

“COMMUNITY BUILDING / MASJID BUILDING”

A research document presenting the case for having appropriate space in the Masjids for ladies in Barbados

Assalaamu Alykum

- This research document presents a case for having appropriate space in the Masjids of Barbados for Muslim ladies.
- It examines the existing situation among the Gujarati Muslim community as it relates to access by Muslim sisters to the established Masjids and the Eidgah.
- It looks at the reasoning as to why for over 60 years Muslim women have not been given access.
- It examines fatwas (from Deobandi scholars) that prevents women from accessing the Masjids and Eidgah.
- It examines the basis of such fatwas and the impact it should have on women emerging from their homes to go to other venues and take part in other activities.
- And it examines fatwas (from Deobandi scholars) that allow for provision for women to have access to Masjids and the Eidgah.
- The document examines and questions the rationale of An Noor Muslim Association not providing an appropriate space for Muslim ladies in the Masjid now under construction.
- It seeks to bring a perspective by questioning the local situation in Barbados, where Muslim ladies have been participating in several sanctioned activities outside the home, but still have no access to Masjids or Eidgah.

“Therefore, when women are allowed to go to the Bazaars, markets, shopping malls and other such places (and justifiably in many cases), then it does not seem right to completely shun them from coming to the Masjids.”

Mufti Muhammad ibn Adam

View document or Contact us on FB: [Masjid Space for Females in Barbados](#)

Bismillah, Walhamdulillah, Wassalatu Wassalamu Ala Rasulillah

COMMUNITY BUILDING / MASJID BUILDING

A case for having appropriate space in the Masjid for ladies in Barbados

Abu Huraira (R.A.) reported: The Messenger of Allah, ﷺ said: “The most beloved of places to Allah are the Masjids, and the most hated places to Allah are the markets.” Sahih Muslim

INTRODUCTION

This document looks at the issue of space in the Masjids and at the Eidgah for Muslim sisters in Barbados. There is need for an open discussion on the matter, and our scholars and the community should address it. A new Masjid is being built in the Clermont area by An-Noor Muslim Association and the matter came up at the start of the project and has been subject to several discussions. This document is not discussing whether it is better for a woman to pray at the Masjid or at home – it only discusses whether it is permissible for a woman to have access to the Masjid and Eidgah or whether she must be prevented. Addressing this matter is like dealing with the proverbial elephant in the room. It is hoped that this document can generate some thought, discussion and make some impact towards an understanding of the issues involved in facilitating and providing appropriate physical space for Muslim sisters in the Masjid and at the Eidgah, which this piece strongly argues in its favour.

There are many narrations on the topic of women and the Masjid:

- 1) Abd Allah ibn Umar (R.A.) narrated that the Messenger of Allah ﷺ said: “Do not prevent your womenfolk from attending the Masjid, even though their houses are better for them.” (Abu Dawud)
- 2) Ibn Umar (R.A.) narrated:” One of the wives of `Umar (R.A.) used to offer the Fajr and the Isha prayer in congregation in the Masjid. She was asked why she had come out for the prayer as she knew that Umar disliked it, and he was highly protective of his womenfolk. She replied, "What prevents him from stopping me from this act?" The other replied, "The statement of Allah's Messenger ﷺ 'Do not stop Allah's women-slaves from going to Allah's Masjids prevents him.'" (Sahih al Bukhari)
- 3) Umm Atiya (R.A.) reported: “The Messenger of Allah ﷺ commanded us to bring out on Eidul Fitr and Eidul Adha young women, menstruating women and purdah-observing ladies, menstruating women kept back from prayer, but participated in goodness and supplication of the Muslims. I said: Messenger of Allah, one of us does not have a Jilbab. He said: Let her sister cover her with her Jilbab.” (Muslim)
- 4) Urwa (R.A.) reported that when Umar (R.A.) had all the people perform the (Taraweeh) salaah of Ramadhan collectively, he gathered the men behind Ubay bin Ka'b (R.A.) and the women behind Sulayman bin Abu Hathma (R.A.) (Hayatus Sahabah Vol 3, Sunan Al Bayhaqi)
- 5) Ibn Umar (R.A.) reported: “The Prophet ﷺ said: “Whoever comes to Jumuah, man or woman, let him do ghusl... (Sunan Al Bayhaqi, sahih according to some)

In Barbados, among the Gujarati Muslim community, there has been no accommodation for Muslim sisters in the Masjids or at the Eidgah.

It is a practice that the established Masjids have been struggling to upkeep especially as it relates to Muslim families (including females), usually visitors to the island, turning up to pray. These visitors are accustomed to attending prayers in their countries and therefore expect the same for a Masjid in Barbados. These Muslim ladies have either been turned back, asked to be accommodated at a Muslim neighbor or – in the case of the Jama Masjid and Makki Masjid (recently) – been given access (sometimes) to upstairs on Friday.

In 2007, a local Muslim sister was turned back after she attempted to attend Friday Prayers at Jama Masjid. She chose to write of her ordeal and the following account is found on the website caribbeanmuslims.com

“On Friday, November 30, 2007, the 41st year of Independence in Barbados, I, a female Muslim, was denied the right to pray Jumu’ah in the largest Masjid on the island. I stood in front of the door on the top floor, two brothers turned up with keys and informed me that there were no facilities for women to pray there, so the sisters present were to go to his sister’s house. I have never seen the brother and I do not know his sister. So we patiently waited until the khutbah (which we could not hear) was over, the salah (which we could not hear) was over, most of the brothers had left, and then the sister went downstairs and offered salah.

This seemed to have caused some consternation among the few brothers still around. The President (acting) of the Masjid who also happens to be President of the Barbados Muslim Association, was called outside by one brother. He asked him why the sisters were refused entry and asked him to have his committee meet with us. The President himself is saying that there are no facilities for women. Many of the brothers outside agreed that it was ridiculous that the women were continuously being denied entry to that venerable place of worship.”

As it relates to the Eidgah, some years ago an Eidgah was started for the two Eids and eventually the three Masjids got involved. Muslim ladies were not encouraged to attend the Eidgah. One year a Muslim family on their own accord attended. The ladies of the family prayed at the back at a significant distance and left immediately after the prayers and khutbah. On another occasion, just before Eid, it was being discussed that more Muslim families (including ladies) may attend the Eidgah. That Eidgah was suspended and Eid prayers were held in the Masjids. Subsequently, the Eidgah was reinstated but notices sent out about the Eidgah now contain a line stating: “Facilities for brothers only”. It is interesting to note that unlike other salah, where the hadith are generally understood to mean that it is preferable for a woman to pray at home, the hadith relating to Eid prayers encourage all women to come out to the place of prayer, resulting in some Ulama holding the view that it is preferable for women to attend.

PART 1 - OPPOSITION TO WOMEN IN THE MASJID & AT EIDGAH

What are the objections to a physical space for Muslim ladies in the Masjid and at the Eidgah by the Gujarati Muslims in Barbados?

The answer to this can be found in the response given to the An-Noor Muslim Association's question (which was sent to the local Jamiatul Ulama by the previous Executive committee and in turn the Jamiat sent to India):

- *In the light of Quran and Sunnah we learn that it is better for a lady to pray her salah at home; actually in a corner of the home. To provide a facility in the Masjid, in this era of mischief and indecency, is as if you are opening a new door of fitnah and this under no circumstance is permissible. In the Qur'an Allah Ta'ala speaks regarding the blessed wives (mothers of the believers) **"And remain in your homes"**. Therefore how would it be appropriate for other ladies to attend salah in Masjid when there will be intermingling of the opposite gender.*
- *Also, the teaching of our Prophet ﷺ with regards to ladies is that they perform salaah in a corner of the home. This is the desire of the Shariah and Nabi ﷺ liked for women that they pray their salah in their homes. In abiding by this, you will be following the Sunnah and it is in following the Sunnah that success lies.*
- *...Mufti Kifayatullah has written a booklet on this topic. In this booklet he has discussed women attending the five salaah, jumuah, eidayn and also the issues that can arise due to intermingling with males. Below is an excerpt:*
- *Women, whether they are young or old, should not attend congregation as this is the era of mischief. It has been related that permission was given by Imam Abu Hanifa for old ladies to attend Fajr, Maghrib and Isha. The view of Imam Abu Yusuf and Imam Muhammad is that old ladies can attend all of the salah. This is also the opinion of the other three Imams. Today's fatwa is that women, whether old or young, should not attend any of the salah. **The author's statement of 'Jamaat' includes Jumuah, Eidayn, Istisqaa and even lectures.***
- *In Durr Mukhtar, it is written, "For women to attend congregation whether it is Jumuah, Eid or even a lecture, is makruh regardless of if the lady is young or old and she goes at night. This is a decreed verdict and it is due to the evils which have become apparent in this era."*
- *In Fatawa Darul Uloom Zakariyya under the title heading "The Verdict with Regards to Women Attending the Masjid", Ahadeeth, writings from the books of fiqh and fatawa of the Ulema of Deoband have been mentioned from which it is abundantly clear that for ladies to attend the Masjid is makruh and impermissible."*
- *Barbados is a tourist destination. Just as how tourist will make their own arrangements for their daily needs....ladies will make arrangements for their religious needs, i.e arrangements for praying salah on time. Similarly, local ladies who, for some necessity, leave their homes will return and perform their salah at home. If they are unable to return home on time then they would perform their salah wherever it will be easy for them.*

The points mentioned in the above fatwa are similarly reflected in various fatwas of the Akabir (Ulama) as a representation of the Hanafi position on the matter.

In Volume 1 of Mahmoodul Fatwa, Mufti Ahmad Khanpuri quotes Mufti Kifayatullah as follows:

“The Fuqahaa (Islaamic jurists) have ruled on the prohibition of women attending the congregation, ‘Eid Salaat and attending lecture gatherings. And the Books of Fiqh clearly state that for women to attend lecture gatherings and Salaat with Jamaa’at and ‘Eid Salaat is Makrooh-e-Tahreemi — and this is close to Haraam.”

Mufti Kifayatullah writes in another place in his fatwa on this topic:

- ***“It is conspicuously evident that they (Fuqahaa) have understood that the **emergence of women is the vehicle of Fasaad (moral corruption)**, and have thus **prohibited the emergence from the home**. And for this reason most Fuqahaa have in their texts, at this juncture, used the word **“Khurooj”** (emergence) to explain this Mas-alah.”***
- ***And also: “Hence, it is established that the **emergence of women from their homes is a cause of Fitnah**. It is for this reason that to make Purdah arrangements at Lecture gatherings is of no benefit, and there will be no effect by it being made permissible. **Otherwise it will then become incumbent to make separate arrangements in the Masaajid, for women to attend the Salaat and join in the Jamaa’at (congregation), and permission will have to be granted for this as well, as a matter of priority.**”*** ([Source](#))

Mufti Ebrahim Desai, who completed his Ifta course under Mufti Ahmad Khanpuri and Mufti Mahmud al-Hasan Gangohi, approves the following fatwa which elaborates on the aspect of fitnah. It states:

...the Fuqahā have prevented young women from visiting graveyards for the simple reason that it is a cause of Fitnah. Meaning, the very fact that young woman will be free to move about as they please in public places leads to Fitnah and laxity in morals.” ([askimam.com, fatwa#27802](#))

Mufti Muhammad ibn Adam explains and puts in context. He writes:

“In my humble view (and who am I to have a viewpoint, hence what I intend to mention is merely through the blessings of my teachers), the main reasoning behind the classical Fuqaha’s dislike of women going to the Masjids for congregational prayers is the fear of what they term as “Fitna”. The term Fitna means: mischief, harm, corruption and generally the non-observance of the Shariah rulings. Almost all of the classical jurists state that due to widespread mischief and corruption, women no longer should be going for congregational prayers. The Messenger of Allah ﷺ himself never forbade women from attending the Masjids; rather, he said that women should not be prevented from entering the Masjids. Hence, the jurists (fuqaha) have based their ruling on the position of Sayyiduna Umar (R.A.) and Sayyida A’isha (R.A.), and their position was based on the fear of mischief and harm. They saw that corruption was rife and widespread in their time; hence, women may be harmed by immoral and corrupt people if they emerged out of their homes. They feared that if women are encouraged to go to the Masjids, it could open the door for unlawful intermingling of the two sexes. The main reason, however, was the fear of women being harmed, as pointed out by Imam Ibn Abidin in his renowned Radd al-Muhtar and other classical Fuqaha. This is the very reason why some classical Fuqaha permitted

old women to attend the Fajr and Eisha prayers, for the immoral and wicked people are asleep at that time. Some even allowed them to go for Maghrib prayers, for the immoral people are normally busy eating at that time. Imam Ibn Abidin then states that if there is a fear of the wicked people loitering around in these prayers times, then it will be disliked for women to go for these prayers also." ([daruliftaa.com, question#6128](http://daruliftaa.com/question#6128))

Mufti Bilal Issak writes:

"Means or cause of fitnah" is not always directly from women as some incorrectly presume. The real means of fitnah is the corruptness of hearts of people (men or women) who prey on any avenue to yield their worldly pleasure, even if the avenue is prohibited upon them. When chaste women are out of homes, they are more prone to attack from such evil. Likewise, women with malicious desire emerging alone from home have higher tendency to involve in sin. It is this evil which transforms into a fitnah." ([efiqh.com, Ruling on women attending the Id prayers](http://efiqh.com/Ruling_on_women_attending_the_Id_prayers))

According to what has been mentioned above, it is clear that it is not considered a valid need for women to leave the home to come to the Masjid, Eidgah and lecture gatherings. It would be impermissible for women to come out for such reasons as this would lead to fitnah. This is due to the verse of the Noble Quran *"And remains in your homes"* and the ruling derived that the very emergence of women (without a valid need) from their homes can lead to fitnah. The basis on which the fatwa is given, however, also has an impact on the permissibility of women going to other venues and taking part in other activities, examples of which are given later. Many people are adamant in preventing women from coming to the Masjid, but at the same time, they allow female family members to take part in such activities and go to such venues. The question is, are those people also going to educate the wider public that the prohibition of women coming to the Masjid also extends to such activities and venues? If not, then at the least, are they going to stop their family members from carrying out such activities and going to such venues?

In this regard a fatwa approved by Mufti Ebrahim Desai states:

*"...This verse [And when you ask anything from them (the blessed wives of the Prophet), ask them from behind a curtain. That is better for the purity of your hearts and their hearts"] deals with the first degree of hijāb which discusses concealment of women in their own homes. This can further be substantiated by the following verse: **And remain in your homes**, and do not display (your) beauty as it used to be displayed in the days of earlier ignorance. This degree of hijāb encourages women to stay in their homes and conceal themselves and their beauty from the fitnah that lurks outside the four walls of her home. This means that they should not allow anyone outside of their homes to see any portion of their body, whether it be the face or any other part of the body. **Furthermore, this points to the fact that women should try their best to remain in their homes unless there is a need to go out** as there is a danger to their chastity and is a means of fitnah for her."* ([askimam.com, fatwa#28588](http://askimam.com/fatwa#28588))

Maulana Imran Vawda explains what is meant by a need to go out. He writes:

The clause of necessity is restricted to a genuine situation, for example, Hajj and Umrah, visiting parents, going out to earn a livelihood in an extreme situation, and in these instances, the woman should be well covered in her veil, etc. ([askimam.com, fatwa#4949](http://askimam.com/fatwa#4949))

During his visit, Mufti Saeed Palanpuri confirmed the position of Darul Uloom Deoband that women are prohibited from going out in Mastooraat (ladies) Jamat, and he limited their participation in Tabligh Jamat efforts to the local level. A fatwa from Darul Uloom Deoband states that Mufti Kifayatullah did not give permission for women to go out in Jamat. The fatwa states:

*“Women have not been tasked with Da’wah and Tabligh. They have been excluded from Da’wah, Tabligh, Imaamat and Khilaafat. They have been instructed to remain in their homes and in Purdah. **“And remain firmly in your homes.”** (Qur’aan) Women have only been granted permission to emerge from their homes at times of need and in emergencies...This age is full of fitnah. **On account of the preponderance of Fitnah, women were debarred from coming to the Masjid of the locality even with their mahrams during the Khilaafat of Umar (R.A.) upon the mutual consultation of the Sahaabah. Thus, how can it be permissible for them (ladies) to go out in Tabligh Jamaat work, which is a mustahab act, when in this age fitnah is pandemic in our societies?”** ([Source](#))*

Ulama also use the verse quoted as the basis for women not being able to work in mixed environments unless due to dire necessity. A fatwa from Mufti Ebrahim Desai states:

*“The role of a woman is clearly stated in the Quran-an. Allah Ta’ala states in verse 33 of Surah Ahzaab, Translation: **Remain in your homes** and do not make a display of yourselves as was the practice of former period of ignorance.....Intermingling of sexes is an entrenched prohibition of Shari’ah. It is completely Haraam for your wife to freely intermingle with men. If you are taking care of her basic needs, it is not permissible for her to work.”* ([askimam.com, fatwa#34709](#))

Similarly many Ulama have also used this verse as a basis for women not being given permission to emerge from the house to drive, except in cases of necessity and under strict conditions. A fatwa from Darul Iftaa Birmingham states: (Similar fatwas are available from other Ulama in [South Africa](#) and [India](#))

*“Allah Ta’ala says in the Holy Quran: **“And stay in your houses**, and do not display yourselves like that of the times of ignorance...” (Surah al-Ahzab, 33) It is clear from the above verse that women are encouraged to remain within the home (as much as is possible). They should not come out of the home except when it is essential. In respect to driving, it has to be established if there is a genuine need and/or requirement (i.e. no alternative arrangement can be made). If that is established then a woman can drive within 48 miles of her home.”* ([Darul Ifta Birmingham](#))

According to what is mentioned in the quotes above, it would not be permissible for ladies to attend the following events due to the fact that coming out to such events would not come under a valid need for leaving the home, and also due to the fitnah that can arise by ladies leaving the home and attending such gatherings.

Most of the Ulama attending and organizing the said events have visited Barbados in recent years, and some are teachers of local Maulanas and Muftis. Some (not all) of those Ulama have mentioned in their visits to Barbados that women should not be allowed to come to the Masjid. The question is why then are they encouraging women to come out to the following programs, since the fatwas quoted state that according to the fuqaha it is makruh tahrimi (almost Haram) for ladies to attend lecture gatherings, just like it is makruh tahrimi for them to come to the Masjid?

NOTE: Those participating in the events and activities mentioned from here onwards are not being accused of any wrongdoing. The aim is to find out the rationale behind taking part in such events/activities while at the same time endorsing the current situation as it relates to women and the Masjid and Eidgah.

- [An Evening to Remember, fundraising dinner in aid of Madinatul Uloom](#) (Kidderminster), in the Honorable company of Shaykh ul Hadith Mawlana Bilal Bawa, Shaikh ul hadith Mawlana Abdur Raheem Limbada (and others). Family Event, Segregated Seating.
- [Two day event organized by JKN Institute](#), Retreat for everyone, Men, Women, Teens, Kids and Toddlers: A Happy Muslim Home, featuring Martial Arts, Archery, Bouncy Castles. Speakers include Shaikh Abdur Raheem Limbada, Mufti Abdur Rahman ibn Yusuf Mangera, Mufti Muhammad ibn Adam, Mufti Saiful Islam, (and others). It was also advertised that women would be able to view the speakers on a screen.
- [Fundraising event for CII radio](#), featuring Mufti Abdur Rahman ibn Yusuf Mangera, Nasheed Artist Omar Esa, and Mufti Abdul Kadir Hosein. Separate Ladies Facilities.
- [Eid Prayers for whole family led by Mufti Abdur Rahman ibn Yusuf Mangera](#)
- [As Suffa's Institute Final Lessons of Sahih al Bukhari Male and Female Graduation Ceremony](#), Food will be served after the event. Guests include: Shaikh ul Hadeeth Maulana Yunus Jaunpuri R.A., Mufti Shabbir Ahmad, Mufti Abdur Rahman ibn Yusuf Mangera & Shaikh Zahir Mahmood.
- Programs with Bayans, Qiraat and Nasheeds featuring various Ulama from across the UK, held at [Zakariyya Jaame Masjid, Bolton](#). Sisters are accomodated in the Masjid building, and dinner or refreshments are served afterwards.

It is interesting that while a need is seen to encourage women to partake in programs with Bayans, Qiraat and Nasheeds in a Masjid building, women are not allowed to perform salah in jamat in a Masjid, nor are they allowed to pray in a Masjid if they need to. The question is what would happen if any of the above activities were held on Eid day at a suitable location right after the Eid Salah. Would they still encourage women to attend such activities, or would they now prevent them from coming, even though there is nothing inherently wrong with women performing Eid Salah? Such programs are held frequently throughout the year, and yet it is said that there would be too much fitna if women attend the Eidgah only twice a year! Posters of some of the aforementioned events:

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Furthermore, in recent times, Muslim ladies in Barbados have been joining congregational prayers at Jalsas where families are invited to attend. And we know of taraweeh prayers led by our Barbadian Huffaz/Alims in which both males and females attend here in Barbados and overseas.

The aforementioned rulings and restrictions were for actions that are “Islamic” and are a means of earning reward and seeking knowledge, so then one can imagine the rulings for activities that are not directly related to Islam.

In this regard, Imam al-Hattab (d. 954 H) quotes what **Qadhi Iyad** (d. 554 H) mentions in regards to the conditions necessary for women to fulfill before they can go out for salah, such as not being adorned and not wearing perfume etc. Qadhi Iyad then says:

“If any of these occurs it is obligatory to prevent them (from going out) for fear of fitnah.” He further adds: **“When they are prohibited from the Masjid, then to a greater extent they will be prohibited from attending other places.”** ([Mawahib al-Jalil](#))

Hafiz Ibn Hajar Al Asqalani (d. 852 H) writes in Fath ul Bari: “If the things they (women) have innovated made it necessary to prevent them from going to the Masjids **then to a greater extent they should be prevented from going to other places.**” Here he is disagreeing with those who use the statement of Aisha (R.A.) to prevent women from attending Masjids altogether.

A fatwa approved by Mufti Ebrahim Desai states:

“Q) What is the hukm of ladies going to Masjid and why? Some Ulama mention that because of fitna it is not permissible. If this is the case then why is it permissible for them to go school, university, go to malls ladies Ta’leem etc.?”

*A)A woman can perform salah at home without any decrease in the rewards. In fact, as stated above, it is more virtuous to perform at home. If it was possible for women to acquire knowledge at home without leaving her house on the same level as the university, then the analogy would have been correct. **Nevertheless, if she does not adopt shar’ee purdah and there is a great risk of fitna, then it will not be permissible for her to go to university, shopping centers, and other places as well**”* ([askimam.com, Fatwa#15999](#))

Mufti Ebrahim Salejee completed the Ifta course under the supervision of Mufti Mahmood al-Hasan Gangohi, and is his senior Khalifa. A fatwa approved by him states *that the fact that women are openly seen **frequenting the shopping centres and bazaars, halls and malls, occupying positions in shops and offices, driving about freely, going for morning walks and jogs in groups** and attending schools and universities”* points to the *“sad and unfortunate plight of the ummah and a decline and degeneration of Deeni morals and values in women”*. ([muftionline.co.za](#))

A Fatwa from Darul Uloom Deoband says that women *should not leave the house to drive unless due to severe need. Women also should not go to Shopping Centers or Town for shopping, as this is not seen as a valid need to leave the house, unless she is forced to by necessity. It would also be preferable if women do not go to the supermarket, rather they should send their husbands with the list to purchase the items. It also describes fairs (and similar events) organized by non-Muslims (where there is no segregation of the sexes) as shameless places and places of evil, and prohibits women from attending.* ([darulifta-deoband.com, question#66125](#))

We must then ask the question, based on the above, how can it ever be allowed for women to leave home for the following activities, and how can the fitnah at these locations and events be less than that at the Masjid, Eidgah or at a lecture gathering?

- *Join Independence anniversary and other fun walks with their families*
- *Take part in a human chain around the island*
- *Come out to support students in national competitions*

There was definitely free mixing, people dressed inappropriately, and other "unIslamic" elements at the aforementioned events.

- *Coming out to various displays and events organized by non-Muslims where there is free mixing and possibly haram elements at the events, e.g. Independence Family Fun Day at Queens Park*
- *Coming out to places and participating in activities while other unrelated males are also in these places. Example: bumpers cars at Casa Grande, Agro-fest etc.*

Sometimes women are even encouraged to take part in some of the above activities and there is no condemnation from the Jamiatul Ulama. People, however, are quick to condemn when it comes to women going to the Eidgah. The end result is that some women show a lot of excitement in going to such events and taking part in such activities, while at the same time think that going to the Eidgah is a great wrong.

Women also come out to attend dawats (dinners), eat out at restaurants and fast food outlets. The fatwa approved by Mufti Ebrahim Salejee further mentions some conditions that must be fulfilled in order for women to be allowed to go out for a permissible need. It states:

"...provided there is no fear of fitnah. However, the Hadith has placed certain restrictions and conditions on women when exiting from their homes to fulfill this need, i.e. they should exit from their homes in an unattractive state, not applying perfume, being fully covered with donning the veil, not intermingling with males and being transported to and from the destination by their husbands or mahrams." ([Source](#))

The question of fitnah must arise when women go to:

- *Oistins to eat, where there is free mixing, and possibly music and alcohol*
- *Chefette to watch their children play in the playground*
- *KFC, when it is sanctioned and promoted by the Barbados Halal Authority.*
- *attend dawats where men and women are in the same building.*

A perfect example is a dawat which was held at St. Leonard's Boys School some years ago and was attended by many respectable people in the community along with their families. A few weeks earlier one Maulana organized Eid salah and a fun day for families at the same venue. Notices went up in the Masjids about the event and it was seen as something wrong was being done. The major difference between the two events was the performance of the Eid salah. No one can argue that there is less fitnah at restaurants and at dawats as compared to Eid salah, which only occurs twice a year.

It must be pointed here that even if one were to follow the above fatwas in full, it does not mean that women should automatically be prevented from coming to the Masjid. As will be discussed, the other Madhabs allow for various women to attend the Masjid at various times, and they do not use the verse “And remain in your homes” to ban all women from the Masjid at all times. If someone chooses to follow the Hanafi opinion in full as outlined above, then they may prevent women under their care from going to the Masjid if they deem it fit to do so. In addition, determining what is a valid need for leaving the home is subject to ijithad and contemporary scholars would differ on this matter, each assessing whether the need is really there or not. Mufti Bilal Issak also mentions in his [fatwa](#):

“This is why there is no harm for women to accompany their close ones (Maḥārim) when they go out, since the Maḥārim become a shield for corrupt individuals from advancing towards her.”

Therefore, when a woman leaves home with a mahram to do an act which inherently falls within permissible means, her coming out of the home is not makruh as the Mahram’s presence lifts the karahiya of emerging from home without a need. Therefore some would rightfully argue that there is nothing wrong with women taking part in some of the above activities with a mahram and in some cases it may be considered a valid need to leave home for some of the activities. But then they would not be adhering fully to the fatwas found in the hanafi madhab, so on what basis would they still prevent women from attending the Masjid or Eid Gah? Take the example of a fun day or fund raiser immediately after the Eid Salah. If it is considered a valid need to leave home for such activities then it would now be permissible for women to leave home and go to the location of Eid Salah, and since she is there she may now perform Eid salah. On the other hand, it would be considered wrong for the women to leave home just to come to the Eid Salah, as this is not considered a valid need to leave the home!

PART 2 - DIFFERENCE OF OPINIONS AMONGST THE ULAMA

Hafiz Ibn Kathir (d. 774 H) mentions in his commentary of verse 33 of Surah al-Ahzab, “*And remain in your homes*”:

*“[This verse] means, stay in your houses and do not come out except for a purpose. **One of the purposes mentioned in Shari`ah is prayer in the Masjid**, so long as the conditions are fulfilled, as the Messenger of Allah ﷺ said: (Do not prevent the female servants of Allah from the Masajid of Allah, but have them go out without wearing fragrance.) According to another report: (even though their houses are better for them.)”*

The four madhabs all have various provisions for various women to come to Masjid for salah and itikaf. As was noted in the fatwa to An Noor Muslim Association **Imam Abu Hanifah, Imam Abu Yusuf and Imam Muhammad all permitted old women to come to the Masjid for various salah.**

Some Ulama of the Deobandi tradition differ in the application of the verse “*And remain in your homes*” when it comes to women going out in Jamat. The following excerpts are from a fatwa which is supported by Shaykh al-Hadith Fazlur Rahman Azmi, who is the teacher of many who studied in South Africa:

"...Apart from personal benefits of women going out in Tabligh, such women have positively impacted and influenced other women to the path of righteousness and educating them on basic aspects of Islam, making Wudhu, performing Salah and donning the Hijab. Nowadays, there is lots of literature and talks on Islam. That is not sufficient to reform. The noble work of Tabligh offers an environment of spirituality and a practical way to learn about Islam. Women see how women perform Wudhu, Salah, and how they conduct themselves. That practical demonstration is the most effective way to learn and reform. Men cannot practically demonstrate such issues to women..." (askimam.com, fatwa#23276)

The fatwa approved by Mufti Ebrahim Salejee also states:

"Furthermore, the 'Ulama (of the Tabligh Jama'at) have analysed that when Shariah has granted women permission to leave their homes for a physical need, such as to acquire medical treatment or be hospitalised, then why would they not be allowed to leave their homes to acquire their Imaani need (through attending girls Madrasahs or Mastooraat Jama'at). This Imaani need is so vital that it is a means of securing their Deen, the Deen of their families and once again acquiring the values of Islam (modesty, Hayaa, etc.)" (muftionline.co.za)

The aforementioned arguments can equally be applied as a reason for women to come to the Masjid. Where can one find a more spiritually uplifting environment? Why would women not be allowed to leave their home to acquire their Imaani need through attending the Masjid?

The fatwa approved by Shaykh al-Hadith Fazlur Rahman Azmi further states:

*"...It is incorrect to object on women going out in Tabligh under the premise of the following verse of the Quran: "And remain in your homes" (Quran 33: 33). The following part of the verse explains the reason for women leaving their homes:" And do not display (your) beauty as it used to be displayed in the days of earlier Jaahiliyyah (ignorance)" (Quran 33: 33)
The exiting like the time of Jaahiliyyah refers to women exhibiting their beauty. Shariah permits women to exit her home on condition she adheres to the laws of Hijab. This is also clearly understood from the following verse of Surah al-Ahzaab: "O Nabi, tell your wives and your daughters and the women of the believers that they should draw down their shawls over them. That will make it more likely that they are recognized, hence not teased" (Quran 33:59)
This verse further explains the intent of verse 33:33 referred to above that a woman may exit her home due to need and necessity and the restriction for exiting her home is not absolute. The emphasis is on adhering to the laws of Hijab when a woman exits her home..."
...To substantiate the prohibition of Mastooraat Jamaat with women going to the Masaajid and Eid Gaah is non-analogous. The prohibition is based on Fitnah which is clear in the case of the latter. That is not so in the Mastooraat Jamaat..." (askimam.com, fatwa#23276)*

The above point is subject to debate, as it can be argued that there is more fitnah in this day and age involved in women travelling far distances abroad in a group consisting of non mahrams. It is also quite astonishing to suggest that there is less fitnah in women traveling on a plane to a foreign land, as compared to an Eidgah with adequate facilities for women only twice a year!

Noting the fact that there are differences among the Deobandi Ulama what do we find in Barbados? On the one hand we find strong adherence to the rule prohibiting attendance at the Masjid and at the Eidgah but a relaxation of the rule pertaining to emergence from the home for other reasons.

The question therefore arises: why the strictness on one rule and laxity on the other?

These queries are not to make matters personal, but an effort to understand the principles being applied. If it is recognized in this time that there is a need to include families in such events then why is that same thinking not applied to something as fundamental as allowing women access to the Masjid? The Masjid is the most beloved place of Allah. It is a place that offers spiritual guidance and tranquility in an organized setting that can be free from influences of fitnah.

Accordingly, Mufti Faysal bin Abdul Hameed Niazi, who established a Darul Iftaa in Montreal under the encouragement of Mufti Ebrahim Desai, mentions in a discussion on his website forum:

*“No, According to Hanafi madhab, the fatwa is as mentioned above [“According to the Hanafi madhab, it is Makroohe Tahrimi for women to come to the Masjid, which means impermissible“]. There are indeed hanafi ulama who mention a lighter position considering the environment they are living in, however when we talk about “hanafi stance” on an issue, then we mention what has been mentioned in the books. As for others [hanafi] who do allow women going Masjids, do so because of “ahwan al baliyatayn” (lower of the two evils) concept. **Women who already go to malls and shopping etc., then for them it is better that they make Masjids as their outing.** So in places like US/Canada etc. Masjids become a viable outlet for these women. Ideal would remain that they stay home.” (ilmhub.com)*

Interestingly enough, the fatwa approved by Mufti Ebrahim Salejee uses the same “ahwan al baliyatayn” concept when explaining the permissibility of women attending girls Madrasah and Mastoorat (ladies) Jamat. It states:

“Hence, as the famous maxim goes, “When confronted with a crisis, one will adopt the lesser of the two evils (ahwan al baliyatayn)”. Hence, through women leaving their homes to learn the basic teachings (Faraaidh) and the fundamentals of Deen [through attending girls Madrasahs or Mastoorat Jama’at], they will be able to save themselves and their families from a greater destruction”. (muftionline.co.za)

Mufti Muhammad ibn Adam states further in his fatwa:

*“Keeping this context in mind, one can easily understand why the classical Fuqaha gave such verdicts. **By allowing women to frequent the Masjids, they would be giving women permission to emerge out of their homes - women who would have otherwise not emerged outside.** Thus, they feared that Muslim women normally do not come out of their homes, and in allowing (and encouraging) them to go to the Masjid, there is a possibility that evil and wicked people may jump at the chance of harming them.*

***If we were to apply this context to the modern era - where women are all over the market areas, shopping malls, shopping centres, streets and roads - it seems unfair to completely shun them from entering the Masjids.** As one scholar of piety and knowledge once said: “We don’t mind women frequenting the most disliked of places in the sight of Allah (abghad al-Bilad) which*

are the bazaars (aswaq), but we have a major problem with women coming to the most beloved of places (ahab al-Bilad) in the sight of Allah, which are the Masjids!

Therefore, when women are allowed to go to the Bazaars, markets, shopping malls and other such places (and justifiably in many cases), then it does not seem right to completely shun them from coming to the Masjids. The main wisdom behind the position of the classical jurists was the fear of harm and corruption, and in the modern times women (Muslim, non-Muslim, practising and non-practising) are all over the place, hence if evil and wicked people would want to cause any harm to them, they would surely look out for them at other places rather than the Masjids. Also, women generally would be safe in our times from being harmed whilst going to the Masjids.

Secondly, at times there may be a genuine need for women to go to the Masjids, such as when travelling and the prayer time is about to come to an end. There have been many cases where a sister had to miss her prayer, for there were no facilities for women to pray in the Masjid. At times, women may need to go to the Masjid to learn sacred knowledge, attend a spiritual gathering and other such matters, hence she may need to pray her Salat in the Masjid.” (darulifta.com, [Question#6128](#))

A Fatwa from Darul Ifta Birmingham states:

“In the modern era where women are roaming around the markets, shopping centre, roads, streets it seems rather unfair to shun them from the Masjids. The view of my respected teachers are that women will be allowed to pray at the Masjid provided there are separate entrances and facilities for them to pray and that they are far away from mixing with or being viewed by strange men.” ([Darul Ifta Birmingham](#))

Maulana Tameem Ahmadi, who recently visited Barbados, said in a lecture entitled “Gender Interactions in Islam Unraveled”:

“This hadith you cannot deny, that yes women were attending the Masjid. There are other opinions of scholars that women did not attend the Masjidbut whatever the case maybe, in the west, in which most of us live, **we know that for some women, and I know women that are converts to Islam, they don't have a Muslim family, they don't have a Muslim community, they don't have a Muslim society and you are going to tell them that It is haram for women to come to the Masjid? Where are they going to learn about Islam?** So we understand that the Prophetic example has been given to us here, that women in the Prophetic time, they used to attend the prayers and they used to attend the Masjids, that was their community, but they would attend in such a way where they would keep the balance, where they would keep the modesty, they would keep the shame and they would keep that segregation between men and women, in which this is that healthy interaction where men and women are attending prayers together but there is this level of shame and there is no intermingling going on.” ([Source](#))

Mufti Abdur Rahman ibn Yusuf Mangera states:

“Coming to the issue in question, if there are no harms feared by the wife attending classes and lectures in the Masjid then the husband should allow her to go..... A hadith of the Prophet ﷺ states, “Do not prohibit the female servants of Allah from (attending) His Masjids.” Although

many Hanafi scholars have, in view of other narrations, permitted that husbands may prohibit their wives from attending the Masjid for prayers, due the possibility of fitna (i.e. from the way women dress, etc.) and the promise of greater reward earned by praying at home for them. However, attending for the sake of acquiring the essentials of one's din (especially if this cannot be gained elsewhere) should be permitted at times, as 'Allama Ibn 'Abidin, one of the greatest of the later Hanafi scholars, has written in his Commentary of the al-Durr al-Mukhtar."
(zamzamacademy.com)

There is precedent for the above in the method of the Akabir when dealing with similar issues.

The fatwa approved by Mufti Ebrahim Salejee states:

"... many of our senior Ulama and burzugaane Deen of the past, the likes of Mufti Mahmood Saheb , Moulana Thaanwi , Mufti Laajpuri , Mufti Shafee Saheb and Mufti Rasheed Ahmad Ludhyaanwi have all permitted women to leave their homes to acquire Deen in those situations where there was no other alternative. **Certainly these Ulama understood the need of the time as well as the temperament of Deen.** Hazratji Moulana Maseehullah used to hold a weekly gathering conducted after Jumuah salaah where women accompanied by their husbands used to attend (for which separate facilities for women used to be arranged)." (muftionline.co.za)

The following fatawa from Ulama of the Deobandi tradition also state that women cannot be prevented from coming to the Masjid and Eidgah:

From Mufti Waseem Khan of Darul Uloom Trinidad and Tobago we find:

"Q) What is the ruling on Muslim women attending the Masjid? Would it be a good practice for a Muslimah to pray within the bounds of her home to maintain her modesty or attend Jumaah?

A) It is permissible for a woman to attend the Masjid, but it is far better for her to perform Salaah at her home. The reason for its permissibility is that the Prophet ﷺ allowed it and he did not prevent women from going to the Masjid. Regarding this he also said, 'Do not prevent your women from going to the Masjid even though their houses are better for them'. (Abu Dawood) However, notwithstanding this, the Prophet ﷺ encouraged women to perform Salaah in a private chamber / room of her home and mentioned that it is more virtuous and rewarding for them to do so..." (darululoomtt.net)

And also:

"It is Sunnah to perform the Eid Salaah in 'open-air' rather than in a Masjid. It is narrated in authentic traditions that it was the Sunnah of the Prophet ﷺ to leave his Masjid for the Eid Salaah and perform it in the Musallah (open prayer place) which was at the outer gate of Madinah. All the Imams of Fiqh have also stated that it is Sunnah to observe the Eid Salaah in 'open-air'. Open-air refers to an open field or area where everyone can gather for the Eid Salaah. In the absence of the availability of such a place, and for good reasons, the Eid Salaah will be performed in the Masjid.

With respect to having Eid Salaah in ‘open-air’, those who are in charge of establishing and overlooking this, must ensure that proper facilities are made to avoid the intermingling and mixing of males and females. A proper purdah/barrier system must be placed to ensure that women achieve the privacy that they require, and that the laws of the Sacred Shariah are adopted in this regard....”(darululoomtt.net)

From Fatwa-TT (Trinidad and Tobago), which is operated under the supervision of Darul Iftaa of Jaamia Madinatul Uloom, and under the advice and guidance of Mufti Ebrahim Desai:

“...NB: Although it may be permissible for women to attend the Masjid for Salah (i.e. with the conditions stipulated by the Shariah), it is better and more rewarding for them to prayer at home. The Messenger of Allah ﷺ said: Do not prevent your womenfolk from going to the Masjids, although their houses are better for them.” (fatwa-tt.com)

Mufti Ikram ul Haq graduated with the degree of Takhassus Fil-Ifta (PhD in Islamic Jurisprudence) from Jamiah Darul-Uloom Karachi, Pakistan in 2005. Among his teachers were Mufti Muhammad Taqi Usmani and Mufti Muhammad Rafi Usmani . He writes for Fatwa Center of America:

“Although it is permissible for a woman to pray at the Masjid without any doubt and no one holds the authority to prevent women from praying at the Masjid but it is also a fact that it is better and more rewardable for a woman to pray at home or private place. This fact has been established through numerous authentic Prophetic traditions...”(askmufti.com)

Some people recognize all of the above and are of the view that it is necessary to have a small room for the ladies to pray when there is a need, but they have a problem with women joining the Jamat.

Concerning this Mufti Abdur Rahman ibn Yusuf Mangera states:

“If there is a jamat going on with men then, a full jamat going on, then there is absolutely nothing wrong with joining them in fact it is better to join that. Some of our people actually think it is better to pray alone even if there is a jamat. Which is really weird. The prayer at home is superior, but if there is a jamat of men along with women going on it is superior for you to join that jamat. in fact even at home if your husband is not praying at the Masjid, he has missed is prayer at the Masjid or whatever, it is actually superior to do jamah Unfortunately many of our people don’t know this and it is a big problem.....It is better to pray with jamat when there is a full jamat taking place.” (zamzamacademy.com)

The above can also apply when we go on outings with the family. For example, when we are on a picnic, even if we strictly adhere to the Shariah guidelines, men and women still share relatively the same space and partake from the same food. When it is time to pray, however, we move further apart as if it is wrong for everyone to pray together in one jamat.

Mufti Tariq Masood, a student of Mufti Rasheed Ahmed Ludhianwi, discusses the issue in this [video](#), saying that nowadays, women should be allowed to come for Jumua and Taraweeh in the Masjid.

CONCLUSION

The An-Noor Muslim Association, has (or had) the perfect opportunity to purpose-build a Masjid that would follow guidelines to provide a physical space for Muslim, similar to many Masjids across the world, including those that follow the Deobandi code. Some examples are:

- *Masjid Muttaqeen in Trinidad*
- *Madina Masjid in Grenada,*
- *Masjid Abu Bakr in Toronto*
- *Markham Masjid in Canada.*

An-Noor Executive at an AGM recognized the issues at the other Masjids (females turning up), but chose to build a disconnected space at the back. **The reality is that this space is not permitted in the response/fatwa that was received in respect to their question.** For the fatwa clearly states:

“To provide a facility in the Masjid, in this era of mischief and indecency, is as if you are opening a new door of fitnah and this under no circumstance is permissible.”

So the question arises: why spend almost \$2million to build a Masjid, inclusive of a dome, minaret and a mihrab - these three features not present during the time of Nabi ﷺ - but leave out an appropriate physical space for Muslim sisters in the Masjid?

The aforementioned explanations of the Deobandi Ulama as to why women should presently be allowed to come to the Masjid, along with the fact that the other three madhabs all have opinions within them that allow for women to come to the Masjid should provide enough justification for women to be accommodated in our Masjids.

We must recognize the society we live in and cater for Muslims of all backgrounds and schools of thought. It is not all Gujarati. We have females coming into Islam from the Barbadian society. Many are alone, some aged. They are familiar with going to Church. Where are we sending them? As Maulana Tameem Ahmadi mentioned above, where will they learn about Islam? Are we going to behave like one member of An-Noor Muslim Association, who forcefully responded to the question of space for Muslim sisters by saying let them go pray at the Islamic Centre in Harts Gap!? Or, are we going to address the issue and do as one Deobandi trained alim from California did when he was afforded the opportunity to speak at Jama Masjid? He stated that at their Masjid in California they made provision for Muslim sisters to pray.

The need to spend over \$1 million on a Masjid can be understood. It is a legacy being left for future generations. As one scholar pointed out at the opening of Makki Masjid, scholars recognize the need to make the Masjids attractive and comfortable; spending money to beautify the Masjid is not extravagance as people make their homes attractive so to must they feel the same of their Masjids. But that legacy must be one in which we are seeking to build a community acknowledging all the members of that community.

“This hadith you cannot deny, that yes women were attending the Masjid. There are other opinions of scholars that women did not attend the Masjidbut whatever the case maybe, in the west, in which most of us live, we know that for some women, and I know women that are converts to Islam, they don’t have a Muslim family, they don’t have a Muslim community, they don’t have a Muslim society and you are going to tell them that it is haram for women to come to the Masjid? Where are they going to learn about Islam?” - Maulana Tameem Ahmadi

Appendix

The Hanbali Madhab

When a woman seeks permission from her husband or others in his place (like her father etc) to go out to pray in the Mosque in congregation, whether it be during the day or the night, it is disliked for them to stop her, due to the hadith: "Do not prevent the female servants of Allah from visiting the mosques of Allah." (When she does go to the Mosque) she should not wear perfume nor adornments. However, praying at home is better for her, as the Messenger of Allah ﷺ said, "...but their houses are better for them." The father, or whoever is in charge of her, has the authority to stop her if he fears that there is Fitnah or something dangerous (on the way to the Mosque).

– al-'Allamah Ibn Qa-id (r) [Hidayah al-Raghib]

"It is permissible for the women to attend (Eid Prayer.) They should not wear perfume to the prayer place as the Messenger of Allah (sallallahu 'alayhi wasallam) has said: "Do not prevent the female servants of Allah from visiting the mosques of Allah, but they may go out (to the mosque) having not perfumed themselves." They should also avoid wearing extravagant clothing to the prayer place. The sisters who are menstruating may also attend but they should avoid the main prayer area but be close enough so they can hear the Khutbah. The women who attended the 'Eid prayer it is Sunnah for them to attend the Khutbah as well, and if they did not get to hear the Khutbah for some reason, then it is recommended for the Imam to dedicate a small admonition just for the women. This permission is for "All women, with the conditions of proper dress code and etiquette."

Question: Seeing that even woman on thier menses went out to the prayer during the time of the Prophet wouldn't the ulama say that it's stressed ?

Answer: Yes , that's a Riwayah in our Madhhab which was chosen by Ibn Hamid. Other scholars like al-Majd also went for Istihbab but added conditions, and there is another Riwayah that says it's Makruh. But the Riwayah Mu'tamadah is that it's Mubah as explicitly stated by al-Mardawi in al-Insaf. "

The above is taken from [The Hanbali Madhab Facebook Page](#) , and the same thing is mentioned as a reference to a fatwa on askimam.com:

(الروض المربع شرح زاد المستقنع (ص: 128

وإذا استأذنت المرأة الحرة، أو الأمة (إلى المسجد كره منعها) ؛ لقوله - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - : « لا تمنعوا إماء الله مساجد الله وبيوتهن خير لهن وليخرجن تفلات » ، رواه أحمد، وأبو داود وتخرج غير مطيبة، ولا لابسة ثياب زينة (وبيتها خير لها) لما تقدم ولأب، ثم أخ ونحوه منع موليته من الخروج إن خشي فتنة، أو ضررا من الانفراد

This is similarly represented in the views of **Ibn Qudamah al Hanbali** (d. 620 H) taken from al Mughni:

ص: 18 [فصل : ويباح لهن حضور الجماعة مع الرجال ; لأن النساء كن يصلين مع رسول الله صلى الله عليه وسلم قالت [عائشة : { كان النساء يصلين مع رسول الله صلى الله عليه وسلم ثم ينصرفن متلفعات بمروطهن ، ما يعرفن من الغلس } . متفق عليه . وقال النبي صلى الله عليه وسلم : { لا تمنعوا إماء الله مساجد الله ، وليخرجن ثقلات . يعني غير متطيبات } . رواه أبو داود . وصلاتها في بيتها خير لها وأفضل لما روى ابن عمر ، قال : قال رسول الله صلى الله عليه وسلم : { لا تمنعوا نساءكم . المساجد ، وبيوتهن خير لهن } . رواه أبو داود . وقال عليه الصلاة والسلام { صلاة المرأة في بيتها أفضل من صلاتها في حجرتها ، وصلاتها في مخدعها أفضل من صلاتها في بيتها } . رواه أبو داود

http://library.islamweb.net/newlibrary/display_book.php?bk_no=15&ID=861&idfrom=902&idto=963&bookid=15&startno=16#docu

“It is legally neutral for them [i.e. women] to attend congregational prayers with the men, because women used to pray with the messenger of Allah□”

مسألة : قال : (وإن حضروها أجزأتهم) يعني تجزئهم الجمعة عن الظهر ، ولا نعلم في هذا خلافا . قال ابن (1355) المنذر أجمع كل من نحفظ عنه من أهل العلم أن لا جمعة على النساء ، وأجمعوا على أنهن إذا حضرن فصلين الجمعة أن (ذلك يجزئ عنهن ; لأن إسقاط الجمعة للتخفيف عنهن ، فإذا تحملوا المشقة وصلوا ، أجزأهم ، كالمريض . (1356) فصل : والأفضل للمسافر حضور الجمعة ، ; لأنها أكمل فأما العبد فإن أذن له سيده في حضورها فهو أفضل ; لينال فضل الجمعة وثوابها ، ويخرج من الخلاف . وإن منعه سيده لم يكن له حضورها ، إلا أن نقول بوجوبها عليه . وأما المرأة فإن كانت مسنة فلا بأس بحضورها وإن كانت شابة ، جاز حضورها ، وصلاتها في بيوتها خير لهما ، كما روي في الخبر : { وبيوتهن خير لهن } . وقال أبو عمرو الشيباني : رأيت ابن مسعود يخرج النساء من الجامع يوم الجمعة ، يقول : اخرجن إلى بيوتكن خير لكن

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“...As for a woman, if she is aged there is no harm in her attending (Jumua),if she is young it is permissible for her to attend. It is better for both of them to pray in their homes...”

. وإن كانت زوجته ذمية ، فله منعها من الخروج إلى الكنيسة ; لأن ذلك ليس بطاعة ، [ص: 225] ولا نفع . وإن كانت مسلمة ، فقال القاضي : له منعها من الخروج إلى المساجد . وهو مذهب الشافعي . وظاهر الحديث يمنعه من منعها ; لقول النبي صلى الله عليه وسلم : { لا تمنعوا إماء الله مساجد الله } . وروي أن الزبير تزوج عاتكة بنت زيد بن عمرو بن نفيل ، فكانت تخرج إلى المساجد ، وكان غيورا ، فيقول لها : لو صليت في بيتك . فتقول : لا أزال أخرج أو تمنعني . فكره منعها لهذا الخبر . وقال أحمد في الرجل تكون له المرأة أو الأمة النصرانية يشتري لها زنارا ؟ قال : لا بل تخرج هي تشتري لنفسها . فقيل له : جاريته تعمل الزناير ؟ قال : لا

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فصل : ولا بأس بخروج النساء يوم العيد إلى المصلى . وقال ابن حامد : يستحب ذلك . وقد روي عن أبي بكر ، وعلي رضي الله عنهما ، أنهما قالوا : حق على كل ذات نطاق أن تخرج إلى العيدين . وكان ابن عمر يخرج من استطاع من أهله في العيدين .

وروت أم عطية ، قالت { : أمرنا رسول الله صلى الله عليه وسلم أن نخرجهن في [ص: 116] الفطر والأضحى : العواتق ، وذوات الخدور ، فأما الحيض فيعتزلن الصلاة ، ويشههن الخير ، ودعوة المسلمين ، قلت : يا رسول الله : إحدانا لا يكون لها جلباب ؟ قال : لتلبسها أختها من جلبابها { . متفق عليه . وهذا لفظ رواية مسلم ولفظ رواية البخاري ، قالت : { كنا نؤمر أن نخرج يوم العيد ، حتى تخرج البكر من خدرها ، وحتى يخرج الحيض فيكن خلف الناس ، فيكبرن بتكبيرهم ، ويدعون بدعائهم ، { يرجون بركة ذلك اليوم وطهرته

وعن أم عطية ، { أن رسول الله صلى الله عليه وسلم جمع نساء الأنصار في بيت ، فأرسل إلينا عمر بن الخطاب ، فقام على الباب ، فسلم ، فرددنا عليه ، فقال : أنا رسول رسول الله صلى الله عليه وسلم إليكن ، وأمرنا بالعيدين أن نخرج فيهما الحيض . والعنق ، ولا جمعة علينا ، ونهانا عن اتباع الجنائز { . رواه . أبو داود . وقال القاضي ظاهر كلام أحمد أن ذلك جائز غير مستحب

وكرهه النخعي ، ويحیی الأنصاري ، وقالوا : لا نعرف خروج المرأة في العيدين عندنا . وكرهه سفيان ، وابن المبارك ورخص أهل الرأي للمرأة الكبيرة ، وكرهوه للشابة ; لما في خروجهن من الفتنة ، وقول عائشة رضي الله عنها لو رأى رسول الله صلى الله عليه وسلم ما أحدث النساء لمنعهن المساجد ، كما منعت نساء بني إسرائيل . وسنة رسول الله صلى الله عليه وسلم أحق أن تتبع

وقول عائشة مختص بمن أحدثت دون غيرها ، ولا شك بأن تلك يكره لها الخروج وإنما يستحب لهن الخروج غير متطيبات ولا يلبسن ثوب شهرة ولا زينة ، ولا يخرجن في ثياب البذلة ; لقول رسول الله صلى الله عليه وسلم : { وليخرجن ثقلات } . ولا يخالطن الرجال ، بل يكن ناحية منهم

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“There is no harm in women’s going out on the day of Eid to the place of Eid prayer. Ibn Hamid says: “That is recommended”...And the statement of Aisha (R.A.), if the Messenger of Allah ﷺ was alive to see what women are doing now, he would surely have prevented them from attending the prayers in the Mosque just as the women of Banu Isra’il were prevented. The Messenger of Allah’s ﷺ Sunnah is more entitled to be followed, and Aishah’s (R.A.) saying is specific to those women who did the new things, not others, and no doubt it will be disliked for those women...”

The Maliki Madhab

Al-Muntaqa Sharh al-Muwatta Imam Malik by Qadhi **Abu 'I-Walid al-Baji** (d. 474 H), Vol 1, p. 342

﴿ ما جاء في خروج النساء الى المساجد ﴾

ص ﴿ مالك انه بلغه عن عبد الله بن عمر انه قال قال رسول الله صلى الله عليه وسلم لا تمنعوا اماء الله مساجد الله ﴿ ش قوله لا تمنعوا اماء الله مساجد الله دليل على أن الزوج منحمن من ذلك وأن لا خروج لمن الاباذنه ولو لم يكن للرجل منع المرأة من ذلك نحو طيب النساء بالخروج ولم يخاطب الرجال بالمنع كما يخاطب النساء بالصلاة ولم يخاطب الرجال بأن لا يمنعوهن منها وفي المبسوط من رواية ابن القاسم عن مالك لا يمنع النساء الخروج الى المساجد ويحتمل أن يريد انه يحكم به لمن على الأزواج ويحتمل أن يريد به حض الأزواج على اباحة ذلك لمن لما كان لهم المنع والله أعلم وقد روى بهذا الحديث لا تمنعوا اماء الله مساجد الله بالليل نفراد هذه الزيادة نصير بن علي (فصل) وقوله مساجد الله على سبيل التعظيم لها والتخصيص ويجوز أن يكون لما اضاف الاماء اليه أي باضافة المساجد اليه ليظهر وجهه وخروجهن اليها واختصاصهن بها ص ﴿ مالك انه بلغه عن بسر بن سعيد أن رسول الله صلى الله عليه وسلم قال اذا شهدت احدا كن صلاة العشاء فلا تمسن طيبا ﴿ ش قوله اذا شهدت احدا كن صلاة العشاء التي يمكن مشاهدة النساء لها لان غالب ما يحضرن من الصلوات ما كان في أوقات الظلمات كالعشاء والصبح لان ذلك أسرهن وأخفى لحوالهن وقد روى ابن عمر عن النبي صلى الله عليه وسلم قال اذا استأذنكم بالليل الى المصعد فانه نواهن لخص بذلك الليل لما فيه من السر والوجه الثاني أن تطيب النساء في غالب الاحوال انها يكون في أول الليل لمناجاة الأزواج فكره لمن تعجيل التطيب قبل الخروج الى العشاء لان خروجهن مع التطيب والتجميل فتنة للناس واذا به لما وضع في نفوس كثير من الناس من الميل اليهن والشغل بهن والتطيب سبب لذلك وباعت عليه ص ﴿ مالك عن يحيى بن سعيد عن عائكة بنت زيد بن عمرو ابن نفيل امرأة عمر بن الخطاب أنها كانت تستأذن عمر بن الخطاب الى المسجد فيسكت فتقول والله لا اخرجن الآن تمنعني فلا يمنعها ﴿ ش استئذان عمر بن الخطاب في الخروج الى المسجد دليل على انها كانت تعتقد انه منعها ولو لا ذلك لم يكن لاستئذانه وجهه وكان عمر بن الخطاب يسكت لتمنع من الخروج من غير أن يمنعهما لما ورد في ذلك من الامر وكان يكره خروجها الى مسجد أو غيره لما كان طبع عليه من الغيرة وكانت هي تقول والله لا اخرجن الآن تمنعني لانها كانت تريد أن يكون لها اجر الخروج ان خرجت وان منعت مع نيتها في الخروج ويحتمل أن يكون استئذانهما بمعنى الاعلام بخروجها لتلا يكون له اليها حاجة تبيح له منعها فاذا سكت عنها علمت بعدم السبب المانع لها من الخروج ولذلك كانت تقول والله لا اخرجن الآن تمنعني انها تخرج الآن بحديث سبب وثمن

أجله منعها لما علمت أنه لا يمنعها ابتداء من غير سبب والله أعلم وأحكم. ص ١٠٠ مالث عن يحيى بن
سعيد عن حمرة بنت عبد الرحمن عن عائشة زوج النبي صلى الله عليه وسلم أنها قالت لو أدرك رسول
الله صلى الله عليه وسلم ما أحدث النساء لمنعهن المساجد كما منعه نساء بني إسرائيل قال يحيى فقلت
لعمره أو منع نساء بني إسرائيل المساجد قالت نعم ﴿ ش قولها لو أدرك رسول الله صلى الله عليه
وسلم ما أحدث النساء يعني التطيب والتجمل وقلة الستر وتسرع كثير منهن إلى المناكير ويحتمل
أن يريد به ما أدركه بعد النبي صلى الله عليه وسلم من الملابس والتجمل الذي يفتن به الناس وإنما كن
في زمن النبي صلى الله عليه وسلم يلبسن المروط فيخرجن متلفعات فيها
(فصل) وقوله لمنعهن المساجد كما منعه نساء بني إسرائيل يحتمل أن يكون في شريعة بني إسرائيل
منع النساء من المساجد ويحتمل أن يكون نساء بني إسرائيل إنما منعن بعد اباحت ذلك لهن لمثل
هذا ويحتمل غير ذلك من المعاني التي لا طريق لنا إلى معرفتها إلا بالخبر دون النظر والله أعلم وأحكم
وقال محمد بن مسعدة في المبسوط إنما يكره من خروجهن البيئة الرائحة أو الجميلة المشهورة التي تكون
في مثلها الفتنة

Views regarding women attending the Eid Salah

فتح الباري لابن رجب

ص: 139 [15 - باب خروج الحيض إلى المصلى]

حدثنا عبد الله بن عبد الوهاب: ثنا حماد بن زيد، عن أيوب، عن محمد بن سيرين، عن أم عطية، - 931 974 -
. قالت: أمرنا أن نخرج العواتق وذوات الخدور

وعن أيوب، عن حفصة - بنحوه، وزاد في حديث حفصة: أو قالت: العواتق وذوات الخدور ويعتزلن الحيض المصلى
الحاشية رقم: 1

قد سبق هذا الحديث بتمامه في " كتاب الحيض " في " باب: شهود الحائض العيدين ودعوة المسلمين "، وفيه: أن
!حفصة قالت لأم عطية: الحيض؟ فقالت: أليست تشهد عرفة وكذا وكذا؟

.وتقدم هنالك الكلام عليه مستوفى

.وفي الحديث: أمر النساء بالخروج إلى العيدين حتى شوابهن وذوات الخدور ممنهن

.وقد تقدم تفسير " العواتق " وأنها جمع عاتق، وهي البكر البالغ التي لم تزوج

.وفي خروج النساء إلى العيدين أحاديث كثيرة، قد سبق بعضها، ويأتي بعضها - أيضا

:وقد اختلف العلماء فيه على أقوال

. ص: 140 [أحدها: أنه مستحب، وحكي عن طائفة من السلف، منهم علقمة]

.وروي عن ابن عمر ، أنه كان يخرج نساءه. وروي عنه، أنه كان يحبسهن

.وروى الحارث ، عن علي قال: حق على كل ذات نطاق أن تخرج في العيدين

.ولم يكن يرخص لهن في شيء من الخروج إلا في العيدين

.وهو قول إسحاق وابن حامد من أصحابنا

.وقال أحمد - في رواية ابن منصور - : لا أحب منعهن إذا أردن الخروج

.والثاني: أنه مباح، غير مستحب ولا مكروه، حكي عن مالك ، وقاله طائفة من أصحابنا

.الثالث: أنه مكروه بعد النبي - صلى الله عليه وسلم - وهو قول النخعي ويحيى الأنصاري والثوري وابن المبارك

.وأحمد - في رواية حرب - قال: لا يعجبني في زماننا؛ لأنه فتنة

.واستدل هؤلاء بأن الحال تغير بعد النبي - صلى الله عليه وسلم

.وقد قالت عائشة : لو أدرك رسول الله - صلى الله عليه وسلم - ما أحدث النساء بعده لمنعهن المساجد، وقد سبق

والرابع: أنه يرخص فيه للعجائز دون الشواب، روي عن النخعي - أيضا - وهو قول أبي حنيفة وأصحابه، ونقله حنبل

. عن أحمد

وروي عن ابن عباس بإسناد فيه ضعف، أنه أفتى بذلك سعيد بن العاص ، فأمر مناديه أن لا تخرج يوم العيد شابة،

. وكل العجائز يخرجن

.الخامس: - قول الشافعي -: يستحب الخروج للعجائز ومن ليست من [ص: 141] ذوات الهيئات

وفسر أصحابه نوات الهيئات بذوات الحسن والجمال، ومن تميل النفوس إليها، فيكره لهن الخروج؛ لما فيه من الفتنة