Women Attending the Masjid –
A Clarification

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According to the clear statements of the Ḥanafī Fuqahā’ and their understanding of the Dalā’il of Sharī’ah, women should neither attend congregational ṣalāhs at the masjid nor attend the Eid ṣalāh. Many people have raised objections against this position. Some of these objections reflect common misunderstandings. We therefore felt it would be appropriate to write a comprehensive clarification, addressing the following issues:

- Approach to Dīn and its Aḥkām (commands)
- Rulings may change based on circumstances
- Opinions of the Fuqahā’ and their explanations of the Dalā’il
- It is more rewarding for women to pray at home
- A woman’s emergence from the home should be restricted

In the course of the clarification, we hope to address most of the substantive objections raised against the Ḥanafī stance, in particular the claim that it opposes the clear guidance of the Sunnah on women being allowed to attend congregational ṣalāhs at the masjid and being encouraged to attend Eid ṣalāh.

Approach to Dīn

The purpose of Dīn is to attain nearness to Allāh by submitting to His Aḥkām (commands). It is necessary to subject our personal biases and convictions to the Aḥkām of Allāh. One must not attempt to change Allāh’s Aḥkām based on his or her individual opinions. We live at a time when general moral and cultural biases are, unfortunately, dictated by western liberal, modernist and secular ideas, rather than by Islāmic norms and principles. It is therefore important to adopt the correct approach when determining the Aḥkām of Allāh and to be suspicious of new-fangled opinions that are inspired by modernist philosophy.

The Aḥkām of Dīn have been preserved in the form of the four madhhabs of Fiqh. After the first few centuries of Islām, the strength of scholarship and piety diminished. It was therefore from the wisdom of Allāh that Muslims would take recourse to the four madhhabs of Fiqh when determining Allāh’s Aḥkām. Ḥāfīz Ibn Rajab al-Ḥanbali (736 – 795 AH) explains that after the early generations, “Piety and scrupulousness become less and those who spoke about Dīn without knowledge increased, as did those who set themselves up for this position while unworthy of it.”¹ He then states:

¹ حسب (ج ١ ص ٢٣)
“If the condition in these later times was to continue as it was in the first period, where each individual issued legal verdicts according to what he asserts is the truth that became clear to him, the structure of Dīn would undoubtedly crumble, ḥalāl would become ḥarām and ḥarām ḥalāl, and whoever wants would say what he wants, and our Dīn, because of that, would become like that of the people of the two scriptures before us.”

He explains that it was from the wisdom of Allāh that He selected imāms on whose knowledge, piety and scrupulousness there is agreement, and “on whom all people depend on for their legal verdicts, and refer to for knowledge of rulings.”

As Ibn Rajab has warned, if people in these times are left to formulate their own opinions despite their lack of knowledge and piety, the Dīn will be subject to corruption and chaos. We see manifestations of this today, where Muslims, including some who are supposedly learned, say outlandish things in the name of Dīn while having little to no support from the traditional madhhabs of Fiqh.

Each of us must learn the Aḥkām of Allāh via our chosen madhhab of Fiqh. Once a madhhab is chosen, an individual should not leave the madhhab on individual issues, as to do so would amount to following desires. Imām al-Ghazālī (450 – 505 AH) explains: “It is not permissible for the follower of a mujtahid to choose the most pleasing of different opinions to him and the most agreeable to his temperament. He must follow his imām, who he believes to have the correct and right madhhab in relation to others, and follow him in all that comes and goes. Hence, it is not permissible for a Mālikī to switch to the madhhab of al-Shāfi‘ī unless he has an overwhelming feeling that its opinions are more correct. In that case, it is necessary to follow him in all juristic rulings. Otherwise, there is no motive for him to oppose [his madhhab] besides base desire, just as it is not permissible for a mujtahid to oppose the conclusions that his ijtihād (juristic judgement) reached.”

Al-Ghazālī and others have quoted a consensus of the scholars on this principle.

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2 فلو استمر الحال في هذه الأزمنة المتأخرة على ما كان عليه في الصدر الأول بحيث أن كل أحد يفتي بما يدعي أنه يظهر له أنه الحق لاختل به نظام الدين لا محالة، ولصار الحلال حراما والحرم حالا، ولقال كل من شاء ما يشاء وصار ديننا بسبب وذلك مثل دين أهل الكتابين من قبلنا (المصدر السابق).

3 فاقتضت حكمة الله سبحانه أن ضبط الدين وحفظه بأن نصب للناس أئمة مجتمعة على علمهم ودرايتهم وبوغفهم الغاية المقصودة في مرتبة العلم بالأحكام والفتوى من أهل الرأي والحديث، فصار الناس كلهم يعونون في الفتوى عليهم، ويرجعون في معرفة الأحكام إليهم (المصدر السابق، ج ١ ص ٤٢٦).

4 لا يجوز لمقلد العالم اختيار أطيب المذاهب عنده وأوفقها لطبعه، عليه تقليد إمامه الذي اعتنق صحة مذهبه وصوابه على غيره، ويتبعه في كل ما ورد وصدر، فلا يجوز عدل المالمكي لمذهب الشافعي إلا أن يغلب على ظنه أنه أصوب رأيا فحينئذ يجب تقلبه في جميع المسائل، فإن لم يكن ذلك فلا داعي له في المخالفة إلا الهوى، كما لا يجوز مجيء شخصية ما أنتجه اجتهاده، وكذا المقلد من فلاد (المعيار المعربي، ج ١١ ص ١٥٤).
As al-Ghazālī explains in this passage, if an individual leaves his chosen madhhab, it will amount to “following desires.” If someone who is not capable of ijtihād (juristic judgement) leaves his or her madhhab based on their understanding of the Dalā’il of Qur’ān and Sunnah, this will still amount to “following desires” because they are not qualified to assess the Dalā’il of Qur’ān and Sunnah.

Common Muslims must therefore follow ‘Ulamā’ and Muftīs who will explain to them their madhhab’s position. They must not fall prey to the increasing trend of “hunting” for favourable opinions and interpretations. Such a trend is not following Dīn and Sunnah. Rather, it is following one’s desires in the guise of following Dīn and Sunnah.

Each madhhab is based on a thorough assessment of the Dalā’il of Sharī’ah. The scholars of the madhhab have provided detailed explanations, in light of Dalā’il, on how they reached their conclusions. If common Muslims feel there is an inconsistency between their madhhab and some Dalā’il, they may raise the matter with ‘Ulamā’ of their madhhab to gain an appreciation for how the Fuqahā’ understood these Dalā’il.

On the issue of women attending the masjids, it should be noted that the Ḥanafī Fuqahā’, for over a thousand years, have clearly explained their stance in light of the Dalā’il. Their position is based on a holistic and complete assessment of the Sunnah, rather than on a superficial and prejudiced reading. Below, we will summarise their explanation, and present supporting evidence from Fuqahā’ belonging to other madhhabs (to show that the Ḥanafī madhhab is not isolated on this issue).

Rulings May Change Based on a Change of Circumstances

The most common objection raised against the position that women should neither attend congregational ṣalāhs at the masjid nor attend the Eid Ṣalāh is that:

- The Prophet (ṣallallāhu ‘alayhi wasallam) himself allowed women to attend congregational ṣalāhs at the masjid, saying, according to a ḥadīth in Ṣaḥīh al-Bukhārī and Ṣaḥīh Muslim, “Do not prevent Allāh’s female slaves from the masjids.” Thus, female Ṣaḥābiyyāt would attend and offer ṣalāh in congregation behind the Prophet (ṣallallāhu ‘alayhi wasallam) in the masjid.

- The Prophet (ṣallallāhu ‘alayhi wasallam) encouraged women to come out for the Eid Ṣalāh as found in a well-known ḥadīth of Umm ‘Aṭīyyah (raḍīullāhu ‘anhā), also recorded in Ṣaḥīh al-Bukhārī and Ṣaḥīh Muslim.6

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5 لا تمنعوا إماء الله مساجد الله (صحيح البخاري، دار ابن كثير، ص ٢٠٣، صحيح مسلم، مكتبة البشرى، ج ٣ ص ٢١٨)

6 عن أم عطية قالت: كنا نؤمر أن نخرج يوم العيد حتى نخرج البكر من خدورها، حتى نخرج الحيض فيكون خلف الناس فيكون

بتكريرهم ويدعون بدعائهم (صحيح البخاري، دار ابن كثير، ص ٢٣٢، صحيح مسلم، مكتبة البشرى، ج ٣ ص ٢١٧)
The question, therefore, is: how can we oppose the clear guidance of the Sunnah, and hold that women in our time may not come out to congregational ṣalāhs and should not be encouraged to attend Eid Ṣalāh?

It is necessary to understand that rulings are sometimes dependent on circumstances and conditions. Thus, if the circumstances change, the subsequent ruling will be different. Sometimes the Qur’ān and Sunnah highlight that a ruling is conditional or is subject to change based on different circumstances. For example, the Qur’ān says it is forbidden for a person to consume ḥarām meat, but in the same passage explains that a person who is compelled to eat such meat may do so. This is a well-known example of where the ruling changes based on circumstance.

**The Permission for Women to Attend the Masjid is Conditional**

The permission mentioned in ḥadīth for women’s attendance at the masjid is based on certain conditions. When the conditions are fulfilled, the permission mentioned in the ḥadīth will apply, but when the conditions are not fulfilled, the permission will not apply.

If the conditions are not being fulfilled, and a ruling is subsequently given that women may not attend, this is not contradicting the Sunnah. It would be similar to a person who is compelled to eat ḥarām meat and is given the ruling that he may do so. It would of course be a mistake to say that this ruling contradicts the Qur’ān. In the same way, it would be a mistake to say the ruling that women should not attend the masjid when the conditions are not being fulfilled contradicts the Sunnah. In fact, quite apart from being a contradiction, these rulings would be in complete conformity with the Qur’ān and Sunnah.

The conditional nature of the ruling on women’s attendance at the masjid is found both explicitly and implicitly in the ḥadīths themselves. Three such conditions are described below, together with the expert analysis of one of the foremost and most authoritative early Fuqahā’ of the Ḥanafī madhhab, Imām al-Ṭāḥāwī (239 – 321 AH).

**Applying No Fragrance**

According to an authentic ḥadīth, after saying, “Do not prevent the female slaves of Allāh from the masjids”, the Prophet (ṣallallāhu ‘alayhi wasallam) added: “They must

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7 It should be noted that this is not the same as “abrogation” (*naskh*). Abrogation means that an earlier ruling has been cancelled by a later ruling. This is not the case here. Rather, the original ruling is still in force, but that very ruling is conditional on circumstances and conditions. Hence, when the conditions change, the original ruling will not apply.
not come out except without fragrance (tafilāt).” The word “tafilāt” literally means to be foul-smelling and practically means to not apply fragrance. The Prophet (ṣallallāhu ‘alayhi wasallam) therefore only gave permission for women to attend the masjid when they do not apply fragrance.

In a ḥadīth of Šaḥīḥ Muslim, the Prophet (ṣallallāhu ‘alayhi wa sallam) said: “When one of you [women] attends ‘Ishā’ [at the masjid], she must not apply fragrance that evening.” In another hadīth of Šaḥīḥ Muslim, he said more emphatically: “Any woman that has applied fragrance must not attend the ‘Ishā’ salāh with us.” Qādī ‘Iyād (476 – 544 AH) comments on these ḥadīths: “The Prophet (ṣallallāhu ‘alayhi wa sallam) forbade women from coming out to the masjids when they are perfumed and fragranced on account of men being tempted by their nice scent … Included in the meaning of fragrance is the appearance of adornment, attractive clothing and the sound of bangles and jewellery.” In other words, women would not be allowed to attend the masjid if they apply or wear anything that will cause temptation.

Concealed by Darkness

According to some ḥadīths, the permission to attend the masjid applied only to the ṣalāhs of the night i.e. Fajr and ‘Ishā’, when the women could not be seen or recognised (as there was no street lighting at the time). This is found in some ḥadīths of Šaḥīḥ al-Bukhārī and Šaḥīḥ Muslim. ‘Ā’ishah (raḍīyallāhu ‘anāhā) mentioned in a

 وعن ابن عيينة عن محمد بن عمر بن علقمة عن أبي سلمة بن عبد الرحمن بن أبي هريرة قال: قال رسول الله صلى الله عليه وسلم: لا تمنعوا إياً الله مساجد الله، ولا يخرجن إلاهن تفلات (مصنف عبد الرزاق، المكتب الإسلامي، ج۳ص۱۵۱) وصلما: لا تمنعوا إياً الله مساجد الله، ولا يخرجن إلاهن تفلات (مصنف عبد الرزاق، المكتب الإسلامي، ج۳ص۱۵۱)

التفل سوء الرائحة يقال أمرأة تفلة إذا لم تطيب ونساء تفلات (معالم السنن، ج۱ص۱۶۲) ۷

عن رسول الله صلى الله عليه وسلم أنه قال: إذا شهدت إحداكن العشاء فلا تطيب تلك الليلة (صحيح مسلم، مكتبة البشري، ج۲ص۳۰۳)

أيما امرأة أصابت بخورا فلا تشهد معنا العشاء الآخرة (صحيح مسلم، ج۲ص۴۰)، وفي النبي صلى الله عليه وسلم للنساء الخروج إلى المساجد إذا تطيبن أو تبخرن، لأجل فترة الرجال يطيب ريحهن..وفي

معنى الطيب ظهور الزينة وحسن الثياب وصوت الخلاخيل والحلى. (إكمال المعلم، ج۲ص۵۵)

وعن حنظلة عن النبي صلى الله عليه وسلم للنساء الخروج إلى المساجد إذا تطيبن أو تبخرن، لأجل فترة الرجال يطيب ريحهن..وفي

لا تمنع النساء من الخروج إلى المساجد بالليل (صحيح مسلم، مكتبة البشري، ج۲ص۲۰۲)
narration of *Ṣaḥīḥ al-Bukhārī* that when the women would come to the masjid for Fajr, they would do so “wrapped up in their cloaks, and then they would return to their homes not recognised by anyone.”

Thus, explaining the Prophet’s (ṣallallāhu ‘alayhi wasallam) permission for women to attend the masjid, Imām al-Ṭahāwī states: “He did not intend by this to give them permission for all times in which ṣalāhs are attended, but he only meant the night specifically when they would be concealed, rather than the day when they will be visible.” Al-Ṭahāwī also refers to the ḥadīth mentioned earlier, “When one of you attends ‘Ishā’, she must not apply fragrance”, singling out ‘Ishā’, to show that the permission is limited only to the night-prayers.

Note, the practice of ‘Ātikah bint Zayd (raḍiyallāhu anhā), a senior female Ṣaḥābiyyah, who would attend the masjid for ṣalāh, is commonly brought up. She was the wife of Sayyidunā ‘Umar ibn al-Khaṭṭāb (raḍiyallāhu ‘anhu) (d. 23 AH).

However, the ḥadīth of *Ṣaḥīḥ al-Bukhārī* clarifies that she only attended the Fajr and ‘Ishā’ ṣalāhs, and not other ṣalāhs. This may also indicate that the practice at that time was for women to only attend the ṣalāhs at night when they would be concealed by darkness.

Based on the two aforementioned conditions found explicitly in ḥadīths, Imām al-Ṭahāwī argues that the permission to attend the masjid was only “for the night while having applied no fragrance.”

No Intermingling

Al-Ṭahāwī further refers to another ḥadīth (recorded in *Ṣaḥīḥ al-Bukhārī*) in which the practice of the female Ṣaḥābiyyāt is described by Umm Salamah (raḍiyallāhu ‘anhā): they would offer the ṣalāh and return immediately, while the men would remain seated. Umm Salamah (raḍiyallāhu ‘anhā) explains that the reason for this was so that

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15 عَن الزهري قَالَ: أَخْرَجَنِي عَزِيزةُ عَن عائِشَةُ قَالَتْ: لَقَدْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وْسَلَّمُ يُصَلِّى الْفَجْرُ مَن حَدَّثْهُ مِن النِّسَآئِ، مَتَلَفَّعُونَ فِي مَلْوَتِهِنَّ، ثُمَّ يُرْجِعُنَّ إِلَيْ بَيْوَاتِهِنَّ مَا يُعْرَفُهُنَّ أَحَدًا (صحيح البخاري، دار ابن كثير، ص ٤٠١)

16 لَمْ يُقْسَمَ بِذَلِكَ الْإِذْنَ عَلَى كُلِّ الأَوْقَاتِ الَّتِي تَخْرَجُ فِيهَا إِلَى الْصِّلْوَاتِ، وَإِلَّا قَسَدَهُ بِاللَّيْلِ حَاسَةً الَّذِي يَحْفَزُهُ فِي هَذَا الدَّنَاءَ، الَّذِي يَهْيَى فِيهِ (أحكام القرآن، مركز البحوث الإسلامية، ج ١ ص ٥٦٤)

17 المصدر السابق، ج ١ ص ٤٦٧

18 عَن ابن عمر، قَالَ: كَانَتْ امْرَأَةٌ لعَمَّر بِن كَحْبَةَ يَصِلُ السَّحَائِرُ وَالشَّامِيَةُ فِي الْجَمَاعَةِ فِي الْمَسْجِدَ، فَقَالَهَا: لَمْ يَخْرِجْهَا وَقَدْ تَعْلَمَ إِنْ عَمَّرَ يَكُرُّهُ ذَلِكَ وَيَغْفَرُ لَهُ، وَمَا يَمْتَعُهُ أَن يَنْهَيُهَا؟ قَالَ: يَمْتَعُهُ قَولُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وْسَلَّمُ: لَا تَمْعَنُوا إِمَامَ اللَّهِ مَسَاجِدَ اللَّهِ (صحيح البخاري، دار ابن كثير، ص ٨١)

19 قد يُجِزَى أَنَّهُ يَكُونَ حُظُونُ مِنَ الْمَسْجِدَ وَخُروُجُهُ بِاللَّيْلِ تَفْلَاتَ عَلَى مَا فِي الْحَدِيثِ الْأَخْرَى
the women could return before the men caught up with them. Al-Ṭahāwī thus says that “the Messenger of Allāh (ṣallallāhu ‘alayhi wasallam) only allowed women to attend the ṣalāhs when they do not mix with men upon returning.”

The Statement of ‘Ā’ishah (raḍiyallāhu ‘anhā)

Thus, the conditional nature of the ruling is found explicitly and implicitly in the ḥadīths. If these conditions as well as others that can be inferred from them are being violated, the ruling on women’s attendance at the masjid would change. This is how numerous scholars have understood the famous statement of ‘Ā’ishah (raḍiyallāhu ‘anhā) (d. 58 AH), recorded in Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim, in which she said: “Had the Messenger of Allāh (ṣallallāhu ‘alayhi wasallam) seen what women had begun, he would have forbidden them from the masjid.” Meaning, that the conditions had changed in her time, and thus the ruling of the Prophet (ṣallallāhu ‘alayhi wasallam) himself would be different.

In another version of her statement, recorded in the Musnad Ahmad, she firstly narrates the ḥadīth, “Do not prevent Allāh’s female slaves from the masjids, but they should emerge without fragrance.” Then she said: “Had he seen their condition today, he would have prevented them.” This gives a clear indication that according to her, the conditions taught by the Prophet (ṣallallāhu ‘alayhi wasallam) himself were being violated. She is not contradicting the Sunnah but affirming that the ruling of the Sunnah would be different in her context. While in the Prophet’s (ṣallallāhu ‘alayhi wasallam) time the conditions were being fulfilled, and therefore the permission mentioned in the ḥadīth applied, in her time, the conditions were being violated, and thus it did not apply.

Imām al-Ṭahāwī makes the following comment on her statement: “‘Ā’ishah would only have said this about the Messenger of Allāh (ṣallallāhu ‘alayhi wasallam) regarding women after knowing that he only allowed them in the masjids due to the

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20 عن أم سلمة قالت: كان رسول الله صلى الله عليه وسلم إذا سلم قام النساء حين يقضي تسليمه، وهو يمشى في مقامه بسرا قبل أن يقوم، قالت: نرى والله أعلم أن ذلك كان لكي ينصرف النساء قبل أن يدركهن الرجال (صحيح البخاري، دار ابن كثير، ص ٢١٢).

21 إن أصرافهن منها (أحكام رسول الله صلى الله عليه وسلم إنما أطلق للنساء شهود الصلوات إذا كان لا يخلط الرجال في انسراحهن منها (أحكام القرآن، جا ص ٤٨).

22 عن عائشة عنيت عائشة زوج النبي صلى الله عليه وسلم تقول: لو أن رسول الله صلى الله عليه وسلم رأى ما أحدث النساء لمنعهن المسجد كما منعت نساء بني إسرائيل (صحيح مسلم، مكتبة البشري، ج ٤ ص ٣٠، صحيح البخاري، دار ابن كثير، ص ٢١١).

23 عن عائشة عن النبي صلى الله عليه وسلم قال: لا تمنعوا إماء الله مساجد الله، ولكن خرجن تقلات، قالت عائشة: ولو رأى حافظ اليوم منهن (مسند أحمد، مؤسسة الرسالة، ج ٤ ص ٤٧).
absence of a condition that occurred within them later. Since that was so in the time of ‘Ā’ishah, they would be even further from what they were in the time of Allāh’s Messenger (ṣallallāhu ‘alayhi wasallam) after her.”

Similarly, he said in another place: “‘Ā’ishah’s statement on this – and she is trustworthy in what she says along with knowledge, understanding and alertness – proves that it was allowed for women to attend the masjids in the time of Allāh’s Messenger (ṣallallāhu ‘alayhi wasallam) because of a condition that they had, and after him, they left [this condition] for its reverse. Thus, what was permitted for them, in terms of attending in the manner that they would in the lifetime of the Messenger of Allāh (ṣallallāhu ‘alayhi wasallam), was negated. Since that was so in the time of ‘Ā’ishah, they would be even further from that after her death.”

In short, the piety and understanding of the women in the time of the Prophet (ṣallallāhu ‘alayhi wasallam) and early Ṣaḥābah compelled them to observe the limits, restrictions and conditions for attending the masjid; and only because of that it was permitted for them. Already by the time of ‘Ā’ishah (raḍiyallāhu ‘anhā) a change was observed, based on which she could confidently assert that the Prophet (ṣallallāhu ‘alayhi wasallam) would have prevented the women of her time from attending the masjid. Imām al-Ṭaḥāwī points out that if this was the case in the time of ‘Ā’ishah, the deterioration in the conditions of people that occurs naturally over time means that this situation would only have been more pronounced in his time.

Ḥadīth of Umm ‘Atiyah (raḍiyallāhu ‘anhā)

In his lengthy discussion, Imām al-Ṭaḥāwī also touches on the Ḥadīth of Umm ‘Atiyah (raḍiyallāhu ‘anhā) encouraging women to attend the Eid Ṣalāh. In al-Ṭaḥāwī’s opinion, this was something which the Prophet (ṣallallāhu ‘alayhi wasallam) encouraged “before we were commanded to observe hijāb (purdah)…and the matter of women was then reduced to lowering the gazes from them, and they were commanded to remain in their homes.” In other words, this encouragement was abrogated and no longer applies. Note: While Fuqahā’ of other madhhab would

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24. Since that was so in the time of ‘Ā’ishah, they would be even further from what they were in the time of Allāh’s Messenger (ṣallallāhu ‘alayhi wasallam) after her.

25. In the conditions of people that occurs naturally over time means that this situation would only have been more pronounced in his time.

26. In other words, this encouragement was abrogated and no longer applies. Note: While Fuqahā’ of other madhhab would

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24. لن يكون عائشة تطلق هذا على رسول الله صلى الله عليه وسلم في النساء إلا بعد علمها أنه إنما إذن لهن في المساجد لعدم حال قد صارت فيهن بعده، وإذا كان كذلك في زمن عائشة فهن بعدها مما كان عليه في زمن رسول الله صلى الله عليه وسلم بعدد (أحكام القرآن، ج١ ص٥٦٤)

25. يمكن عائشة تطلق هذا على رسول الله صلى الله عليه وسلم في النساء إلا بعد علمها أنه إنما إذن لهن في المساجد لعدم حال قد صارت فيهن بعده، وإذا كان كذلك في زمن عائشة فهن بعدها مما كان عليه في زمن رسول الله صلى الله عليه وسلم بعدد (شرح مشكل الآثار، ج٢١ ص٢٤١)

26. في حال عدمه ولم يعلم بالحجاب وكان مباحا للرجال في الحجاب من ناوهة إياه على ما كان يأتيه في حياة رسول الله صلى الله عليه وسلم وعندما كان كذلك في حياة عائشة كان بعد موعد من ذلك أبعد (شرح مشكل الآثار، ج١٢ ص١٤٢)

24. هذا عندها والله أعلم قبل أن تومر بالحجاب وكان مباحا للرجال النظر إلى النساء لنظرة إلى الرجال ثم نسب تلك وردت أمر النساء إلى غض الأبصار عنهن وأمر بئوم البوت (أحكام القرآن، ج١ ص٤٧٠)

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disagree that this encouragement has been abrogated, they would accept that it is conditional on right practice.

‘Abdullāh ibn Mas’ūd (raḍiyallāhu ‘anhu) Prevented Women from the Masjid

Apart from ‘Ā’ishah (raḍiyallāhu ‘anhā), whose statement a number of prominent scholars have interpreted as a fatwā prohibiting women from attending the masjid, the great Ṣaḥābī, ‘Abdullāh ibn Mas’ūd (raḍiyallāhu ‘anhu) (d. 32 H), also prevented women from attending the masjid on Friday, as established in an authentic narration from him.27

It is important to understand the stature of ‘Abdullāh ibn Mas’ūd (raḍiyallāhu ‘anhu). He was one of the greatest and most learned of the senior Ṣaḥābah. It is reported that the Prophet (sallallāhu ‘alayhi wasallam) said of him, “I am happy for my Ummah with what Ibn Umm ‘Abd (i.e. ‘Abdullāh ibn Mas’ūd) is happy for them.”28 Ibn Mas’ūd was also described as the Ṣaḥābī who resembled the Prophet (sallallāhu ‘alayhi wasallam) most in his behaviour, conduct and mannerisms.29 Thus, just as ‘Ā’ishah’s statement was based on her intimate knowledge of the Sunnah, Ibn Mas’ūd’s practice would also have been based on his intimate knowledge of the Sunnah – and he knew that in the situation that he found himself in, the Prophet (sallallāhu ‘alayhi wasallam) would not have allowed women to attend the masjid.

27 قال ابن أبي شيبة: ((حدثنا وكيع (بن الجراح): حدثنا سفيان (الثوري الإمام) عن أبي فروة الهمداني (عروة بن الحارث، ثقة) عن أبي عمر الشيباني (كوفي، ثقة): قال: تأتي ابن مسعود يخرج النساء في الجمعة.)) (مصنف ابن أبي شيبة، ج 5 ص 20)

وقال عبد الرزاق الصنعاني: ((أخبرنا معمر، عن أبي إسحاق (السبيعي، ثقة، جليل)، عن أبي عمرو الشيباني، أنه رأى ابن مسعود يخرج النساء من المسجد يوم الجمعة، ويقول: «خرجن إلى بيوتكن خير لكن»)) (مصنف عبد الرزاق، ج 3 ص 271)

28 قال القاسم بن عبد الرحمن قال: قال رسول الله صلى الله عليه وسلم: رضيت لأمتي ما رضي لها ابن أم عبد (مصنف ابن أشيب، ج 71 ص 391; وانظر تخرجه هناك)

29 سألنا حذيفة عن رجل قريب السمت والهدي من النبي صلى الله عليه وسلم حتى تأخذ عنه، فقال: ما أعرف أحدا أقرب حمدًا وأهديا ودلا بالله صلى الله عليه وسلم من ابن أم عبد (صحيح البخاري، دار ابن كثير، ص 423)
Statements of Other Jurists

As noted, Imām al-Ṭāḥāwī was one of the great early mujtahid imāms of the Ḥanafī madhhab. We have briefly summarised his discussion on the Dalā’il. As any fair individual will observe, this is a coherent and sensible explanation by one of the most authoritative and erudite imāms of ḥadīth and fiqh. Moreover, it is consistent with what other imāms of the Ḥanafī madhhab, both before and after him, have explained. Thus, for followers of the Ḥanafī madhhab, this should be sufficient.

Imām Muḥammad (one of the prominent students of Imām Abū Ḥanīfah) quotes in al-ʿĀṣl the view of Imām Abū Ḥanīfah (80 – 150 AH): “I do not permit women for any kind of emergence except an aged old woman, as I allow her to come out to the two Eids and for Fajr and ‘Ishā’ ṣalāḥ.”

Commenting on the stance of the early Fuqahā’ of the madhhab, al-Kāsānī (d. 587 AH) says: “They all agree that it is not allowed for non-elderly women to come out for Jumuʿah, the two Eids and any ṣalāḥ.” Many of the later Ḥanafī jurists from the seventh century of Hijrah onwards regarded it to be impermissible for elderly women also to attend all ṣalāhs because the conditions had deteriorated even further.

Below we will touch on some supporting statements from the Fuqahā’ of other madhhabs to demonstrate that this is not an isolated view of the Ḥanafī madhhab, and one will even be justified in arguing that the position of the other madhhabs is not all that different from that of the Ḥanafī madhhab.

The Shāfiʿī Madhhab

In his commentary on Mukhtaṣar al-Muzanī, the great Shāfiʿī jurist, al-Juwaynī (419 – 478 AH), explained that in the time of the Prophet (ṣallallāhu ‘alayhi wasallam) non-elderly women attended the Eid Ṣalāḥ, but “today we regard it to be reprehensible for them to emerge,” as “it was reported that ʿĀʾishah forbade women from emerging.”

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30 لا أرخص للنساء في شيء من الخروج إلا العجوزة الكبيرة فإني أرخص لها في الخروج في العيدين وفي صلاة الفجر والعشاء
(الأصل، الأوقاف، ج 1 ص 365)

31 أجمعوا على أنه لا يرخص للشواب منهن الخروج في الجمعة والعيدين وشيء من الصلاة (بدائع الصنائع، ج 2 ص 237)

32 وق الكافئ: الفتاوى اليوم على الكراهية في كل الصلاوات لظهور الفساد (درر الحكام، ج 1 ص 88)، وعلق عليه الشربيلي: قال غيره: وأقر المشايخ المتأخرون بمنع العجوز من حضور الجماعات كلها. (المصدر السابق)

33 وكان يخرج على الصفة التي ذكرناها نسوة فيهن نسية أخرى، قال الشيخ: واليوم فنحن نكره نسية الخروج، وقد روي عن عائشة أن عائشة نفعت النساء عن الخروج قبلها: كن يخرجن في زمن رسول الله صلى الله عليه وسلم، فقالت: لو عاش إلى زمانا لمعلمن من الخروج (غاية المطلب، ج 2 ص 120-121)
Another great Shāfi‘ī imām, al-Māwardī (364 – 450 AH), states in reference to the emergence of non-elderly women for the Eid Ṣalāh, that it is “reprehensible based on the fear that they would be tempted by men and men would be tempted by them.” He then suggests (just like al-Ṭaḥāwī) that the narration of Umm ‘Abīyāh recommending the emergence of young women for Eid was abrogated. He also quotes the narration of ‘Ā’ishah (rađiyallāhu ‘anāhā) as support.  

Similarly, Imām al-Ghazālī (450 – 505 H), who was also a Shāfi‘ī authority, states: “The Messenger of Allāh (ṣallallāhu ‘alayhi wasallam) would allow women to attend the masjids, but the truth today is it is not allowed except for elderly women, and indeed this was deemed sound in the time of the Sahābah,” and he quotes the statement of ‘Ā’ishah (rađiyallāhu ‘anāhā) as support.  

Taqī al-Dīn al-Ḥiṣnī (752 – 829 H), a famous relatively late Shāfi‘ī scholar, explains that the original ruling of the madhhab is that it is “reprehensible for an attractive non-elderly woman and those of stature to attend [the Eid Ṣalāh], but it is desirable for an old woman to attend in lowly clothing without fragrance.” He then says: “In our time, there should be absolute certainty of it being impermissible for non-elderly women and those of stature to emerge because of the proliferation of corruption. Although the hadith of Umm ‘Abīyāh supports emergence, but the condition that was there in the early generations has disappeared…That was a period of security: they would not expose their adornment and would keep their gazes low, as would the men lower their gazes. As for our time, they only emerge to show their adornment and do not lower their gazes and nor do the men lower their gazes, and the harms of their coming out have become a reality. It is authentic from ‘Ā’ishah that she said, ‘Had the Messenger of Allāh (ṣallallāhu ‘alayhi wasallam) seen what the women have begun, he would have prevented them from the masjids just as the women of the Israelites were prevented’. Thus, this is the fatwā of the Mother of Believers in the best of generations, so what of this corrupt time of ours?! Many others besides ‘Ā’ishah have said it is not allowed for women to come to the masjids…This was at that time. As for our time, no Muslim will hesitate in disallowing them except a

\[\text{\footnotesize 34} \] صلى الله عليه وسلم - أمر بإخراج المخدرات إلى المصلى قائل إمّا خشية إقدامıklıن قال رسول الله ﷺ صلى الله عليه وسلم - على الله - ليبندهن الدعاء والخير وهذا غلط، بل خروجهن مكره، لما يخفف من افتتانهن بالرجال، وافتنا الرجال ين، وحديث أم عطية فيجوز أن يكون متقدما لقوله - صلى الله عليه وسلم - في حجة الوداع انساها هي هذه ثم على ظهر، قالت عائشة ﷺ لو رأى رسول الله ﷺ صلى الله عليه وسلم - ما أحدث النساء بعدد فجع مأذن الشتاء أبيض من النسا، ودة الخفين من الثياب، لقوله - صلى الله عليه وسلم - وفي الخفيج نفلات (الحاوي، ج 2 ص ٥٩٤)  

\[\text{\footnotesize 35} \] وكان قد أذن رسول الله ﷺ صلى الله عليه وسلم للنساء في حضور المساجد، والصواب الآن المعن إلا للعجائز بيل است komment

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ذلك في زمان الصحابة، حتى قالت عائشة رضي الله عنها: لو علم النبي صلى الله عليه وسلم ما أحدث النساء لمفع希尔 الخروج (إحياء علوم الدين، دار المنهج، ج 3 ص ١٨٩).
Thus, the truth is to have certainty of it being impermissible; and the fatwa is on this.  

Taqi al-Din al-Hisni’s position was picked up by Shafi’i jurists after him, and they expressed support for it. ‘Ali ibn ‘Atiyah (d. 936 AH), a Shafi’i jurist from the tenth century of Hijrah, quotes the statement of al-Hisni approvingly, prefacing it with his statement: “The fatwa in this time of ours according to the people of knowledge and piety is that they are not allowed in the masjids. In fact, ‘A’ishah issued a verdict on this in her age, the best of ages, so what is your opinion on this corrupt tenth century? Do not think I am alone in this view. A large group of the earlier and later scholars have said this, and from those who said it explicitly is al-Taqi al-Hisni.”

Similarly, the famous late verifier of the Shafi’i madhhab, Ibn Hajar al-Haytami (909 – 973 AH), quotes one of his predecessors who approved of al-Hisni’s fatwa and expanded on it saying that “this has become agreed-upon due to the absence of the condition of the permissibility of emergence in his (sallallahu ‘alayhi wasallam) time, which is piety and chastity.” Ibn Hajar then comments: “How brilliant is this statement and how worthy of being correct!”

36 نعم يكره للشابة الجميلة وذوات الهيئة الحضور ويستحب للعجوز الحضور في ثياب بذلتها بلا طيب؛ قلت ينبغي القطع في زماننا بتحريم خروج الشابات وذوات الهيئات للكثر من الفساد وحديث أم عطية وإن دل على الخروج إلا أن المفعول الذي كان في خبر الفرون قد زال ولمنع أنه كان في المسلمين قلة فأذن رسول الله صلى الله عليه وسلم في الخروج لباحة بعثة عائشة فهذا من الحيض مع أن الصلاة مفروضة في حقهن ودليلهن الخبر ودعوة المسلمين لا ينافي ما قلنا وأيضا فكان الزمان زمان أمن فكمل لا يبددين زينتهن ويغضبن أصابرهم وكذا الرجال يغضبن من أصابرهم وأما زماننا فخروجهن لأجل إبداء زينتهن ولا يغضبن أصابرهم ولا يغضبن الرجال من أصابرهم ومفاسد خروجهن تけれど وقد صرح عن عائشة رضي الله عنها أحا رد: (لأي رسول الله صلى الله عليه وسلم ما أحدث النساء لمفعون السماجف كما معته نساء ين البين إسرائيل) فهذى فتوى ما اتخذ في خبر الفرون فكيف يراعى هذا الفساد وقد قال تعالى النساء من الخروج إلى المساجد خلف عائشة رضي الله عنها نعم عزوة بن الزيت رضي الله عنه ولكل الأنصاري والمنثور والذين من بعده و잠풍 هذا في ذلك الزمان وما في زماننا هذا فلا يتوافق أحد من المسلمين في منع الخروج إلا غبي غيره م🍞 صبره في عدة أمراء وهو يفوق هذا وقد جوعه بالليل حمل على طاهر دون فهم معده مع إمامهم في آخر عائشة رضي الله عنها ومن نحا نحوها ومع إمام الآيات الدالة على تحريم إظهار الزينة وعلى وجوب غض البصر بالصواب الجزم بالتحريم والفتوية به والله أعلم (كفاية الأخبار، دار النشر، ص 185).

37 والنتيجة في زماننا عند أهل العلم والتقوى بمنع من المساجد، بل وأقرت به عائشة رضي الله عنها في تأييف خبر الفرون، فما بالنا بالقرن العاشر الفاسد!؟ ولا تظن أن تقرر هذا القول، بل قال جم غفير من العلماء المتقدمون والمتأخرين، ومن صرح به التقى الخصبي في شرح الغاية (أحكام النظر، دار القلم، ص 44).

38 ثم قال فلن أقول أن تكون من خروج النساء إلى المساجد والمواعيد وزيارة القبور غير النبي – صلى الله عليه وسلم – قلت: كيف لا أقول بل وقد صار منiện على لعلم شريف الخروج في منتهى – صلى الله عليه وسلم – وهو النقي والمحفظ، وقد ذكر ذلك في المنطقيين الشيخين الإمامان الزادانيان الوارعان الشيخين الشيخ جليل الدين الأحمدي وشيخنا علي الدين محمد بن محمد بن محمد البخاري... قال حجة الإسلام في الإحياء وقد كان أن رسول الله – صلى الله عليه وسلم – للنساء في حضور المساجد.
The Mālikī Madhhab

It is reported from Imām Mālik that he said when asked about women attending the masjid, “This differs for an elderly woman and a non-elderly woman. The elderly woman may come out to the masjid but should not attend too frequently. The non-elderly woman may come out to the masjid now and then.”

In commenting on this passage, Ibn Rushd explains that according to Imām Mālik, a non-elderly woman may not come to Eid Salāḥ despite the hadīth of Umm ‘Aṭiyyah because of “what they began, in terms of coming out in a different condition to which their emergence was permitted, which is that they have no fragrance and do not show any adornment,” and he quotes the statement of ‘Ā’ishah (raḍiyallāhu ‘anhā) as support.

One of the major late verifiers of the Mālikī madhhab, Khalīl ibn Isḥāq al-Jundī (d. 776 AH), after mentioning the Mālikī position that a non-elderly woman may emerge occasionally for the masjid, states: “In our time, [complete] prohibition is stipulated (i.e. necessary), and Allāh knows best.” He then quotes the statement of ’Ā’ishah (raḍiyallāhu ‘anhā) as support.

The words of the Prophet ﷺ regarding women entering the masjid vary in the hadīths depending on whether the person entering is an elderly or a non-elderly woman. The Elderly women are allowed to enter the masjid while the non-elderly women are not allowed to enter it.

The Prophet ﷺ said: “A woman is not permitted to enter the masjid except the elderly women.”

The hadīth also states: “Allah’s Prophet ﷺ said: ‘A woman is not permitted to enter the masjid except the elderly women.’”

Therefore, the women are allowed to enter the masjid during special occasions like Eid and other events and can perform the tawaf in the masjid.

And women can enter the masjid for any purpose, provided they are elderly women.

Women who are elderly are allowed to enter the masjid for any purpose and can perform the tawaf in the masjid.

Women who are not elderly are not allowed to enter the masjid for any purpose.

The hadīth also states: “Allah ﷻ said: ‘A woman is not permitted to enter the masjid except the elderly women.’”

The women who are elderly are allowed to enter the masjid for any purpose and can perform the tawaf in the masjid.

Women who are not elderly are not allowed to enter the masjid for any purpose.

The hadīth also states: “Allah’s Prophet ﷺ said: ‘A woman is not permitted to enter the masjid except the elderly women.’”

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The women who are elderly are allowed to enter the masjid for any purpose and can perform the tawaf in the masjid.

Women who are not elderly are not allowed to enter the masjid for any purpose.
The Ḥanbalī Madhhab

‘Abdullāh, the son of Imām Ḥāmid ibn Ḥanbal (164 – 241 AH), asked his father about women coming out to Eid Šalāḥ, and he replied: “As for this time of ours, then no. Indeed, they are a temptation (fitnah).” 42 According to Ibn al-Jawzī (510 – 597 AH), the famous Ḥanbalī scholar, if temptation is expected from women, they are to be prohibited from attending the masjid, and he quoted the statement of ‘Ā’ishah (raḍiyallāhu ‘anhā) as support. 43 (Note: Temptation or fitnah is defined as being tempted towards “unlawful intercourse and its precursors like lustful glances, solitude, touching and the like.”) 44

Qāḍī Abū Ya’lā (380 – 458 AH), the well-known early Ḥanbalī jurist, writes: “We assert that when [the woman] is non-elderly, it is reprehensible for her to perform iʿtiḳāf in the masjid and pray in it. [Imām Ḥāmid] has stated this explicitly in the transmission of Ḥanbal. [Imām Ḥāmid] was asked about women emerging for ‘Īd and said: ‘They are a cause of temptation for people, unless it is a woman far in age.’” He further said that the statement of ‘Ā’ishah (Allāh be pleased with her) refers to such non-elderly women. 45 More emphatically, Qāḍī Abū Ya’lā elsewhere says women are “prohibited” from attending the masjid. 46

Thus, while describing the official position of the madhhab, later Ḥanbalī authorities have clarified that it is reprehensible for a non-elderly woman or any attractive woman to attend the congregational ṣalāḥ. 47

42 أخبرنا عبد الله بن أحمد بن حنبل، قال: سألت أبي عن خروج النساء في العيد وقلت: أما في زمانا هذا فلا، فإنهن فتنة.

(أحكام النساء، ص ١٦-٢٦)

43 قال ابن الجوزي: فإن خيف فتنة في خروج النساء واحتج بخبر عائشة المشهور (الفروع، مؤسسة الرسالة، ج ٢ ص ٤٥٨)

44 المراد بالفتيّة: أنها إذا كانت شابة، فإنه يكره لها أن تعتكف في المسجد، وتصلي فيه. شعبة في الصلاة، وقد نص عليه في الصلاة في رواية حنبل، وقد مثل في خروج النساء إلى العيد وقيل: هؤلاء فترن الناس إلا أن تكون امرأة طمنت في السن، واحتج بما روى عن عائشة رضي الله عنها: أنها قالت: لو علم النبي صلى الله عليه وسلم ما أحدث النساء بعده لمنعهن المساجد، كما منعت نساء بني إسرائيل.

والجواب: أن هذا مجموع عن الشاب بدليل ما ذكرنا (التعليقة الكبرى، ج ١ ص ٢٠–٣)

45 من نظر: إما إذا كانت شابة، فإن يكره لها أن تعتكف في المسجد، وتصلي فيه. ونص عليه في الصلاة، وقد مثل في خروج النساء إلى العيد، وقيل: هؤلاء فترن الناس إلا أن تكون امرأة طمنت في السن، واحتج بما روى عن عائشة رضي الله عنها: أنها قالت: لو علم النبي صلى الله عليه وسلم ما أحدث النساء بعده لمنعهن المساجد، كما منعت نساء بني إسرائيل.

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46 إن منهيّات عن حضور مئات الصلوات (التعليقة الكبير، دار البوادي، ج ١ ص ٢٦٧)

47 أما صلاّق مع الرجال جماعة أو المسلمون في المذهب: أنه يكره للشابة، قاله في الفروع، وقال: ولمراد - ولله أعلم - للمستحبة أي: ولعجوز، واتخاذه الفاضي أو ابن جماعة. قال في الخلافة والأخلاق والرعاية الصغرى والحاويين وغيرهم: والمعجزة البالغة: حضور جميع الرجال، قال في الخصر: ولا يكره أن يحضر المجدد جميع الرجال. (الإنصاف، ج ٢ ص ٢١٢)
It is More Rewarding for a Woman to Offer Ṣalāh at Home

With regards to the five daily ṣalāhs, it is more rewarding for women to pray them at home. This is by agreement of the four madhhabs, and is proven from several authentic ḥadīths:

1. It is reported in Sunan Abī Dāwūd that after saying, “Do not prevent Allāh’s female slaves from the masjids”, the Prophet (ṣallallāhu ‘alayhi wasallam) clarified: “And their homes are better for them.” Al-Nawawī and others deemed it ṣaḥīḥ.

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2. ‘Abdullāh ibn Mas‘ūd (raḍiyallāhu ‘anhu) reported, according to a ḥadīth in *Sunan Abī Dāwūd*, that the Prophet (sallallāhu ‘alayhi wasallam) said: “The ṣalāh of a woman in her room is more virtuous than her ṣalāh in her courtyard, and her ṣalāh in her inner chamber is more virtuous than her ṣalāh in her room.”51 Al-Nawawī and others deemed it ṣaḥīḥ.52

3. Ahmad, Ibn Abī Shaybah and others transmit from Umm Salamah (raḍiyallāhu ‘anhu) that the Prophet (sallallāhu ‘alayhi wasallam) said: “The best masjid for a woman is in the depths of her house.”53 Ḥāfīz al-Būṣīrī (762 – 840 AH) described it as ṣaḥīḥ.54

4. Al-Tabarānī narrates from Umm Salamah (raḍiyallāhu ‘anhu) from the Prophet (sallallāhu ‘alayhi wasallam): “A woman’s ṣalāh in her room is better than her ṣalāh in her courtyard, and her ṣalāh in her courtyard is better than her ṣalāh in her land, and her ṣalāh in her land is better than her ṣalāh outside of it.”55 Al-Mundhirī said the chain is excellent (jayyid).56

5. It is reported in *Musnad Ahmad* from Umm Ḥumayd (raḍiyallāhu ‘anhu) that she came to the Prophet (sallallāhu ‘alayhi wasallam) and said: “I love to pray with you.” He said: “I know you love to pray with me, but your ṣalāh in your

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51 حدثنا ابن المثنى عن عمرو بن عاصم بن حذافة: حدثنا عبد الله بن عاصم عن النبي صلى الله عليه وسلم: صلاة المرأة في بيتها أفضل من صلاتها في حجرتها، وصلاتها في حجرتها أفضل من صلاتها في حجرها (سنن أبي داود، ج١ ص٦٢٤)

52 خلاصة الأحكام، ص٥٨٧

53 خير بيوت النساء فقر بيوتون (مسند أحمد، ج٤ ص١٦٥)

54 إنحاف الخيرة، دار الوطن، ج٢ ص٦٤

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56 عن أم سلمة رضي الله عنها قالت: قال رسول الله صلى الله عليه وسلم: صلاة المرأة في بيتها خير…رواه الطبرانى في الأوسط بإسناد جيد (الترغيب والترهيب، دار الكتب العلمية، ج١ ص١٤١)
room is better for you than your salah in your courtyard, and your salah in your courtyard is better than your salah in your land, and your salah in your land is better than your salah in the masjid of your community and your salah in the masjid of your community is better than your salah in my masjid.”

Ibn Ḥajar said the chain is ḥasan. ⁵⁷

This ḥadīth of Umm Humayd (radiyallāhu ‘anāhā) shows that even the Masjid Nabawī is not an exception to this rule.⁵⁹ Moreover, in a ḥadīth of Ṣaḥīḥ Bukhārī, the Prophet (ṣallallāhu ‘alayhi wasallam) explained that the extra reward of congregation is for the “ṣalāh of a man” (ṣalāt al-rajl). Ibn Rajab al-Ḥanbalī comments that this proves that a woman’s salah does not multiply in rewards in congregation and it is better for her to pray at home.⁶⁰

From the classical period, Ibn Hazm (384 – 456 AH) adopted an isolated view that it is more rewarding for women to pray in the masjid.⁶¹ He regarded the ḥadīth of Umm Humayd weak based on one of its chains.⁶² But he did not address another of its

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⁵⁷ ىـ: عبد الله بن سويد الأنصاري، عن عمته أم حميد امرأة أبي حميد الساعدي، أنها جاءت النبي صلى الله عليه وسلم وقالت: يا رسول الله، إني أحب الصلاة معك، قال: قد علمت أنك تحبين الصلاة معني، وصلاتك في بيتك خير لك من صلاتك في حجرتك، وصلاتك في حجرتك خير من صلاتك في دارك، وصلاتك في دارك خير لك من صلاتك في مسجد فومك، وصلاتك في مسجد فومك خير لك من صلاتك في مسجدي (مسند أحمد، مؤسسة الرسالة، ج ٥٤ ص ٧٣) ٥٧

⁵⁸ ونسان أحمد خس (فتح الباري، طيبة، ج ٣ ص ١١)

⁵⁹ فيه دلالة على جواز خروج النساء مطلقًا سواء كان شواب أو عجائز للصلاة في مسجد الحرام أو مسجد النبي صلى الله عليه وسلم فعلى سبيل المثال، ولكن ينبغي تقييدها بوقت الضرورة، كما إذا حضرت المسجد للطواف في الحج والعمرة فلا بأس لها بأن تصلي فيه وحدها أو جماعة، أو حضرت المسجد اليوم للتسليم والصلاة على النبي صلى الله عليه وسلم فلا بأس لصلاةها في المسجد نهية أو مكوثية، ومما يتأتي المسجد الحرام أو المسجد النبوي لأجل الصلاة فحسب فإنها قلله قوله صلى الله عليه وسلم: صلاتك في بيتك خير من صلاتك في حجرتك إلى أن قال: ومن صلاتك في مسجدي، والله تعالى أعلم (إبعاد السنن، إداره القرآن، ج ٤ ص ٢٦٢)

⁶⁰ وفي حديث أبي هريرة الذي خرجه البخاري: صلاة الرجل في الجماعة تضعف، وهو يدل على أن صلاة المرأة لا تضعف في الجماعة، فإن صلاتها في بيتها خير لها وأفضل (فتح الباري لابن رجب، مكتبة الغرباء، ج ٦ ص ٩١)

⁶¹ SOME have suggested that Ibn Khuzaymah, the great ḥafız of ḥadīth, regarded all the abovementioned hadiths to be inauthentic. This is inaccurate. He considered the ḥadīth of Umm Humayd (radiyallāhu ‘anāhā) to be authentic. See: Ṣaḥīḥ Ibn Khuzaymah, Dār al-Ta’sil, 2:375.

⁶² وأما حديث عبد الحميد بن المذر فهو مجهول لا يدرى من هو (العالمي، ج ٣ ص ١٣٦)
chains, described as “ḥasan” by Ibn Ḥajar. Nor did he address most of the ḥadīths mentioned above.⁶³

Furthermore, Ibn Ḥazm did not align himself with any of the four famous madhhab, and his scholarship in ḥadīth-criticism is questionable. Ibn ‘Abd al-Hādī al-Ḥanbālī (705 – 744 AH) thus said: “[Ibn Ḥazm] had opinions in which he was isolated in both the fundamentals and the peripherals, and everything in which he was isolated is a mistake, and he makes many errors in authenticating and weakening ḥadīth and the status of transmitters.”⁶⁴

However, despite Ibn Ḥazm’s unique opinion on this issue, he quotes the ḥadīth in which the Prophet (ṣallallāhu ‘alayhi wasallam) made it a condition that women are “tafilāt” before they emerge. Ibn Ḥazm defined this word “tafilāt” as “having bad odour and dress.” He therefore explained that if a woman applies fragrance or wears attractive clothing she “should be disallowed” from coming to the masjid,⁶⁵ even saying it is “obligatory” (fard) to do so.⁶⁶

If the Šalā is better at Home, why did the Prophet (ṣallallāhu ‘alayhi wasallam) Allow Women to Attend the Masjid?

Someone may ask, why, if it is more rewarding for them to pray in their homes, did the Prophet (ṣallallāhu ‘alayhi wasallam) not prohibit women from coming to the masjid? Imām al-Ḥalīmī (338 – 403 AH), one of the early authorities of ijtihād in the Shāfi’ī school, wrote in answer to this very question: “Because they had a reason to attend…Namely, being included in the supplication of the Prophet (ṣallallāhu ‘alayhi wasallam) when he prayed and his salām when he made salām to the congregation…The blessing of his supplication and salām may amount to more than the virtue that they had in remaining at home. This factor would not be as pronounced

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⁶³ Ibn Ḥazm does cite the ḥadīth of Ibn Mas‘ūd (raḍīyallāhu ‘anhu) favourably, but quotes it incorrectly, leading him to believe it encourages women to go to the masjid! (see: al-Muhallā, 3:137)

⁶⁴ أبو محمد بن حزم...له اختيارات انفرد بها فى الأصول والفرعون، وجميع ما انفرد به خطاً، وهو كثير الوهم في الكلام على تصحيح الحديث وضعيفه، وعلى أحوال الرواة (طبقات علماء الحديث، مؤسسة الرسالة، ج ٣ ص ٩٤٣)

⁶⁵ ولا يحلن فن أن يخرون متطيبات ولا في ثياب حسان، فإن فعلت ففینعوها...ولا يخرون إلا وين تفیلات، قال علي: والتفلة السبیلة الريح والبزة (المجلی، ج ٤ ص ٨٨١)

⁶⁶ فإن استأذنوا الحرائر، أو الإمام، بعولتهن، أو ساداتهن في حضور الصلاة في المسجد: ففرض عليهم الإذان فن - ولا يخرون إلا تفیلات غير متطيبات ولا مزينات، فإن تطبین، أو تذین لذلك: فلا صلاة فن، ومنعهن حسب فرض (المجلی، ج ٤ ص ١٨٨)
with respect to those besides the Prophet (ṣallallāhu ‘alayhi wasallam); thus, it will be best to remain at home.”

In short, in the time of the Prophet (ṣallallāhu ‘alayhi wasallam) and the early Șaḥābah, great blessings were derived from praying behind such immense personalities, and thus the Prophet (ṣallallāhu ‘alayhi wasallam) did not deprive the women of this blessing. But, as their șalāhs at home were more rewarding, this was not established as a common practice. As mentioned earlier, ‘Ātīkah (radiyallāhu ‘anhu) only attended Fajr and ‘Ishā’ șalāhs at the masjid. It may have been that the normal practice for non-elderly women was to not attend. If the șalāhs were more virtuous in the masjid, why did ‘Ātīkah not attend all the șalāhs? And why is it not recorded as a virtue of the great female Șaḥābiyyāt, like the Mothers of the Believers, and Fāṭimah, Umm Sulaym, Asmā’ etc. (radiyallāhu ‘anhu), that they would regularly attend the masjid for congregation? Imām al-Shāfi‘ī made this point while arguing that a woman’s șalāh in the masjid is not obligatory or more rewarding than her șalāh at home.

Women’s Emergence from the Home in General Should be Restricted

Some people question why it is only the masjids women are told to not attend while they are free to go to other places? This is a misconception. It is not the case that women should only avoid attending the masjid but should freely leave the house otherwise! Rather, women should avoid leaving the house unnecessarily in general. Generally, only when it would cause undue difficulty on her to not come out of her house should she emerge; otherwise she should not. Of course, when she emerges she should be as discreet as possible, observing full ḥijāb and not attracting attention.

67 فإن قيل: فهل منع الرجال من التخلف في الحضرة والانفراد، كما منع الرجال من التخلف عن الجماعة، إذا كان الفضل لهم في حضورها؟ قيل: لأنه كان للرجال في الحضور عذر لم يكن مثله للنساء في التخلف. وهو الدخول في دعاء النبي صلى الله عليه وسلم إذا كان لهن في حضوره عذر لم يكن مثله للرجال. فهلا منعه في التخلف. وهو الدخول في دعاء النبي صلى الله عليه وسلم إذا كان لهن في حضوره عذر لم يكن مثله للرجال. فهلا منعه في التخلف.

68 قال الإمام سند بن عبان المالكي المصري في الطراز: وعلل هذا هو المعهود من عمل الصحابة فلا يعرف أن أبكارهن ومن ضاحتهن يخرجن إلى المسجد ولو خرج جميع النساء لأنها لا يوجد عندن، حتى يخلو الدعا والسلام إلى أكثر من الفضل إذا حضرن في حضورهم، وكي لا يلتفن نفسا بالفوت فلم يضيق عليهن، وجاب أن يصل بحب ظنهن، وينتهي بركة دعاء وسلامة إلى أكثر من الفضل الذي كان يكون في لزوم البيت. وهذا المعي من جهدي، لا يقوى كقوته في جانب النبي صلى الله عليه وسلم كان الأولى بهن.

69 See: footnote 48

70 ينفيي للمرأة أن تجتر عن الخروج مهما أمكنها، فإن سلمت في نفسها لم يسمح لنفسها أن تخرج في الحال بالماء والورق. سنة محمد في كتاب الكسب: وعلى الناس اتخاذ الأهواء لنقل الماء إلى النساء، فلا ينصرف عن الفوائد، وقول الله تعالى: وقوم في يومنكما، فعلى الرجال أن يأتوا بها بذلك. (الكسب، ص 168)
Dīn-conscious Muslims should take guidance from righteous ‘Ulamā’ and Muftīs on specific cases and scenarios.

Conclusion

In conclusion:

- The permission mentioned in ḥadīth for women attending the masjid is not unconditional. Conditions are found explicitly and implicitly in the ḥadīths themselves.

- These conditions were being violated from the time of the Šaḥābah. From that time on, the classical Fuqahā’ expressed the need to restrict women’s access to the masjid.

- All four madhhabs agree, based on clear and authentic ḥadīths, that a woman’s ṣalāh at home is better and more rewarding. The Prophet (ṣallallāhu ‘alayhi wasallam) did not stop them from attending the masjid so that they could occasionally derive the blessings of praying behind him.

There is nothing alarming or strange in the position that women should not attend the masjid for congregational ṣalāh or Eid Šalāh. This is in full conformity with the views of the Fuqahā’ of the Ḥanafi madhhab and their understanding of the Dalā’il of Shariah. Fuqahā’ of other madhhabs have expressed sentiments similar to that of the Ḥanafi Fuqahā’.

Those advocating a diametrically opposite view unfortunately do so by adopting a very selective reading of the Sunnah. They cite the permission mentioned in ḥadīth for women attending the masjid but fail to mention the conditions with which and circumstances in which this permission was given. The Fuqahā’ who discouraged or prohibited women from attending the masjid did so because they understood that these conditions were not being observed and these circumstances have changed. Their position is one based on a holistic and complete understanding of the Sunnah.