

**The Interpretive and Jurisprudential Position of the Verse 59 of Surah Al-Ahzāb on the Issue of Hijab According to Shiite and Sunni Commentators**

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**جایگاه تفسیری و فقهی آیه ۵۹ سوره احزاب در مسئله حجاب با نگاهی به اقوال**

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Seyyed Mohammaad Ali Ayazi<sup>1</sup>

سید محمدعلی ایازی<sup>۱</sup>

**Abstract:**

The Verse 59 of the Surah Al-ahzāb plays a key role in inferring the ruling on Hijab due to its legislative characteristics. Does this verse specify the scope and realm of hijab? Does it have a wisdom for a ruling or a cause? Does it show exclusive concepts, if it shows the hijab? Can we refer to the Arabic verb *Yu'rafna* as a word delineating the boundary between the free and salve women? Based on the document-analytical method, this article carefully examines the sources of both Shiite and Sunni sources and seeks to express the necessity of maintaining the hijab of women. It concludes that, the title of "observing the public chastity" is not mentioned in the words of the commentators and jurists. Additionally, since the people of the Book, slaves and those who did not observe Islamic Shari'ah lived in Media of the day, this verse means the very attention to the protection of privacy in the form of identification and security of the committed women, and so there is no obligation to wear hijab.

**Keywords:** Hijab, Shiite and Sunni Interpretations, Dignity of Woman, Prevention of Sexual Harassment.

**چکیده:**

آیه ۵۹ سوره احزاب به دلیل ویژگی بیان تشریحی، نقش کلیدی در استنباط حکم حجاب را دارد. در رابطه با این آیه شریف، این سوالات مطرح است که آیا آیه مذکور محدوده و قلمرو حجاب را مشخص کرده؟ و یا حکمت حکم و یا تعلیل آن را بیان کرده؟ آیا مفاد انحصاری دارد؟ آیا چیزی به عنوان عفت عمومی در فلسفه و علت حکم پیش‌بینی شده؟ و آیا کلمه «یُعرفن» برای تعیین مرز میان زنان آزاده و برده بوده؟ و یا مسئله عفت شخصی زن مسلمان و در محور حق انتخاب شخص مؤمن و برای رعایت شخصیت و کرامت زن مسلمان است؟. این مقاله، با روش تحلیل استنادی و واریسی دقیق منابع فریقین، چگونگی حجاب زنان را بررسی کرده و به این نتایج رسیده که عنوان رعایت عفت عمومی در اقوال مفسران و فقیهان نیامده و از آنجا که در جامعه مدینه آن روزگار که اهل کتاب، کنیزان و افراد غیرمقیم هم بوده‌اند، به معنای همان توجه به حفظ حریم در قالب شناسایی و امنیت زنان ملتزم است و الزام به حجاب مطرح نیست.

**کلمات کلیدی:** حجاب، تفاسیر فریقین، کرامت زن، پیشگیری از آزار جنسی.

<sup>1</sup> Professor, Department of Qur'an and Hadith Sciences, Islamic Azad University, Tehran, Iran.  
ayazi1313@gmail.com

<sup>1</sup> استاد گروه علوم قرآن و حدیث دانشگاه آزاد اسلامی، تهران، ایران.  
ayazi1313@gmail.com

## Introduction

The issue of women's hijab is one of the clear rules of the Qur'an, based on which verses and hadiths have been quoted from the two sects and reflected in the sayings of commentators and jurists. If the reason of hijab and its scope and limits have been discussed, it is due to the way of expression of Qur'an and commentaries which have been narrated from Ahl al-Bayt (AS) and their companions and followers. Of course, in the Qur'an, the issue of hijab has been discussed in two or three verses, although the focus is on the verse of *Aḥzāb* and the verse addressed to the Prophet (PBUH):

“O Prophet! Tell thy wives and thy daughters and the women of the believers to draw their cloaks close round them (when they go abroad). That will be better, so that they may be recognised and not annoyed. Allah is ever Forgiving, Merciful.”<sup>1</sup>

There are many questions in explaining this ruling and interpreting the verse; for example, what are the concepts of this verse? Is this verse before the verse of *Nūr* and *Baqarah* or after the verse of *Nūr*; and whether this precedence and delay of revelation has an effect on the meaning of the verse and its jurisprudential rules or not, and if we skip this discussion, whether the sentence: “that is most convenient, that they should be known” which is explained by the means of expressing the reason, is the expression of the wisdom of the ruling, or is it really expressing the reason of this ruling in the position of legislation, and if it is expressing the reason, it is according to

the provisions that the ancients have said that is to determine the border between women and slaves, or this sentence goes beyond the issue of slaves and it refers to the important principle of preserving a woman's personality, which clarifies its direction and centrality. If such an interpretation is accepted as expressing the reason, what are the jurisprudential effects and results and what jurisprudential rule does this verse create?

Therefore, in this article, in the interpretation of this verse the focus of discussion is on several issues:

1) Expressing the historical and cultural atmosphere of the Arabs before the revelation of the verse and the cause of revelation.

2) The relation of this verse with the verse of *Nūr* and examining the difference between the interpretation of *Khamār* and *Jalābīb*.

3) Differences in the conditions of immigrants and differences in their cultural and behavioral environment.

4) Words that are discussed in the verse, such as *yudnāna*, *Jalābībhinna*, *adnā*, *yu'rafna*, *falā yu'dhayna*<sup>2</sup>.

5) Examining the verse in whether the interpretation of the verse: "that is most convenient" is expressing the reason or wisdom.

6) The historical course of the interpretations of the verse and the change that has been found in the minds of jurists and commentators in understanding it.

7) The criterion of ruling on the dignity of woman or maintaining public chastity.

1. « يَا أَيُّهَا النَّبِيُّ قُلْ لِأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلَابِيبِهِنَّ ذَلِكَ أَدْنَى أَنْ يُعْرَفْنَ فَلا يُؤْذَيْنَ وَكَانَ اللَّهُ غَفُوراً رَحِيماً » (احزاب: ٥٩)

2. يُدْنِينَ، جَلَابِيبِهِنَّ، أَدْنَى، يُعْرَفْنَ، فَلا يُؤْذَيْنَ.

## 1. Cultural and Behavioral Atmosphere of Women in the Age of Revelation

To understand this verse, it is necessary to study the atmosphere of the age of revelation and know its audience. A study of the time of revelation of the verses of the Holy Qur'an on the subject of "women's clothing" shows the fact that women in the era of ignorance and the beginning of early Islam, did not have proper clothing and used a variety of clothing to cover different parts of their body (lower body, upper body and head) in such a way that all the sexual attractions of women were seen and could not completely prevent their sexual harassment that in the era of ignorance it has been a space of nakedness, adultery, the use of the maids for sex, gambling, wine and passion.

This problem, on the one hand, was due to the morality of the island and the act of the polytheists in the manner of clothing and the method of covering the head and body, and on the other hand, was due to the limited living conditions and climatic characteristics of that tropical region; finally, since nudity of the breasts and legs of women was not prohibited among the general public, as a result, they did not cover the top of the chest, neck and ears (Kulaynī, 1986, v.11, p.197; 1420 AH, v.23, p. 365; Samarqandī, 1416 AH, v.3, p. 72-73; Fakhr Rāzī, 1420 AH, v.23, p. 365; Marāqī, nd, v.22, p. 37-38).

This situation was much worse in the city of Mecca before Islam. After the defeat of Abrahah Army by Ababil, instead of causing the Quraysh to submit to this divine miracle in defense of the

house of God, added to their arrogance, so that some of the Quraysh elders attributed this painless victory to the superiority of the people of Mecca over others in the sight of the gods and they said: "Let others realize this superiority and greatness and bow before us" (Azraqi, nd, v.1, p. 139) and they considered the best way to meet their purpose, changing the Hajj ceremony and the way of entering of the pilgrims or their nudity and using the clothes of the people of Mecca, because the people of Hejaz came to Mecca from different regions to perform Hajj, and therefore some of the elders of Quraysh changed the Abrahamic Hajj by creating new laws (Ibn Hishām, 1411 AH, v.1, p. 184).

These laws were largely for economic purposes and political domination; because the non-Meccan had to pay a fee to use the food of the people of Mecca and to borrow clothes, and this gave the Meccan a large income and showed their power of influence and domination. Hence, some historians believe that only weak and poor people performed Hajj naked; because in the interpretation of the Qur'an, in addition to giving food, there is also clothing:

"but feed and clothe them from it."<sup>1</sup>

In prayers, it has been quoted too: "O Allah! Clothe all the nude", which shows the spread of nakedness at the society. Of course the rich could easily borrow clothes from Meccan people by paying money and perform the Hajj, but the poor, who could not afford to borrow, were forced to perform Ṭawāf naked (Jawād, 1422 AH, v.11, p. 361).

In this regard, Qurṭubī refers to the Arab habit and its problems in that era

<sup>1</sup> «وَأَرْزُقُوهُمْ فِيهَا وَاكْسُوهُمْ» [نساء: ٥]

(Qurtubī, 1364 AH, v.14, p. 243-244)<sup>1</sup>. Zahāk and Kalbī have also said in the interpretation of the verse: This verse was revealed to those whose intention was to commit adultery with the maids, so this verse was revealed to create such a boundary. (Baqawī, v.3, p. 543-544)<sup>2</sup>

Therefore, the atmosphere of the age of revelation suffers from a kind of nudity, sexual corruption, depravity, poverty, normalization of nudity and the existence of maids ready for prostitution. And this verse has been revealed at the corrupted atmosphere of Medina and the necessity of Hijab was ordered and the believer women were asked to have moral boundaries to maintain their personality and protect themselves from evil people (Hejazi, 1413, v.3, p.116).

## 2. The Cause of the Revelation (Asbāb al-Nuzūl) of the Verse

Leaving aside the space of revelation, it is time to know the cause of revelation in particular. In the cause of the revelation of the verse, several different reasons have been quoted by various companions and followers and later the great commentators of the two sects: This difference in interpretation has not been taken seriously, while by careful attention in the words of these great people, the basic points in the difference can be understood. This difference is

categorized into the following characteristics:

### 2-1. Generality of the abuse of women

The meaning of “generality” is the unmentioned details and restrictions. For example, in a narration, Muslim women who went to the mosque at night and did not wear proper clothes, some people were harassing them on the way, in order to eliminate the harassment, they were ordered to dress well and eliminate such grounds of harassment, for example, it has been stated in Tafsīr Qumī: “The cause of the revelation of this verse was that women used to go to the mosque and say their prayer behind the Prophet (PBUH). At Maghrib and ‘Ashā’, they used to go, while they were harassed and abused by some young persons on the way. Then, Allah has revealed this verses.” (Qomī, 1363 AH, v.2, p.196)<sup>3</sup>.

In a similar narration of this general Sabab-e-Nuzūl, there is a statement from Ibn Abbas that women went out to defecate, and in general, without paying attention to the difference between the behavior of believing women or the border between free women and slave women, it has been quoted: (Suyūtī, 1414 AH, v.6, p.66)<sup>4</sup>.

In another narration of Sabab-e-Nuzūl, it has been stated that in the ignorance era and before the revelation of the verse, it was the case that at night,

<sup>1</sup> «لَمَّا كَانَتْ عَادَةُ الْعَرَبِيَّاتِ التَّبْذُلِ، وَ كُنَّ يَكْشِفْنَ وَجُوهَهُنَّ كَمَا يَفْعَلُ الْإِمَاءُ، وَ كَانَتْ ذَلِكَ دَاعِيَةً إِلَى نَظَرِ الرِّجَالِ إِلَيْهِنَّ، وَ تَشَعُّبِ الْفِكْرَةِ فِيهِنَّ، أَمَرَ اللَّهُ رَسُولَهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَأْمُرَهُنَّ بِإِرْخَاءِ الْجَلَابِيبِ عَلَيْهِنَّ إِذَا أُرِدْنَ الْخُرُوجَ إِلَى حَوَائِجِهِنَّ، وَ كُنَّ يَتَبَرَّزْنَ فِي الصَّحْرَاءِ قَبْلَ أَنْ تَتَّخِذَ الْكِنْفَ - فَيَقَعُ الْفَرْقُ بَيْنَهُنَّ وَ بَيْنَ الْإِمَاءِ، فَتَعْرِفُ الْحَرَائِرُ بَسْتَرَهُنَّ، فَيَكْفُ عَنْ مَعَارَضَتِهِنَّ مَنْ كَانَ عَذْبًا أَوْ شَابًا. وَ كَانَتْ الْمَرْأَةُ مِنْ نِسَاءِ الْمُؤْمِنِينَ قَبْلَ نَزُولِ هَذِهِ الْآيَةِ تَتَبَرَّزُ لِلْحَاجَةِ فَيَتَعَرَّضُ لَهَا بَعْضُ الْفَجَّارِ. يَظُنُّ أَنَّهَا أُمَّةٌ، فَتَصِيحُ بِهِ فَيَذْهَبُ، فَشَكُّوا ذَلِكَ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَ نَزَلَتْ الْآيَةُ بِسَبَبِ ذَلِكَ، قَالَ مَعْنَاهُ الْحَسَنُ وَ غَيْرُهُ.»

<sup>2</sup> «أُنزِلَ فِي قَوْمِ هِمَّتَهُمُ الزَّانَا بِالْإِمَاءِ، وَ كَانَتْ الْحَرَائِرُ يَوْمئِذٍ يَخْرُجْنَ بِاللَّيْلِ عَلَى زِي الْإِمَاءِ فَيَتَابَعُونَهُنَّ، وَيَطْلُبُونَ [مَا يَطْلُبُونَ] مِنَ الْإِمَاءِ؛ فَكَانَ ذَلِكَ يُؤْذِيهِمْ وَيَتَأَذِينَ بِذَلِكَ جَدًّا»

<sup>3</sup> «كَانَ سَبَبُ نَزُولِهَا أَنَّ النَّسَاءَ كُنَّ يَخْرُجْنَ إِلَى الْمَسْجِدِ وَ يُصَلِّينَ خَلْفَ رَسُولِ اللَّهِ (ص) وَ إِذَا كَانَ بِاللَّيْلِ خَرَجْنَ إِلَى صَلَاةِ الْمَغْرِبِ وَ الْعِشَاءِ الْآخِرَةِ وَ الْعَدَاةُ؛ يَقْعُدُ الشُّبَّانُ لَهُنَّ فِي طَرِيقِهِنَّ فَيُؤْذُونَهُنَّ وَ يَتَعَرَّضُونَ لَهُنَّ فَأَنْزَلَ اللَّهُ: «يَا أَيُّهَا النَّبِيُّ قُلْ لَأَزْوَاجِكُمْ وَبَنَاتِكُمْ وَنِسَاءُ الْمُؤْمِنِينَ.»

<sup>4</sup> «أَمَرَ اللَّهُ نِسَاءَ الْمُؤْمِنِينَ إِذَا خَرَجْنَ مِنْ بَيْوتِهِنَّ فِي حَاجَةٍ أَنْ يَغْطِينَ وَجُوهَهُنَّ مِنْ فَوْقِ رُؤُوسِهِنَّ بِالْجَلَابِيبِ، يَبْدِينَ عَيْنًا وَاحِدَةً.»

promiscuous men harass women. When they were protested, they said, "We thought she was a woman like us." These women were ordered to cover themselves well so that they could take such an excuse away from them. Maqātil quoted as follows (Ibn Sulaymān, 1423 AH, v.3, p.508).

## 2-2. Boundary between free and slave women

In many commentaries, the issue of rejecting the abuse of the maid by unscrupulous youth under the excuse of not being a free woman is harassed: that is, the verse was revealed in certain circumstances and to determine the boundary between free and slave women. For example, when the men were asked about the reason for the harassment of women, they said that they thought that they were servants and maids; Therefore, they were ordered that free women should come out with full hijab; for example, quoted from Qatādah (Tabarī, 1412 AH, p.22-33).<sup>1</sup>

Another quote states that women and girls should cover themselves so that they do not look like maids and are not exposed to the harassment of evil people.<sup>2</sup> A similar story has been quoted from Sa'id ibn Jubayr, from Qatādah, under the verse. (Tabarī, 1412 AH, p.22-33).

## 2-3. Existence of prostitutes in Medina

The issue is neither the existence of maids nor the general form, but it is said that in Medina there were women who did adultery and when they came out, it was for their work and the ignorant youth harass them. When a pious woman wanted to go out, they were harassed against (Qasemi, 1418, v.8, p.113). Therefore, the Prophet (PBUH) was ordered that believing women should wear good and complete clothes so that this resemblance would not be abused: For example, Hasan Baṣrī has narrated (San'ānī, 1411 AH, v.2, p.100).<sup>3</sup>

As Sudī has mentioned the poverty of a group of Medina women as the reason of their nudity and adultery (Suyūtī, 1414 AH, v.6, p.662).<sup>4</sup>

## 2-4. The problem of night and going out for defecation

The difference between day and night seems to have been the problem of women in the night. For instance, Sabab-e-Nuzūl of the verse is attributed to the issue of the women's defecation to be done in the night. The issue has been cited several times; once with the general version of the story quoted before and the decree was made to prevent the abuse of corrupt individuals and to protect women's security, which was important, and once again about the

<sup>1</sup> «وقد كانت المملوكة إذا مرت تناولوها بالإيذاء، فنهى الله الحرائر أن يتشبهن بالإماء.»

<sup>2</sup> «أن لا يتشبهن بالإماء في لباسهن إذا هن خرجن من بيوتهن لحاجتهن، فكشفن شعورهن ووجوههن، ولكن لبيدين عليهن من جلابيبهن، لئلا يعرض لهن فاسق، إذا علم أنهن حرائر بأذى من قول.»

<sup>3</sup> «قال: كن إماء بالمدينة يقال لهن كذا وكذا، كن يخرجن، فيتعرض لهن السفهاء، فيردوهن فكانت المرأة تخرج، فيحسبون أنها أمة، فيتعرضون لها ويؤذونها فأمر النبي صلى الله عليه وسلم المؤمنات أن

يُذنين عليهن من جلابيبهن، ذلك أدنى أن يُعرفن: [الآية: ٥٩]، من الإماء أنهن حرائر فلا يُؤذبن.»

<sup>4</sup> «كان أناس من فساق أهل المدينة بالليل حين يختلط الظلام، يأتون إلى طرق المدينة فيتعرضون للنساء، و كانت مساكن أهل المدينة ضيقة فإذا كان الليل خرج النساء إلى الطرق، فيقضين حاجتهن، فكان أولئك الفساق يتبعون ذلك منهم، فإذا رأوا امرأة عليها جلباب قالوا: هذه حرة فكفوا، عنها، وإذا رأوا المرأة ليس عليها جلباب قالوا: هذه أمة فوثبوا عليها.»

wives of the Prophet, and once again on the Muhajir wives, as Mujāhid has narrated (Ibn Kathīr, 1420 AH, v.10, p.3153) It was<sup>1</sup> as if the problem in these narrations had been the night, and it would not have been a problem if it had been the day. While some of these narrations have raised the revelation of the verse in an absolute way to prevent abuse.

### 2-5. The expansion from the wives of the prophet to other women

The problem was due to the persecution of wives and daughters of the Prophet, and so the problem of the hijab was more concentrated on the wives and daughters of the prophet, because the hypocrite, in the first stage, do this act for persecution of the Prophet, and the style of the previous and next verses confirm this issue that some harass the prophet, and when he came to Medina, he has no special house, and his wives were obliged to go out for defecation, some evil people harass them in the way, so this verse was revealed, and then the problem was expanded (see Tabarī, 1412 AH, v.22, p.33-34)<sup>2</sup>.

If it varies according to these narrations, all women should not necessarily observe the hijab, but Muslims and faithful women have been asked to separate their borders with other women and prevent the evil men from compromising their personality and security under the excuse of some people who do not abide by proper coverage.

The important point in these narratives is that the forms of disturbance were different; such as practical action and manual aggression, or disturbing words (and sexual harassment). As a result, commentators have two types of confrontation; one using the generality of the space of the revelation of verses and the other is limiting the verdict to the cases of Sabab-e-Nuzūl.

But the fact is that the Sabab-e-Nuzūl or the cause of revelation, it is possible to find out that the issue is the revelation of the verse to prevent aggression on faithful women and to preserve their dignity and honor.

While women's problem, in the night or on the day, was for the entire Muslim women or free women; social conditions were such that some women and maids came out naked and not everyone covered themselves, or the issue was the confrontation between Muslim women and the hypocrites who did this to harass them or the problem was lewd people. And all of these issues are possible, and since the hadith was narrated orally at that time and those who narrated it did not witness the incident directly, it is natural that it was not quoted accurately in the meaning, and some analysis has been added by the narrator, commentator and jurist. Therefore, such different quotations are natural.

### 2-6. Differences in the conditions of immigrants in Medina

In this regard, many commentators on the occasion of the cause of revelation

<sup>1</sup> «يُدْنِينَ عَلَيْهِنَّ مِنَ جَلَابِيهِنَّ السِّتْرَ يَتَجَلَّبَنَ فِيَعْلَمَ أَنَّهُنَّ حَرَاتِرٌ فَلَا يَعْزُضُ لِهِنَّ فَأَسْقَى بَأَذَى مِنْ قَوْلٍ وَلَا رَيْبَةَ».

<sup>2</sup> «عن أبي صالح، قال: قَدَّمَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْمَدِينَةَ عَلَى غَيْرِ مَنْزِلٍ، فَكَانَ نِسَاءُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَغَيْرُهُنَّ إِذَا كَانَ اللَّيْلُ خَرَجْنَ يَقْضِينَ حَوَائِجَهُنَّ، وَكَانَ رِجَالٌ يَجْلِسُونَ عَلَى الطَّرِيقِ لِلغَزْلِ،

فَأَنْزَلَ اللَّهُ: يَا أَيُّهَا النَّبِيُّ قُلْ لِرِجَالِكُمْ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنَ جَلَابِيهِنَّ السِّتْرَ يَقْنَعْنَ بِالْجَلْبَابِ حَتَّى تَعْرِفَ الْأُمَّةُ مِنَ الْحَرَّةِ.»

of the verse, have pointed out that the emigration of Muslims from Mecca, homelessness, the poverty of more people, worse conditions in Mecca than Medina, the impact of ignorant morality, the commitment of the people of Medina and civilization with the People of the Book, all created more insecurity for Immigrant women and put more pressure on them, as Samarqandī writes about this (Samarqandī, 1416 AH, v.3, p.72-73)<sup>1</sup>.

On the other hand, according to Hassan Baṣrī, at that time women in Medina had the profession of prostitution. This created a polluted atmosphere for the reckless youth.<sup>2</sup> For this reason, some, such as Ibn Kathīr, have said that this verse was revealed about the wives of immigrants (Muhajīr) (Suyūfī, 1414, v.5, p.416)<sup>3</sup>.

In the face of these conditions, it seems that Anṣār had better conditions due to their home, financial convenience, high culture, and closeness to the People of the Book. Therefore, the legislation of hijab provided a better ground for them, so that after the revelation of the verse, they immediately provided good cover (Ibn Kathīr, 1420, v.6, p.471). But with all this, such interpretations should not be carried on the historical nature of the legislation, as some have imagined (Ashmawi, 1414, p.17); because the important point is the reason given in the

verse and the legislation perpetuates the ruling.

### 2-6-1. The effect of the revelation of the verse on the situation of women

With the revelation of the verse and the attention of the Aṣḥāb and the Companions to the words of revelation, the atmosphere of Medina was changed and since such a preparation had been provided to accept the ruling, it left its practical effect; because several years had passed since the resurrection and emigration of the Prophet (PBUH) and the Muslims were ready to carry out these minor rulings, so they welcomed the rulings.

It is one of the characteristics of the rules of the Qur'an to perform legislation at the appropriate time with the addressee and to demand legislation at the appropriate time. Therefore, about the change after the revelation of the verse, some narrations have been narrated about how such a ruling was welcomed by the women of Medina. A dignity and sobriety prevailed among the Anṣār and Muhajīr women in the city of Medina, and showed that if a legislation is cultured, it will be implemented. In the narrative of Umm Salama, the story of it has been stated too (see San'ānī, 1411 AH, v.2, p.101)<sup>4</sup>.

When this verse was revealed, the women of the Anṣār wore headscarves and wore black clothes when they went out.

<sup>1</sup> «وذلك أن المهاجرين نزلوا في ديار الأنصار، فضاقت الدور عليهم، وكن النساء يخرجن بالليل إلى التخلي يقضين حوائجهن. كان الزناة يرصدون في الطريق، وكانوا يطلبون الولائد، ولم يعرفوا المرأة الحرة من الأمة بالليل. فأمر الحرائر بأخذ الجلباب».

<sup>2</sup> «كن النساء والإماء بالمدينة. يُقال لهن: كذا وكذا يخرجن، فيتعرض لهن السفهاء فيؤذونهن، فكانت الحرة تخرج فيحسبون أنها أمة ويؤذونها،

فأمر الله تعالى المؤمنات أن يُدنينَ عليهنَّ من جلابيبهنَّ». (سمرقندی، ۱۴۱۶، ج ۳، صص ۷۲-۷۳).

<sup>3</sup> «نزل هذا بالمدينة في نساء المهاجرين؛ وذلك أن المهاجرين قدموا إلى المدينة، وهي مضيقه، ومعهم نساؤهم؛ فنزلوا مع الأنصار في ديارهم؛ فضاقت الدور عليهم...». (ماتريدي، ۱۴۲۶، ج ۸، ص ۴۱۳).

<sup>4</sup> «لما نزلت هذه الآية: «يُدنينَ عليهنَّ من جلابيبهنَّ»: خرَّج نساء الأنصار كأن على رءوسهنَّ الغربان من السكينة و عليهن أكسية سود يلبسنها».

### **2-6-2. The independence of the sentence of the verse, despite the common context with the previous verses**

Since the previous verse deals with the persecution of the Prophet (PBUH) and the believers, the commentators and jurists have taken this verse as an independent phrase, but many commentators have linked the issue of the verse to the issue of the persecution of the Prophet (PBUH) by the hypocrites. This group of commentators has paid attention to the connection of the subject and the direction of the sentence and has sometimes emphasized it. For example, Muhammad 'Izza Darwaza says about the relationship between this verse and the previous verse, which was the atmosphere of the problem of a group against the Prophet (PBUH) and the believers:

"At first glance, it is understood that the subject is independent, except that it may be a kind of connection between this verse and the previous verse, which refers to the greatness of the sin of those who persecute the believers, which includes a stern warning to the hypocrites and the evil people in Medina, and this link, which was described in the former verses, confirms what we have said that this group was in various forms in the position of persecution of God, the Prophet (PBUH) and the believers, which was extended to women, girls and wives of the believers, and the text of the verse implies, "When they left the house, the eyes of others were on them" (Darwaza, 1383 AH, p.418).

Consequently, if the subject of the verse is concerned with persecution, it is subject to this criterion, and if it has a general aspect, which apparently it is, it cannot be limited to this direction, and

this order has a kind of general (and independent) prevention. If, as a summary, the atmosphere of the revelation of this verse is considered in general, it is clear that the atmosphere of Medina is a city where the People of the Book lived, the maids lived, the women did other things, and nevertheless Muslim women are instructed to determine their moral and religious boundary. This command has left some traces and two points can be used.

### **3. The relation of this verse with the verse 31 of Surah Nūr**

One of the controversial issues is the order of revelation of this verse with the verse of surah Nūr. This argument can be examined in two ways; one is the historical course of its revelation, whether the ruling of the verse of Surah Nūr is revealed first or Surah Al-Aḥzāb? And another, what is the content difference between these two surahs? And if the reason for the reassurance was not about the order, can the content help us determine the order?

#### **3-1. Differences in historical order**

There is disagreement about the order of revelation of the mentioned verses. Some believe that verse 31 of Nūr was revealed after verse 59 of Aḥzāb (Sadeghi Tehrani, 1406, v.24, p.208) and some believe that verse of Nūr was revealed before the verse of Aḥzāb (Makarem Shirazi, 1993, v.17, p. 427-429) It is stated in Surah Nūr:

"And tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent, and to draw their veils over their bosoms, and not to reveal their adornment save to their own husbands or fathers or husbands' fathers, or their sons or their husbands' sons, or



their brothers or their brothers' sons or sisters' sons, or their women, or their slaves, or male attendants who lack vigour, or children who know naught of women's nakedness. And let them not stamp their feet so as to reveal what they hide of their adornment. And turn unto Allah together, O believers, in order that ye may succeed." (Nūr: 31)

1. It has been said that the most important and the first reason for the precedence of the verse of surah Aḥzāb over the verse of surah Nūr is the narrations of the order of revelation. The indexes that have been given for the order of the surahs in the history books of the Qur'an and special commentaries have all considered surah Aḥzāb to be prior to Surah Nūr. That is, Surah Al-Aḥzāb is in the 90th row among the 114 Surahs (in the defined tables), in the order of revelation, and Surah Nūr is numbered 102 or 103 (Ramyar, 2005, p.612; Nekounam, 2001, p.308) and secondly, citing the event of Ifk. Because the event of Ifk is mentioned in Surah Nūr and this event is related to the Battle of Banū Muṣṭaliq, which is said to have happened after the marriage of the Messenger of God (PBUH) with Zaynab bt. Jaḥsh. Therefore, they conclude that Surah Nūr was revealed after Surah Al-Aḥzāb.

2. On the other hand, historians believe that Surah Nūr was revealed before Surah Al-Aḥzāb and answered for two reasons:

**Firstly:** The narrations of the order of revelation have many differences; because there is a kind of difference between the reports related to the order of revelation of the surahs that it cannot be cited as a convincing reason. The oldest reports of the order of revelation of surahs are in Tafsīr Mafātīh al-Asrār

and Masābīh al-Abrār that Shahrestani has cited several different narratives in the introduction of his interpretation and the difference of these orders are numerous (Shahrestani, 1997, v.1, p.19-23; Nekounam, 2001, p.308-3010).

**Secondly:** people like Wāqidī (Wāqidī, 1409 AH, v.1, p.4), Ibn Sa'd (Ibn Sa'd, 1410 AH, v.2, p.65), Balādhurī (Balādhurī, 1417 AH, v.1, p.342), Ṭabarī (Ṭabarī, 2008, v.2, p.594) and Mas'udi (Mas'udi, nd, p.215) have considered the event of "Ifk" related to the Battle of Banū Muṣṭaliq, which took place in Sha'ban in the fifth year and before the Battle of Aḥzāb, and only Ibn Hishām (Ibn Hishām, 1975, v.2, p.289) has considered this Battle related to the sixth year and after the Battle of Aḥzāb. However, considering that the death of Sa'd ibn Mu'adh took place before the sixth year and in the event of Banu Qurayza, (Ibn Athīr, 1415 AH, v.2, p.441), Ibn Hishām's report cannot be accurate and correct. Therefore, the argument to the event of Ifk and Battle of Banū Muṣṭaliq to prove the precedence of the revelation of Surah Al-Aḥzāb over Surah Nūr is not correct and historical evidence is the opposite. So this conflict exists.

**Thirdly:** According to the order index, which is based on the size of the verses, Surah Nūr is No. 95 and Surah Al-Aḥzāb is No. 97, and citing the narration of the order (in which Surah Al-Aḥzāb is before Surah Nūr) cannot prove the truth of this claim; for this reason, quoting the narrations of the revelation is faced with the problem of conflict, and neither of these two reasons can be seriously considered. Therefore, we must rely on the content of the two verses.

### 3-2. The content difference between these two surahs

There is no doubt that there is a difference in content between these two surahs, but does this difference in legislative expression help to clarify the order of the surah and its revelation and interpretive meanings?

#### 3-2-1. Reasons of the proponents to the precedence of Surah Al-Aḥzāb

**First:** Both verses speak about the observance of covering, but in Surah Nūr, the issue of wearing Khamār, which is shorter than Jalābīb and resembles a headscarf, has been mentioned.

**Second:** In Surah Nūr, the issue of hijab has been mentioned with the prohibition of voyeurism; that is, the realization of the goals of hijab depends on two things, one is not having a guilty looking and one is putting on a scarf (covering the head), then the issue of women's behavior in the form of walking, which should not be sexually provocative, and finally covering women's ornaments and not revealing it. But in Surah al-Aḥzāb, the hijab itself is an independent subject. Moreover, in addition to putting on a scarf, a robe and a longer covering have been put on the clothes.

**Third:** In Surah Al-Aḥzāb, the ruling on hijab is explained with the reason: "to be known so they are not harassed." which is neither an exception nor a time ruling. In this verse, as will be explained, God refers to the philosophy of the law of hijab. In order to understand the verse and the difference

between the expressions of these two verses, it is in order to apply, restrict and explain the hijab. Because in Surah Nūr, the maximum ruling of hijab is covering the positions of adornment, but in Surah Al-Aḥzāb, it also refers to the conditions and causes of the ruling on hijab. Therefore, if in the order of revelation, one of the criteria is to express the ruling from the form of weak to the most severe, in Surah Nūr, the initial cover is mentioned, and in Surah Al-Aḥzāb, it also states a more comprehensive cover, as well as the criterion or philosophy and the reason for the hijab. And it states that hijab is for preserving the security and dignity of women.

#### 3-2-2. Reasons of the opponents to the precedence of Surah Al-Aḥzāb

Contrary to this theory, some contemporary commentators have preferred the centrality of Surah Nūr and insist that Surah Nūr takes precedence because it is more comprehensive than Surah Al-Aḥzāb: For example, Sadeqi who says that Surah Al-Aḥzāb has been revealed before Surah Nūr, has analyzed the reason for the precedence (Sadeqi Tehrani, v.24, p.208)<sup>1</sup>.

The point mentioned by this commentator is beyond the purpose of identifying and not harassing the ruling of hijab in Surah Nūr. Hijab is necessary even where there is no suspicion of harassment. In this case, the ruling of Surah Nūr is more general. However, it may be said that "to be known so they are not harassed" is the way of expression of the Qur'an to convince the addressee and it is not a stylistic, orderly

<sup>1</sup> «و قد يبدو من ملامح آية الجلابيب - وكما تؤيده الروايات - انها اولى آيات الحجاب، حيث تكتفى بـ «اذنى» أن يعرفن فلا يؤذبن «كحكمة اولى هى أقوى الحكم لفرض الحجاب، ومن ثم آية النور «قُلْ لِلْمُؤْمِنِينَ بَعْضُوا... وَ لِيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ... وَ لَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ

ما يُخْفِينَ مِنْ زِينَتِهِنَّ...» تفرض حجابا فوق الحجاب، وبصورة مطلقة تحلق على «ان يعرفن» او لا يعرفن، او ذين ام لا يؤذبن، حيث الحجاب الإسلامى على النساء تتبناه حكم عدة أولاهها و أولاهها «أَنْ يُعْرَفْنَ فَلا يُؤذِّنَ».

and definite sentence. In this case, the philosophy of the sentence has been stated and not harassment. Moreover, in Surah Nūr, only khumur is placed on Juyub, but in Surah Al-Ahẓāb, covering the Jilbāb on clothes is added.

Therefore, if we want to rely on the historical order of the two surahs, the revelation of Surah Nūr is the first and Surah Al-Ahẓāb is the last, and if we do not rely on it, Surah Al-Ahẓāb covers important aspects of the ruling on hijab and has priority to surah Nūr and it has a convincing expression: "to be known so they are not harassed" is an important criterion for the legislation of hijab. In other words, the verse of Surah Al-Ahẓāb is the expression of wisdom and being bound to the goal of recognition and harassment (assuming, of course, that the concept of "that<sup>1</sup>" is in the position of expressing wisdom), but if it is in the position of explaining the ruling, hijab is based on preserving the honor and dignity of women and creating psychological security and preventing sexual harassment, in this case, the ruling of Surah Nūr is also in the circle of the same cause.

#### 4. The Important Vocabularies

One of the important issues of this verse is understanding the key words of the verse, such as Jalābīb, Adnā, Yu'rafana, Yu'zayna<sup>2</sup> and its expressive characteristics.

##### 4-1. Jalābīb

The meaning of Jalābīb is one of the most central keywords of this verse. In

all interpretations, the word Jilbāb is interpreted as a cloak, or a veil, or something beyond the veil and less than a cloak, or higher than a cloak, such as a cloak or chador. For example, Jaṣṣās says: It is narrated from Abdullah Ibn Abbas that: "*Jalbāb* means *radā*" (Jaṣṣās, 1405 AH, v.5, p.244-245).

But firstly: Ṭabrisī narrates two different minimum and maximum definitions about wearing a coverage on clothes or a scarf (from Ibn Abbas to Jaba'ī and Abu Muslim). Secondly, it is said that Jilbāb covers the underwear and explains the meaning of the verse as follows: "So they must wear the *jayb* by *jalābīb*, namely, something thereby women could cover themselves."<sup>3</sup> Again Hassan Baṣrī quotes: "*Jilbāb* the very scarf for women<sup>4</sup>", Jilbāb is the veil of woman i.e. something that covers her head<sup>5</sup>. This is while the maids go out with naked heads and bodies, as it has been narrated from Ibn Abbas and Mujāhid (Ṭabrisī, 1993, v.8, p.580; Gonābādī, 1965, v.3, p.256).

This meaning was also written by Ibn Arabī that the *Jilbāb* is something that covers the head over khimar<sup>6</sup>. That is, khimar is one thing and *Jilbāb* is another, which is mentioned in Surah Nūr. Some have said that women should cover themselves so that they can see only with their left eye. Then he wrote that the reason for this diversity is philosophical, because it distinguishes maids and creates distance when speaking and provides security from

<sup>1</sup>. ذلك

<sup>2</sup>. جلابيب، ادناء، يعرفن، يؤذین

<sup>3</sup>. «فَلَيْسَتْ مَوْضِعَ الْجَيْبِ بِالْجَلْبَابِ وَ هُوَ الْمَلَاءَةُ الَّتِي تَشْتَمَلُ بِهَا الْمَرْأَةُ»

<sup>4</sup>. «جلباب مقنعة المرأة»

<sup>5</sup>. «يغطين جباههن و رؤوسهن إذا خرجن لحاجة»

<sup>6</sup>. «قيل: معناه تغطي به رأسها فوق خمارها»

persecution (In Arabī, 1408 AH, v.3, p.1586)<sup>1</sup>.

Fakhr Rāzī, after stating the meaning of *Jilbāb*, raises the question: "Why did he say their *Jilbāb* with the word "part of"? Because either it does not mean all the *Jilbāb* or because it places a part of the *Jilbāb* to others." (Fakhr Rāzī, 1420 AH, v.25, p.184) The second meaning of the word with *Yudnīna* seems more correct. Qurtūbī also confirms this diversity in the meaning of *Jilbāb* and writes: "*Al-Jalābīb* is the plural form of *jilbāb*, i.e. a cloth longer than *khimār*. It has been reported from Ibn Abbas and Ibn Masood that it is clock (*radā'*). It has been said also that it is *qinā'*"<sup>2</sup>. It finally confirms that *Jilbāb* is a garment that covers the whole body (Qurtūbī, 1364 AH, v.14, p.244).<sup>3</sup>

Zamakhsharī also considers *Jilbāb* for covering the face, in order to determine the border between free women and the maids (Zamakhsharī, 1407 AH, v.3, p.560). Ibn Ashur also writes: "*Jalābīb*: The plural of *Jilbāb*, it is a garment shorter than a cloak and larger than a *khimar* and scarf that women wear on their heads, and it has a covering on both sides that is hung on the shoulders and back, and of course its shape depends on the condition of women and cultures differences." (Ibn Ashur, 1420 AH, v.21, p.329)

In the Commentary of Nemooneh, it is stated: "There is a difference between the commentators and the lexicographer as to what is meant by "*Jilbāb*":

1. Chador and a large cloth that is taller than a scarf and covers the head, neck and chest;

2. *Khimar* and scarf;

3. Loose shirt (Makarem Shirazi, 1992, v.17, p.428).

Although these meanings are different, the common aspect of all of them is that it covers the body. But it seems more that it means a covering that is bigger than a scarf and smaller than a chador, as the author of "*Lisān al-Arab*" has relied on it (Makarem Shirazi, 1992, v.17, p.427-429).

Therefore, the meaning of *Jilbāb* does not have a fixed meaning in the eyes of this group of interpretations, but its generality is to observe the covering on the garment that covers the ornaments of the woman from the head, chest and arms; like a long scarf, a mantle, a tent, or a chador that has the shape of wrapping around the body and this difference is not in the literal sense; its application is in the passage of time and cultural relations. As the chador has had different forms among the communities. Of course, the specifications, the shape and wearing of this robe is not specified.

#### 4-2. *Yudnīna Alayhinna*

What is the meaning of this sentence? To let down their *Jalābīb* over themselves, is the expression of the covering the same as *Jilbāb* over each other, or is it something independent of the previous expression? It is narrated from Sa'id ibn Jubayr that such a thing to put *Jalābīb* on each other provides better coverage. (Suyūṭī, 1414, v.6, p.662) Qurtūbī wrote that people disagree about the quality of wearing the *Jilbāb*: people like Ibn Abbas and

<sup>1</sup>. «و الذى أوقعهم فى تنويحه أنهم رأوا الستر و الحجاب... و هى... أنه أراد تمييزهنّ على الإماء اللاتى يمشين حاسرات، أو بقناع مفرد، يعترضهنّ الرجال فيتكشفنّ، و يكلمنهن، فإذا تجلببت و تسترت كان ذلك حجاباً بينها و بين المعترض بالكلام، و الاعتماد بالإدابة».

<sup>2</sup>. «الجلابيب جمع جلباب، وهو ثوب أكبر من الخمار. و روى عن ابن عباس و ابن مسعود أنه الرداء. و قد قيل: إنه القناع».

<sup>3</sup>. «و الصحيح أنه الثوب الذى يستر جميع البدن».

Ubaydah al-Salmani have said: They should wear it in such a way that only one of their eyes can be seen. It is said to be covered from the top of the forehead and from the bottom to the nose. Hassan Baṣṛī said: "Put on *Jilbāb* in such a way that half of her face is covered." (Qurṭubī, 1985, v.14, p.243)

In *Nafaḥāt-ur- Rahman* of Nahavandi it is stated: "*Yudnāna alayhinna* means *Yuqarribna ilayhinna*, that is make close to sides of *jilbāb* to each other." If they cover themselves well, they will be safer from attack. As a result, they will be safe from possible persecution. (Nahavandi, 2007, v.5, p.196)

Tabataba'i also wrote: putting on their *Jalābīb* means to cover so that their breasts are not exposed." (Tabataba'i, 2011, v.16, p.339) Therefore, the emphasis of many commentators is that covering and overlapping the *Jilbāb* is to cover the adornment of the woman and does not mean the mask and covering the face (Darwaza, 1421AH, v.7, p.418-420).

For this reason, the word *yudnāna*, according to most commentators, is the placement of the *Jilbāb* on each other and not its opening and not being left on the clothes. But it is right that the details and characteristics are not understood from this word. In this regard, the placement of *Jilbāb* on each other is a function of recognizing the custom and the criterion of the sentence that is, preserving the dignity and personality of the woman in order to avoid harassment.

#### 4-3. Dhālika Adnā

What is the meaning of this phrase "Dhālika Adnā"? If they wear *Jalābīb*,

that's better, what is this better for? Is it an expression of doubt in observing hijab or paying attention to better observance of covering with this language? Ṭabarī has said that this means that it is better and closer to the truth (Ṭabarī, 1412 AH, v.22, p.33-34). As Tha'labī has said the same meaning (Tha'labī, 1422 AH, v.8, p.64) and this meaning is quoted by Zamakhsharī from Ibn Sīrīn (Zamakhsharī, 1407 AH, v.3, p.560). Zamakhsharī says: "It is better and more deserving of being known, so that they are no longer exposed to their harassment and are not said what they do not like (like annoying words)." (Zamakhsharī, 1407 AH, v.3, p.560) In the commentary of Husseini (Mawāhib Alayh), he wrote: "It would be good for them to cover their heads and body to be known as good and modesty women. So they will not abuse them, that is to say, they will not attack them." (Kāshifī, 1938, p.946). In Tafsir Safī, he has expressed the same meaning (Feyz Kāshānī, 1415 AH, v.4, p.203-204); while some of them have misunderstood this sentence and have argued about the imposition of this ruling (See: Fadlullah, 1419 AH, v.18, p.349-350 and v.15, p.226)<sup>1</sup>.

However, this method of expression of the Qur'an in the rulings of similar cases has been done in order to encourage it. As in the discussion of the writing of religion and the testimony of women, the same word has been repeated "That is more equitable in the sight of Allah and more sure for

<sup>1</sup> «فلا تكون الآية من آيات الحجاب الملزم، بلحاظ أن الأمر يدل على الوجوب.»

testimony, and the best way of avoiding doubt between you” (Baqarah: 282)<sup>1</sup>

The implication of this statement is more doubtful with more caution in matters. Another example is in the verse: “that is better; that they may be comforted and not grieve, and may all be pleased with what thou give them” (Ahzāb: 51)<sup>2</sup>

And this doubt is some sort of instruction to the Prophet (PBUH), and obtain women’s consent, to set and arrange the time to go to their homes (Sheikhzadeh, 1419 AH, v.6, p.654)<sup>3</sup>.

If you want to reunite the spouse you had previously divorced, you can, and there is no inconvenience for you, but it is better and closer for their eyes to be enlightened. That is, they should be happy and satisfied with what you have given them (Tabataba’i, 1995, v.16, p.504).

Thus, the literature of the Qur'an is such that it is accompanied by linguistic diversity and the expression of doubt, to establish a problem, as with the word “may be” (68 times) in many verses, this meaning of doubt is expressed.

#### 4-4. Yu‘rafana falā Yu‘dhayna

Various meanings have been mentioned by commentators in this regard.

**First:** The most common meaning of this word, which is very old and from the first commentators, such as Ibn Abbas and Mujāhid and others have quoted the concept of reasoning: for this reason, the ruling on hijab has been expressed so that the border between

free women and slaves is clear and the excuse of the opposition is removed and no one harass Muslim women any more (Dinwari, 1424 AH, v.2, p.182). Therefore, it is narrated from Ibn Abbas and Mujāhid that when a woman wants to leave the house, she is distinguished with this way of dressing. Then Jaṣṣās himself states that the young woman needs to cover her face from the non-mahram<sup>4</sup>.

Then he writes: This verse indicates that a maid no longer needs to cover her face and hair, because he said: "and faithful women" which indicates that it means free women, so that there is a difference between free women and other women (Jaṣṣās, 1405 AH, v.5, p.244-245). But the question is, will they not be the wives of the believers when they belong to someone, and does it have the opposite form that they do not include maids? Zamakhsharī understood the result and philosophy of the sentence from this sentence; because he says: "Adnā an Yu‘rafana" means that it is better and more deserving that they are known so that they are no longer exposed to the harassment of others and are not said what they do not like (like annoying words) (Zamakhsharī, 1407 AH, v.3, p.560).

Fakhr Rāzī has added the same meaning to know that they are not people of ugly deeds, because a person who covers his face, although there is no need to cover his face, shows that such a person is not expected to be abused (Fakhr Razī, 1420 AH, v.25, p.184)<sup>5</sup>.

١. «ذَلِكَمُ أَقْسَطُ عِنْدَ اللَّهِ وَ أَقْوَمُ لِلشَّهَادَةِ وَ أَدْنَىٰ أَلَّا تَرْتَابُوا» [بقرة: ٢٨٢]

٢. «ذَلِكَ أَدْنَىٰ أَنْ تَقْرَأَ عَيْنَهُنَّ وَلَا يَحْزَنَ وَيَرْضَيْنَ بِمَا آتَيْتَهُنَّ كُلَّهُنَّ» [احزاب: ٥١]

٣. «ذَلِكَ التَّفْوِيضُ إِلَىٰ مَشِيئَتِكَ أَقْرَبُ إِلَىٰ قِرَةِ عَيْونِهِنَّ وَ قَلَّةِ حِزْنِهِنَّ وَ رِضَاهُنَّ جَمِيعًا».

٤. «فِي هَذِهِ الْآيَةِ دَلَالَةٌ عَلَىٰ أَنَّ الْمَرْأَةَ الشَّابَّةَ مَأْمُورَةٌ بِسِتْرِ وَجْهِهَا عَنِ الْأَجْنَبِيِّينَ وَ إِظْهَارِ السِّتْرِ وَ الْعِفَافِ عِنْدَ الْخُرُوجِ لِئَلَّا يَطْمَعَ أَهْلُ الرِّيبِ فِيهِنَّ»

٥. «فَيَعْرِفْنَ أَنَّهُنَّ مَسْتُورَاتٌ لَا يُمَكِّنُ طَلَبُ الزَّانَا مِنْهُنَّ.»

The same meaning has been said by Ibn Zamnin in Tafsir. (Ibn Abi Zamnin, nd, v.2, p.171). But Ibn Arabī, the jurist and commentator, has said “And so it indicates to distinguishing them from the bondwomen” (Ibn Arabī, 1408 AH, v.3, p.1586)<sup>1</sup>.

People like Ibn Kathīr and others have also written: The meaning of this sentence is that by doing this covering, they are known that they are free, neither slaves nor evildoers (Ibn Kathīr, 1419 AH, v.6, p.425; Gonābādī, 1965, v.3, p.256). As Abu al-Saud also wrote: “This covering is better to distinguish faithful women from maids and bad people” (Abu al-Saud, 1983, v.7, p.115)

Khaṭīb Sharbīnī has said the same meaning (Khaṭīb Sharbīnī, 1425, v.3, p.339). But Nakhjawani said that if they dress well, their border will be clearer than that of unrestrained women. They are not exposed to slander either (Sheikh Alwan, 1999, v.2, p.163).

Tabataba’i has said the same concept but with a wider scope: In this way, they are known better that they are pious and faithful, and they are not harassed by the evil people (Tabataba’i, 2012, v.16, p.339). Makarem and his associates also wrote: “What is the meaning of being known? There are two views among the commentators that do not contradict each other. First, it was common at that time for maids to come out of the house without covering their heads and necks, and because they were not morally well-off, they were sometimes harassed by some young prostitutes. Here, free Muslim women were instructed to observe the Islamic hijab completely to be known from maids and not to be harassed by the prostitutes; obviously,

this does not mean that the thugs had the right to harass the slaves, but that they meant to take the excuse away from them. Another is that Muslim women should not be careless in wearing the hijab, like some reckless women that while wearing the hijab, parts of their bodies are often visible, which attracts the attention of prostitutes to them.” (Makarem Shirazi, 1992, v.17, p.427-429).

A similar statement was made by another contemporary commentator on the meaning of Ta’līl: “If a woman, for example, wraps her tent around herself and walks, every viewer knows that she is a chaste woman who has come out of home for necessary work. Hence, lustful people are not bothering her; but if she keeps her night tent open and turns it around as she walks, the evildoers think that she has left the house to show off and forcefully harass her. The holy verse is in this regard. “They should cast their outer garments over their persons (when out of doors): that is most convenient, that they should be known (as such) and not molested.” (Qarashī Bonabī, 1996, v.8, p.393).

Therefore, the meaning of “yudnīna” (to approach) is that women bring the “Jilbāb” closer to their body in order to properly protect themselves and remove the ground for abuse. The border is drawn between them and others who do not want this dignity. Not to let it go, so that sometimes it is removed and the body is exposed. But the fact that some people wanted to use the phrase that you should also cover your face does not mean that.

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<sup>1</sup>. «و الظاهر أن ذلك يسلب المعرفة عند كثرة الاستتار»

## 5. Expressing the Reason or Wisdom of the Sentence

One of the issues raised in this verse is the interpretation: "that is most convenient, that they should be known and not molested" What is the meaning of this word? Whether the "Dhālika" which the pronoun for reasoning is a criterion for the order, or the expression of the philosophy of reason and wisdom. Because there is a difference between reason and wisdom among the fundamentalists.

The point of avoidance of wisdom by Shiite jurists is that wisdom is not based on the sentence, as many Sunni jurists have considered this reason as a reason for not adhering to wisdom (Shalabī, 2016, p.135), but on the contrary, others have said somewhere it has clear and disciplined wisdom, its generalization is permissible. The cause is inclusive, because the cause is the criterion for extending the sentence from the principle to the branch. Of course, the full or appropriate cause is effective, but wisdom is not certain. (Ayazi, 2007, p.527)

But few commentators have spoken about this sentence of the verse, or examined the dimensions of the issue. Some have limited themselves to brief references and some have elaborated it; Marāghī, for example, in his commentary, has accepted the cause<sup>1</sup>.

That is to say, this covering causes them to be known as pious women so no one will harass them, because those who make up, attract the attention of other

people. (Marāghī, nd, v.22, p.37-38). But many people have considered it to be wisdom, for example, Sadeghi mentions two points in the interpretation of this verse: one is that this verse is a better expression of wisdom for the ruling and the other is that the ruling is not bound to this verse and the ruling is extended to the verse of Nūr. Therefore, if the hijab is legislated on the basis of some benefits, it is better to express the wisdom of hijab namely the knowledge to prevent harassment<sup>2</sup>.

And this verse has mentioned the obligation of hijab in an absolute way, whether it is "to be known" or not, or it is annoying or not, the ruling of hijab will be in its place (Sadeghi Tehrani, 1406 AH, v.24, p.208). In his commentary, Ṭaṭāwī also spoke about the wisdom of the verse (Tantāwī, 1998, v.11, p.246)<sup>3</sup>.

Fadlullāh also says that it comes to mind that this sentence is the wisdom of legislation and is not in the position of expressing expediency in the moral relations of society, but is to maintain the security of the Medina, for the behavior of a group of promiscuous youth who no longer respect women, therefore, it is necessary for Muslim women to follow the Islamic way of life, in order to separate themselves from the women of the Book and the maids and to avoid persecution. Finally, he raises the issue that this verse is apparently in

<sup>1</sup>. «ثم علل ذلك بقوله: «ذَلِكَ أَدْنَىٰ أَنْ يُعْرَفَ فَلَا يُؤْذَنُ»  
<sup>2</sup>. «وقد يبدو من ملامح آية الجلابيب - وكما تؤيده الروايات - أنها أولى آيات الحجاب، حيث تكتفي بـ «أدنى» أن يعرف فلا يؤذن «كحكمة أولى هي أقوى الحكم لفرض الحجاب، ومن ثم آية النور: «قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا... وَلَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ مِنْ زِينَتِهِنَّ...»

<sup>3</sup>. «بيان للحكمة من الأمر بالتستر و الاحتشام. أى: ذلك التستر و الاحتشام و الإذناء عليهم من جلابيبهن يجعلهن أدنى و أقرب إلى أن يعرفن و يميزن عن غيرهن من الإماء، فلا يؤذنين من جهة من فى قلوبهم مرض.»



the position of time legislation to distinguish Muslims from Jews.<sup>1</sup>

For this reason, Fadlullāh says: "It is no longer possible to believe in the necessity of hijab based on this verse, because it is like the ruling of the Prophet (PBUH) who said to the Jews that you should long your beard" (Fadlullah, 1419 AH, v.18, p.349-350).<sup>2</sup>

But this view is in some ways thinkable; because when the verse is in the position of expressing the criterion of the verdict, which also refers to the character and protection of the human status of women and the prevention of sexual abuse, why does it no longer indicate necessity, but this statement is a proof of the immortality of the verdict and is different from the issue of.

There was the issue of war and the special conditions of the Muslims against the Jews, which was immediately removed by the Infallibles. Not that today, even women are sexually harassed in the workplace, and the hijab can prevent some of this problem by creating physical privacy. Modarresi has taken the issue of knowing "Yu'rafana" in two different meanings: one is knowledge to know the attribution to a particular prophet or family in order to be safe from sexual harassment, and the other is covering to not see adornments and beauties. "But the fact is that many women do not observe the hijab, but their goal is not corruption, but the lack of hijab is due to educational and cultural factors or ignorance of religious education," she said. On the other hand, the fulfillment of the goals of hijab is

two-sided, as the women have been ordered to observe hijab, the men are ordered to observe their eyes and their looking and this is, in context of verse, in contrast to the hypocrite, who have created many problems in society. And all this is from the wisdom of the verse and knowing the atmosphere of its legislation. (Modarresi, 1419 AH, v.10, p.387-388) Based on this perception, the issue of hijab does not have one form, but it is necessary for women to cover themselves and for men to keep their eyes in order for the society to reach its necessary health, and the verse is to eliminate the confrontation with the hypocrites and the persecutors.

But Darwaza has used another issue from the verse, he believes that: the sentence does not imply that the obligation of believers for Jalābīb is a new Islamic decree, but it the cover of Jalābīb has been the traditional dress for women in the space of the Prophet's Society and the order to wear Jilbāb is to teach a special wearing to identify the believers and the difference between the free women and wicked women in order to preserve the faithful women from the persecution of immorality.

Of course, he emphasizes that this verse is continuous in the direction of legislation, but what comes to mind from the historical context and spirit of the verse is that the inclusion of legislation in the verse is more deductive than formal. That is, as the livelihood, clothing, and form of many things are changed, so may the

<sup>1</sup>. «مما يوحي بأنه تشريع ظرفي يراد به تمييز المسلمين عن اليهود في المجتمع المختلط لبعض المصالح التي تتصل بالملامح الشخصية للمسلمين».

<sup>2</sup>. «و على ضوء ذلك، فلا تكون الآية من آيات الحجاب الملزم، بلحاظ أن الأمر يدل على الوجوب، فإن الفقرة الثانية قد تصلح دليلا على عدم إرادة الإلزام في ذلك».

observance of Muslim women's clothing is also changed<sup>1</sup>.

Then, the author concludes from this explanation that the forms of clothing and lifestyle are constantly changing and even this shift in clothing and lifestyle began from the time of the Prophet himself and occurred effortlessly and there is no problem for this change if it is not contrary to the spirit of Qur'anic verses, and is not considered breaking the frameworks. This is also compatible with the divine Qur'anic legislation and with the nature of the matters which they have observed in drawing the principles and rules of the Shari'a (Darwaza, 1421 AH, v.7, p.418-420).

Some commentators, such as Khaṭīb, consider the statement of reason to indicate the need to preserve the dignity and glory of the believer<sup>2</sup>.

In the word, "Adnā" is pointing out that it is not the only factor for the health of faithful women from the evil people, but in any case it is a means to preserve the beauty of a free woman and adorn her chastity and purity, and if it is not all perfection, it will be a manifestation of perfection. If it is not all chastity, but it will be a manifestation of chastity... (Khaṭīb, 1424 AH, v.11, p.752).

For some, this verse, which commands the hijab, is not posed as a threat, but explains the philosophy of the hijab as follows: if women and girls want not to be ridiculed, slandered, attacked and threatened by individuals, they must cover themselves. As some contemporary commentators have mentioned the pests of unveiling as follows:

1. Prosperity of gaze and whimsy.
2. Development of corruption and prostitution.
3. Misbehave and rape.
4. Illegal pregnancies and abortions.
5. Emergence of mental and sexual diseases.
6. Suicide and running away from home due to disgrace.
7. The unkindness of voyeurism men toward their wives.
8. Rising divorce rates and weakening family relationships.
9. Competition in luxuries.

10. It creates anxiety for chaste families (Qarā'atī, 2009, v.7, p.399).

Of course, these effects are more concerned with the wisdom of the sentence and not the cause and criterion of the sentence. Some have added consensus to it and have said that one of the ways to prove the cause in the word is consensus (Hakim, 2015, p.318). Where the text is based on the cause or the decisive text, even if it is a suspicious text, like an implicit phrase, for this reason, the word "it is better for them to be known" is the expression of the cause, the cause that serves the purposes of hijab in its limit. Therefore, in relying on this sentence: "it is better for them to be known" whether it implies philosophy and wisdom, or is the expression of the cause, shows the diligence and commitment to the hijab, but for the following reasons it indicates the cause:

1. A definite and explicit text that is the object and criterion of the ruling.
2. If it is not a text, it refers to the direction of the text: "inferring the cause".

<sup>1</sup> «أنه يوجب على المؤمنات زياً أو مظهرها خاصاً يميزهن عن العواهر و يمنع عنهن أذى الفساق دون التقييد بنفس الشكل الذي كان جارياً وقت نزول الآية».

<sup>2</sup> «وفى قوله تعالى: «ذَلِكَ أَذُنِي أَنْ يُعْرِقَنَ» إشارة إلى أن هذا الزى السائر الذي يتزيا به نساء النبي وبناته ونساء المؤمنين، هو معلم من معالم المرأة الحرّة العفيفة التي لا مطمع لأحد فيها».

3. The rational understanding of the witness is the necessity of such a thing; because although it is not a place of worship, its ruling can be explained. Because in addition to the explicit text and inference of the jurists who understood such a requirement from its contents, today it has been proven by social experience and it can be seen how this nudity has created problems in the workplace, alleys and markets. On the other hand, a good cover creates a kind of personality and border for a woman and shows that her personality is to her humanity and not to her body.

When a woman covers herself, she avoids being exposed to eye and tongue harassment, etc. Field experience has shown that the problem of sexual harassment is better controlled with a good cover, and the Qur'an does not say that this hijab solves all the problems of women's psychological and moral security, but considers hijab as one of the preventive measures and Qur'an also prohibits voyeurism. For this reason, the important point of legislating the ruling of hijab, is to preserve the personality of women and to prevent sexual harassment absolutely and to maintain their security.

### 6. Dealing with Maids (Bondwoman)

One of the controversial issues of this verse in the commentaries is the expression of the philosophy of separating free women from slave women in the matter of hijab, because the suspicion has been created that whether slaves are not humane and

dignified, and whether Muslim slaves should not be far from the hands of lustful men. So why is the border between free women and slaves defined? But in response, we must pay attention to a few points:

First: The Qur'an does not mention slaves and only says: "The faithful women", which means that it is not addressed to non-official women. The problem with these sayings is due to the narrations of Sabab-e-Nuzūl. It should be noted that the Qur'an states in such a way that its ruling remains eternal and can be true for all times, and the dignity of the revelation does not limit the meaning and application. In addition to the apparent meaning, the Qur'an has a real and universal aspect and its rules are valid forever.

Secondly: In response to the second suspicion, it should be said that dealing with the slaves had a governmental aspect from the point of view of the second caliph and not a reason from the Qur'an and the Sunnah of the Prophet (PBUH), as some commentators believe (see: Ibn Āshūr, 1420 AH, v.21, p.328-329)<sup>1</sup>.

For this reason, this method of the second caliph was never followed in later periods, and people like Ṭanṭāwī have raised the issue of the suspicion of separating free women from slaves, saying that the problem was the difference between the lives of the two groups<sup>2</sup>.

Then it goes on to say that the Holy Qur'an has generally forbidden the persecution of believers, whether they

<sup>1</sup> «وكان عمر بن الخطاب مدة خلافته يمنع الإماء من التتبع كيلا يلتبسن بالحرائر و يضرب من تتفح منهن بالذرة ثم زال ذلك بعده».  
<sup>2</sup> «فهيلا كان التصون و التستر عاماً في جميع النساء؟ والجواب، أن الإماء بطبيعة عملهن يكثر خروجهن وترددهن في الأسواق، فإذا كلفن أن

يتقنعن ويلبسن الجلباب السابغ كلما خرجن، كان في ذلك حرج ومشقة عليهن، وليس كذلك الحرائر فإنهن مأمورات بعدم الخروج من البيوت إلا لضرورة».

are free or slave. It is clear that the Shari'ah did not forbid covering for the slaves in the verse, as well as the servants who were prevented from covering due to hard work, and therefore, if it is possible for them to wear a Jilbāb (Al-Sa'is, 1436 AH, v.4, p.53). For this reason, he has quoted a word from Abi Hayyān that it is preferable that the meaning of the faithful women includes free and slave women, and the command to hijab is for all Muslim women, and the wisdom of covering is to prevent the aggression of the incompetent (Ibn Abi Hayyān, 1420 AH, v.7, p.250).

Then he emphasizes that if this is supposed to be wisdom, it is more for the slaves; because they are more vulnerable to abuse. Therefore, the inclusion of the verse is the best reason for all Muslim women that a reason is necessary to exclude it, and this is the first theory to be accepted and is better compatible with the policy of Islamic law (Ṭanṭāwī, 1997, v.11, p.246).

For this reason, this problem arose firstly from the words of the commentators and jurists and not from the Qur'an, secondly, it was related to the conditions of the time of revelation and the narrations of the cause of revelation of the verse, and thirdly, the intensification of treatment to slaves is attributed to the second caliph, who punished the maid severely during his caliphate and said: (Suyūṭī, 1414 AH, v.6, p.660; Tabarī, 2008, v.5, p.216).

Why do you equate yourself to free women? Take off your scarf. But in the Qur'an and the Prophetic Hadith, such a thing is not mentioned as a reason for dealing with slaves.

## 7. Interpretive Evolution in the Development of the Meaning of Yu'rafana

One of the notable interpretive points in this verse is the semantic evolution of the words of this verse in concepts such as Jilbāb and the sentence: "to be known not to be harassed" which in the historical course is an interpretation of the limited meaning of distinguishing between free women and slave women, then this meaning evolved and distinguished between chaste women and prostitutes, women bound by religious precepts with unrestrained women, women who maintain their dignity, or women who do not adhere to this principle, and a semantic development has taken shape that is remarkable for those interested in evolution of the interpretation. This transformation and development has been in the following dimensions:

### 7-1. Boundary between free and slave women

This meaning has been the opinion of many previous commentators (Qurṭubī, 1985, v.14, p.243-244; Ibn Jawzī, 1422 AH, v.3, p.484; Sheikh Zadeh, 1419 AH, v.6, p.663-664; Khaṭīb Sharbīnī, 1285, v.3, p.339; Haqi Barsawi, nd, v.7, p.240; Bayḍāwī, 1418 AH, 15, p.419-420; Marāghī, nd, v.22, p.37-38). However, in later interpretations, less emphasis has been placed on this aspect. However, perhaps the most widespread and oldest meaning of explanation among the commentators of the two sects (Suyūṭī, 1414 AH, v.6, p.66) is this meaning and its document is the confrontation of the second caliph (Suyūṭī, 1414 AH, v.5, p.415; Maturidi, 1426 AH, 8, p.413; Tha'labī, 1422 AH, v.8, p.64; Qasemi, 1418 AH, v.8, p.113). This statement is not only for Sunni

commentators, but also among Shiite commentators such as Jazayeri, there are many examples who consider the issue of the verse as the demarcation between free women and slaves (Jazayeri, 2009, v.4, p.103-104).

### 7-2. The attitude towards the behavioral nature of these two groups

Another development is the change in obscure interpretation. Because in appearance it is the first meaning; explaining that because slaves were not committed to maintaining their personality and body, the Qur'an with this legislation wanted to keep the atmosphere of free women healthy by giving them personality. Because promiscuous young people harass the women in the streets and public squares (For this reason, see Sutūtī, 1414 AH, v.6, p.660<sup>1</sup> and Tabaranī, 2008, v.5, p.216<sup>2</sup>)

Some commentators seek to explain the meaning of "Yu'rafana" alongside the goal of the veil for the recognition of a free woman from the non-free one, meaning that it is not intended for a woman to know who she is (Cf. Ibn Aṭīyyah, 1422 AH, v.4, p.399)<sup>3</sup>.

### 7-3. The boundary between the veiled women and the naked ones

But the most interesting change in interpretation is the general form of the

verse. Accordingly, the demarcation includes non-free women. That is to say, the content of the verse is separating the evil persons from chastity women, whether they are free or slaves. According to this rare interpretation, Yu'rafana has a more general meaning. As an example of Nuhās quotes the meaning from Muhammad ibn Yazid (Nuhās, 1421 AH, v.3, p.223)<sup>4</sup>.

In Majma' al-Bayān, Ṭabrisī also pays attention to these two types of meaning, one in the first and another in the third meaning. It's free and dignified to have veil. In fact, it is a more humane interpretation of the truth and gender of women and not to deny women's character, but to prevent abuse of women as cited by Jaba'ī (Tabrisī, 1993, v.8, p.580), or some commentators such as Khaṭīb (See Khaṭīb, 1424 AH, v.11, p.752 and Hawwā, 1424 AH, v.8, p.4481)<sup>5</sup>.

### 7-4. Identification of dignified women from the bitch one in the range of free women.

In the lower level, this semantic evolution has been occurred in the women's domain. Some commentators have said that, for instance, Mughniyeh wrote: "The Muslim women were used to exit from their houses with bad covering, just as the behavior before Islam, the Ignorance Age."<sup>6</sup>

<sup>1</sup> «لأن الناس كانوا يومئذ يمازحون الإمام ولا يمازحون الحرائر، و كان المنافقون يمازحون الحرائر، فإذا قيل لهم في ذلك، قالوا: حسبنا أنهم إمام. فأمر الله الحرائر بهذا النوع من الستر قطعاً لأعداء المنافقين» قال السيوطي: «أخرجه ابن أبي شيبه عن أبي قابلية: «و مرت جارية بعمر عنه متقنة، فعلاها بالدرّة و قال: «يا لكاع، أنتشبهين بالحرائر، ألقى القناع»<sup>2</sup> قال السيوطي: «أخرجه ابن أبي شيبه عن أنس رضى الله عنه و ذكره»<sup>3</sup> «على الجملة بالفرق حتى لا يختلطن بالإمام، فإذا عرفن لم يقابلن بأذى من المعارضة مراقبة لرتبة الحرية، و ليس المعنى أن تعرف المرأة

حتى يعلم من هي، و كان عمر إذا رأى أمه قد تقنعت قنعتها الذرة محافظة على زى الحرائر»<sup>4</sup> «يعرفن بالستر والصيانة»<sup>5</sup> «و من سدّ الدرائع ألا يعرض المؤمن نفسه للشبه، وألا يدع سبيلا لقالة السوء فيه، بل ينبغي أن يتجنب مواقع التهم، حتى لا يتعرض للأذى، ويعرض غيره للوقوع فيه»<sup>6</sup> «فقد كانت المسلمات في أول الإسلام يخرجن من بيوتهن سافرات متبذلات على عادة الجاهلية»

So God asked the Prophet (PBUH) to order women to observe their hijab. The sentence "to be known not to be harassed" means women who have hijab are known with modesty and self-preservation. Hijab is a veil between the faithful women and the evil men. (Mughniyeh, 1424 AH, v.6, p.240; Marāghī, nd, v.22, p.37-38)

Sheikh Zadeh, in defining this sentence says that some say: "It is to recognize the corrupted people who harass women who go out for defecation in the night" (Sheikh Zadeh, 1419 AH, v.6, p.663-664)<sup>1</sup>.

Khafaji has said "His saying that means (Khafajī, 1417 AH, v.7, p.511-512; Gonābādī, 1965, v.3, p.256).

Ālūsī writes, "The verse after the expression of the mood of those who harassed the Prophet (PBUH) states another example of these issues and orders to those who are offended by this group to cover themselves well (Ālūsī, 1415 AH, v.11, p.263-265)<sup>2</sup>.

Therefore, in the jurisprudence of two sects, it is not necessary for slaves to have hijab, but if she is a Muslim, it is necessary to prevent her covering or if not severe, it will be necessary to prevent the nakedness of the public as opposed to public modesty, though the nudity of slaves is against the public chastity, which indicates that the issue of hijab is not the observance of public decency, and if it is the public modesty

and veiled women were the problem, there is the same difficulty about them. Though some jurists and interpreters have said about the slave women, though they are not obliged to have hijab, it is not allowed to look at them with passion<sup>3</sup>.

But the issue of looking is contrary to the obligation to hijab, and the ruling of looking the the maid of other men is allowed, that is one can look at the head, face, legs, chest and arms of the maid.... (Ālūsī, ibid.)

### 7-5. Softening and thickening the hijab

Another change in the meaning of hijab is the softening or thickening the hijab in different eras among Muslims. In an era, the issue of covering a woman to the extent of the exception of one eye was raised, and in a period the exception of the face and hands and feet was explicitly emphasized (See Kulainī, 1365, v.4, p.345; Fadlullah, 1419 AH, v.16, p.303)<sup>4</sup>.

Some have spoken of good and dignified clothes and naked women have been stripped (Khaṭīb, 1424, v.11, p.751) and some contemporary commentators have spoken of the need for the government to intervene in forcing the hijab, and this is the reason why in the commentators' understanding of the meaning of hijab, which had an individual and personal form, how it has

<sup>1</sup>. «قيل في زناة كانوا يتبعون النساء إذا برزن بالليل لقضاء حوائجن فيغمزون المرأة فإن سكتت اتبعوها وإن زجرتهم انتهوا عنها.. فتشكون ذلك لرسول الله(ص) فنزلت هذه الآية...»

<sup>2</sup>. «روى عن غير واحد... و كان في المدينة فساق يتعرضون للإماء و ربما تعرضوا للحرائر فإذا قيل لهم يقولون حسبناهن إماء فأمرت الحرائر أن يخالفن الإماء بالزى و التستر ليحشمن و يهين فلا يطمع فيهن...».

<sup>3</sup>. «قال القهستاني: منع النظر من الشابة في زماننا ولو بلا شهوة»

<sup>4</sup>. «و لم يثبت من الروايات الأمر بالنقاب بحيث يكون ساترا للوجه، و قد نستطيع استيحاء جواز كشف الوجه و الكفين مطلقا من خلال التأكيد على

حرمة سترهما في حال الإحرام، لأنه الحالة التي قد يتأكد فيها الستر إذا كان واجبا، فالكشف لا يتناسب مع طبيعة الأجواء الطاهرة التي يراد للحاج أن يبتعد فيها عن مواقع الإغراء، مما يجعلنا نستوحى أن هذا الأمر الجائز بطبعه في الوضع العام، أصبح واجبا في حال الإحرام كي تعاني المرأة من حرارة الشمس في وجهها، ما يعانيه الرجل من حرارتها في رأسه، في ما ورد به الأثر: «إن إحرام المرأة في وجهها و إحرام الرجل في رأسه».

become a social issue (eg. Hejāzī, 1413 AH, v.3, p.118)<sup>1</sup>.

But this issue of opinion and compulsion is a point of contention, and apart from the issue of compulsion and the need to cover free women, it is a matter of public decency, which will be examined in the next discussion.

### 8. Dignity of Women or Maintaining the Chastity of Society or Both

One of the important issues in understanding the verse and discovering the divine meaning in philosophy is the ruling on hijab and why it is legislated. It has been said before that the subject of hijab is addressed to Muslims and believers. On the other hand, the interpretation of this ruling by all the commentators of the two sects is to create a boundary between chaste and non-chaste women. A border where, like the city of Medina, it recognizes the existence of other people. This issue becomes clear when other aspects of this ruling are also identified. The following is evidence of the issue.

1. In all the jurisprudential books and commentaries that have examined this verse, no one has said that the ruling of this verse also includes non-Muslims, that is, it has been assumed that there are other people in the Muslim community to whom this commandment is not addressed and no one said when this verse was revealed, the Prophet announced such a ruling is for the People of the Book or the polytheists and all the tribes of the people of Medina, or with the power the prophet had he did not ask the Muslims to issue

this ruling at the level of all the inhabitants and the people of desert and those who entered this city from outside Medina.

2. From a jurisprudential point of view, the obligation of divine rules is a branch of accepting religion and believing in it. When one of the People of the Book, who is the same as the People of Dhimma and whose religion is recognized, is no longer obliged to follow the rules of Islam. For this reason, the non-Muslims who lived in Medina did not follow this ruling and it is not mentioned in the commentary and jurisprudence that the verse included them. Especially since it has explicitly stated this ruling: It is addressed to the wives and daughters of the Prophet (PBUH) and the believers. As narrated by Ibn Kathīr from Sufyān al-Thawri (Ghasemi, 1418 AH, v.8, p.113)<sup>2</sup>.

That is, when the adornment of Muslim women should be worn, it means that some People of the Book who wore this adornment did not wear it.

3. This ruling is intended to define the boundary between believing women and those who do not want to have this commitment, and to ensure the security and dignity of faithful women (Marāghī, nd, v.22, p. 37-38; Shukānī, 1414, v.4, p.350). Therefore, there were groups in Medina, even though they were from Muslim tribes and nomads, and they entered Medina, but they did not observe this rule, and when they were told, according to some narrations: (See: Hurr Āmilī, 1372, v.20, p.206).

<sup>1</sup>. «موضوع الاختلاط و التبرج و الانحلال الخلقي العام في طبقات الشعب داء استشرى، و فساد عم، لم يعد يكفيه وعظ و إرشاد، وإنما هو في حاجة إلى قوة السلطان و صولة الحاكم الذي يدين بعلاج القرآن».

<sup>2</sup>. «لا بأس بالنظر إلى زينة نساء أهل الذمة، وإنما نهى عن ذلك لخوف الفتنة، لا لحرمتهم، واستدل بقوله تعالى: «وَنِسَاءِ الْمُؤْمِنِينَ».

Even if they were informed of this ruling, it would still be of no use. Even in the time of Ṣādiqayn (AS) and more than a hundred years after the revelation of the Qur'an, they still did not have the correct cover and other people asked about the ruling to look at them. In that case, this group is also an exception.

4. Maids were another group, because the revelation of this verse was in the context of rejecting the excuses of those who used to abuse Muslim women under the pretext of being slave, in which case the verse was revealed to say that you should cover your wives well. This issue is so common that in the jurisprudence of the two sects, the slaves should not have this cover so as not to be mistaken with others (Qurtubī, 1364, v.14, p.244; Ibn Ashur, 1420, v.21, p. 328-329).

Therefore, some commentators believe in it (see Ibn Arabī, 1408 AH, v.3, p.1586 and Ibn Āahūr, 1420 AH, v.21, p.328-329)<sup>1</sup>.

Some contemporary commentators have referred to the issue of preventing corruption and have said that when the wise Shari'ah forbids harassing believers by mentioning a reason such as hijab, then the rule of cooperation on establishing the goodness and killing corruption, or the title of repelling corruption, requires that the principle of this cooperation be provided (Ibn Āahūr, 1420 AH, v.21, p.328-329)<sup>2</sup>.

But first: If such an issue was raised, it should have been raised among the

early Muslims as well, and jurists and commentators interpreted this verse in this way. The fact that the jurists have excluded the three groups is itself a proof that, in their view, such a corrupt repulsion was not necessary.

Second: Assuming that the issue of hijab includes the prohibition of evil, it depends on the fact that the reason for forbidding evil, as it includes the elimination of corruption, includes the repulsion of corruption, while this issue of the verse forbidding evil is the subject of much controversy of many jurists.

Thirdly: The meaning of the verse is at most about trying not forcing; and trying is to express and invite, and not for performing and obliging others. The meaning of command and prohibition refers to expression and elimination; because the necessity of establishing individuals and communities will cause chaos. The meaning of the verse is not used in the dignity of the government either. The maximum implication of this rule is for the family. For this reason, this commentator, in explaining the sentence, refers to the issue of demarcation between the free and the non-free, and that the order of Umar was not followed after him (Ibn Āahūr, 1420 AH, v.21, p.328-329)<sup>3</sup>.

For this reason, these points about not covering the heads of non-free women in society show that the issue of hijab does not return to the general chastity of society, otherwise the holy legislator in the age of revelation and after that must

<sup>1</sup>. «و كان لبس الجلباب من شعار الحرائر فكانت الإمام لا يلبس الجلابيب. وكانت الحرائر يلبس الجلابيب عند الخروج إلى الزيارات ونحوها».

<sup>2</sup>. «أتبع النهي عن أذى المؤمنات بأن أمرن باتقاء أسباب الأذى لأن من شأن المطالب السعي في تذليل وسائلها كما قال تعالى: «وَمَنْ أَرَادَ الْآخِرَةَ وَسَعَىٰ لَهَا سَعْيَهَا» [الإسراء: ١٩]. وهذا يرجع إلى قاعدة التعاون على إقامة المصالح وإماتة المفاسد. وفي الحديث: «رحم الله والدا أعان ولده على

بره». وهذا الحديث ضعيف السند لكنه صحيح المعنى لأن بر الوالدين مطلوب، فالإعانة عليه إعانة على وجود المعروف والخير...».

<sup>3</sup>. «و الإشارة بذلك إلى الإذناء المفهوم من يُذنبين، أي ذلك اللباس أقرب إلى أن يعرف أنهم حرائر بشعار الحرائر فيتجنب الرجال إيذاءهن فيسلموا و تسلمن. و كان عمر بن الخطاب مدة خلافته يمنع الإمام من التتبع كيلا يلتبس بالحرائر و يضرب من تتتبع منهن بالدرّة ثم زال ذلك بعده»



oblige everyone to hijab. As mentioned before, the legislation of hijab has a specific territory for the protection of women, and in the interpretation of the ruling, the same principle has been explained in preserving dignity and preventing harassment (to some extent), and in the interpretation of this verse and the verse of Nūr, there is no talk of public decency to show the obligation of the government.

### CONCLUSION

It has been said that the issue of women's hijab is one of the indisputable rules of the Qur'an, which is mentioned in Surah Nūr and Surah Ahzāb, and based on it, narrations from the two sects have been quoted in its interpretation and understanding, and have been discussed by commentators and jurists. The atmosphere of the age of revelation has suffered from a kind of nudity due to poverty, normalization of nudity, the existence of prostitute maids and non-Muslims of the People of the Book and polytheists, and this has provided the background for the revelation of this verse and attention to the importance of hijab.

On the other hand, the legislation of the ruling was in the penultimate period of the life of the Prophet (PBUH) and about eighteen years after the Bi'thah of the Prophet (PBUH) and the ruling of hijab has been issued to Muslims and believers, and although various causes of revelations have been quoted, but it can be realized that the issue of the revelation of the verse was to teach Muslim women to gain identity, preserve their personality and prevent harassment.

In the explanation of the ruling, which is mentioned in the Qur'an with

the word "Dhālika", the reason for its necessity is to identify the humane status and preserve the dignity of women, and on this basis, the issue of preventing their persecution has been raised. This issue becomes clear when other aspects of this ruling are identified. For example, in all the jurisprudential books and commentaries that have examined this verse, no one has said that the ruling of this verse includes non-Muslims; that is, it is assumed that there are people in the Muslim community who do not have this commandment and address to them, and no one said that when this verse was revealed to the Prophet (PBUH), he announced such a ruling to the People of the Book or the polytheists and all the tribes of Medina.

From the jurisprudential point of view, the divine rules are a branch of accepting their religion and belief. For this reason, the non-Muslims living in Medina did not follow this ruling, especially since the verse explicitly states that "women" means the daughters of the Prophet (PBUH) and the believers. On the other hand, with the revelation of the verse and the attention of the Companions and Sahabah to the words of revelation, the atmosphere of Medina society was changed, because such a readiness to accept the ruling was provided by the gradual legislation and the passage of time after the revelation and was welcomed by Muslims.

It is also a privileged point to state the reason for being bound to the goal of identifying and not harassing women. Of course, on the assumption that the concept of "Dhālika" is not in the position of expressing wisdom, and if it is in the position of wisdom, the issue of

hijab will be a suggested thing based on the protection and dignity of women (Yu'rafana) and creating psychological security and prevention of sexual harassment "falā yu'dhayna", but if it is a cause, then the ruling of Surah Nūr is also bound to this cause. Because it is historically in the first place.

Another point is in the meaning of the *Jilbāb* that has been shown, this word does not have a fixed meaning, but the whole point is to observe the cover on the garment that covers the adornment of the woman from the head, chest and arms, like a cloak that is wrapped around the body and this difference is not in its literal meaning, it is used as an example as a principle in different periods and various Islamic societies.

As the tent has had different forms. Another point is the evolution of the concept of the verse by the commentators from the first centuries to the contemporary period, how the commentators turned from the simple form of hijab to full coverage with clear educational and social goals, and if it is mentioned at the beginning of the demarcation between free women and slaves, this word *Jilbāb* and the word "Yu'rafana" have been developed semantically and it has been said that the philosophy of hijab and the meanings of this verse is to recognize the human status and preserve dignity for all women.

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