This is because these affairs are imposing and burdensome and should not be endured by the woman because of her physical weakness, and weakness in intellect and nature.

It is upon her to honor the role of the man as her protector and maintainer, and to be obedient to him. The home is to be made comfortable for him, and she does not leave his home without his permission and she does not travel without him or the companionship of someone who is a guardian for her.

His right upon her is great, for indeed the Noble Messenger ﷺ has clarified the loftiness of the man's rights over the woman.

«لَوْ أَمَرْتُ أَحَدًا أَنْ يَسْجُدَ لِأَحَدٍ لَأَمَرْتُ الْمَرْأَةَ أَنْ تَسْجُدَ

لِزَوْجِهَا»

"If I were to command anyone to prostrate to another, I would command the woman to prostrate to her husband."

«لَوْ بَاتَتْ الْمَرْأَةُ هَاجِرَةً لِفِرَاشِهِ لَعَنَتَهَا الْمَلَائِكَةُ حَتَّى تُصْبِحَ»

"If the woman spent the night away from her husband's bed, then the angels curse her until the morning."

Zaynab Al-Ghaasib said: “From among us are many from those who are ignorant of Islaam and believe that the woman is nothing other than a follower of the man. The woman is not a follower of the man, rather she is an equal to the man whether that equality lies in her rights or obligations. Allaah the Exalted says:

﴿مَنْ عَمِلَ صَالِحًا مِّن ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُم بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ﴾

“Whoever works righteousness, whether male or female, while he (or she) is a believer, We will surely cause him to live a good life, and We will certainly give them their reward in accordance to the best of what they used to do.”

[Sooratu-Nahl 16:97]

So Allaah the Glorified and Exalted did not make the actions and rewards exclusively for the men, nor did He make their reward multiplied for them, rather He most certainly made them equal concerning the rights and made them equal concerning the obligations. As I have said from among the women are those that are ignorant of their rights and I do not know of a single example of a woman who is a graduate specializing in Islaamic law or religious studies in this affair who would say to me: “Indeed Allaah has preferred men over me by a degree in everything. While surely Allaah the Glorified and Exalted has preferred the man over me by a single degree.” This is the degree of provision which Professor Naadiah mentioned.

﴿بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

“Because of what Allaah has given one of them over the other, and because of what they spend from their means.”

[Sooratu-Nisaa 4:34]

So he is not preferred over her in everything-why is he given precedence. So Allaah the Glorified did not give this priority by way of His legislation, rather some women gave this to their husbands voluntarily because many women are ignorant of their rights.

She gave the example of a man who sleeps both the night and the day while his wife works and strives hard. Then it is asked: which of them is better? Meaning the woman if she works then she is better than the man.

She mentioned that Islaam does not distinguish between the man and the woman with respect to any of the rights.

﴿ وَهُنَّ مِثْلُ الَّذِي عَلَيْنَ بِالْعُرُوفِ ﴾

“And for them [the wives] are [rights] similar to that which is expected of them according to that which is reasonable.”

[Sooratul-Baqarah 2:228]

This necessitates complete equality by way of Islaamic Law. For that reason, we find for example that the woman at the time of the Messenger ﷺ used to inquire about her religious rights firstly before anything else. There was the example of the lady Nusaybah Al-Maazaniyyah who, in addition to her famed striving in fighting Jihaad, once noticed concerning the desert women that the Qur’aan mentioned and detailed the conditions of the men without mention of the women. She went to the Messenger of Allaah ﷺ and said: I do not find that the women are mentioned with any significance. The Messenger of Allaah ﷺ did not answer her. Indeed it was Allaah the Glorified and Exalted who responded to her and revealed the verse from Soorah Al-Ahzaab which means:

﴿ إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ ﴾

“Indeed the Muslim men and the Muslim women.”

[Sooratul-Ahzaab 33:35]

Then she said some more speech the like of: “Also, the women used to enjoy the right of consultation and it is well known that the Messenger ﷺ took the opinion of the lady Umm Salmaa (she was intending Umm Salamah) when the Muslims had become frustrated and had not cut their hair (a reference to the rites of ‘Umrah), so he said to her, go ahead and do it and they will follow you in this.

So indeed the authority was given to the woman to honor her. The one who understands, for example, the situation surrounding travel, this could quite possibly be the most common situation which necessitates the presence of a *Mahram*³². This is an affair Islaam has given the woman and honored her with while considering her physical composition such that the man might be a protector for her during that time. Now in our time, the means of transportation has become easier which means that we desire the authority which is appropriate for this time which we live in, not that which was appropriate for the time before us. So what is not found today in our time is what is being sought. So the woman is not deficient in her capabilities and Islaam incorporated the woman in the dissemination of the most pressing of sciences which is Islaamic

³² **Al-Mahram:** (Linguistically) Al-Mahram is the possessor of Al-Hurmah which is sanctity, reverence, or veneration. The word Mahram is singular, and its plural is Mahaarim. It is also described as being whatever is prohibited by Allaah the Exalted. (legally) Al-Mahram for both the man and the woman is whomever one is prohibited from marrying indefinitely because of lineage or close family ties. The mahram is also mentioned in the noble prophetic narration: “The woman shouldn’t travel except with someone who is mahram for her. The Mahram for the woman is the Muslim male who is mature, sane, and prohibited from marrying her indefinitely. The Mahram for the man according to the jurist is: The woman who is prohibited from marrying the man indefinitely because of lineage, nursing, or marriage. [Al-Qaamoos Al-Fiqhee Lughatan Wa Istilaahan; Sa’dee Aboo Jayb]

jurisprudence as the wives of the Messenger ﷺ used to teach the companions and certainly the Messenger of Allaah ﷺ: “Take half of your religion from these (Al-Humayraa/الْحُمَيْرَاءُ) even though some say that this is a weak narration merely in order to maintain their own positions.”

Statements extracted from the speech of this woman:

- 1- Indeed many of the people are from those who are ignorant of Islaam because they believe that the woman is nothing other than a follower of the man.
- 2- Her announcement that the woman is not a follower of the man but rather she is an equal to the man in both the rights and obligations.
- 3- The attributing of this understanding to Allaah while using as evidence the statement of Allaah:

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

طَيِّبَةً ۖ وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ ﴿٧٧﴾

“Whoever works righteousness, whether male or female, while he is a believer, We will surely cause him to live a good life, and We will certainly give them their reward in accordance to the best of what they used to do.”

[Sooratun-Nahl 16:97]

- 4- The rejection of the concept that Allaah has given preference to the man and granted him this priority. The idea that He gave some woman this over their husbands.
- 5- She inferred from this noble verse that Allaah, the Glorified and Exalted, did not establish actions specifically for the

men and He did not multiply their worth for them, rather He made them equal concerning the obligations.

We say: Verily the texts of the Qur'aan and the Sunnah are clear regarding the woman's following of the man and regarding her being created for him and that he has dominance, protection, and maintenance over her.

This is ignorance by way of many of the people that the explainers of the Qur'aan, the people of Prophetic narrations, and the jurists all examined this over a period of fourteen hundred years (literally 14 decades) but none of them arrived at the tremendous understanding that this woman has understood. And this is that the woman is an equal to the man whose equality encompasses both the rights and obligations. It is understood from her speech that this equality exists in every right as well as obligation.

Have you not noticed that in the same verse of the Qur'aan which she presented as evidence, the woman was presented following the man such that the male was presented before the female. Have you not noticed that the pronoun in the word (*Lanuhyiyannahu* / *لنُحْيِيَنَّهٗ*) returns to a masculine noun and the pronoun in the statement (*Lanajziyannahum* / *لَنَجْزِيَنَّهُمْ*) and the statement (*Ajarahum* / *أَجْرَهُمْ*) as well as the statements (*Kaanoon* / *كَانُوا*) and (*Ya'maloon* / *يَعْمَلُونَ*) all of them return to a masculine noun and not to a feminine noun.

Why does the pronoun here not return to the feminine noun or necessitate equality between the two sexes if indeed the woman is the same as the man and his equal concerning the rights and obligations specifically if indeed this verse was revealed to clarify this according to the claims of this woman.

Her statement: “So Allaah the Glorified and Exalted did not make the actions and rewards exclusively for the men, nor did He make their reward multiplied for him, rather He most certainly made them equal concerning the rights and made them equal concerning the obligations.”

I say: No one has said that the righteous actions are restricted to the men and exclude the women. From the issues which are unanimously accepted is that the good deeds according to Islaamic Law are rewarded up to seven hundred times their value or more for both the man and the woman in accordance with the situation surrounding that good action as well as the sincerity of the one performing it.

This verse was not revealed for the clarification of rights or obligations for the men or women, nor was it revealed for the clarification of the circumstances surrounding the actions that men and women do. This verse also was not revealed in order to clarify which of the two are better. All of these affairs are addressed in other more specific verses and narrations some of which have been presented and others we will mention like the example of *Jihaad*.³³

³³ **Al-Jihaad:** “Is: Difficulty in its origin. It may be said: Jahadtu Jihaadan/I struggled fiercely meaning it became difficult. In Islaamic Law: It is exerting effort while fighting the disbelievers. It is also used to describe struggling with one's self in learning the affairs of the religion, then working in accordance with that, and then teaching others. Similarly it is used to describe a persons struggle with Satan by resisting what he suggests of doubts and what he makes appear pleasing of the desires. It is also used to describe struggling with the transgressors by the hand, then by the tongue, and then by the heart. As for the struggling with the disbelievers by hand, and by wealth, and by tongue, and by heart: then this occurs by calling to the religion of truth and fighting for the right to establish it when they refuse to accept its establishment and refuse to accept the status of Dhimmah.” [Mu'jam Al-Mustalahaat wa Alfaadh Al-Fiqhiyyah/Mahmood Abdur-Rahmaan Abdul-Mun'im] (Dhimmah is “a person from the people of the

This is because it is from the obligations which are specifically legislated for the men and for which the women are exempted because of their weakness and frailty and other reasons.

Therefore, the *Mujaahid* exerts himself and his wealth because he has sold himself to Allaah, the Mighty and Majestic. For him is the reward of the *Mujaahideen* which entails an extensive and vast amount of verses and prophetic narrations compiled in the books of prophetic narrations, Qur'aanic explanation, and Islaamic Jurisprudence.

From them is the statement of Allaah the Exalted:

﴿لَا يَسْتَوِي الْقَاعِدُونَ مِنَ الْمُؤْمِنِينَ غَيْرُ أُولِي الضَّرَرِ وَالْجَاهِدُونَ
فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فَضَّلَ اللَّهُ الْجَاهِدِينَ بِأَمْوَالِهِمْ
وَأَنْفُسِهِمْ عَلَى الْقَاعِدِينَ دَرَجَةً وَكُلًّا وَعَدَ اللَّهُ الْحُسْنَىٰ وَفَضَّلَ اللَّهُ
الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ أَجْرًا عَظِيمًا ﴿٦٠﴾﴾

“Not equal are those of the believers who remain (at home), except those who are disabled, and those who strive hard and fight in the Cause of Allaah with their wealth and their lives. Allaah has preferred those who strive hard and fight with their wealth and their lives over those who remain (at home) by degrees. And to all of them, Allaah has promised the good (Paradise), but Allaah has preferred those who strive hard and fight, above those who remain (at home) with a great reward; degrees from Him forgiveness and mercy.”

[Sooratun-Nisaa' 4:95]

The Messenger of Allaah ﷺ said:

«لِلْمُجَاهِدِينَ فِي سَبِيلِ اللَّهِ مَا بَيْنَ الدَّرَجَتَيْنِ كَمَا بَيْنَ السَّمَاءِ
وَالْأَرْضِ»

“For those who strive hard and fight in the Cause of Allaah is one hundred degrees. Between each degree is what separates the heaven and earth.”

The Messenger of Allaah ﷺ also said:

«لَعْدْوَةٌ أَوْ رَوْحَةٌ فِي سَبِيلِ اللَّهِ خَيْرٌ مِنَ الدُّنْيَا وَمَا عَلَيْهَا»

“To fight in the Cause of Allaah in the forenoon or afternoon is better than the world and whatever is in it.”

We can present another example in the Friday prayer as well as the prayer in congregation. These are from the obligations which are specific to the men. Whoever becomes lackadaisical from amongst the men in his establishment of this obligation is subject to the severe threat of punishment and his absence is considered from the signs of hypocrisy. If he establishes this obligation, Allaah multiplies the worth of his action by twenty-seven degrees.

So do those present at the assembly submit to this distinction specific to the men in both the obligation and censure and the effect of both circumstances or not? If they submit to this, their call for equality concerning the rights and obligations has collapsed. Similarly, concerning the rights, the man and woman differ from their very birth such that Allaah has legislated that two sheep are

slaughtered for the *waleemah* of a baby boy, while a single sheep is sacrificed for a girl.

Concerning the inheritance, Allaah has also distinguished between the male and the female. So for the man is the equivalent to the share of two women whether she be a sister, daughter, or wife as described in the Book of Allaah and the *Sunnah* ³⁴.

³⁴ **As-Sunnah:** (Linguistically) is a way or path, whether that way or path is good or bad. The plural of the word Sunnah is Sunan and the primary use of the word Sunnah is in reference to a way which is upright and praiseworthy. The Prophet ﷺ said, “Whoever establishes a good Sunnah, then for him is its reward and the reward of those who implement it until the Last Day and whoever establishes an evil Sunnah, then upon him is the burden of it and whoever implements it until the Last Day.” [Ibn Maajah/207]

Allaah the Exalted says:

“Indeed, similar ways (Sunan) have passed on before you...”
[Soorah Aali Imraan 3:137]

The meaning of Sunnah here is ways, practices, and habits of people whom have passed away before you.

The term Sunnah when used by the Islaamic Jurists has a number of meanings:

-One meaning is that it is a path taken in the religion which is neither mandatory nor obligatory.

Some jurists use the term Sunnah to describe the actions which the Prophet -may the peace and blessings of Allaah forever be upon him- remained consistent upon, and his consistency was a proof of its obligation.

Some of the jurists defined the term Sunnah as being: Whatever has been emphatically requested to be performed without it being absolute. So the Sunnah with this understanding is: An Islaamic legal categorization which corresponds with (the other Islaamic legal categorizations) Obligatory, Mandatory, Prohibited, Discouraged, and Permissible.

Regarding testimony, the testimony of the man is equivalent to the testimony of two women. The men are entitled to take multiple wives until four just as they are entitled to take as bondmaids as concubines and it is not for her to do so with any of her male servants. Allaah has distinguished the men in the hereafter in Jannah with a large number of wives whereas this is not the case for the women in Jannah.

In the event that some women participate in military expeditions, then they are not to receive anything from the spoils of war similar to what the men receive, rather she is to receive a smaller portion.

So do those present at the assembly submit to these affairs and others from the affairs Allaah has characterized the men and distinguished from the women. If they submit to this, their call for equality between men and women concerning the rights and obligations has collapsed. It is upon them to offer sincere repentance and make it publicly along with their expression of regret to the Muslims and their scholars. Some of them belittled the scholars and others from the Muslims concerning their understanding and trustworthiness. So if they clarify this, then the people will come to know what they desire and that there is no relationship between them and the Sahaabiyyaat (female companions of the Prophet ﷺ). They will not complete their session. They are but an extension of the feminist movement precepts which wage war against Islaam.

This poetess said:

Others from amongst the jurists define the term Sunnah as being: Whatever necessitates a reward by performing it, but is not punishable if abandoned. The term Sunnah is also used as a reference to evidence from the evidences of Islaamic law.

“Just as I said pertaining to some women whom are ignorant of their rights, I do not know, for example, of a single woman who was a graduate of Islaamic studies and Law, who would say to me concerning this, ‘Indeed Allaah has preferred over me the man by a degree in everything’ while Allaah the Glorified has preferred over me the man by a single degree which was mentioned by the Professor Naadiah, which is the sustenance.

﴿وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

“And because of what they spend from their means.”

[Sooratun-Nisaa 4:34]

So why should he be preferred? So Allaah the Glorified did not give this priority by way of His Legislation, rather some women gave this to their husbands voluntarily because of the ignorance of many women regarding their rights.”

Look at this woman, and her understanding. She claims that many of the people are ignorant concerning that which they are upon from truth and knowledge. She claims that a woman, who specializes in Islaamic Law, while professing the rights of the man, is ignorant. She cites as evidence Professor Naadiah; who is not a specialist in Islaamic Law nor did she study it; yet she claims that Allaah has preferred the man over the woman by only a single degree. This is the degree of provision which Professor Naadiah mentioned.

﴿وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

“...and because of what they spend from their means”

[Sooratun-Nisaa 4:34]

The view of this woman and Naadiyah regarding the creational and legal decree of Allaah has been presented. Additionally presented was investigation of the texts and the statement of Allaah the Exalted:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ
وَمَا أَنفَقُوا مِنْ أَمْوَالِهِمْ﴾

**“Men are the protectors and maintainers of women,
because of what Allaah has granted one of them to excel
the other, and because of what they spend (to support
them) from their wealth.”**

[Sooratun-Nisaa’ 4:34]

Firstly, Allaah has clarified the right of maintenance depends upon why Allaah has favored the man over the woman. This consists of many matters and distinguishing characteristics which Allaah has specifically assigned to the men and has not given the women. This coincides with His Lordship, knowledge, wisdom, and both His creational and legal decree. Secondly, the sustenance is lesser than the first.

This woman transgressed what Allaah has decreed in His Book and the *Sunnah* of His Prophet ﷺ and what the Muslims have been upon for fourteen decades. She has asserted her own opinion and placed it before Islaam and the Muslims. The evidences she mentioned were from the speech of Professor Naadiyah.

With this understanding she has nullified the rights of men-and from them is the right of maintenance-while claiming that Allaah has not legally given her this right; but rather the women give it to the men charitably of their own free will.

Then she took a step further and gave an example of a man who sleeps day and night while his wife works and struggles and then asks rhetorically which of them is better? She desires with this that the woman in this situation is better and that she becomes the maintainer over this man. This is because he does not sustain her; therefore his right is nullified and is more rightfully befitting for her.

There existed during the time of the Messenger ﷺ impoverished people and their wives used to work spinning thread, for example. So they used to provide for their husbands. From amongst them was Zaynab Ath-Thaqafiyyah ؓ who was the wife of ‘Abdullaah ibn Mas’ood ؓ. So, the Prophet ﷺ did not say in his time, or in the time of legislation, that these women became better than their husbands. For them there was not custody or maintenance over their husbands, because there is no superiority for the men over the women except by way of sustenance.

Then, the “jurist” emphasized her claim with her statement:

“Islaam does not distinguish between the man and the woman with respect to any of the rights.

﴿ وَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَ بِالْمَعْرُوفِ ﴾

“And for them [the wives] are [rights] similar to that which is expected of them according to that which is reasonable.”

[Sooratul-Baqarah 2:228]

And this necessitates complete equality by way of Islaamic Law.”

No, doctor, this is not the way of fulfilling a trust nor is this the way of religious understanding. So where is the rest of this verse? Where are the other verses and many Prophetic narrations which clarify the superiority of the man over the woman and which clarify his rights?

This noble verse, the text of which is:

﴿ وَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ ﴾

“And for them (the women) is that which is similar to what is expected of them according to what is reasonable but, for the men is a degree over them.”

[Sooratul-Baqarah 2:228]

So, if she wanted to strip the men of their rights, then she should not ascribe this omission to Islaam. You will not find that in any of the sources of Islaam, particularly the Book and the *Sunnah*. Where is the complete equality that she is calling for?! Complete equality is not to be found even between the men themselves because there exists Messengers who are the best of mankind and yet Allaah has differentiated between them such that he preferred some over others.

There also exists the extremely truthful people, the scholars, the martyrs, and the righteous which are all given precedence over other than them. They are also upon different levels according to their respective levels and above every knowledgeable one is he who is more knowledgeable; and the scholar who acts in accordance with his knowledge is better than the ignorant.

﴿ قُلْ هَلْ يَسْتَوِي الَّذِينَ يَعْمُونَ وَالَّذِينَ لَا يَعْلَمُونَ ﴾

“Say: ‘Are those who know equal to those who know not?’”

[Sooratuz-Zumar 39:9]

And it is not permissible to make equal the Muslim and the disbeliever.

﴿ أَفَنَجْعَلُ الْمُسْلِمِينَ كَالْجُرْمِينَ ﴾

“Then shall We treat the Muslims like the criminals?”

[Sooratul-Qamar 68:35]

It is not permissible to make equal the pious one and the sinning transgressor.

﴿ أَمْ نَجْعَلُ الَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ كَالْمُفْسِدِينَ فِي

الْأَرْضِ أَمْ نَجْعَلُ الْمُتَّقِينَ كَالْفُجَّارِ ﴾

“Or should We treat those who believe and do righteous good deeds, like the corruptors of the land? Or should We treat the pious, like the criminals?”

[Soorah Saad 38:28]

It is necessary for the Muslims to believe in this disparity concerning the different positions and levels which have been established in accordance to the wisdom of Allaah which is All-Encompassing and cannot be completely comprehended even only a small portion of it. This is in accordance with His justice and Lordship.

If a person rejects any of this, then this person is not a Muslim. It should not be understood that I am declaring those women to be disbelievers whom have established themselves as seekers of women’s rights and repression of men’s rights or at least the most important of their rights. This is due to their extreme ignorance of even the most obvious affairs of Islaam. Rather their ignorance includes the right of Allaah to legislate and raise whomever He wills and to lower whomever He wills, and that it is He who judges

concerning His creation in this world as He wills and there is no repelling his worldly or Legislative laws -lofty is His majesty and exalted are His efforts.

As for her statement: “So we find for example that the woman at the time of the Messenger ﷺ used to inquire first about her religious rights before anything else. There was the example of the lady Nusaybah Al-Maazaniyyah who in addition to her famed striving in fighting Jihaad, once she noticed concerning the desert women that the Qur’aan mentioned and detailed the conditions of the men without mention of the women, she went to the Messenger of Allaah ﷺ. She said: I do not find that the women are mentioned with any significance and the Messenger of Allaah ﷺ did not answer her. Indeed it was Allaah the Glorified and Exalted who responded to her and revealed the verse from Soorah Al-Ahzaab which means:

﴿ إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ

وَالْقَنَاتِ وَالْقَنَاتِ ... 35 ﴾

﴿ إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْقَنَاتِ

وَالْقَنَاتِ وَالصَّادِقِينَ وَالصَّادِقَاتِ وَالصَّابِرِينَ وَالصَّابِرَاتِ وَالْخَشِيعِينَ

وَالْخَشِيعَاتِ وَالْمُتَصَدِّقِينَ وَالْمُتَصَدِّقَاتِ وَالصَّالِحِينَ وَالصَّالِحَاتِ

‘Indeed the Muslim men and the Muslim women, the believing men and the believing women, the men and women who are obedient (to Allaah)...’ to the end of this noble verse from Soorah Al-Ahzaab.”

I say: From where have you understood that the woman at the time of the Messenger ﷺ used to inquire first about her religious rights? How many female companions were from among those whose priorities and precedence was asking the Messenger ﷺ or other than him about their religious rights? Certainly, this flawed understanding was something particular to those righteous and devout women then their spouses.

Then if we look to the wives of the Messenger ﷺ, how many questions did they ask the Messenger of Allaah ﷺ regarding their religious rights?

Contemplate what is to follow: Upon the authority of Aboo Az-Zubayr who narrated from Jaabir ibn ‘Abdullaah ؓ said:

دَخَلَ أَبُو بَكْرٍ يَسْتَأْذِنُ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
فَوَجَدَ النَّاسَ جُلُوسًا بِيَابِهِ لَمْ يُؤْذَنَ لِأَحَدٍ مِنْهُمْ قَالَ فَأُذِنَ لِأَبِي
بَكْرٍ فَدَخَلَ ثُمَّ أَقْبَلَ عُمَرُ فَاسْتَأْذَنَ فَأُذِنَ لَهُ فَوَجَدَ النَّبِيَّ صَلَّى
اللَّهُ عَلَيْهِ وَسَلَّمَ جَالِسًا حَوْلَهُ نِسَاؤُهُ وَاجْمًا سَاكِتًا قَالَ فَقَالَ

وَالْحَفِظِينَ فُرُوجَهُمْ وَالْحَفِظَاتِ وَالذَّاكِرِينَ اللَّهَ كَثِيرًا وَالذَّاكِرَاتِ

أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا ﴿٦٦﴾

لَأَقُولَنَّ شَيْئًا أَضْحِكُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ يَا رَسُولَ
اللَّهِ لَوْ رَأَيْتَ بِنْتَ خَارِجَةَ سَأَلْتَنِي النَّفَقَةَ فَقُمْتُ إِلَيْهَا فَوَجَّاتُ
عُنُقَهَا فَضَحِكَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَقَالَ هُنَّ
حَوْلِي كَمَا تَرَى يَسْأَلْنِي النَّفَقَةَ فَقَامَ أَبُو بَكْرٍ إِلَى عَائِشَةَ يَجَأُ
عُنُقَهَا فَقَامَ عُمَرُ إِلَى حَفْصَةَ يَجَأُ عُنُقَهَا كِلَاهُمَا يَقُولُ تَسْأَلَنَ
رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَا لَيْسَ عِنْدَهُ فَقُلْنَ وَاللَّهِ لَا
نَسْأَلُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ شَيْئًا أَبَدًا لَيْسَ عِنْدَهُ ثُمَّ
اعْتَزَلَهُنَّ شَهْرًا أَوْ تِسْعًا وَعِشْرِينَ ثُمَّ نَزَلَتْ عَلَيْهِ هَذِهِ آيَةُ يَا
أَيُّهَا النَّبِيُّ قُلْ لَأَزْوَاجِكُمْ حَتَّىٰ بَلَغَ لِّلْمُحْسِنَاتِ مِنكُنَّ أَجْرًا
عَظِيمًا قَالَ فَبَدَأَ بِعَائِشَةَ فَقَالَ يَا عَائِشَةُ إِنِّي أُرِيدُ أَنْ أَعْرِضَ
عَلَيْكَ أَمْرًا أَحَبُّ أَنْ لَا تَعْجَلِي فِيهِ حَتَّىٰ تَسْتَشِيرِي أَبَوَيْكَ قَالَتْ
وَمَا هُوَ يَا رَسُولَ اللَّهِ فَتَلَا عَلَيْهَا آيَةَ الْقَوْلِ أَفِيكَ يَا رَسُولَ اللَّهِ
أَسْتَشِيرُ أَبَوَيْ بَلْ أَخْتَارُ اللَّهُ وَرَسُولُهُ وَالِدَارَ الْآخِرَةَ وَأَسْأَلُكَ أَنْ
لَا تُخْبِرَ امْرَأَةً مِنْ نِسَائِكَ بِالَّذِي قُلْتُ قَالَ لَا تَسْأَلْنِي امْرَأَةً
مِنْهُنَّ إِلَّا أَخْبَرْتُهَا إِنَّ اللَّهَ لَمْ يَبْعَثْنِي مُعْتَبًا وَلَا مُتَعْتَبًا وَلَكِنْ بَعَثَنِي
مُعَلِّمًا مُسِرًّا

Aboo Bakr ؓ entered and sought permission to see the Messenger of Allaah ﷺ. He found people seated at his door but none amongst them had been granted permission. He said: Aboo Bakr was granted permission and so he entered.

Then ‘Umar arrived and he sought permission and it was granted to him, and he found the Prophet ﷺ while seated around him were his wives sitting somberly and silently. He (‘Umar) said: I wanted to say something which would make the Prophet ﷺ laugh, so then he said: O Messenger of Allaah ﷺ, If only you had seen the daughter of Khaarijah when she asked me for the sustenance, so I got up and slapped her on her neck. The Messenger of Allaah ﷺ laughed and said: They are around me as you see, requesting the sustenance. Aboo Bakr ؓ then got up went to ‘Aa’ishah ؓ and slapped her on the neck, and ‘Umar stood up before Hafsa and slapped her on the neck both saying: You ask the Messenger of Allaah ﷺ for what he does not possess. They said: By Allaah, we do not ask the Messenger of Allaah ﷺ for anything he does not possess. Then he withdrew from them for a month or for twenty-nine days. Then the following verse was revealed to him:

﴿يَتَأْتِيهَا النَّبِيُّ قُلًّا لِّأَزْوَاجِكَ إِن كُنْتُنَّ تُرِدْنَ الْحَيَاةَ الدُّنْيَا وَزِينَتَهَا
فَتَعَالَيْنَ أُمَتِّعَنَّ وَأَسْرَحَنَّ بِسَرَاحٍ جَمِيلًا﴾

“O Prophet (Muhammad)! Say to your wives: If you should desire the life of this world and its splendor, Then come! I will make a provision for you and give you a gracious release (divorce). But if you desire Allaah and His Messenger, and the home of the Hereafter, then verily, Allaah has prepared for the doers of good amongst you a great reward.”

[Sooratul-Ahzaab 33:28]

He said: So he began with ‘Aa’ishah ؓ and then said: O’ Aa’ishah, indeed I want to propose to you an affair that I hope that you will not hastily reply to before you have consulted

your parents. She said: And what is that O Messenger of Allaah? He (the Prophet) recited to her the verse, whereupon she said: Is it concerning you that I should consult my parents, Messenger of Allaah? Rather, I choose Allaah, His Messenger, and the Final Abode; but I only ask that you not tell any of your wives what I have said. He replied: None one of them will ask me without my informing her. Allaah did not send me to be harsh, or cause harm, but He has sent me to teach and make things easy.³⁶

The female companions exemplify the pinnacle of excellence and nobility and lineage and from amongst them are the wives of the Messenger ﷺ which includes the two daughters Aa'ishah (the daughter of Aboo Bakr) and Hafsaah (the daughter of 'Umar). When they requested the sustenance which the Messenger of Allaah ﷺ did not possess and we do not know what 'Umar's financial situation was when he was asked for the sustenance, the two fathers slapped the necks of their daughters. The Messenger of Allaah ﷺ was angered and withdrew from his wives for the period of a month. Allaah the Exalted has revealed Qur'aan concerning their situation giving them the option to choose between remaining with the Messenger of Allaah ﷺ upon worldly abstinence; which merits tremendous rewards or the choice of this world and its splendor. The Messenger ﷺ might grant them pleasure through his gracious release of them, yet they chose Allaah, His Messenger, and the Final Abode.

I do not doubt that many of the believing women benefit from this story and this verse. I fear from these requests for the rights of women, that they will not benefit from them even if they call for the following of that which has been recorded historically from the biographies of the noble female companions of the Prophet ﷺ. These were the biographies of the wives of the Messenger of Allaah

³⁶ Narrated by Muslim in the Chapter of Divorce (No. 1478).

﴿. Then why is it, that their primary questions are not regarding the rights of Allaah, the Lord of Creation, then the rights of the Messenger regarding the rights of the husbands, then regarding the rights of the neighbors, then regarding the general body of Muslims. So, I address the writer: Indeed the female companion whom these narrations portray her asking this question was Umm Salamah and not Nusaybah. Concerning the authenticity of these narrations, there is great discussion concerning their chains of narration.

If the questioning of the women in the time of the Messenger ﴿ was the same as that of the women from this assembly concerning the issue of requesting rights then that was rebellion against Allaah and His Messenger ﴿. This rebellion is sufficient transgression and stubbornness with the exception of those female companions ﴿ concerning this.

We ask this writer, based upon her own speech, why did Allaah not mention women in the Qur'aan during the Makkan period and some of the years from the period in Madeenah while he mentions the men alone during this time? Is this not an indication of a vast disparity between men and women? I say this is in accordance with her idealism and restricted to it, and if not, then Allaah mentions women in the Qur'aan, on some occasions, following the men. This is from what is indicative of the superiority of the men over the women.

So the verse:

﴿ إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ ﴾

“Indeed, the Muslim men and the Muslim women, and the believing men and the believing women” ³⁷ until the end of the

³⁷ Sooratul-Ahzaab 33:35

verse, the women are not mentioned except after the men. Then Allaah completes the verse with His statement:

﴿أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا﴾

“Allaah has prepared for them forgiveness and a tremendous reward” with the masculine pronoun and not the feminine pronoun; whereas, this verse was not revealed except for the benefit of women as mentioned by the narrations. So what does this indicate? Do the people of intellect not see that everything these women are using as proof is evidence against them and not for them? Allaah the Magnificent spoke the truth when He said concerning the female:

﴿أَوْ مَن يُنشَأُ فِي الْحِلْيَةِ وَهُوَ فِي الْخِصَامِ غَيْرُ مُبِينٍ﴾

“So is the one brought up in ornaments, while being involved in conflict, unclear?”

[SooratuZ-Zukhruf 43:18]

This is information concerning the nature of the woman, and we have believed in and we have attested to it. The reality of the women and their history is from the strongest testimonies of this.

She said, “Also the women used to enjoy the right of consultation and it is well known that the Messenger ﷺ took the opinion of the lady Umm Salamah when the Muslims had become frustrated and had not cut their hair,³⁸ so she said to him, go ahead and do it and they will follow you in this.

³⁸ a reference to the rites of ‘Umrah

So indeed the protection and maintenance was given to the woman to honor her for the one who understands. For example the situation surrounding travel and this could quite possibly be the most common situation which necessitates the presence of a *Mahram*. This is an affair that Islaam has given the woman and honored her with while considering her physical composition such that the man might be a protector for her during that time, but now in our time the means of transportation have become easier which means that we desire the authority which is appropriate for this time which we live in, and not that which was appropriate for the past.

So what is not found today in our time is what is being sought. The woman is not deficient in her capabilities and Islaam incorporated the woman in the dissemination of the most pressing of sciences which is Islaamic jurisprudence as the wives of the Messenger ﷺ used to teach the companions and certainly the Messenger of Allaah ﷺ said:

« حَذُّوا نِصْفَ دِينِكُمْ عَنِ الْحُمَيْرَاءِ »

*'Take half of your religion from these Al-Humayraa'*³⁹ even though some say that this is a weak narration merely in order to maintain their own positions."

I say: If indeed there existed for the women a right concerning general consultation in the common affairs-in matters like politics,

³⁹ This hadeeth is discussed and referenced further in this treatise

war, peace, and state relations—then how many gatherings did the Messenger ﷺ hold specifically with them (women) or were they held with men from amongst his companions ؓ. How many gatherings did Aboo Bakr, ‘Umar, ‘Uthmaan, and ‘Alee ؓ have with them?

The reciters of Qur’aan were people of consultation for ‘Umar ibn Al-Khattaab ؓ and from amongst them were some of the major companions and some of the youth like Ibn ‘Abbaas and Al-Hurr ibn Qays ؓ. Please inform us concerning the specific women that ‘Umar ibn Al-Khattaab honored with this distinction, whether that was in his personal sittings or along with other companions as you will find today in the parliaments.

If the men from amongst the companions monopolized this right throughout these times, then why is it that these women have not requested their rights from the female companions and their students from the female followers of the companions from the different lands like: the Hijaaz, ‘Iraq, Shaam, Egypt, Yemen, and Khuraasaan?

Rather why is it that they did not request this right in any of the periods of Islaamic history until only today? What is the secret behind the recent activity of the women today concerning a number of rights, the likes of which are participation in executive consultation and decision?

As for Umm Salamah ؓ, the Messenger of Allaah ﷺ did not approach her seeking her council while she was a participant in a women’s council such that she offered him her opinion from within this council and other women of the council either supported her or opposed her.

Rather she was one of the wives of the Messenger of Allaah ﷺ and he had mentioned to her a situation which required immediate

action. She said to him, do such and such and your companions will follow you in it. He accepted her opinion ﷺ but it is not permitted that we extract from this situation a principle from the principles of Islaam or a specific political policy such that we now say: and for the women was the right of political consultation.

If the affair was indeed as it is claimed by this woman, then the Messenger of Allaah ﷺ would have established (these rights) in the most comprehensive fashion. This action would have been implemented by his rightly guided successors, noble companions and their followers and for them all, let there be the best of what is good. The jurists would have subsequently discussed this issue, as well as the scholars of the Prophetic narrations, the explainers of the Qur'aan, and the historians. It is not conceivable that they would devote so much speech in their works to the discussion of legislation pertaining to the natural blood of women and the rest of the legislation specific to women, and then refrain from speaking about this major foundation.

Aa'ishah, Mother of the Believers رضي الله عنها said:

«لَمَّا ثَقُلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جَاءَ بِلَالٌ يُؤَدِّئُهُ
بِالصَّلَاةِ، فَقَالَ: مُرُوا أَبَا بَكْرٍ أَنْ يُصَلِّيَ بِالنَّاسِ، فَقُلْتُ: يَا
رَسُولَ اللَّهِ إِنَّ أَبَا بَكْرٍ رَجُلٌ أَسِيفٌ وَإِنَّهُ مَتَى مَا يَقُمْ مَقَامَكَ لَا
يُسْمِعُ النَّاسَ، فَلَوْ أَمَرْتُ عُمَرَ، فَقَالَ: مُرُوا أَبَا بَكْرٍ يُصَلِّيَ
بِالنَّاسِ فَقُلْتُ لِحَفْصَةَ قَوْلِي لَهُ إِنَّ أَبَا بَكْرٍ رَجُلٌ أَسِيفٌ وَإِنَّهُ
مَتَى يَقُمْ مَقَامَكَ لَا يُسْمِعُ النَّاسَ فَلَوْ أَمَرْتُ عُمَرَ، قَالَ: إِنَّكَ
لَأَنْتِ صَوَاحِبُ يُوسُفَ، مُرُوا أَبَا بَكْرٍ أَنْ يُصَلِّيَ بِالنَّاسِ.»

“When the final illness of Prophet ﷺ became burdensome upon him, Bilaal came to inform him concerning the prayer. The Prophet told him to tell Aboo Bakr to lead the people in the prayer. I said O Messenger of Allaah ﷺ, “Aboo Bakr is a soft-hearted grief stricken man, if he were to stand for the prayer in your place he would surely not be able to be heard. If only you would suggest ‘Umar.” The Prophet said, “Tell Aboo Bakr to lead the prayer”. I said to Hafsaah what I had said to him that: “Aboo Bakr is a soft-hearted grief stricken man, if he were to stand for the prayer in your place he would surely not be able to be heard. If only you would suggest ‘Umar.” He then said, “Indeed you are the companions of Yoosuf. Tell Aboo Bakr to lead the prayer”⁴⁰

If from the story of Umm Salamah a general principle is established concerning the right of women to executive consultation, then what do we extract from the story of Aa’ishah and Hafsaah ﷺ understanding that Aa’ishah⁴¹ is better than Umm Salamah. We await a knowledge based response to this inquiry which is based upon proof, evidence, and intellect.



⁴⁰ Narrated by Al-Bukhaaree in the book of the call to prayer (No. 713) as well as in other places. Saheeh Muslim in the Chapter of Prayer (No. 418).

⁴¹ The superiority of Aa’ishah is well documented. For the sake of brevity one Hadeeth will be listed:

On the authority of Aboo Moosaa al-Ash’aree ﷺ Allaah’s Messenger ﷺ said: ‘Many amongst men attained perfection, but amongst women none attained the perfection except Maryam, the daughter of ‘Imraan, and Aasiyah, the wife of Fir’aun. And the superiority of ‘Aa’ishah to other women is like the superiority of Ath-Thareed (a dish consisting of soaked bread, meat and broth) over other meals. [Saheeh al-Bukhaaree in the Chapter: The Superiority of Aa’ishah ﷺ]

Chapter 3:

The Authority Which Allaah Legislated & the Muslims Implement,
& the Clarification of Its Purposes

This writer (Zaynab Al-Ghaasib) said: “So indeed the protection and maintenance was given to the woman to honor her for the one who understands for example the situation surrounding travel and this could quite possibly be the most common situation which necessitates the presence of a *Mahram*. This is an affair that Islaam has given the woman and honored her with while considering her physical composition such that the man might be a protector for her during that time.”

I say to her statement: “So indeed the protection and maintenance was given to the woman to honor her” means that it is a right from her rights upon the men that Allaah has given her in order to honor her. The man establishes this for the purpose of serving the woman; and this is an understanding which only this woman has undertaken. As for the scholars, indeed they have understood this affair in a manner other than that which she has mentioned.

The Qur’aan and the *Sunnah* indicate they are in opposition to this understanding as Allaah the Exalted says:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ
وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ ۚ فَالصَّالِحَاتُ قَنِتَاتٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا

حَفِظَ اللَّهُ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَأَهْجُرُوهُنَّ فِي
الْمَضَاجِعِ وَأَضْرِبُوهُنَّ^ط فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا ﴿

“Men are the protectors and maintainers of women, because of what Allaah has granted one of them over the other, and because of what they spend from their wealth. The righteous women are devoutly obedient, preserving in (the husband’s) absence what Allaah would have them to preserve. But those (women) from whom you fear defiance, then admonish them (first); then abandon sharing their beds (if they persist), and (finally) strike them⁴². But if they return to obedience, then do not seek to transgress against them.”

[Sooratun-Nisaa’ 4:34]

This verse is indicative of many affairs; from them:

- Allaah has legislated protection and maintenance for the women by way of the men and this is from the dominance of the men over them. Allaah justifies this superiority with His favoring the men over women, which has certainly been

⁴² “Strike them” means, if advice and ignoring her in the bed do not produce the desired results, you are allowed to discipline the wife, without severe beating. Muslim recorded that Jaabir said during the farewell pilgrimage that the Prophet ﷺ said: “Fear Allaah regarding women, for they are your assistants. You have the right on them that they do not allow any person whom you dislike to set foot on your furnishings. However, if they do that, you are allowed to discipline them lightly. They have a right on you that you provide them with their provision and clothes, in a reasonable manner.” Ibn ‘Abbas and several others said that the Ayah refers to a beating that is not violent. Al-Hasan Al-Basri said that it means a beating which is not severe. [Tafseer Ibn Katheer]

addressed and clarified in what has been presented previously in this treatise.

- Another reason is what he offers by way of bridal money and burdensome provisions for which no one other than the men are responsible. Especially in this time when the bridal money and provisions which the men are responsible for have developed into tremendous burdens by way of castles, carpets, sofas, air conditioners, phones, and the various demands of women which exist without limitation in many women. These affairs weigh heavily upon the men and cause them to accrue exorbitant debts. There is no doubt that this emphasizes the right of the guardianship and custody is for the men.

For this reason Allaah says after this:

﴿فَالصَّالِحَاتُ قَانِتَاتٌ حَافِظَاتٌ لِّلْغَيْبِ﴾

“So the righteous women are devoutly obedient and guard in the husband’s absence.”

The attentive righteous woman senses the status of the man concerning that which Allaah has favored him and what He assists him with from the burden of provision and what he exerts by way of efforts in this regard. This attentiveness and noble sense assists her in fearing Allaah and remaining submissive to her husband which is an act of obedience concerning her behavior. She has reverence towards the man whose stature can be appreciated and felt from the depths of her self; as well as his position and his right over her. This sense of noble awareness encourages the preservation of her nobility and honor, and her spouse’s nobility and honor; just as her religion and her trustworthiness encourages her towards the preservation of his wealth in his presence as well as his absence.

The woman could be righteous to a certain extent, but she is deficient concerning her awareness or understanding or she may not be religious. Then this encourages defiance which is haughtiness concerning the husband as well as his disobedience. This stems from the lack of her recognition concerning his stature and rights, which include guardianship and custody.

If defiance occurs because of that, then Allaah has given him the right to utilize his right of authority first by admonishing her and by encouraging her to fear Allaah and His punishment for disobeying him. He reminds her of his rights upon her so if she repents and returns to that which is correct and obeying her husband then that is sufficient. If not, he should proceed to the abandonment of her in the bed. If she continues to persist in her transgression and defiance then he precedes to the last remedy, which is the strike which is not violent. If she does not comply after that, then it is for him to divorce her or release her.

All of this is from the logic surrounding the authority which Allaah the All-Wise Creator favored the man over the woman. This is what this text entails and what every intelligent believer who has knowledge of the language of the Qur'aan and has knowledge of Islaamic legislation.

Al-Haafidh Ibn Katheer ؒ said in explanation of this verse:

Allaah says:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ﴾

“Men are the protectors and maintainers of women.”

Meaning: The man is responsible for the woman. He is her leader, superior, judge concerning her affairs, and caretaker who disciplines her if she deviates.

﴿بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ﴾

“Because of what Allaah has granted one of them over the other.”

Meaning: Because men excel over women and are better than they are. For this reason, Prophethood was exclusive to men alone, as well as the most important positions of leadership.

This is because of the statement of the Prophet ﷺ:

«لَنْ يُفْلِحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ»

“People who appoint a woman to be in charge of their affairs will never be successful.”⁴³

﴿وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

“And because of what they spend (to support them) from their wealth.”

Meaning: the bridal money or dowry, provisions, expenditures and various expenses that Allaah made obligatory upon them concerning the women in His Book and the Sunnah of His Messenger. The man is better than the woman individually and there exists for him superiority over her. This superiority and priority is so and it is

⁴³ Al-Bukhaaree conveyed this narration from the Prophetic narration of Abdur-Rahmaan ibn Abee Bakrah upon the authority of his father. Such is the case with appointing women as judges or other positions of leadership.

appropriate that he is appointed as her maintainer just as Allaah the Exalted says:

﴿وَلِلرِّجَالِ عَلَىٰ نِسَائِهِم مِّمَّا كَسَبُوا دَرَجَةٌ﴾

“But, for the men, is a degree over them.”

[Sooratul-Baqarah 2:228] [End of cited passage]

‘Alee ibn Abee Talhah upon the authority of Ibn ‘Abbaas ؓ:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ﴾

“Men are the protectors and maintainers of women.”,

Meaning: Leaders over them. She should obey him concerning that which Allaah has commanded her regarding his obedience. His obedience entails that she is good towards his family and protective of his wealth. Muqaatil, As-Sudee, and Adh-Dhahaak mention something similar. Ibn Katheer brings Prophetic narrations concerning the obligation of a woman obeying her husband and the prohibition of her disobeying him. From them is the statement of the Prophet ﷺ:

«لَوْ كُنْتُ أَمِيرًا أَحَدًا أَنْ يَسْجُدَ لِأَحَدٍ لِأَمْرَتِ الْمَرْأَةِ أَنْ تَسْجُدَ

لِزَوْجِهَا مِنْ عِظَمِ حَقِّهِ عَلَيْهَا»

“If I were to command someone to prostrate to another, I would have ordered the woman to prostrate to her husband because of the tremendous nature of his right upon her.”

He explains the remainder of the verse in clarification of the reality concerning defiance and the ruling concerning abandonment of the

bed and the strike which is permissible but this not an appropriate place for further reference. ⁴⁴

At this time, it is appropriate that I say: Certainly, the people have read the criticism of some women in recent times concerning the prophetic narration of Aboo Bakrah. Rather, they even question Aboo Bakrah as an individual, while others harbor doubt concerning him and this is an affair whose evil should be warned against.

Al-Qurtubee said in explanation of this verse: “The First Affair:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ﴾

“Men are the protectors and maintainers of women.”, is a nominal sentence the predicate (خبر/ *Khabr*) of which means they provide sustenance for them and defend them. Also, from them are leaders, rulers, and people of military expeditions yet this is not the case concerning the women. He also brought some narrations regarding the issue of how a woman does not resort to Islaamic legal retribution against her husband if he disciplines her by striking her.

Then he mentions secondly: This verse is indicative of the men’s discipline of their wives. If they preserve the rights of the men then there is no reason for the man to be oppressive concerning her living conditions.

The ‘Arabic word (Qawwaam/قَوَّامٍ/protectors and maintainers) is an ‘Arabic noun (إِسْم/ *Ism*) upon the verb (فَعَال/ *Fa’aal*) scale. This scale

⁴⁴ Tafseer Ibn Katheer: 503/1

usually implies exaggeration or emphasis from the word (الْقِيَام)/Al-Qiyaam) which means the fulfillment of something, and absolutism regarding this, and its preservation by way of exerting one's efforts. So the men's fulfillment of women's needs is from this definition. He organizes her affairs, he disciplines her, and he restricts her to her home and prevents her from unlawful exposure.

It is upon her to remain obedient to him and to accept his instruction in everything, which does not entail transgression. The justification of this can be found in the preference, provision, intellect, and strength concerning the matter of *AlJihaad*, and inheritance, and commanding the good and forbidding the evil. Then he continues in explanation of the verse until he completes eleven affairs.⁴⁵

Additionally, the eminent scholar As-Sa'dee said in his explanation of this verse:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ﴾

“Men are the protectors and maintainers of women.”,

Meaning: Those protectors and maintainers of them who compel them to fulfill the rights of Allaah the Exalted by holding fast to His obligations and by preventing them from corruption. So it is upon the men to compel them with that. They are protectors and maintainers of them also with their providing sustenance for them, their clothing them, and housing of them. Then he mentioned the reason which obliges the men to protect and maintain the women. He says:

⁴⁵ Al-Jaami' li Ahkaam Al-Qur'aan 168-169/5

﴿وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

“And because of what they spend (to support them) from their wealth.”

Meaning: Because Allaah has favored the men over the women and granted preference to the men over the women. The superiority of the men over the women can be viewed from many perspectives.

Just as public authority is specifically for the men, so too are prophethood, messengership, and the exclusive nature of many acts of worship like *Jihaad*, the ‘Eed prayers, as well as the Friday prayers. Additionally is that which Allaah has distinguished them with from the intellect, composure, patience, and forbearance—the example of which you will not find amongst the women. Similarly He has distinguished them by obligating them to provide sustenance for their spouses, in fact much of the provision is designated by the men to be specifically for the women and this is from what distinguishes the man from the woman. And perhaps this is the mystery behind Allaah’s statement:

﴿وَبِمَا أَنْفَقُوا﴾

“And because of what they spend (to support them).”

The object (المَفْعُولُ/*Al-Maf’ool*) is omitted to indicate the generality of providing sustenance, so it is known from all of this that the man is like the leader and caretaker of his wife and she is with respect to him a supporter, captive, servant, and so his responsibility is to establish this all while being observed by Allaah. Her responsibility is to remain obedient to her Lord and obedient to her husband. For this reason He said:

﴿ فَالصَّالِحَاتُ قَانِتَاتٌ ﴾

“So the righteous women are devoutly obedient.”

Meaning obedient to Allaah the Exalted.

﴿ حَافِظَاتٌ لِّلْغَيْبِ ﴾

“Preserving in (the husband’s) absence.”

Meaning: Obedient to their husbands even in their absence she preserves her husband and his wealth by herself. ⁴⁶

Then she (Zaynab Al-Ghaasib) reiterated her claim that authority has been granted to the woman as a means of dignifying her and she cited as an example the situation surrounding travel. She said: “This is quite possibly the most common thing.” As if she does not consider authority while remaining in the place of residence, and she must have forgotten the statement of Allaah the Exalted:

﴿ وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَى ﴾

“And remain in your houses, and do not display yourselves
like that of the times of ignorance.”

[Sooratul-Ahzaab 33:33]

Therefore, the foundation concerning her existence is that she remains at home and that for her husband is authority over her while remaining at home as well as during travel and she is not independent of the man’s authority, nor is she independent of his protection at home as well as during travel. If she needed to leave her home for the market or other than that, she requires the

⁴⁶ Tayseer Al-Kareem Ar-Rahmaan fee Tafseer Kalaam Al-Manaan page 177.

protection of the man from the men whom are like wolves. These men, if they were to see this protector, they become remiss and leave; yet if they were to see the woman alone, their desires would incite them to approach her. Some of them quite possibly may violate her and if they do not violate her they might surround her in order to seek pleasure in the sinful gawking at whatever they so please from her body. The situations, which are similar to this, are fewer but more severe in terms of travel.

Even if she admits the woman's need for the man's protection during travel considering the woman's physique (meaning because of its weakness concerning self-defense) and considering the difficulties related to transportation in earlier times; despite this she rants and raves about eliminating it during travel in this time because of the ease of transportation as they claim.

It is as if she does not consider a Muslim woman's travel to Europe or America or Japan unaccompanied by a *Mahram* to contain difficulty; as if there is no difference between the Muslim woman and the Jewish, Christian, and Hindu women.

Certainly, she has disregarded what occurs in this time of corruption and divergence by both men and women from proper manners and conduct. Indeed the woman who travels alone has escaped from the personal protection of Islaam; it has prohibited her from traveling without a *Mahram* even if that occurred during this time of the companions, even if the traveler was a female companion and her companion from the companions.

Upon the authority of Ibn 'Abbaas ؓ who said: the Messenger of Allaah ﷺ said:

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ وَلَا تُسَافِرَنَّ امْرَأَةٌ إِلَّا وَمَعَهَا مَحْرَمٌ،
فَقَامَ رَجُلٌ فَقَالَ يَا رَسُولَ اللَّهِ اكْتُبْتُ فِي غَزْوَةٍ كَذَا وَكَذَا
وَخَرَجَتْ امْرَأَتِي حَاجَةً، قَالَ: اذْهَبْ فَحُجِّ مَعَ امْرَأَتِكَ»

"It is not permissible for a man to be alone with a woman, and no woman should travel except with a Mahram. Then a man got up and said, "O Messenger of Allaah! I have enlisted for such-and-such military expedition and my wife is preparing to leave for Hajj." The Messenger of Allaah then said, "Go, and perform the Hajj with your wife." 47

In this narration, there is a great amount of protection appropriated to the dignity of the woman and the dignity of the woman's spouse while she remains at home as well as during travel. Therefore, no man is left alone with her even if she is a female companion of the Messenger of Allaah ﷺ and he is a male companion of the Messenger of Allaah. It is not permissible for her to travel except with a Mahram.

Notice how the Prophet ﷺ dealt with this companion who was a *Mujaahid* who sought to fight for the pleasure of Allaah and yet he commanded him to perform the Hajj along with his wife. She lived with the utmost of safety and security and her associates were the companions during the peak of belief, nobility, and avoidance from the prohibitions of Allaah, and they were intending to perform a tremendous act of worship; which is the Hajj (pilgrimage) to the House of Allaah.

⁴⁷ Agreed upon in both Saheeh of Imaam Al-Bukhaaree and in the Saheeh of Imaam Muslim

If there existed situations, which nullify this authority or permit the woman to travel without a *Mahram*, then they would be these conditions surrounding this female companion's Hajj. Yet, in this Prophetic narration is the obligation of safeguarding the woman during travel, which is safe, so how much more so with other types of travel.

Indeed many Prophetic narrations have been narrated concerning the prohibition of the woman traveling without a *Mahram*. From them is this Prophetic narration, which has preceded and also from them is the narration of Aboo Sa'eed:

«لَا تُسَافِرُ الْمَرْأَةُ يَوْمَيْنِ مِنَ الدَّهْرِ إِلَّا وَمَعَهَا ذُو مَحْرَمٍ مِنْهَا أَوْ زَوْجُهَا»

“A woman should not travel on a journey the extent of two days except when accompanied by a Mahram or her husband.”

From them is the Prophetic narration of Aboo Hurayrah:

«لَا يَحِلُّ لِمَرْأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ تُسَافِرُ مَسِيرَةَ يَوْمٍ وَلَيْلَةٍ إِلَّا مَعَ ذِي مَحْرَمٍ»

“It is not lawful for a woman who believes in Allaah and the Last Day to travel on a journey the extent of a day and a night except when there is a Mahram with her.”

These texts were implemented during the time of the Messenger ﷺ and his noble companions as well as his rightly guided successors until today. If there existed a woman deserving of permission to travel a short distance let alone a long distance, then it would have been the Mother of the Believers, Aa'ishah ؓ.

Indeed Imaam Muslim narrated from her that she said:

«قُلْتُ: يَا رَسُولَ اللَّهِ أَيْرْجِعُ النَّاسُ بِأَجْرَيْنِ وَأَرْجِعُ بِأَجْرٍ فَأَمَرَ
عَبْدَ الرَّحْمَنِ بْنِ أَبِي بَكْرٍ أَنْ يَنْطَلِقَ بِهَا إِلَى التَّنْعِيمِ قَالَتْ:
فَأَرَدَفَنِي خَلْفَهُ عَلَى جَمَلٍ لَهُ قَالَتْ: فَجَعَلْتُ أَرْفَعُ حِمَارِي
أَحْسِرُهُ عَنْ عُنُقِي فَيَضْرِبُ رِجْلِي بَعْلَةَ الرَّاحِلَةِ قُلْتُ لَهُ: وَهَلْ
تَرَى مِنْ أَحَدٍ قَالَتْ فَأَهْلَلْتُ بِعُمْرَةٍ ثُمَّ أَقْبَلْنَا حَتَّى انْتَهَيْنَا إِلَى
رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهُوَ بِالْحَصْبَةِ»

“I said: O Messenger of Allaah! The people are returning with two rewards whereas I am returning with one reward. Then he commanded ‘Abdur-Rahman ibn Aboo Bakr to take her to At-Tan’eam. Aa’ishah said: He seated me behind him on his camel. She (further) stated: I lifted my head covering and took it off from my neck. He struck my foot as if he was striking the camel. I said to him: Do you see anyone? She (further) said: I entered into the state of Ihram for ‘Umrah then we continued until we reached the Messenger of Allaah and he was at Hasbah.”

This was Aa’ishah the Mother of the Believers, the wife of the most noble of mankind and the daughter of Aboo Bakr As-Siddeeq. Her superiority over other women is like the superiority of the *Ath-Thareed* (a dish consisting of soaked bread, meat and broth) over the other foods. He did not permit her to leave Makkah for At-Tan’eam, which does not extend beyond a distance of four miles from Makkah except while being accompanied by her Mahram. Her departure was in the company of her brother during the night when she was wearing her head covering such that when it became uncovered he struck her as if he was striking the camel.

An-Nawwawee ؒ said: “So he struck her legs intentionally in the manner which a riding animal is struck. The meaning of this is that he struck her leg with a whip or small stick or other than this when her neck became uncovered from beneath her headscarf. He did this out of honor and earnest concern for her. So she then said to him: “Do you see anyone?” meaning: we are alone and there are no foreign men such that I should cover.”

This short travel and the circumstances surrounding it occurred while in a period of unparalleled safety and tranquility during the time of the Messenger ﷺ in the company of the companions who were the best of nations. Notice her intellect, wisdom, and patience as well as her pardon of her brother who struck her out of honor and earnest concern for her.

So is it not upon those women who are pursuing the rights to emulate the example of this illustrious female companion in her knowledge, comprehensiveness, and her implementation of Islaam? From her implementation of Islaam is the adherence to the legal rulings concerning the woman’s travel as well as her covering. Is it not also upon them to emulate the rest of the female companions concerning the affairs encountered in life? By Allaah, if they were to establish this obligation, then this nation would not hear the likeness of these voices nor have witnessed the like of these assemblies and gatherings.

Her statement: “So indeed the authority and maintenance was given to the woman to honor her for the one who understands for example the situation surrounding travel and this could quite possibly be the most common situation which necessitates the presence of a *Mahram*. This is an affair that Islaam has given the woman and honored her with while considering her physical composition such that the man might be a protector for her during that time.”

I say: So indeed the authority and maintenance was given to the man to dignify him and to honor his strength, preserve his chivalry and courage while ensuring protection for the woman and as a mercy for her because of her weakness. If this is the situation surrounding the woman by way of weakness, and the inevitable need for the man to protect and defend her-as you have professed-then why is it that you vehemently oppose the superiority of the man over the woman? Why do you call to something which no one has previously claimed, that the women are equals to the men concerning their rights and obligations, while you despise that the woman should follow the man?

O' you poor weak woman, do not misuse the revealed texts, mountains of knowledge left by the Qur'aanic explainers, Prophetic narration scholars, and jurists concerning the affairs related to the Muslim woman legally, intellectually, or logically.

Indeed the woman was and still remains deficient in her intellect, religion, and it is not befitting that she is left completely independent especially concerning the most important of her affairs. Furthermore, she most certainly is in need of the man whether at home or during travel.

If a home was filled with women and a rat or a scorpion entered, the entire world would hear their screams and the situation would require a man or a young boy to defend them from this imposing danger, let alone an armed man or soldier or lion. She is in constant need of safeguarding and protecting at home and during travel. When this is not the case she risks being devoured by the wolves from amongst the men who consist of criminals and sinful transgressors.

This group which you are disparaging consists of the majority of this nation and at the head of them are the scholars who have not depreciated the intellectual, legal, and Islaamic capacity of the woman. Rather, they have given them more than the rights which have been assigned to them by Islaamic law. As for the corrupt secular laws, then they have given both the woman and the man that which is in opposition to the Islaamic creed and the lofty Islaamic character and from them is that which does not necessitate mention.

As for the obligation of the guardianship which is the *Qawaamah*⁴⁸ which is a right legislated by Allaah and a necessity from the necessities of life in which life cannot be fulfilling nor can the families find happiness except by way of it.

For this *Qawaamah* there are conditions and principles, whomever transgresses them, whether that be a man or a woman, then it is obligatory that they are restricted to their boundaries in this life. If not then Allaah must take back the rights of the oppressed by establishing just retribution so much so that even the hornless sheep will receive its rights from the horned sheep⁴⁹. This is from the legislation of Islaam. As for the other laws then for them is another affair.

Her statement: “That we desire the authority which is appropriate for this time which we live in not that which was appropriate for later times.”

I say: Inform us of the ‘authority which is appropriate for this time’. Do you see it appropriate for this time that authority is designated for the women? Or do you see this authority should be nullified for

⁴⁸ Authority

⁴⁹ that gored him

the female traveler? Do you believe this time is better than the later times? Then why do you base your demands upon Qur'aanic verses and upon what you have claimed by way of demands of the female companions concerning their Islaamic legal rights?

Her statement: "The woman is not deficient in her capabilities and Islaam incorporated the woman in the dissemination of the most pressing of sciences which is Islaamic jurisprudence as the wives of the Messenger ﷺ used to teach the companions and certainly the Messenger of Allaah ﷺ: "Take half of your religion from these Al-Humayraa" even though some say that this is a weak narration merely in order to maintain their own positions."

I say: What is intended with the statement: "So the woman is not deficient in her capabilities⁵⁰". Does she mean by this that she is a sufficient candidate for the *Khilaafah* (leadership), judgment, the command of armies, and plunging into battle to aid the spread of Islaam and for the protection of the Islaamic nation, the authority over men, participation in the politics of this nation by way of conferencing, and assemblies for consultation and political deliberation? The woman has not been granted by Islaam any of these matters and she is not appropriate for any of that. If indeed she was appropriate for some of this, then it would have been given to her. Rather, the Prophet ﷺ said:

«إِنَّكُنَّ نَاقِصَاتُ عَقْلٍ وَدِينٍ وَإِنَّكُنَّ أَكْثَرُ أَهْلِ النَّارِ»

"Indeed you are deficient in intellect and religion and indeed you are the majority or the people of the Hellfire."

⁵⁰ There is no doubt concerning her deficiencies except in some affairs. Certainly, the All-Wise Legislator has given her this as in her transmission of knowledge, her right to own and contribute and indeed we have gone over the mention of what Islaam has granted her.

He said:

«لَنْ يُفْلِحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ»

“People who appoint a woman to be in charge of their affairs will never be successful.”

Their physical stature, their reality, and their history all bear witness to this effect. If you say: She is indeed more capable of pregnancy, nursing, and childrearing, then this is the truth and you will not find that the man argues regarding this distinction which Allaah has created for her. This is appropriate considering her physical composition, inherent disposition, and emotions. It is only right to say that her place is the home. For this reason Allaah says:

﴿وَقَرْنَ فِي بُيُوتِكُنَّ﴾

“And remain in your houses”

[Sooratul-Ahzaab 33:33]

And He says:

﴿فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ﴾

“So ask them from behind a partition.”

[Sooratul-Ahzaab 33:53]

This nation will never achieve liveliness except when its women establish it in the most comprehensive of manners. The best way she can establish the religion and become distinguished from the men in it occurs by way of the affairs we have previously mentioned. Indeed this is more beneficial for this nation. But if the woman was to abandon her primary role in order to compete with the men in arenas specific to the men, and create controversy in the name of women’s rights, then indeed she has harmed herself and this nation

and she has become a vehicle of destruction and not a vehicle for building. This vehicle leads to the destruction of the religion and good character as it occurs in some of the straying nations which have abandoned their religion from the likes of the Jews and the Christians and subsequently their character became ruined.

Certainly their knowledgeable ones became aware of this and regretted it so. It is too late during the hour of regret, and contented is the one who takes his admonition from others.⁵¹

Since you cited as evidence the transportation of the wives of the Messenger of Allaah ﷺ, for the sake of understanding we say: From your pursuit is both learning and teaching so it is obligatory for you to learn that Allaah said to them (the wives):

﴿ وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَىٰ وَأَقِمْنَ
الصَّلَاةَ وَآتِينَ الزَّكَاةَ وَأَطِعْنَ اللَّهَ وَرَسُولَهُ ۙ ﴾

“And remain in your houses, and do not display yourselves like that of the times of ignorance and establish the prayer and offer/give charity and obey Allaah and His Messenger.”

[Sooratul-Ahzaab 33:33]

They (the wives of the Messenger) established these obligations in the most complete of manners. From them is their tranquility in their homes. Righteous, devoutly, obedient women used to seek their support and assistance in these affairs and they would address them regarding the Messenger of Allaah from behind a partition. So it was not that they taught the companions the proper understanding in the manner which you have mentioned, rather

⁵¹ that he witnesses from other peoples mistakes

each one of them used to convey what they had memorized from the Messenger of Allaah ﷺ from behind a partition and they did not use to clumsily stumble through what they have conveyed in the manner that you (people at this gathering) have.

For the transmission of Prophetic narrations and knowledge there exists conditions concerning which I view you as being from the furthest of the people from possibly fulfilling them. By Allaah, we have witnessed from you the most amazing of affairs from your deficient transmission of narrations to your baseless extrapolation, concealing the truth and your attribution of ignorance to the people and your citing as evidence this erroneous narration as well as your disparagement of those who declare it to be weak from the scholars and your claims that they are of evil intent.

So would they criticize a Prophetic narration which is authentically reported from the Messenger of Allaah merely to aid their own statements? Then what are these statements which oppose Islaamic law and cannot exist except through the censure of a Prophetic narration of the Messenger of Allaah ﷺ.

Ibn Al-Qayyim criticized this narration. Ibn Hajr said concerning it: "I do not know that there exists a chain of narration for it and I have not seen it mentioned in the books of Prophetic narrations except "*An-Nihaayah*" by Ibn Atheer who mentions it in the section assigned the haa meem raa.

He did not mention who extracted it and I have seen it in the book: "Al-Firdaws" but with another wording, and he mentioned it from the narration of Anas also without a chain of narration, the text of which is: "Take a third of your religion from the home of Al-Humayraa" and "the author of "Al-Firdaws" made this narration seem fair by not mentioning the chain and Al-Haafidh Emmaad Ad-

Deen Ibn Katheer mentioned that he asked the two memorizers ⁵² concerning it but neither of the two knew of it.” ⁵³

There is a narration, which is unknown to the Imaams who were known for their memorization yet who did not know of the existence of a chain for it? You know the chain to the extent that you will criticize whoever looks at the narration with scrutiny. So then inform us of its authenticity. If not, then you and those like you should abandon speaking about this narration in the name of Islaam not to mention concerning its authenticity, validity, and intricacies concerning this affair.

One of the participants in this gathering ⁵⁴ demands women’s rights and she mentioned that Islaamic law has ensured women’s rights. She cites as evidence many Qur’aanic verses and Prophetic narrations. From them for the sake of example, not limitation is the story of Umm Salamaa ⁵⁵ رضي الله عنها when she inquired about the superiority of the *Hijrah* ⁵⁶ and whether it is specifically restricted to the men at the exclusion of women. She said, “O messenger of Allaah! I do not hear that Allaah has mentioned anything regarding the women within the context of hijrah. Then Allaah the Exalted revealed:

﴿ فَاسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّي لَا أُضِيعُ عَمَلَ عَمَلٍ مِّنْكُمْ مِّنْ ذَكَرٍ أَوْ
أُنْتَىٰ بَعْضُكُمْ مِّنْ بَعْضٍ ۖ فَالَّذِينَ هَاجَرُوا وَأُخْرِجُوا مِنْ دِيَرِهِمْ

⁵² Al-Haafith Al-Mizee and Al-Haafith Adh-Dhahabee

⁵³ See: “Al-Maqaasid Al-Hassanah page 198 number 432.

⁵⁴ her name is Al-Batool Al-Haashimiyah

⁵⁵ She meant Umm Salamah

⁵⁶ migration

وَأُوذُوا فِي سَبِيلِي وَقَتَلُوا وَقُتِلُوا لَأُكَفِّرَنَّ عَنْهُمْ سَيِّئَاتِهِمْ وَلَأُدْخِلَنَّهُمْ
جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ ثَوَابًا مِمَّنْ عِنْدِ اللَّهِ وَاللَّهُ عِنْدَهُ

حُسْنُ الثَّوَابِ ﴿

"So their Lord accepted of them, "Never will I allow to be lost the work of any of you, whether he be male or female. You are from one another. So those who emigrated and were driven from their homes, and suffered harm in My Cause, and who fought, and were killed, verily, I will certainly expiate their evil deeds and admit them into Gardens under which rivers flow; a reward from Allaah, and with Allaah is the best of rewards."

[Soorah Aali 'Imraan 3:195]

Then she said, "We find from the majority of what this noble verse contains is: First: the zealousness of the women during the time of the message concerning their participation in the administration of affairs pertaining the general community of believers and that the text of the Qur'aan mentions them. Allaah ﷻ addressed them in many legislative verses and they subsequently became a vital and apparent piece of life in the Islaamic community in both religious aspects as well as general communal aspects.

Just as she has opposed the zeal of the women concerning the seeking of prosperity by way of stature and esteem, which indicates their hard work and that, their exclusion and disregard cannot occur from within the community. They do not waver regarding their inquiries and efforts towards knowing their rights and accomplishing this from within the community. They do not shy away from expressing their opinions, and they also do not waver concerning their

aspiring for a better situation and no one rebukes them concerning this.

You see the obvious manifestation of this in the Qur'aanic chapter entitled *Mujaadilah* wherein Allaah heard the statement of the woman in dispute. Her Lord answered her immediately and revealed regarding her clear verses, rather an entire chapter. Certainly, this is a tremendous indication of the attention, which should be paid to the voice of the women in any historical context, and this right should be implemented with respect in the interaction with her.

Based on what we have mentioned, indeed this Saudi Muslim woman pursues these rights while she in reality personifies it, she is attempting to exceed those female companions ﷺ because they never requested the completion of their Islaamic rights.

Finally, I wanted to say and conclude by addressing them all together. The women who fear they could possibly oppose the desire for separatism from the women or the establishment of dominance from another perspective. None of this will thrive except among a small faction who are unable to understand and comprehend the complete Islaamic legal rights for both parties which are equal. This faction continues to maintain the understanding that the woman is deficient in her understanding and religion and that she is incapable of depending upon herself so they vainly assert this concerning her abilities intellectually, secularly, Islaamically and they assume that she will never attain the age of discernment. So they exclude her in the distribution of the inheritance even if they do so without the slightest bit of truth.”

I say: Yes, indeed the rights of women have been ensured by Islaamic law and supported by numerous evidences from the Qur'aan and noble Prophetic narrations, but not in the manner which is intended by the people of this assembly. They do not find in these multiple texts anything which they desire or which they can distort like complete equality between men and women or political rights...

Then in the speech of this woman is a strong opinion for anyone who says it, but the text of this verse does not support any of her claims, which she mentioned in her explanation of this verse. So the women in the time of Revelation used to embrace the verses of the Qur'aan and Prophetic narrations with complete faith, truthful acceptance, and unrestricted confidence regarding the beliefs, legislation, and just and wise laws. There did not exist amongst them any feelings of oppression or inequity and they did not harbor suspicion of wrongdoing and injustice, except for the hypocrites who said:

﴿لَوْ كَانَ لَنَا مِنَ الْأَمْرِ شَيْءٌ مَّا قُتِلْنَا هَاهُنَا﴾

**“If we had anything to do with the affair, none of us would
have been killed here.”**

[Soorah Aali 'Imraan 3:154]

There did not exist during the time of revelation such a political struggle, nor a status struggle between men and women to the extent that they would strive to establish themselves in the administration of the general affairs in the community of believers. Nor was there an effort to remind them in the form of Qur'aanic verses until the Qur'aan was revealed in response to their inquiries regarding communal and political rights. If they did do this, then indeed this was tantamount to condemnation of Allaah and revolt against Him

and He is far above this. So how could the believers during the time of revelation harbor such feeling and premonitions?

As for the mention of women in the Qur'aan, then they were mentioned in the Makkan chapters without mention of the zeal of the women, or the response to their requests of which the writer calls to. Rather, for other reasons related to faith, worship, marriage, divorce, inheritance, and the verses, which address the men generally, apply to the women as well, whether those verses contain the promise of success (*Wad*) or the threat of punishment (*Wa'eed*), commands or prohibitions, or instruction... So of course, there is no reason to ascribe this to Umm Salamah رضي الله عنها.

The state of the Qur'aan which we are referring to encourages a person to consider the weakness of this speech. Rather the reality of this text and its context demonstrate its (the speech of these women) weakness. The text is the statement of Allaah:

﴿إِنَّ فِي خَلْقِ السَّمَوَاتِ وَالْأَرْضِ وَاخْتِلَافِ اللَّيْلِ وَالنَّهَارِ لَآيَاتٍ
لِّأُولِي الْأَلْبَابِ ﴿١٠١﴾ الَّذِينَ يَذْكُرُونَ اللَّهَ قِيَمًا وَقُعُودًا وَعَلَىٰ جُنُوبِهِمْ
وَيَتَفَكَّرُونَ فِي خَلْقِ السَّمَوَاتِ وَالْأَرْضِ رَبَّنَا مَا خَلَقْتَ هَذَا
بَطْلًا سُبْحَانَكَ فَقِنَا عَذَابَ النَّارِ ﴿١٠٢﴾ رَبَّنَا إِنَّكَ مَن تَدْخِلِ النَّارَ
فَقَدْ أَحْزَيْتَهُ ۗ وَمَا لِلظَّالِمِينَ مِن أَنْصَارٍ ﴿١٠٣﴾ رَبَّنَا إِنَّا سَمِعْنَا مُنَادِيًا
يُنَادِي لِلْإِيمَنِ أَنْ ءَامِنُوا بِرَبِّكُمْ فَءَامَنَّا رَبَّنَا فَاغْفِرْ لَنَا ذُنُوبَنَا
وَكَفِّرْ عَنَّا سَيِّئَاتِنَا وَتَوَفَّنَا مَعَ الْأَبْرَارِ ﴿١٠٤﴾ رَبَّنَا وَءَاتِنَا مَا وَعَدْتَنَا

عَلَىٰ رُسُلِكَ وَلَا تُحْزِنَا يَوْمَ الْقِيَامَةِ ۗ إِنَّكَ لَا تُخْلِفُ الْمِيعَادَ ﴿١٣١﴾
 فَاسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّي لَا أُضِيعُ عَمَلَ عَمَلٍ مِّنْكُمْ مِّنْ ذَكَرٍ أَوْ
 أُنْثَىٰ ۖ بَعْضُكُمْ مِّنْ بَعْضٍ ۗ فَالَّذِينَ هَاجَرُوا وَأُخْرِجُوا مِنْ دِيَارِهِمْ
 وَأُودُوا فِي سَبِيلِي وَقَتَلُوا وَقُتِلُوا لَأُكَفِّرَنَّ عَنْهُمْ سَيِّئَاتِهِمْ وَلَأُدْخِلَنَّهُمْ
 جَنَّاتٍ تَجْرَىٰ مِنْ تَحْتِهَا الْأَنْهَارُ ثَوَابًا مِّنْ عِنْدِ اللَّهِ ۗ وَاللَّهُ عِنْدَهُ

﴿ ١٣١ ﴾ حُسْنُ الثَّوَابِ ﴿ ١٣٢ ﴾

“Indeed, in the creation of the heavens and the earth, and in the alternation of night and day, are signs for people of understanding. Those who remember Allaah standing, sitting, and lying down on their sides, and reflect deeply about the creation of the heavens and the earth, (saying): “Our Lord! You did not create this aimlessly, glory be to you. So protect us from the torment of the Fire. Our Lord!

Verily, whomever you enter into the Fire, you have disgraced him, and for the wrong-doers there are no helpers. Our Lord! Verily, we have heard the call of one calling to Faith (saying): ‘Believe in your Lord,’ and we have believed. Our Lord! Forgive us our sins and remove from us our evil deeds, and make us die in the state of righteousness along with righteous. Our Lord! Grant us what you promised us through your Messengers and do not disgrace us on the Day of Resurrection, for indeed you never oppose (your) promise. So their Lord accepted of them, “Never will I allow to be lost the work of any of you, whether he be male or female. You are from one another.

So those who emigrated and were driven from their homes, and suffered harm in My Cause, and who fought,

and were killed, verily, I will certainly expiate their evil deeds and admit them into Gardens under which rivers flow; a reward from Allaah, and with Allaah is the best of rewards.”

[Soorah Aali 'Imraan 3:195]

So in this text is praise for the people who reflect and remember Him at all times; standing, sitting and on their sides, and they reflect deeply concerning the creation of the heavens and the earth and the organization of this extraordinary existence and its administration. The arrival at the result which is Allaah has not created this in play or aimlessly but rather he created it in truth with tremendous wisdom which is in accordance with His Lordship, Oneness, and Glorious Names.

Then they arrive at Allaah with this attentive belief and their supplication to Him that He protects them from the torment of the Fire, and that He protects them from the disgrace of that place. The Noble Lord responded to those truthful and humble believers who do not seek after any political aims nor are they concerned with the status of people within the community. He increased them in praise, enhancing them with a truthful promise to enter them into gardens beneath which rivers flow.

This is clear evidence of the weakness surrounding her speech. The Qur'aan further emphasizes what has preceded us from the mention of women in the Makkan and Madian chapters before the revelation of this text by many years. This is also highlighted another time that all of these verses are discussions about men of understanding, and all the pronouns return to them. This woman cited as evidence what is in reality a proof against her. If the woman is mentioned in it, then what is the extent to which she is mentioned.

Her statement: “They subsequently became a vital and apparent piece of life in the Islaamic community in both religious aspects as well as general communal aspects.”

I say: By Allaah, they were not buried, nor oppressed, not in the treatment of the Qur’aan, or the Messenger ﷺ, nor in the state of affairs of the community in which they lived, a community in which they were rescued from lowliness, degradation, coercion, suppression, and burial in infancy. Indeed by Allaah she escaped this oppression after the oppression of polytheism and disbelief to the light of belief, honor, and dignity. Nothing occurred to them concerning that which you are saying.

Her statement: “Just as she has opposed the zeal of the women concerning the seeking of prosperity by way of stature and esteem which indicates their hard work and that their exclusion and disregard cannot occur from within the community.”

I say: This verse does not contain any evidence or indication of what this woman has mentioned, and Islaam does not leave them to resort to laboring in pursuit of their rights. Certainly Islaam has given them what would not have occurred to them. Then it is sensed from her oppressive speech that the woman has enduring oppression, subjugation, exclusion, and was neglected in that pure community which there has existed nothing similar in the history of mankind in terms of loftiness, nobility, justice, and striving to make the Word of Allaah uppermost, as well as honoring of the women, children, poor, orphans, even the wild animals.

So the verse and the condition of this group of people, the Qur'aan, the Sunnah, all of this shares no relationship with these ideas which were purported by this woman.

Her statement: “And they do not shy away from expressing their opinions nor do they waver concerning their aspiring for a better situation and no one rebukes them concerning this.”

I say: “Indeed the verse does not indicate anything similar to that. Even the speech, if we were to disregard the condition of its authenticity, does not indicate anything like this. Neither does the situation of the woman or her community in which she lives.

They were in an enviable position which was unparalleled; so why would they strive for better? Indeed your speech indicates that you understand their situation must have been terrible, such that they were not completely given their rights. She strives with great ambition towards overcoming this situation without shame or indecisiveness, and we seek refuge in Allaah from the likes of these ideas and conjecture.

As for the Qur'aanic chapter entitled *Mujaadilah*, then indeed, some of it and not all of it was revealed concerning the situation surrounding Khuwaylah bint Tha'labah Al-Ansariyyah and her husband Aws Ibn As-Saamit who had said to her “you are to me like my mother's back”.⁵⁷ This *Dhihaar* (statement) disturbed her and this is her story:

⁵⁷ A statement, which means, ‘You are unlawful for me to approach (i.e. for marital relations).’

حَدَّثَنَا سَعْدُ بْنُ إِبْرَاهِيمَ وَيَعْقُوبُ قَالَ حَدَّثَنَا أَبِي قَالَ حَدَّثَنَا مُحَمَّدُ بْنُ
 إِسْحَاقَ قَالَ حَدَّثَنِي مَعْمَرُ بْنُ عَبْدِ اللَّهِ بْنِ حَنْظَلَةَ عَنْ يُونُسَ بْنِ عَبْدِ
 اللَّهِ بْنِ سَلَامٍ عَنْ خُوَيْلَةَ بِنْتِ ثَعْلَبَةَ قَالَتْ وَاللَّهِ فِيَّ وَفِي أَوْسِ بْنِ
 صَامِتٍ أَنْزَلَ اللَّهُ عَزَّ وَجَلَّ صَدْرَ سُورَةِ الْمُجَادَلَةِ قَالَتْ كُنْتُ عِنْدَهُ
 وَكَانَ شَيْخًا كَبِيرًا قَدْ سَاءَ خُلُقُهُ وَضَجَرَ قَالَتْ فَدَخَلَ عَلَيَّ يَوْمًا
 فَرَأَجَعْتُهُ بِشَيْءٍ فَعَضِبَ فَقَالَ أَنْتِ عَلَيَّ كَظْهَرِ أُمِّي قَالَتْ ثُمَّ خَرَجَ
 فَجَلَسَ فِي نَادِي قَوْمِهِ سَاعَةً ثُمَّ دَخَلَ عَلَيَّ فَإِذَا هُوَ يُرِيدُنِي عَلَى نَفْسِي
 قَالَتْ فَقُلْتُ كَلَّا وَالَّذِي نَفْسُ خُوَيْلَةَ بِيَدِهِ لَا تَخْلُصُ إِلَيَّ وَقَدْ قُلْتُ مَا
 قُلْتَ حَتَّى يَحْكُمَ اللَّهُ وَرَسُولُهُ فِينَا بِحُكْمِهِ قَالَتْ فَوَاتَبَنِي وَامْتَنَعْتُ مِنْهُ
 فَعَلَبْتُهُ بِمَا تَعَلَّبُ بِهِ الْمَرْأَةُ الشَّيْخَ الضَّعِيفَ فَالْقَيْتُهُ عَنِّي قَالَتْ ثُمَّ
 خَرَجْتُ إِلَى بَعْضِ جَارَاتِي فَاسْتَعَرْتُ مِنْهَا ثِيَابَهَا ثُمَّ خَرَجْتُ حَتَّى
 جِئْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَجَلَسْتُ بَيْنَ يَدَيْهِ فَذَكَرْتُ لَهُ
 مَا لَقِيتُ مِنْهُ فَجَعَلْتُ أَشْكُو إِلَيْهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَا أَلْقَى مِنْ سُوءِ
 خُلُقِهِ قَالَتْ فَجَعَلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ يَا خُوَيْلَةَ ابْنُ
 عَمِّكَ شَيْخٌ كَبِيرٌ فَاتَّقِي اللَّهَ فِيهِ قَالَتْ فَوَاللَّهِ مَا بَرِحْتُ حَتَّى نَزَلَ فِيَّ
 الْقُرْآنُ فَتَعَشَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَا كَانَ يَتَعَشَّاهُ ثُمَّ
 سُرِّيَ عَنْهُ فَقَالَ لِي يَا خُوَيْلَةَ قَدْ أَنْزَلَ اللَّهُ فِيكَ وَفِي صَاحِبِكَ ثُمَّ قرأ
 عَلَيَّ قَدْ سَمِعَ اللَّهُ قَوْلَ الَّتِي تُجَادِلُكَ فِي زَوْجِهَا وَتَشْتَكِي إِلَيَّ اللَّهُ

وَاللَّهُ يَسْمَعُ تَحَاوُرَكُمَا إِنَّ اللَّهَ سَمِيعٌ بَصِيرٌ إِلَى قَوْلِهِ وَلِلْكَافِرِينَ عَذَابٌ
أَلِيمٌ فَقَالَ لِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مُرِيهِ فليُعْتِقْ رَقَبَةً قَالَتْ
فَقُلْتُ وَاللَّهِ يَا رَسُولَ اللَّهِ مَا عِنْدَهُ مَا يُعْتِقُ قَالَ فليَصُمْ شَهْرَيْنِ مُتَتَابِعَيْنِ
قَالَتْ فَقُلْتُ وَاللَّهِ يَا رَسُولَ اللَّهِ إِنَّهُ شَيْخٌ كَبِيرٌ مَا بِهِ مِنْ صِيَامٍ قَالَ
فليُطْعِمَ سِتِّينَ مِسْكِينًا وَسَقًّا مِنْ تَمْرٍ قَالَتْ قُلْتُ وَاللَّهِ يَا رَسُولَ اللَّهِ مَا
ذَاكَ عِنْدَهُ قَالَتْ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَإِنَّا سُنِعِينَهُ
بِعَرَقٍ مِنْ تَمْرٍ قَالَتْ فَقُلْتُ وَأَنَا يَا رَسُولَ اللَّهِ سَأَعِينُهُ بِعَرَقٍ آخَرَ قَالَ
قَدْ أَصَبْتَ وَأَحْسَنْتِ فَادْهَبِي فَتَصَدَّقِي عَنْهُ ثُمَّ اسْتَوْصِي بِابْنِ عَمِّكَ
خَيْرًا قَالَتْ فَفَعَلْتُ قَالَ سَعْدُ الْعَرَقُ الصَّنُّ

Ahmad recorded that Khuwaylah bint Tha'labah said, "By Allaah! Allaah sent down the beginning of Soorat Al-Mujaadilah concerning myself and Aws ibn As-Saamit. He was my husband and had grown old and his behavior became difficult. One day, he came to me and I argued with him concerning something, and he said, out of anger, 'You are to me like my mother's back.' He went out and sat with some of his people. Then he came back and wanted to indulge himself with me. I said, 'No, by the One in Whose Hand is the soul of Khuwaylah! You will not have your way with me after you said what you said, until Allaah and His Messenger have judged regarding our case.' He wanted to have his way regardless of my choice and I restrained him and I overcame him and pushed him away from me in a manner which a woman might overcome an old man. Then I went to some of my neighbors and borrowed a garment before leaving to the Messenger of Allaah ﷺ. So I remained with him and I told him what happened and kept complaining to him of the ill treatment I received from Aws. He said,

«يَا خُوَيْلَةَ، ابْنُ عَمِّكَ شَيْخٌ كَبِيرٌ، فَاتَّقِي اللَّهَ فِيهِ»

“O Khuwaylah! Your cousin is a very old man, so fear Allaah regarding him.”

By Allaah! Before I departed, some of the Qur’aan was revealed concerning me. The Messenger of Allaah ﷺ felt the difficulty upon receiving the revelation that he usually experiences and then regained his composure. He then said to me,

«يَا خُوَيْلَةَ، قَدْ أَنْزَلَ اللَّهُ فِيكَ وَفِي صَاحِبِكَ قُرْآنًا»

“O Khuwaylah! Certainly, Allaah has revealed to me something about you and your spouse. He recited to me”,

﴿ قَدْ سَمِعَ اللَّهُ قَوْلَ الَّتِي تُجَادِلُكَ فِي زَوْجِهَا وَتَشْتَكِي إِلَى اللَّهِ وَاللَّهُ يَسْمَعُ

تَحَاوُرَكُمَا ۚ إِنَّ اللَّهَ سَمِيعٌ بَصِيرٌ ﴿١﴾ الَّذِينَ يُظَاهِرُونَ مِنْكُمْ مِّن نِّسَائِهِمْ مَا

هُنَّ أُمَّهَاتُهُمْ ۚ إِنَّ أُمَّهَاتُهُمْ إِلَّا الَّتِي وَلَدْنَهُمْ وَإِنَّهُمْ لَيَقُولُونَ مُنْكَرًا مِّنَ

الْقَوْلِ وَزُورًا وَإِنَّ اللَّهَ لَعَفُوفٌ غَفُورٌ ﴿٢﴾ وَالَّذِينَ يُظَاهِرُونَ مِن نِّسَائِهِمْ ثُمَّ

يَعُودُونَ لِمَا قَالُوا فَتَحْرِيرُ رَقَبَةٍ ۚ مِّن قَبْلِ أَنْ يَتَمَاسَا ۚ ذَٰلِكُمْ تُوَعِّظُونَ بِهِ ۚ

وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ﴿٣﴾ فَمَنْ لَّمْ يَجِدْ فَصِيَامَ شَهْرَيْنِ مُتَتَابِعَيْنِ مِن قَبْلِ أَنْ

يَتَمَاسَا ۚ فَمَنْ لَّمْ يَسْتَطِعْ فَاِطْعَامُ سِتِّينَ مِسْكِينًا ۚ ذَٰلِكُمْ لِتُؤْمِنُوا بِاللَّهِ

وَرَسُولِهِ ۚ وَتِلْكَ حُدُودُ اللَّهِ ۚ وَلِلْكَافِرِينَ عَذَابٌ أَلِيمٌ ﴿٤﴾

‘Indeed Allaah has heard the statement of the one who disputes with you concerning her husband, and complains to Allaah. And

Allaah hears the discussion between you. Verily, Allaah is All-Hearer, All-Seer. Those among you who make their wives unlawful to them Adh-Dhihaar, they cannot be their mother. None can be their mothers except those who gave them birth. And verily, Allaah is Oft-Pardoning, Oft-Forgiving. And those who make unlawful to them (their wives) by Dhihaar and wish to free themselves from what they uttered, (the penalty) in that case is the freeing of a slave before they touch each other. That is an admonition to you. And Allaah is All-Aware of that you do. And he who finds not (the money for freeing a slave) must fast two successive months before they both touch each other. And he who is unable to do so, should feed sixty Masaakeen. That is in order that you may have perfect faith in Allaah and His Messenger. These are the limits set by Allaah. And for the believers is a painful torment'

[Sooratul-Mujaadilah 58:14]

He then said to me,

«مُرِّيهِ فَلْيُعْتِقْ رَقَبَةً»

“Command him to free a slave.”

I said, ‘O Messenger of Allaah! He does not have any.’ He said,

«فَلْيَصُمْ شَهْرَيْنِ مُتَتَابِعَيْنِ»

“Then let him fast for two months consecutively.”

I said, ‘By Allaah! He is an old man and cannot fast.’ He said,

«فَلْيُطْعِمْ سِتِّينَ مِسْكِينًا وَسَقًّا مِنْ تَمْرٍ»

“Then let him feed sixty poor people a Wasq⁵⁸ of dates.”

I said, ‘O Messenger of Allaah! By Allaah, he does not have any of that.’ He said,

«فَإِنَّا سُنَعِينُهُ بِعَرَقٍ مِّنْ تَمْرٍ»

“Indeed we will help him with a portion of dates.”

I said, ‘And I, O Messenger of Allaah! I will help him with another.’ He said,

«قَدْ أَصَبْتَ وَأَحْسَنْتِ فَادْهَبِي فَتَصَدَّقِي بِهِ عَنْهُ، ثُمَّ اسْتَوْصِي
بِابْنِ عَمِّكَ خَيْرًا»

“You have done good and dealt with your husband amicably. So go and give away the dates as charity on his behalf and be good and take care of your cousin. And I did so.”⁵⁹

Contained within this prophetic narration are many important benefits which women may take advantage of:

- 1- In this prophetic narration Khuwaylah bint Tha’labah borrowed a garment before leaving to visit the Messenger of Allaah ﷺ. This helps us to understand that she lived in shoddy and tattered rags with garments which were not suitable for leaving the house. These garments which she

⁵⁸ One wasq refers to a measurement of a camel load or the equivalent of 60 Sa’ or approximately 165 liters.

⁵⁹ Tafseer Al-Qur’aan Al-Adheem by Ibn Katheer, Vol 4, # 341-342. Al-Haafidh Ibn Hajr declared it Hassan in his Fath 433/9. It was also extracted by Ahmad 410/6 and Aboo Dawood in the chapter entitled Adh-Dhihaar narration number 2214. As well as Ibn Al-Jaarood 746 and Ibn Hibbaan 107/10.

borrowed are not acceptable to many of the women of our time.

- 2- In the text of the Qur'aan:

﴿ قَدْ سَمِعَ اللَّهُ قَوْلَ الَّتِي تُجَادِلُكَ فِي زَوْجِهَا وَتَشْتَكِي إِلَى اللَّهِ وَاللَّهُ
يَسْمَعُ نَحْوَ رُكْمًا إِنَّ اللَّهَ سَمِيعٌ بَصِيرٌ ﴾

**“Indeed Allaah has heard the statement of the one who
disputes with you concerning her husband, and complains
to Allaah.”**

[Sooratul-Mujaadilah 58:1]

Her dispute concerning her husband was of support and defense, with the strong desire to remain in her impoverished 'old husband's protection. Although she originally complained of his behavior with her, she did not dispute regarding his authority over her. Furthermore, are the women of that assembly prepared to seek the witness of this female companion and find solace in her?

- 3- In the text of the Qur'aan, she complains to Allaah and this indicates the status of her belief, such that she confers with the Messenger who is the best of the Messengers and in the midst of this conversation, she raises her complaint to Allaah concerning what she had experienced from the behavior of her husband. The Messenger of Allaah ﷺ heard this complaint so what was his position concerning the actions of this man towards his wife? Did he do, as the callers to the liberation and their protégés from their noble companions do? Did they establish symposiums for the callers for women's rights especially since many of the companions struck their women? As for the Messenger, then he did not offer any initial advice other than: “O

Khuwaylah! Your cousin is a very old man, so fear Allaah regarding him.”

So do the women of today accept this and will they endure it? Do they desire to benefit from the reality of this pure community for which there exists no likeness nor similitude, neither past nor present.

O callers to the liberation of women and seekers of women’s rights, are you more just than the community of companions over whom the Messenger of Allaah ﷺ was a witness as well as the nation of believers? In this community were the rightly guided successors of the Prophet; the Muhaajiroon, and the Ansaar. By Allaah, the situation of the woman in that time was certainly the best mankind has known. The women prior to that time were buried alive (as infants), inherited as property, humiliated, and treated with great disrespect. Allaah honored them with Islaam and raised them to a status which is appropriate for the nobility of mankind with balance. Once Allaah revealed His legislation concerning the affair, which is for the benefit of the Muslims since adh-Dhihaar⁶⁰ was divorce in pre-Islaamic times. Islaam viewed it as being from evil, sinful speech; and legislated expiation before intercourse.

The Messenger of Allaah ﷺ said to her:

«مُرِّيهِ فَلْيُعْتِقْ رَقَبَةً»

‘Command him to free a slave.’

⁶⁰ Adh-Dhihaar the saying “Your are like my mothers back”, was considered divorce in the pre-Islaamic period of ignorance.

So what then was her position? Certainly she transformed after complaining about her husband into a merciful wife honestly making excuses for him when she said:

« وَاللَّهِ يَا رَسُولَ اللَّهِ مَا عِنْدَهُ مَا يُعْتَقُ »

‘By Allaah, O Messenger of Allaah! He does not have any.’

The Messenger of Allaah ﷺ said:

« فَلْيَصُمْ شَهْرَيْنِ مُتَّابِعَيْنِ »

‘Then let him fast for two months consecutively.’

She then said,

« وَاللَّهِ يَا رَسُولَ اللَّهِ إِنَّهُ شَيْخٌ كَبِيرٌ مَا بِهِ مِنْ صِيَامٍ »

‘O Messenger of Allaah! He is an old man and cannot fast.’

The Messenger of Allaah ﷺ said:

« فَلْيُطْعِمْ سِتِّينَ مِسْكِينًا وَسَقًا مِنْ تَمْرٍ »

‘Then let him feed sixty poor people a Wasq of dates.’

She said,

« وَاللَّهِ يَا رَسُولَ اللَّهِ مَا ذَاكَ عِنْدَهُ »

‘O Messenger of Allaah! By Allaah, he does not have any of that.’

Then the Messenger of Allaah ﷺ said:

«فَأَنَا سَاعِيْنُهُ بِعَرَقٍ مِنْ تَمْرٍ»

‘Indeed we will help him with a portion of dates.’

She said,

«وَأَنَا يَا رَسُولَ اللَّهِ سَاعِيْنُهُ بِعَرَقٍ آخَرَ»

‘And I, O Messenger of Allaah! I will help him with another.’

The Messenger of Allaah ﷺ said:

«قَدْ أَصَبْتِ وَأَحْسَنْتِ فَادْهَبِي فَتَصَدَّقِي عَنْهُ ثُمَّ اسْتَوْصِي بِابْنِ
عَمِّكَ خَيْرًا قَالَتْ فَفَعَلْتُ قَالَ سَعِدُ الْعَرَقُ الصَّنُّ»

‘You have done good and dealt with your husband amicably.

So go and give away the dates as charity on his behalf, be good and take care of your cousin. And I did so.’

Meaning: She fulfilled the appeal of the Messenger of Allaah in assisting her husband and dealing with him amicably.

O people of these gatherings, indeed you have called for a return to the history of the female companions. If indeed you are truthful, then know that this history is a single history witnessed by the supervision of the Messenger of Allaah and his was a pure community, so benefit from that. Your community has benefited from it and has maintained the position of true believing women in the face of the criminals, the callers to liberation and the deceptive, misleading callers to women’s rights.

Her statement: “Finally I wanted to say and conclude by addressing them all together. The women who fear that

could possibly oppose the desire for separatism from the women or the establishment of dominance from another perspective. But none of this will thrive except among small factions who are unable to understand and comprehend the complete Islaamic legal rights for both parties which are equal.”

I say: Truly most of the Saudi people, both men and women are holding fast to Islaam and realize the rights of men and women. The woman in Saudi ‘Arabia is honored to the extent that there is nothing else similar found anywhere in the world. The other women of the world envied her. The majority of the women of this land, who diligently establish Islaam correctly, do not support these falsified public outcries and extensive accusations directed towards Islaamic Law.



Chapter 4:

Is the Evidence of the Scholars Selective?

The doctor Ameerah Kashgharee displayed her comprehension of this in her statement:

“I believe that the majority of independent reasoning relies upon selective evidence. I mean by this we select what we desire. So for the woman are rights so it is upon her to pursue her rights and she should not feel that the community or customs have restrained her and has tightened the grip around her throat specifically.

Some of the religious speakers select some Qur’aanic verses and Prophetic narrations which are consistent and appropriate for the habits and customs in order to prove and establish that the woman is less than the man, and that the woman needs to always remain under the direction of the man. If we were to assume that these rights are known, we might begin by questioning what has been questioned before by female professors concerning this discussion with the question: What are the situations in which Islaamic law has obligated the man’s authority over the woman? How can we distinguish this between what is legislated and what is merely independent reasoning and [false] interpretation of a legal text?”

I say: In this speech is the following:

Firstly: Provocation of the women and the claim for the women are rights she is entitled to demand..., at the same time she does not

mention there exist obligations upon the woman to fulfill and for the men are rights over the women.

Secondly: In this is a claim that the majority of the independent reasoning depends upon selective evidence. This claim that the scholars are selective necessitates they withhold evidence which specifically defines the rights of the woman. We ask this woman to provide proof to support these claims which she supposedly uncovered and that she presents the texts which they have supposedly withheld. From what point in history did the scholars begin to play with these evidences? We also request she clarifies who the suspected scholars are for us, or at least the most notable amongst them. If she cannot, then the falsehood of this woman's call has become apparent to the people. It would also indicate her nerve concerning the defamation of the scholars since her complaints would be shown to be based upon falsehood.

Thirdly: What do you mean by your statement: "she should not feel that the community or customs have restrained her"? Do you mean the head-covering, or decision to remain at home, the preservation of lofty character more specifically modesty and shyness? This is not from customs but rather it is most certainly from what the All-Wise Creator has legislated and is pleased with for the Muslims whether they are male or female. This is because within it is nobility for the woman as well as the community along with purification from lowliness and filthy actions.

When the woman became "liberated" in the west or when the insolent liberated her, the world became contaminated with lowliness and degradation⁶¹. I do not think that the believing

⁶¹ **Editor's Note:** NEW YORK (CNN) ~ At least 24 women and girls ~ one of them 14 years old ~ had come forward by Wednesday to tell New York City police they were doused with water, stripped of their clothing, groped, or robbed

by a mob of men in Central Park over the weekend. Some of the victims, who included tourists from Britain and France, accused police of being slow to react when they told officers what had happened to them.

The 24 women and girls, a group that includes four tourists, say the daylight assaults in Central Park occurred about a block from where New York City's annual Puerto Rican Day parade was winding down on Fifth Avenue.

Police said the attacks involved as many as **40** men who sprayed water on women, ripped off their clothes, groped them, and, in some cases, robbed them. A French man and woman on their honeymoon were attacked; the man held down while his wife was sexually abused.

Anne Peyton Bryant, one of those attacked, says she will never leave her home again during a large event in New York.

The 14-year-old girl said she was leaving the park around 6 p.m. when a gang tore off her shirt and her necklace.

Stephanie, a woman who was in the midst of the mob, agreed to discuss the incident on condition that her last name be withheld. "Before I knew it, I was surrounded by what seemed to be **20 guys**, all pouring water on me, and I was trying to push through," she told The Associated Press.

Stephanie was soaked with water, but unharmed.

"I was scared. I felt like I had no control, everything happened so fast but yet it felt like slow motion," she said. "I didn't know what would end up happening; that was the scariest part of all."

Anne Peyton Bryant, a 29-year-old victim, said an officer she approached "**acted like it was nothing**" and two others told her to file a report at a nearby police station house. She said she filed the report but no one offered to help her look for the attackers.

Police Commissioner Howard Safir said no officers were nearby when the incidents happened, but a witness told the New York Daily News he saw police ignoring the mayhem.

“The cops knew what was going on because the girls were mad and angry and walking right past them,” David Grandison was quoted as saying.

Editor’s Note: AMERICAN RAPE STATISTICS Somewhere in America, a woman is raped every 2 minutes, according to the U.S. Department of Justice.

In 1995, 354,670 women were the victims of a rape or sexual assault. (National Crime Victimization Survey. Bureau of Justice Statistics, U.S. Department of Justice, 1996.)

Over the last two years, more than 787,000 women were the victim of a rape or sexual assault. (National Crime Victimization Survey. Bureau of Justice Statistics, U.S. Department of Justice, 1996.)

The FBI estimates that 72 of every 100,000 females in the United States were raped last year. (Federal Bureau of Investigation, Uniform Crime Statistics, 1996.)

SILENT VICTIMS :

One of the most startling aspects of sex crimes is how many go unreported. The most common reasons given by women for not reporting these crimes are the belief that it is a private or personal matter and the fear of reprisal from the assailant.

Approximately 28% of victims are raped by husbands or boyfriends, 35% by acquaintances, and 5% by other relatives. (Violence against Women, Bureau of Justice Statistics, U.S. Dept. of Justice, 1994)

The FBI estimates that only 37% of all rapes are reported to the police. U.S. Justice Department statistics are even lower, with only 26% of all rapes or attempted rapes being reported to law enforcement officials.

In 1994-1995, only 251,560 rapes and sexual assaults were reported to law enforcement officials ~ less than one in every three. (National Crime Victimization Survey, Bureau of Justice Statistics, U.S. Department of Justice, 1996.)

women of this land will agree with you concerning this foolishness which leads to the hellfire while having no decision in the affair.

An overwhelming majority of rape service agencies believe that public education about rape, and expanded counseling and advocacy services for rape victims, would be effective in increasing the willingness of victims to report rapes to the police. (Rape in America, 1992, National Victim Center with Crime Victims Research and Treatment Center.)

LIVING IN FEAR :

According to the U.S. Department of Justice: (All statistics are taken from: Violence against Women, Bureau of Justice Statistics, U.S. Dept. of Justice, 1994.)

One of every four rapes take place in a public area or in a parking garage.

31% of female victims reported that the offender was a stranger.

68% of rapes occur between the hours of 6 p.m. and 6 a.m.

At least 45% of rapists were under the influence of alcohol or drugs.

In 29% of rapes, the offender used a weapon.

In 47% of rapes, the victim sustained injuries other than rape injuries.

75% of female rape victims require medical care after the attack. [Courtesy of <http://www.paralumun.com/>]

The men of this land are more noble and honorable, yet you attack their dignity and character which is a product of their religion because they know that the woman is a trial as the Messenger of Allaah ﷺ said:

«مَا تَرَكْتُ بَعْدِي فِتْنَةً أَضَرَّ عَلَى الرَّجَالِ مِنَ النِّسَاءِ»

“I have not left after me any trial more harmful to men than women.”

She is weak, and for this reason the Messenger of Allaah ﷺ advised us regarding them when he said:

«اسْتَوْصُوا بِالنِّسَاءِ خَيْرًا»

“Treat women nicely.”

He said:

«اللَّهُمَّ إِنِّي أُحَرِّجُ حَقَّ الضَّعِيفِينَ الْيَتِيمِ وَالْمَرْأَةِ»

“O Allaah, I beseech you concerning the right of the two weak ones; the orphan and the woman.”

We ask Allaah to facilitate for the persons responsible for this land the aversion of this trial, and the implementation of this wise prophetic advice. I ask that he facilitates for the persons responsible for the women the establishment of their obligations and implementation of this wise prophetic advice the aim of which is preservation of the religion, good character, lineage, and nobility.



Chapter 5:

Is the woman in the Kingdom of Saudi Arabia oppressed as
Claimed by the Supporters of this woman?

*I*t is not appropriate for the Muslim of sound intellect to make such a statement, for indeed the woman in Saudi 'Arabia is in a much better situation than other than hers religiously, and in terms of her worldly pursuits, and she is in an enviable position. As for the oppression, then it is possible for there to exist women whom are oppressed just as it is possible that there are women who are oppressors and especially concerning their husbands.

The people of this assembly complain about the customs and traditions which are present in Saudi Arabia and that they are the source of their oppression.

I say: The affair is to the contrary. Indeed the traditions of the women and their customs could overburden the men and break their backs to the extent they are burdened beyond their means concerning the inconveniences which are not legislated yet subsequently leave many of them drowning in debt and problems.

- 1- The Muhoor -Bridal Money, which Islaam encourages the people to make easy, sometimes escalates to a level which is unreasonable and most of the time this is caused by the women.
- 2- The expenses of a queen and wedding ceremonial costs as well. How much do women exorbitantly cost their husbands on the like of these? A few things from the burdensome expenses of clothing which the men are expected to purchase, extravagant garments for every occasion-even if a

number of engagements were to occur in one month's time there must be a new garment for every occasion.

- 3- It is also necessary that the housing arrangement must be a villa, castle or a suite in an upper-class neighborhood at the very least.
- 4- It is also necessary that the furnishings are from the most lavish of styles which require the most burdensome of expenses to the degree that now the majority of the lavish markets consist of gold-sellers, expensive furnishings, items of beautification, and extravagant clothing based upon the tastes of the women.
- 5- It is also necessary many of them have servants even if she were illiterate. As for the learned, then for her the servant has become from the necessities of life.

As for the implications of this lifestyle, then she neither inquires into how the rights of the family are lost, nor how the rearing of the children becomes corrupted at the hands of the servants, nor how the rights of the husbands are lost nor whatever else coincides with the misery of their lives which they endure as a result of women who impose upon them this lifestyle.

Many of the learned women are not appeased by what has reached them of prominence and superiority over the women of the world by way of their suppression of their men with their many burdens. So they go on to request what they have no right to request and that which is from the rights of men and we seek refuge in Allaah from oppression and transgressing the limits of Islaam.



Chapter 6:

The Bridal Money of the Women & their Lives During the Time of
the Messenger of Allaah.

Upon the authority of Aboo Hurayrah ؓ who said:

«جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: إِنِّي تَزَوَّجْتُ
امْرَأَةً مِنَ الْأَنْصَارِ. فَقَالَ لَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ((هَلْ
نَظَرْتَ إِلَيْهَا؛ فَإِنَّ فِي عُيُونِ الْأَنْصَارِ شَيْئًا)). قَالَ: قَدْ نَظَرْتُ
إِلَيْهَا. قَالَ: ((عَلَى كَمْ تَزَوَّجْتَهَا؟)) قَالَ: عَلَى أَرْبَعِ أَوْاقٍ فَقَالَ
لَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ((عَلَى أَرْبَعِ أَوْاقٍ!؟ كَأَنَّمَا
تَنْحِتُونَ الْفِضَّةَ مِنْ عُرْضِ هَذَا الْجَبَلِ، مَا عِنْدَنَا مَا نُعْطِيكَ،
وَلَكِنْ عَسَى أَنْ نَبْعَثَكَ فِي بَعْثٍ تُصِيبُ مِنْهُ)) قَالَ: فَبَعَثَ بَعْثًا
إِلَى بَنِي عَبْسٍ بَعَثَ ذَلِكَ الرَّجُلَ فِيهِمْ»

“A man came to the Prophet ﷺ and said: ‘Indeed I have married a woman of the Ansaar.’ The Prophet said: “Did you see her before marriage, for there is something in the eyes of the Ansaar?” He said, ‘I did.’ The Prophet said: “For what (dowry) did you marry her?” He said: For four Awaaq⁶². Thereupon the Prophet ﷺ said: For four Awaaq? It seems as if you can dig out silver from the side of this mountain. We have nothing to give you. But we may send you in an expedition where you may get the spoils of war.” So he sent

⁶² An Ooqiyyah is the equivalent of forty dirhams.

that man in an expedition which was dispatched to Baanee 'Abs tribe."⁶³

- 1- أَنْ امْرَأَةً عَرَضَتْ نَفْسَهَا عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ لَهُ رَجُلٌ: يَا رَسُولَ اللَّهِ زَوِّجْنِيهَا، فَقَالَ: ((مَا عِنْدَكَ؟)) قَالَ: مَا عِنْدِي شَيْءٌ، قَالَ: ((اذْهَبْ وَجَدْتُ فَالْتَمِسْ وَلَوْ خَاتَمًا مِنْ حَدِيدٍ))، فَذَهَبَ ثُمَّ رَجَعَ فَقَالَ: لَا، وَاللَّهِ مَا شَيْئًا وَلَا خَاتَمًا مِنْ حَدِيدٍ وَلَكِنْ هَذَا إِزَارِي وَلَهَا نِصْفُهُ - قَالَ سَهْلٌ: وَمَا لَهُ رِذَاءٌ - فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ((وَمَا تَصْنَعُ بِإِزَارِكَ؟ إِنْ لَيْسَتْ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْءٌ، وَإِنْ لَيْسَتْ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْءٌ))، فَجَلَسَ الرَّجُلُ حَتَّى إِذَا طَالَ مَجْلِسُهُ قَامَ فَرَأَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَذَعَاهُ أَوْ دَعِيَ لَهُ، فَقَالَ لَهُ: ((مَاذَا مَعَكَ مِنَ الْقُرْآنِ؟)) فَقَالَ لَهُ: مَعِيَ سُورَةٌ كَذَا وَسُورَةٌ كَذَا، لِسُورٍ يُعَدِّدُهَا. فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: أَمَلَكُنَا كَمَا بِمَا مَعَكَ مِنَ الْقُرْآنِ)).

A woman presented herself to the Prophet ﷺ (in marriage, but he was not interested in marrying her). So a man said: 'Marry her to me O Messenger of Allaah ﷺ (if indeed you are in no need of her!)' Then the Prophet said (to him): "What do you have (to offer her)?" He replied, 'I have nothing.' The Prophet said, "Go and search (for something) even if it were an iron ring". The man went and returned saying, 'I have not found anything, not even an iron ring; but this is my (Izaar) waist sheet, and half of it is for her.' Then the Messenger of Allaah ﷺ said: "What will she do with your waist sheet? If you wear it, she will have nothing over her; and if she wears it, you will have nothing over you." So the man sat down and when he had sat a long time, he got up (to leave). When the Prophet saw him (leaving), he called him back, or the man was called back (for him), and he said to the man, "How much of the Qur'aan do you know (by heart)?" The man replied, 'I know such

⁶³ Narrated by Muslim in the chapter of Marriage narration number 1424.

Soorah and such Soorah (by heart),’ naming the Soorah. The Prophet said, “I have married her to you for what you know of the Qur’aan (by heart).” ⁶⁴

- 2- Ahmad and At-Tirmidhi have narrated with their respective chains of narration upon the authority of Aamir ibn Rabee’ah on the authority of his father that a woman from Fazaarah married with a dowry consisting of two sandals. So the Messenger of Allaah ﷺ said: Are both you and the possessor (of those sandals) pleased with this dowry? She said: Yes. So he permitted it. ⁶⁵
- 3- Upon the authority of Ibn Seereen from Aboo Al’Ajfaa’ As-Sulamee who said: ‘Umar ibn Al-Khattaab ؓ said: “Do not exaggerate concerning the doweries of women for if indeed it were more dignified in this world and more righteous for the hereafter, then the Prophet ﷺ would have been the first to do so but he did not marry his daughters or any of his wives for more than twelve Ooqiyyah. ⁶⁶

So are the women of this time, including the participants in this assembly, pleased with these dowries exemplified by the noble female companions? One of these female companions alone is the equivalent to all of the women in our time? Do they desire to live the lifestyles that they lived and dwell in housing similar to the housing that they lived in and wear clothing similar to the clothing

⁶⁴ This narration is agreed upon by Al-Bukhaaree and Muslim and is narrated by a number of Imaams. From them Maalik, Ash-Shaafi’ee, and Ahmad from the Prophetic narration of Sahl ibn Sa’d with the wording of al-Bukhaaree.

⁶⁵ At-Tirmidhee said: This Prophetic narration is Hassan/Saheeh but some Imaams have declared it weak.

⁶⁶ Narrated by At-Tirmidhee in the chapter of Marriage narration (1114). He said this narration is Hassan/Saheeh and he said after this: “And the Ooqiyyah with the people of knowledge is forty dirhams and twelve Ooqiyyahs equals four hundred and eighty dirhams.” This is also narrated by Ahmad in his Musnad. Narration number (340) and is authenticated by Ahmad Shaakir.

they used to wear and assume the type of character exemplified by them while serving their husbands as they are being served?!

Truly, the woman in Saudi Arabia lives a lifestyle unrivaled by other women, past or the present. So the woman in India is the one who pays the dowry and in Europe and America there is no financial obligation upon the husbands towards their wives, rather they share the burdens of living expenses between them.

I say: There is no basis for the gathering of women at assemblies for the purpose of pursuing women's rights just as there is no reason for some parties to request these rights. Oppression alternates between men and women, so whoever possesses the right of another, then it is upon them either to remain patient or raise the affair to the judge of the Islaamic courts.

The injustices in this regard are affairs of injustice which pen the men against men and women against women. It is not permissible for the Muslim that they run behind the enemies of Islaam for indeed these gatherings and requests are from their ways and their evil, oppressive practices. Their corrupted religions do not give a solution to the problems. This is what encourages them towards this type of gathering and type of request. As for our religion, then all praise is due to Allaah. Contained within it are texts and legislation which protects both the man and the woman from oppression in any phase from the phases of life, and in it is the conclusive solution for every potential problem. All praise is for Allaah, the courts in this land give the woman her rights before the man and the community by honoring her and cautiously catering to her needs and defending her. The condition of the woman here is different from her condition in the rest of the world. May the prayers of peace be upon our Prophet Muhammad and upon his family and companions altogether.

Written by

Rabee Ibn Haadee Umayr Al-Madkhalee

5 Dhul-Hijjah 1424



Glossary:

A.

Aameen: O Allaah please accept (my supplication).

'Aashoora': The tenth day of Muharram according to the Islaamic lunar calendar.

Aayah al-Kursee: The two hundred and fifty-fifth verse of Sooratul-Baqarah.

Ablee wa Akhliqee: This is a phrase used by the 'Arab to supplicate for an extended life.

Adha: The festival of sacrifice is one of the two annual days of celebration for the Muslims. On the day of Adha, sheep are offered in sacrifice to the Lord of creation.

Adhaan: Linguistically it is an announcement; but in terms of Islaamic law, the Adhaan is an announcement that the time for prayer has come. This announcement is performed in a particular manner along with a specific wording, which has been authentically conveyed to us from the Prophet.

Ahlul-Kalaam: The people of theological rhetoric who resort to philosophy, logical explanation, and their own individual reasoning in interpreting the texts of the Qur'aan and the Sunnah.

Ahlus-Sunnah wal-Jamaa'ah: The People of the Sunnah and the collective body (of believers) are those who adhere to what the Messenger of Allaah and his companions were upon in matters of belief.

Al-Amaanah: Al-Amaanah literally means trustworthiness or honesty but it is not one of the names and attributes of Allaah authentically established in the Qur'aan and the Sunnah such that a person might swear by it.

Al-hamdu lillah: A supplication of praise for Allaah the Exalted that literally means all praise is due to Allaah.

Al-Iltibaas: Confusion or ambiguity.

Al-Jamaa'ah: The collective body or group (of believers). This word is commonly used as a reference to Ahlus-Sunnah wal-Jamaa'ah.

Al-Jawaaniyyah: Al-Jawaaniyyah is a place near Uhud located to the north of Madeenah.

Al-Lawh al-Mahfoodh: The preserved tablet is a tablet with a reality known only to Allaah. It is sometimes referred to as Ummul-Kitaab (Mother of the Book) and is often described as being an account of what has occurred and what will occur in accordance with the All-Encompassing knowledge of Allaah and His Decree.

Al-Mu'min: Al-Mu'min, which means the Granter of Security is one of the magnificent names of Allaah, which has been authentically established in the Qur'aan.

Al-Walaa' wal-Baraa': Al-Walaa' wal-Baraa' or allegiance and disassociation is the sense of love, support, affinity and benevolence that the Muslim holds towards the believers, which is coupled with a sense of disdain, scorn and hatred for the disbelievers because of what they are upon of disbelief.

Ansaar: The original inhabitants of Yathrib (Madeenah) consisting of the tribes of Aws and Khazraj and other than them who embraced the call of the Prophet, supported him and aided him while opening their homes to the believers who migrated to them from Makkaah.

'Aqeedah: The word 'Aqeedah is derived from the word 'Aqd which means to tie something tightly. It is also said that 'Aqeedah is the conviction of the heart which becomes manifest in a person's religion. 'Aqeedah is an affair of the heart which entails faith in something and belief in it.

'Arafah: 'Arafah is a mountain located very close to Makkah and is a site which pilgrims visit while performing Hajj. Yawmu 'Arafah is the ninth day of Dhul-Hijjah in accordance with the Islaamic lunar calendar.

As-Salaamu 'Alaykum: The greeting of the believers, which can be literally translated as, "May peace be upon you."

Athar: The statements and actions that have been narrated from the companions and their followers (Taabi'een).

'Awrah: Private areas which should be concealed.

'Azl: Coitus interruptus; or the act of withdrawal prior ejaculation during sexual intercourse.

B:

Ba'athists: A secularist nationalist party which calls for a complete reversal in 'Arab thinking and values in order to meld them and redirect them into a more socialist direction.

Bid'ah: Whatever is innovated and introduced into the religion that is in opposition to what the Messenger of Allaah and his companions were upon.

Bismillaah: The statement or pronouncement, which can be literally translated as "In the name of Allaah" or "With the name of Allaah."

Buhtaan: Falsehood.

Burd: A garment for which there exist many names.

Burooj as-Samaa': Stronghold of the heavens.

Burooj Mushayyadah: Raised fortress.

D:

Dajjaal: The antichrist or false messiah is one of the major signs of the day of judgement.

Dhaat: A term used to refer to the self.

Dhaat ad-Deen: The woman of religion, or religious woman.

Dha'eef: Narrations, which do not fulfill the conditions of either Saheeh (Authentic), or Hasan (sound) narrations are considered Dha'eef (weak).

Dharrah: The co-wife in a polygamous marriage.

Duff: A particular type of instrument (drum), which is beaten.

E:

'Eed: The 'Eed is a name given to a particular time of year when the people gather in order to celebrate. During this celebration, which occurs annually, the people commonly visit one another and exchange gifts.

Eemaan: True faith, which is exemplified by the statements of the tongue and belief in the heart and the actions of the limbs. It increases with obedience and decreases with transgression.

F:

Fardh 'Ayn: The individual obligation is the duty that is incumbent upon every single person to fulfill individually.

Fardh Kifaayah: The communal obligation is the duty that is incumbent upon the community to fulfill, such that if only a small segment of the community satisfies this obligation, then the remainder of the community becomes excused from the responsibility of establishing it.

Fath (i.e., Fath Makkah): The conquering of Makkah.

Fiqh: The knowledge and application of Islamic legal rulings that are extracted from explicit and detailed evidences.

Fir'awn: Pharaoh

Fitr: The festival of fastbreaking is one of the two annual days of celebration for the Muslims. On this day, the Muslims celebrate the completion of the month of Ramadhaan by breaking their fasts.

G:

Ghayril Maghdoobi 'alayhim: "Not those who have evoked your anger" [Soorah al-Faatihah 1:7]

Ghusl: The major individual purification, which consists of pouring water over the entire body from the top of the head to the bottom of the feet while washing the body parts in the manner prescribed by the Prophet.

Gheerah: Jealousy.

H.

Haaliqah: Destructive.

Hadd: Prescribed punishments, which are ordained to inhibit transgression.

Hajj: Proceeding towards the House of Allaah in order to draw closer to Him by offering specific actions, during a specific time, and in a specific place.

Hasan: Whatever has been conveyed by a trustworthy narrator whose memory has weakened while also not containing any abnormalities (Shudhoodh) or problems ('Ilal).

Hasan/Saheeh: At-Tirmidhee reconciles between Hasan (sound) and Saheeh (authentic) in a single description. So he might say that this prophetic narration is Hasan/Saheeh because of one of two reasons: Either he harbored some doubt concerning some of the narrators such that he could not attest to their memory (was it strong or weakened?) and for this reason he mentioned this expression to indicate that the narration is either Hasan or Saheeh. Another possibility is that a prophetic narration comes with at least two different chains of narration, one of them being Hasan while the other is Saheeh such that the expression means Hasan and Saheeh.

Henna': A reddish-brown dye that is obtained from a specific plant and is often used for beautification.

Hijaab: The word itself comes from the arabic word "hajaaba" meaning to conceal or hide from view. Hijaab is the modest covering of the head and body of muslim women.

Hijrah: A migration from the land of disbelief to the lands of Islaam.

J.

Ihdaad: A woman's' abstaining from beautification by way of perfume and clothing or whatever might lead towards marriage from clothing or jewelry, or other than that during a prescribed period of mourning following the death of her husband.

Ihsaan: "It is to worship Allaah as if you can see Him; and although you do not see Him, He most certainly sees you."

Imaam: A term that is generally used to refer to the one who leads the prayer. The word is also used to refer to leaders in certain circumstances as well as prestigious scholars.

Islaam: "Islaam is to profess that none has the right to be worshipped except Allaah alone, and that Muhammad (may peace be upon him) is the Messenger of Allaah; that you observe the prayer, pay Zakaah, fast the month of Ramadhaan and perform the Hajj (pilgrimage) to the House, provided you have ability to do so."

J.

Jihaad: Jihaad is exerting effort while fighting the disbelievers. It is also used to describe struggling with one's self in learning the affairs of the religion, then working in accordance with that, and then teaching others. Similarly, it is used to describe a persons' struggle with Satan by resisting what he suggests of doubts and what he makes appear pleasing of the desires. It is also used to describe struggling against the transgressors with the hand, then with the tongue, and then with the heart. As for the struggling with the disbelievers with one's hand, wealth, tongue, and heart, then this occurs by calling to the religion of truth and fighting for the right to establish it when they refuse to accept its establishment and refuse to accept the status of Dhimmah. For indeed, Jihaad was legislated

as means to prohibit the people from committing polytheism (Shirk).

Jilbaab: The women's over-garments, which are worn over her clothing.

Jizyah: A sum of money that the disbelievers are to pay to the Muslim State in return for the promise of protection and security while living in the Muslim lands.

K:

Kaafir: The individual who rejects Islaam or disbelieves in Allaah the Mighty and Majestic.

Ka'bah: The original house of worship established by Ibraaheem. The great mosque in Makkah is commonly referred to as the Ka'bah because of its cubical shape and is the focal point and direction to which all Muslims direct their faces in prayer.

Khabr: Khabr is commonly used as a synonym for the term *Hadeeth*. It is also said that the *Hadeeth* is what has been narrated from the Prophet while the Khabr is what has been narrated from other than him.

Khashabiyyah: A group from the sects of the Raafidhah who claim that 'Alee is the best individual from amongst the people. They also despise Aboo Bakr, 'Umar, and 'Uthmaan and give preference to 'Alee over all of them.

Khawaarij: The Khawaarij are a deviant group that rebelled against 'Alee ibn Abee Taalib and eventually killed him. Their ideology consists of rebelling against the Muslim leaders and declaring those who commit major sins to be disbelievers. (Refer to: *The Khawaarij & Their Recurring Ideologies*, a Tarbiyyah Bookstore Publication)

Khilaafah: The position of Khaleefah, which is a derivative of the word Khilaafah is the general worldly and religious authority, granted to those who succeed the Prophet in leading the Muslim nation.

Kuhl: A black coloring that is commonly applied to the eye for the purpose of beautification or for the treatment of ailments.

L:

Lahw: Idle speech.

Lughaah: ‘Arabic language.

M:

Mahr: Linguistically the Mahr is the bridal money of a woman. The Mahr is whatever is given as a payment by the husband to his wife at the time of his marriage contract.

Mahram: Linguistically the Mahram is the possessor of Al-Hurmah, which is sanctity, reverence, or veneration. The word Mahram is singular, and its plural is Mahaarim. It is also described as being whatever is prohibited by Allaah the Exalted. Legally the Mahram for both the man and the woman is whomever one is prohibited from marrying indefinitely because of lineage or close family ties. The Mahram is also mentioned in the noble prophetic narration, “The woman should not travel except with someone who is a Mahram for her.” The Mahram for the woman is the Muslim male who is mature, sane, and prohibited from marrying her indefinitely. The Mahram for the man according to the jurist is the woman who is prohibited from marrying the man indefinitely because of lineage, nursing, or marriage.

Makr: The reality of Makr (plotting) is making apparent one thing while hiding the opposite of this in order to arrive at one’s aims.

Malahhidah: The Mulhid, which is the singular form of Malahhidah, is the individual who renounces the religion in favor of disbelief.

Masjid: The place of prayer and worship for the Muslims.

Mu’adhin: The individual who announces that the time for prayer has come.

Mu'awidhaat: Soorah al-Falaq and Soorah an-Naas.

Mudd: The Mudd is a very old measurement. It is approximately a Ratl and a third according to the people of the Hijaaz (which is equivalent to one fourth of a Saa' or about $\frac{3}{4}$ of a kilo). It is approximately two Ratl according to the people of Iraaq.

Muhaajir: Those who migrate from the lands of the disbelievers to the lands of the Muslims for the sake of Allaah.

Mujaahid: The Muslim who performs Jihaad for the pleasure of Allaah.

Mukayyifah: Those who attempt to explain how Allaah's attributes are without citing examples like the baseless statement that Allaah's height is similar to His width.

Mushrik: A Mushrik is a polytheist, or whoever directs worship to other than Allaah, or an individual who worships others along with Allaah.

Muslimoon: The plural of Muslim. A Muslim is an individual who believes in Allaah and in the message of His Prophet Muhammad.

Musnad: A prophetic narration with a chain of narration that reaches the Prophet ﷺ.

٨:

Naasibee: Those who used to harbor enmity towards the family of the Prophet ﷺ.

Nafs: The self (Nafs) is from the attributes of Allaah which have been established by way of the Qur'aan and the authentic Sunnah of His Prophet.

Nammaam: A person who carries tales.

٩:

Qadariyyah: An ascription given to those who reject the divine pre-decree (Qadr) and claim that the servants possess a free will that is

independent of Allaah and that the servants create their own actions.

Qadr: Allaah's pre-ordainment or pre-decree wherein the creator has recorded everything that He has ordained for His creation.

Qameesah: A shirt or garment that covers the upper torso.

Qattaat: The slanderer (Qattaat) that listens to something that he does not know about, and then he hastily conveys what he has heard.

Qawaa'id: The elderly women of post-menstrual age.

Qisaas: Islaamic legal retribution entails the establishment of equity between a crime and its punishment in accordance with Islaamic law.

Qur'aan: The speech of Allaah the Mighty and Majestic, which descended upon His Messenger - may the peace and blessings of Allaah forever be upon him.

Quraysh: One of the most prestigious and affluent tribes of pre-Islaamic 'Arabia, it was the tribe to which the Messenger of Allaah belonged.

R.

Raafidhah: The extremists from the Shee'ah who exaggerate the status of the household of the Prophet to the extent that they harbor enmity and animosity towards the companions of the Prophet and even declare some of them to be disbelievers. They are called the Raafidhah (the refusers or rejecters) because of their rejection of Zayd ibn 'Alee ibn al-Husayn. They (the Raafidhah) approached him in order to inquire as to his position concerning Aboo Bakr and 'Umar but once they heard him praise these two illustrious companions they rejected him.

Raafidhee: The 'Arabic word used to describe an individual from the ranks of the Raafidhah.

Ramadhaan: The ninth month in the Islaamic lunar calendar wherein the Muslims observe fasting from before the sun rises until it sets in the evening.

Ribaa: A term used to describe a type of financial transaction that is prohibited in Islaam. Ribaa includes but is not restricted to usury, interest, and/or interest based transactions.

Riyaa': Riyaa is a word that expresses making apparent something while in reality hiding that, which contradicts whatever was made apparent to the people. It is also referred to as the lesser hypocrisy and is exemplified in a persons "showing off."

Ruqyaa: The recitation of specific verses of the Qur'aan as well as particular authentic supplications upon the sick in an effort to heal them.

S:

Saatir: Saatir, which literally means concealing, is a word that is commonly thought to be one of the glorious names of Allaah. This is a mistaken notion since Saatir is a name that has not been authentically established in the Book or the Sunnah.

Sadaqah: Charity, or whatever is offered from one's wealth in an effort to draw closer to Allaah the Mighty and Majestic.

Sadooq: The term Sadooq or truthful is a term used by the scholars to assess the status of those who transmit prophetic narrations.

Saheehayn: A term used to refer to Saheeh al-Bukhaaree and Muslim, which are the most authentic books after the Qur'aan.

Salaam: Literally peace; which in some contexts is used as a reference to the greetings of peace or the saying of, "As-Salaamu 'Alaykum."

Shaam: An older geographical reference, which included greater Syria, Jordan, and Palestine.

Shaykh: The term Shaykh generally refers to an older man who has reached his fifties. The term also is used to refer to scholars in Islaam who have spent their lives acquiring knowledge of Allaah's

religion. The term Shaykh is also used by the scholars to assess the status of those who transmit prophetic narrations and is considered from the terms of appraisal.

Shee'ah: A term used to refer to those who exaggerate in their allegiance to the household of the Prophet while giving specific preference to 'Alee ibn Abee Taalib.

Shirk: To associate partners to Allaah or to worship others beside Him. Shirk can also be committed by compromising any aspects of Islaamic monotheism.

Shirk Akbar: The major Shirk that expels a person from the fold of Islaam.

SubhaanAllaah: An expression used to glorify the creator of the heavens and the earth.

Sunnah: Linguistically the Sunnah is a way or a path, whether that way or path is good or bad. The plural of the word Sunnah is Sunan and the primary use of the word Sunnah is in reference to a way, which is upright and praiseworthy. The Sunnah is also a term that is used to refer to the statements, actions, and tacit approvals of the Prophet – may the peace and blessings of Allaah forever be upon him – as well as the description of physical attributes and character.

T:

Tabarruj: To expose one's beauty and adornments to others.

Tadlees: Tadlees is the mention a prophetic narration along with its chain in a manner, which implies that it is stronger than it really is.

Tahreef: Distortion.

Takbeeratul-Ihraam: The initial pronouncement of "Allaahu Akbar" which enters a person into a state of prayer.

Tamtheel: Those who attempt to explain how Allaah's attributes are by citing examples.

Tashahhud: One of the positions of the prayer where the praying person supplicates for the Prophet and his family while in a seated position.

Tashbeeh: A synonym for Tamtheel and Tajseem, which is the idea Allaah's attributes, are similar to the attributes of His creation. An example of this can be found in the assertion that Allaah's hand is like human hands.

Ta'teel: The rejection of Allaah's attributes.

Thiqah: The term Thiqah or trustworthy is a term used by the scholars to assess the status of those who transmit prophetic narrations.

U:

'Umrah: The 'Umrah is a lesser pilgrimage (Hajj) which involves proceeding towards the House of Allaah in order to draw closer to Him by offering specific rituals and acts of worship.

W:

Wahabees: The term Wahhaabee is an ascription to Shaykh Muhammad ibn 'Abdul-Wahhaab – may Allaah have mercy upon him. People who oppose the call of the Shaykh in order to imply that the call of the Shaykh is a methodology foreign to Islaam or an ideology that opposes Islaam most commonly use this term. The truth concerning the Shaykh and his call is that he was a revivalist who called for a return to the methodology and guidance of the pious predecessors. He called for a return to the pure Islaamic monotheism, which is free of the innovations of those who deviated away from the guidance of the pious predecessors, and the Pure Islaamic monotheism that the Messenger of Allaah was sent with.

Waleemah: A wedding feast or banquet.

Wudhoo': Ablution or the washing or wiping of specific body parts in order to prepare for particular acts of worship.

Y:

Yarhamukullah: The supplication made for the one who sneezes which is to be said after the one who sneezed praises Allaah.

Z:

Zakaah: The offering of a specific portion of one's wealth in charity after having reached a certain quantity while remaining at or above this quota for the duration of a year. Therefore, if a persons' wealth does not meet this quota, then there is no charity obligatory upon him until his wealth meets these conditions.

Zarnab: A type of good smelling plant.