

# Women's Prayer in Congregation: an Analytical Study

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**Abstract:** Women are the architects of human society as well as the best partner of men in building human civilization. But unfortunately, they were severely harassed and deprived in the society of darkness before prophecy of Muhammad (PBUH). Prophet Muhammad (PBUH) had uplifted their position in the then society and established them as respectable member of the society as a daughter, as a sister, as a wife as well as a mother. Islam, the unique divine religion has made the learning and worshiping mandatory upon them without any discrimination between man and woman. For example, five-time prayers are mandatory for men and women with few exceptionse. g. ,menstrual and during recovery after delivery. They used to perform their prayers in the time of prophet (PBUH) in the masjid in congregation but afterward they were discouraged from praying in the Masjid in fear of sedition. Now a days it is a burning question whether congregation is obligatory for women in five-times prayers or not? Is Friday prayer mandatory for them? what about two festival prayers? are their prayers unlawful in Masjid? The modern Islamic scholars are different in opinion regarding this issue. The article will focus on the issue in the light of the holy Quran and Sunnah and modern context.

**Keywords:** Woman, Masque, Congregation, Five -time prayers, Jumu'h Prayer, 'Eid prayer (Festival prayer), Tarawih prayer, Optional prayers (Nafal prayers) preventive, warding off evils.

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## I. Background of Masjid:

The first Masjid was built in world is Ka'bah as Allah the almighty says:

إِنَّ أَوَّلَ بَيْتٍ وُضِعَ لِلنَّاسِ لَلَّذِي بِبَكَّةَ مُبَارَكًا وَهُدًى لِّلْعَالَمِينَ

The first house was built for the people which one was a blessed house and guide for the world at Makkah.<sup>1</sup>

It was built for the first time by angels and after the cyclone of Noah (A.) Hazrat Ibrahim and his son Isma'il (A.) rebuilt it in accordance with Allah's direction as Allah the kind the merciful said:

إِذْ يَرْفَعُ إِبْرَاهِيمُ الْقَوَاعِدَ مِنَ الْبَيْتِ وَإِسْمَاعِيلُ رَبَّنَا تَقَبَّلْ مِنَّا إِنَّكَ أَنْتَ السَّمِيعُ الْعَلِيمُ

When Ibrahim and his son Isma'il (PBUT) lift the bases of house, "O our lord, grant from us. verily, you are the all hearing and all knowing.<sup>2</sup> Later on, the house reconstructed and renovated more than ten times. Shaykh Madabighi has depicted them in poetic approach:

وَنَظَّمْ شَيْخُنَا الْمَدَابِغِي عَدَدَ مَرَّاتِ الْبِنَاءِ فَقَالَ:  
بَنَى بَيْتَ رَبِّ الْعَرْشِ عَشْرًا فَخَذَهُمْ... مَلَائِكَةُ اللَّهِ الْكِرَامِ وَأَدَمُ  
وَشِيثُ وَإِبْرَاهِيمَ ثُمَّ عَمَالِقُ... فَصَيَّ فَرِيشُ قَبْلَ هَدْيَيْنِ جِرْهُمُ  
وَعِنْدَ الْإِلَهِ بْنِ الرَّبِيرِ بَنَى كَذَا... بِنَاءً لِحَجَّاجٍ وَهَذَا مِنْهُمْ  
وَقَوْلُهُ عَشْرُ مَرَّاتٍ هَذَا بِحَسَبِ مَا أَطَّلَعَ عَلَيْهِ وَإِلَّا فَقَدْ تَبَّتْ مَرَّةً أُخْرَى حَادِيَةَ عَشْرَةَ عَامٍ أَلْفٍ وَتِسْعٍ وَثَلَاثِينَ كَمَا ذَكَرَهُ ابْنُ  
عَلَانَ الْمَكِّي فِي رِسَالَةٍ لَهُ فِي الْحَجَرِ الْأَسْوَدِ.

"Allah's house was built ten times and they are: the honorable angels, Adam (PBUH), Shith (PBUH), Ibrahim (PBUH), 'Amaliq, Jurham, Qusai, Quraish, 'Abdullah bin Zubair and Hajjaj bin Yusuf . The Ka'ba was also built by sultan Murad Othmani in 1039 A.D. and that was eleventh time.<sup>3</sup>"

<sup>1</sup>. Ali-Imran:96.

<sup>2</sup>. Al-Baqara:127.

<sup>3</sup>. Al-Jamal, Sulaiman Bin 'Umar Bin Mansur, Futuhatul Wahhab Bi-Tadhihi Sharhi Manhajit- Tullab, Darul-Fikr, Vol.:1, p-313.

In the verse no. 3:96 Allah has modified the house (Ka'bah) as blessed one and guide for the mankind. So, all attendants in the Masjid will be blessed and truly guided and rightly directed. Because, the Mosque is not only a place of worship but also it is an academia. The golden time of Islamic history is the live example of multi usages of the mosque. Its weekend Speech is a valuable lecture for the audience of all ages without discrimination between men and women. The mosque plays a vital role in changing and developing the society and the country. So, the speaker of Friday prayer is a teacher of an open university and a change-maker of the society. All members of the Muslim society are the students of that university.

## II. Position and role of women in Islam:

Women were extremely neglected and deprived of their rights in the days of darkness. Hazrat Muhammad (PBUH) has lifted them to the highest level of the society after being a prophet declaring "the paradise of the children is under the feet of the mothers." All human rights have been ensured for them. As a daughter she causes to Jannah, as a sister she is unique source of motherly love, as a wife she is life and fortune of a husband (if she obeyed him) as a mother none is parallel to her and she is like a Ka'ba rather better than that because, looking at her face with honor and love is equal to parallel to a granted pilgrimage. Islam established a woman as a queen of the smallest unit of a state and respectable maker of her husband's family. A nation (ummah-أمة) comes of a mother (ummun-أم). Islam has given them a prestigious status in the society also. So, they are direly in need of acquire knowledge enough to lead their lives efficiently and play a vital role in nation building talentedly. That's why they are awfully needed the accompany of erudite and scholarly Islamic thinkers who will enable them to contribute the nation properly. Accordingly, mosques could help them in this purpose.

## III. Women's Prayer In Congregation in the Light of Jurisprudence:

3:1: Prophet (PBUH) has highlighted performing five-time prayers in congregation even, he said:

حدثني يزيد بن الأصم، قال: سمعت أبا هريرة، يقول: قال رسول الله صلى الله عليه وسلم: «لقد هممت أن أمر فتيتي فيجمعوا حزما من حطب، ثم آتي قوما يصلون في بيوتهم ليست بهم علة فأحرقها عليهم»<sup>4</sup>.

"Yazid ibn al-Asam told me, "I heard Abu Hurairah saying: "The Messenger of Allah said, "

I thought about giving orders to some youths for gathering a bundle of firewood, then going off to some people who their prayers in their homes without any excuse, and burning down their houses over them."

Many prominent Jurists have opined that woman can perform their five-times prayers at mosque in congregation but it is not mandatory for them as like as men do. Some other jurists dislike attendance of women in congregation in the mosques. The opinions of famous Imams are mentioned here:

3:2:

وقال أبو حنيفة ومالك: صلاتهن في بيوتهن أفضل، وكره أبو حنيفة خروجهن إلى المساجد لصلاة الجماعة، وللجمعة، وفي العيدين، ورخص للعجوز خاصة في العشاء الآخرة، والفجر وقد روي عنه -أنه لم يكره خروجهن في العيدين وقال مالك: لا نمنعهن من الخروج إلى المساجد، وأباح للمتجاله شهود العيدين، والاستسقاء. وقال: تخرج الشابة إلى المسجد المرة بعد المرة.

Imam Abu Hanifa (R.) and Malik (R.) said: "their prayers in their houses are better, Imam Abu Hanifa (R.) dislikes their going out to mosques for prayers in congregation, Jumu'ah prayer and for Eid prayer and he permitted the aged and old women to go to mosques especially for 'Isha and Fajr prayer. It has been narrated from Abu Hanifa also that, he did not hate their exit on the two Eid days. Malik said "We don't prevent them from going out to mosques, and it's permissible for the opposition to witness two Eids and water seeking prayer,".

He said: The young woman goes out to the mosque time after time (frequently).<sup>5</sup>

3:3: Imam Ibni Hazam (may Allah bless him) said:

"ولا يحل لولي المرأة، ولا لسيد الأمة منعهما من حضور الصلاة في جماعة في المسجد، إذا عرف أنهن يردن الصلاة ولا يحل لهن أن يخرجن متطيبات، ولا في ثياب حسان؛ فإن فعلت فليمنعهما، وصلاتهن في الجماعة أفضل من صلاتهن منفردات."

"Neither the guardian of the woman, nor the master of the maid servant, shall prevent them from attending prayers with congregation in the mosque, if he knows that they want to pray and that they cannot go out in good

<sup>4</sup>. As-Sajstani, Abu Dawud Sulaiman Bin Ash'Ath, Sunani Abi Dawud, Al-Mabatu Al-'Asryiah, Berut, Vol.:1, p-150, H.No. 439.

<sup>5</sup>. Ibni Hazam, Al-Muhalla Bil Ather, vol.:2, p- 176.

clothes, nor with perfume; if she does, let him prevent her, and their prayers in the congregation are better than their own.”<sup>6</sup>

### 3:4: Imam Shafi'ye's opinion on the issue is mentioned below:

وأما النساء: فجماعتهن في البيوت أفضل؛ لقوله - صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ -: «لا تمنعوا إماء الله مساجد الله، وبيوتهن خير لهن». فإن أرادت المرأة حضور الجماعة مع الرجل في المسجد، فإن كانت شابة أو كبيرة يُستهي مثلها. كره لها الحضور؛ لأنه يخاف الافتتان بها، وإن كانت كبيرة، لا يُستهي مثلها. لم يكره لها الحضور؛ لما روي "أن النبي - صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ - نهى النساء عن الخروج إلى المساجد، إلا عجزاً في منقلبيها".  
و (المنقل) - بفتح الميم -: هو الخف، ولم يرد أن المنقل شرط في الرخصة، وإنما ذكره؛ لأن الغالب من العجائز لبس الخفاف.

As for the women: their congregation at the home is better. For his (PBUH) saying: "Do not prevent the maid servants of Allah from the mosques of Allah, and their homes are better for them"

If the woman wants to attend the congregation with the man in the mosque, if she is young or old, she is desired. disliked her attendance; Because he is afraid of being tempted by her, even if she is aged, no one like her is desired. He did not dislike her attendance; due to it was narrated that "the Prophet (PBUH) forbade women from going out to mosques, except for an old woman in her slippers. And (Al-Manqal) - Fath Al-Mim-: It is the slipper, and it was not intended that the Al-Manqal is a condition of the license, but rather mentioned it. Because most of the old women wear slippers.”<sup>7</sup>

تكره صلاة الجماعة للحسنة، الشابة أو غيرها لأنها مظنة الافتتان، وتباح لغير الحسنة تقلة غير متطية وبإذن زوجها.

"It is disliked (Makruh) to pray in congregation for a beautiful woman, young woman or anyone else, because of the suspicion of craze, and it is permissible for a non-beautiful woman going out to mosque unperformed, and with the permission of her husband.”<sup>8</sup>

## IV. Evidence against the legitimacy of women's attendance in congregational prayers in the mosques:

The scholars who prevent women from going to mosques for praying Salah in congregation fortify their opinions with following proofs and evidences:

4:1:

عن عائشة رضي الله عنها، قالت: «لو أدرك رسول الله صلى الله عليه وسلم ما أحدث النساء لمنعهن كما منعت نساء بني إسرائيل<sup>9</sup>

“On the authority of ‘Aishah (may Allah be pleased with her) said: If Allah’s apostle (PBUH) knew what women committed he prevented them (from mosque) as like as women of Bani Israil were prohibited.”

4:2:

عن عبد الله عن النبي -صلى الله عليه وسلم- قال: صلاة المرأة في بيتها أفضل من صلاتها في حجرتها وصلاتها في مخدعها أفضل من صلاتها في بيتها .

“Abdullah reported from the Prophet, (PBUH) he said: "A woman's prayer in her house is better than her prayer in her bed room and her prayer in her courtyard are better than her prayer in her home.”<sup>10</sup>

4:3:

عن عبد الله بن مسعود قال: قال رسول الله -صلى الله عليه وسلم-: ما صلت امرأة صلاة أحب إلى الله من صلاتها أشد بيتها ظلمة.<sup>11</sup>

“It is reported on the authority of ‘Abdullah Bin Mas’ud (May Allah be pleased with them) Allah’s apostle (PBUH) said: A woman did not perform a Salah which is more beloved to Allah than her Salah in the darkest place of her home.”

<sup>6</sup> . Ibid vol.:2, p-176

<sup>7</sup> . Al-‘Imrani, Abul Husain Yahya Bin Abil Khair Bin Salim, Al-Yamani As-Safi’ yee, Al-Bayan fi Madhhab Al-Imam As-Safi’ yee, Darul Mihaj, Jeddah,2000, Vol.:2, p-366.

<sup>8</sup> . Al-Buhuti, Mansur Bin Yunus AL-Hanmbali, Kashshaf al-Qanna’ Darul Kutub al-‘Ilmiyah, Vol.:1, p-432.

<sup>9</sup> . Bukari, Abu ‘Abdillah Muhammad bin Isma’il, Vol.: 1, p\_172, H.n: 869.

<sup>10</sup> . At- Tayalisi, Abu Dawud Sulaiman Bin Dawud, Musnadu Abi Dawud At-Tayalisi, DaruHijr, Egypt, 1<sup>st</sup> Edition: 1999 A.D. H.N.:2443.

<sup>11</sup> . Al-Baihaqi, Ahmad bin Husain, As-Sunan Al- Kubra, Dar Al- Kutub Al-Islamiyyah, Beirut,2003, H. no.: 5362.

4:4:

عن أم سلمة- رضي الله عنها- عن رسول الله -صلى الله عليه وسلم- أنه قال: خير مساجد النساء قعر بيوتهن.<sup>12</sup>

“On the authority may of Umm Salamah (Allah be pleased with her) reported from the Messenger of Allah (PBUH) that he said: The best mosques for women are the bottoms of their homes.”

4:5:

عن أبي هريرة -رضي الله عنه- قال: قال رسول الله-صلى الله عليه : لَوْلَا مَا فِي الْبُيُوتِ مِنَ النِّسَاءِ وَالصِّبْيَانِ لَأَمَرْتُ مَنْ يُنَادِي بِالصَّلَاةِ، بِعِنِي صَلَاةَ الْعِشَاءِ الْأَخْرَةَ، ثُمَّ أَحْرَقُ عَلَى قَوْمٍ يَتَخَفُونَ عَنِ الصَّلَاةِ، بِعِنِي صَلَاةَ الْعِشَاءِ الْأَخْرَةَ، فِي بُيُوتِهِمْ.

“On the authority of Abu Huraira (may Allah bless him) reported he said: The Messenger of Allah (PBUH) said: Were it not for the women and children who are in the houses I would have ordered those who call for prayer, i.e., the prayer of the night, and then, I burned the people who stayed in their homes from prayer, i.e., the evening prayer.”<sup>13</sup>

4:6:

حدثني حبيب بن أبي ثابت، عن ابن عمر، قال: قال رسول الله صلى الله عليه وسلم: «لا تمنعوا نساءكم المساجد، وبيوتهن خير لهن».<sup>14</sup>

“Habib bin Abi Thabit told me, on the authority of Ibn Umar, he said: The Messenger of Allah, (PBUH), said: “Do not prevent your women from mosques, and their homes are better for them.”

4:7:

عن عبد الله بن سويد الأنصاري، عن عمته، امرأة أبي حميد الساعدي: أنها جاءت النبي - صلى الله عليه وسلم - فقالت: يا رسول الله! إنني أحب الصلاة معك. فقال: "قد علمت أنك تحبين الصلاة معي، وصلاتك في بيتك خير من صلواتك في حجرتك، وصلاتك في حجرتك خير من صلواتك في دارك، وصلاتك في دارك خير من صلواتك في مسجد قومك، وصلاتك في مسجد قومك خير من صلواتك في مسجدي". فأمرت، فبني لها مسجد في أقصى شيء من بيتها وأظلمه، فكانت تصلي فيه حتى لقيت الله عز وجل.

“On the authority of ‘Abdullah Bin Suwaid Al-Ansari, on the authority of his aunt, the wife of Abu Hamid Al-Saad reported: She came to the Prophet (PBUH) and said: O Messenger of Allah! I love praying with you. He said: “I know that you love to pray with me, and your prayer in your house is better than your prayer in your room, and your prayer in your room is better than your prayer in your house, and your prayer in your home is better than your prayer in the mosque of your people, and your prayer in the mosque of your people is better than your prayer in my mosque.” So, she was ordered, and a mosque was built for her in the farthest and darkest part of her house, and she used to pray in it until she met Allah the Almighty.”<sup>15</sup>

4:8:

عن عبد الحميد بن المنذر بن أبي حميد الساعدي، عن أبيه، عن جدته أم حميد، أنها قالت: يا رسول الله، إنا نحب الصلاة تعني معك فيمنعنا أزواجنا، فقال رسول الله صلى الله عليه وسلم: "صلاتكن في بيوتكن خير من صلاتكن في دوركن، وصلاتكن في دوركن أفضل من صلاتكن في مسجد الجماعة".<sup>16</sup>

“On the authority of ‘Abd al-Hamid ibn al-Mundhir ibn Abi Hamidas-Saadi, on the authority of his father, on the authority of his grandmother, Umm Hamid reported, that she said: O Messenger of Allah, we love to pray with you, but our husbands prevent us, so, the Messenger of Allah (PBUH) said: And your prayer in your homes are better than your prayer in the congregational mosque.”

4:9: They also claim that woman, wine and wealth are the prime causes that leads the peoples to crimes like adultery and rape, So, as a preventive measure (سدا للذرائع) to shut the door of adultery and rape women should not go out from their houses to mosques for prayers. They have quoted the above-mentioned traditions in support of their opinion.

<sup>12</sup> . Ahmad Bin Hanmbal, Al-Musnad, H.No: 1631.

<sup>13</sup> At-Tayalsi, Abu Dawood Sulaiman Bin Dawood, Musnadu Abi Dawood At-Tayasi, Daru Hajr, Egypt, 1999 A.C. Vol.:4, p- 86, H.No.: 314.

<sup>14</sup> . As-Sajistani, Abu Dawud Sulaiman Bin Al-‘Ash’ath, Sunani Abu Dawud, Al-Maktabatu Al-‘Asriah, Beirut, Vol.:1, p-155, H.No.: 567, Al-Bagwi, Sharhus Sunnah, H.No.:864, Al-Baihaqi, As-Sunan Al-Kubra, H.No.:5359 with singular form of the Masajid. Al-Hakim, Al-Mustadrak ‘Alas-Sahihaini, H.No.: H.No.: 755, At-Tabrani, Al-Mu’jamul Kabir, H.No.: 13820, Ibnu Huzaimah, Sahihu Ibni Huzaimah, H.No.: 1684, Ahmad, Musnadu Ahmad, Ar-Rialah, H.No.:5468.

<sup>15</sup> Ibnu Khuzaimah, Abu Bakr Muhammad Bin Ishaque An-Nisapuri, Sahihu Ibni Khuzaimah, Al-Maktabul Islami, 2003, Vol.:2, p-815, H.No.: 1689.

<sup>16</sup> Al-Baihaqi, As-Sunan-Al-Kubra, H. N.:5371.

4:10: To eradicate the harm is preferable to bring the welfare: (درء المفسد أولى من جلب المصالح) They claim that the attendance of women leads to many evils and rabble-rousing. So, to remove evils should be given priority ensuring the welfare according to the rule of jurisprudence.

## V. Evidences for legitimacy of women's attendance in congregational prayers in the mosques:

The scholars who considered the attendance of women in congregation in mosques as lawful and permissible they support their views with the following evidences:

5:1:

عن ابن عمر رضي الله عنهما، أن رسول الله صلى الله عليه وسلم قال: لا تمنعوا إماء الله مساجد الله.

"It is reported on the authority of 'Abdullah Bin 'Omar (May Allah be pleased with them) that, Allah's apostle (PBUH) said, don't prevent the maid servants of Allah from Allah's Mosques."<sup>17</sup>

5:2:

عن عائشة رضي الله عنها، قالت: إن كان رسول الله صلى الله عليه وسلم ليصلي الصبح فيتصرف النساء متلفعات بمروطهن، ما يُعرفن من العُلس.

"It is reported on the authority of 'Aisha (May Allah be pleased with her) said, The Messenger of Allah (PBUH) would say the Fajr prayer after which the women would depart wrapped up their woolen garments, being unrecognizable because of the darkness before dawn."<sup>18</sup>

5:3:

عن أبي قتادة رضي الله عنه، قال: قال رسول الله صلى الله عليه وسلم: إنني لأقوم إلى الصلاة، وأنا أريد أن أطول فيها، فأسمع بكاء الصبي، فأتجوز في صلاتي؛ كراهة أن أشق على أمه.

"Abu Qatada (May Allah be pleased with him) reported he said: My father said, "Allah's Messenger (PBUH) said, "Whenever I stand for prayer, I want to prolong it but on hearing the cries of a child, I would shorten it as I dislike to put its mother in trouble."<sup>19</sup>

The hadith refers that the women used to participate in congregation behind the prophet (PBUH) knowingly but he had not prevented them from congregation rather he shortened prayer hearing their babies' crying. The hadith proves that their attendance in congregation is lawful and permissible in the shari'ah.

5:4: Effects of women's prayer in congregation in the mosques:

5:4:1: They will gain the reward of congregation as prophet (PBUH) said:

"صلاة الجماعة تفضل صلاة الفذ بسبع وعشرين درجة"

"Congregational prayer is preferred to prayer alone by twenty-seven times"<sup>20</sup>

5:4:2: They can perform five-time mandatory prayers on time in congregation.

5:4:3: They can learn absolute prophetic system of prayer seeing others' prayer in mosques because, masjid is not only place of worshiping only but it is also an academia and they can exchange their views with other female members of Muslim community every day as well as they can learn correct recitation of holy Quran listening to recitation of Imam. The women used to learn many things from prophet (PBUH) sitting in the mosque. Moreover, interaction among female Muslim community will be strong.

5:4:4: They can concentrate themselves into worshiping in the mosque leaving worldly business behind which is impossible at the home.

5:4:5: They can purify themselves sharing in the congregation, listening to the holy Quran and the various valuable speeches and religious instructions as well as they can achieve mental tranquility in heavenly atmosphere and pleasant environment.

<sup>17</sup>. An-Nisaburi, Muslim bin Hajjaj Abul Hasan Al-Qushairi, Sahu Muslim, publisher: Daru Ihyayit-Turathil 'Arbi, Birut, Hadith no.: 136.

<sup>18</sup>. Bukhari, Abu 'Abdullah Muhammad bin Isma'il Sahihul Bukhari, Vol.:1, p-172, Hadith no.: 868.Sunani Abi Dawud, H.No.:423.

<sup>19</sup>. Ibid, H.No.: 868.

<sup>20</sup>. Malik Bin Anas Bin Malik Bin 'Amir, Al-Muatta, Muassasatu Zayid Bin Sultan Ali Nahyan Lil-'A'malil Khariyah Wal-Insaniyah, Abu Dhabi,U.A.E. 2004, Vol.:2, p-176, H.N.:129/425. Bukhari, H.No.: 645.

5:5: There are some conditions for women to go out for praying five-time prayers in congregation in the mosques and they are:

5:5:1: The women should not use perfume during their journey to mosque as our beloved prophet (PBUH) said:

عن أبي هريرة رضي الله عنه، قال: قال رسول الله صلى الله عليه وسلم: أيما امرأة أصابت بخوراً، فلا تشهد معنا العشاء الآخرة .

“On the authority of Abu Hurairah (May Allah be pleased with him) reported he said: The Prophet of Allah(PBUH) said: If a woman fumigates herself with perfume, she must not attend the night prayer with us. Ibn Nufayl said: ‘Isha' means night prayer.”<sup>21</sup>

عن أبي هريرة رضي الله عنه، أن رسول الله صلى الله عليه وسلم، قال: لا تمنعوا إماء الله مساجد الله، ولكن ليخرجن وهن تفلاتن.

"On the authority of Abu Hurairah (May Allah be pleased with him) reported he said: Do not prevent the female servants of Allah from visiting the mosques of Allah, but they may go out (to the mosque) having no perfumed themselves."<sup>22</sup>

عن زينب التقيّة امرأة ابن مسعود رضي الله عنه وعنهما، قالت: قال لنا رسول الله صلى الله عليه وسلم: إذا شهدت إحداكن المسجد، فلا تمسّ طيباً.

“It is reported from Zaynab As-Thaqafiah , the wife of ‘Abdullah bin Mas’ud(May Allah be pleased with them all) she said: Allah’s apostle told us : When anyone of you attends the mosque ,then shewouldn’t touch any kind of perfume.”<sup>23</sup>

5:5:2: They have to go to mosque with the permission of their husbands as Allah’s prophet (PBUH) said:

إذا استأذنت أحدكم امرأته إلى المسجد، فلا يمنعها.

"When one ‘s wife asks one permission to go to the mosque (for prayer) he wouldn’t prevent her.”<sup>24</sup>

عن ابن عمر رضي الله عنهما، قال: كانت امرأة لعمر تشهد صلاة الصبح والعشاء في الجماعة في المسجد، فقيل لها: لم تحرجين وقد تعلمين أن عمر يكره ذلك ويغار؟! قالت: وما يمنع أن ينهاني؟ قال: يمنع قول رسول الله صلى الله عليه وسلم: لا تمنعوا إماء الله مساجد الله.

“Abdullah Ibn Omar, (May Allah bless them) reported, he said: One of the wives of `Umar (bin Al-Khattab) used to offer the Fajr and the `Isha' prayer in congregation in the Mosque. She was asked why she had come out for the prayer as she knew that `Umar disliked it, and he has great ghaira (self-respect). She replied, "What prevents him from stopping me from this act?" The other replied, "The statement of Allah's Messenger (PBUH) : 'Do not stop Allah's women-slaves from going to Allah's Mosques' prevents him.".”<sup>25</sup>

5:5:3: They have to ensure satisfactory home making and quality family management. If there is any Shari’ah allowed reason then, they have to pray inside the houses.

5:5:4: The environment should be woman- friendly and safe from eve-teasing. If there is any possibility of eve-teasing then their prayers at home is better than those in mosques. As prophet (PBUH) said:

عن ابن عمر رضي الله عنهما، قال: قال رسول الله صلى الله عليه وسلم: لا تمنعوا نساءكم المساجد، وبيوتهن خير لهن .

“It is reported on the authority of ‘Abdullah bin ‘Omar (May Allah be pleased with them) he said: Allah’s prophet (PBUH) said: Don’t prevent your wives from mosques but their houses are better for them”<sup>26</sup>.

عن ابن شهاب أنا سالم بن عبد الله بن عمر أن عبد الله بن عمر قال: سمعت رسول الله - صلى الله عليه وسلم - يقول: لا تمنعوا نساءكم المساجد إذا استأذنتكم إليها فقال له بلال ابنه؛ والله لمنمعهن، فأقبل عليه عبد الله بن عمر فسبه سباً سيئاً ما سمعته سبه مثله قط، (وفي رواية أخرى أنه ضربه في صدره أيضاً)، قال: أخبرك عن رسول الله - صلى الله عليه وسلم - وتقول: والله لمنمعهن؟

<sup>21</sup> . An-Nisaburi, Muslim bin Hajjaj al-Qushairi, Sahihu Muslim, Vol.:3, p-438, Hadith no: 861.Sunani Abi Dawud, H.No.:4175.

<sup>22</sup> . As-Sajjistani, Abu Dawud Sulaiman Bin Al-Ash’ath, Sunani Abi Dawud, Al-Maktabatul’Asriyah, Bierut, Vol.:1, p-155, H.No.:565.

<sup>23</sup> . Ibid, Sahihu Muslim, H.No.: 142/443.

<sup>24</sup> . Ibid, Sahihu Muslim, H.No.:134/442.

<sup>25</sup> . Ibid, Sahihul Bukhari, Vol.:2, p-6, H.No.:900.

<sup>26</sup> . Ibid, Sunani Abi Dawud, Vol.:1, p-155, H.No.: 586.

"Ibni Shihab reported through Salim Bin 'Abdullah ibn 'Umar, that 'Abdullah Bin 'Omar said: "I heard the Messenger of Allah (PBUH) saying: 'Do not prevent your women from going to the mosque if they ask your permission.'" Bilal ibn 'Abdullah said, "By Allah, we will prevent them." (Ibn 'Umar) turned to him and told him off in an unprecedented fashion, (and according to another statement 'Abdullah Bin 'Omar has beaten on his chest also) saying: "I tell you what the Messenger of Allah (PBUH) said, and you say 'By Allah, we will prevent them?"

## VI. Jumu'ah prayer for women:

Friday prayer is an important prayer for Muslim ummah, because the speaker talks about the events taken place in the last week and gives necessary religious directions to the people of all ages. Specially, the people of rural areas more specially women are illiterate and they have no opportunity to learn about religion without Friday lecture and Wa'z Mahfil. If they are deprived of both opportunities, they will remain ignorant about religion and they attended the Jumu'ah prayer in the life time of the prophet (PBUH) and righteous caliphs.

قال عمر بن الخطاب رضي الله عنه لا تزيدوا في مهور النساء وإن كانت بنت ذى الفضة يعني يزيد بن الحصين الحارثي فمن زاد ألقىت الزيادة في بيت المال فقالت امرأة من صفة النساء طويلة في أنفها فطس ما ذاك لك قال ولم قالت لأن الله تعالى قال واتيتهم إحداهن قنطاراً فقال عمر رضي الله عنه أصابت امرأة وأخطأ عمر.<sup>27</sup>

Omar ibn al-Khattab said, (May Allah bless him) do not increase the ponies of women, and if she is daughter Yazid ibn al-Hasin al-Harithi, so, whoever increased, I threw the increase in the government treasury, a woman of tall figure and flat nose stood up from women's row and said, so he sneezed, and he did not say that because Allah almighty said, and one of them came to a bomb, and he said, ""Omar, may God bless him, a woman had said correct and omar made a mistake."

عن أبي عبد الرحمن السلمي قال: قال عمر بن الخطاب: لا تغالوا في مهور النساء. فقالت امرأة: ليس ذلك لك يا عمر، إن الله تعالى يقول: "واتيتهم إحداهن قنطاراً من ذهب" قال: وكذلك هي في قراءة عبد الله بن مسعود: "فلا يحل لكم أن تأخذوا منه شيئاً"، فقال عمر: إن امرأة خاصمت عمر، فخصمته.

"It is reported on the authority of Abu 'Abdur Rahman As-Sulami, he said: 'Omar Bin Khattab (R.) said: don't overdo in women's ponies. Then, a woman said: o 'Omar, you have no right to say that. Because, Allah the almighty said:" and you give them a quintal of gold". He said: as well as in the reading of 'Abdullah Bin Mas'wud: "It is not permissible for you to take anything from it". Then, 'Omar (R.) said: A woman has quarreled 'Omar and she has crushed him.

The hadith refers that the woman used to go to mosques in five-time prayers specially, in Jumu'ah prayer. Even, one of them protested 'Omar, the righteous caliph in front of large audiences in the mosque during his speech in Jumu'ah prayer on the dowries of women.

On the other hand, Jumu'ah Jumu'ah speech is an important weekend class for Muslim ummah. We shouldn't deprive half portion of the community of this significant class, Moreover, it has festive mode also. All Muslim observe the day as a festival as Allah's apostle (PBUH) said:

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: سَيِّدُ الْأَيَّامِ يَوْمُ الْجُمُعَةِ .

Allah's apostle (PBUH) said: "Friday is the leader of the days (the best day)."<sup>28</sup>

عن أبي لبابة بن عبد المنذر، قال: قال النبي - صلى الله عليه وسلم - : "إن يوم الجمعة سيد الأيام، وأعظمها عند الله، وهو أعظم عند الله من يوم الأضحى ويوم الفطر.

"On the authority of Abu Lubaba bin Abd al-Mundhir reported, he said: The Prophet (PBUH) said: "Friday is the master of days, and the greatest of them with Allah and it is greater with Allah than the day of al-Adha and the day of al-Fitr."<sup>29</sup>

عن أبي هريرة، قال: سمعت رسول الله -صلي الله عليه وسلم- يقول: "إن يوم الجمعة يوم عيد، فلا تجعلوا يوم عيدكم يوم صيامكم، إلا أن تصوموا قبله أو بعده".

On the authority of Abu Hurairah reported, he said: I heard the Messenger of Allah (PBUH) say: "Friday is a day of feast, so do not make the day of your feast the day of your fasting, unless you fast before or after it"<sup>30</sup>.

<sup>27</sup>. Ibn Kathir, Abul Fida Isma'il Bin 'Omar Al-Qurshi, Masnadul Faruque Li Ibn Kathir, Darul Wafa, Al Mansura, 1991 A.C. Vol.:2, p-573.

<sup>28</sup>. Ibid, Vol.:2, p-835, H.NO.: 1728.

<sup>29</sup>. Ibnu Majah, Abu 'Abdillah Muhammad Bin Yazid Al-Qazwini, Sunani Ibn Majah, Darul Risalah Al-'Alamiyah, 2009,

We have to rethink the issue considering the existing conditions of Muslim community in comparison to non-Muslim women and encourage them for attending the Jumu'ah prayer to be blessed and learned following the Shari'ah conditions.

عن عمرة بنت عبد الرحمن عن أخت لعمره قالت: " أخذت " ق والقرآن المجيد" من في رسول الله -صلى الله عليه وسلم- يوم الجمعة وهو يقرأ بها على المنبر في كل جمعة."

"On the authority of 'Amra Bint' Abd al-Rahman, on the authority of a sister of Amra reported, she said: I took (memorized) the chapter "ق والقرآن المجيد" from mouth of the Messenger of Allah (PBUH) on Friday and he use to recite it on the pulpit every Friday<sup>31</sup>."

عن أم هشام بنت حارثة بن النعمان قالت: قرأت " ق والقرآن المجيد " من في رسول الله - صلى الله عليه وسلم - كان يقرأها كل جمعة على المنبر إذا خطب الناس.

On the authority of Umm Hisham bint Haritha bin al-Nu'man reported, she said: I read the chapter "ق والقرآن المجيد" from holy mouth of Allah's apostle (PBUH). He used to recite it every Friday on the pulpit when he addressed the people<sup>32</sup>.

## VII. Tarawih prayer and women:

Tarawih prayer is not a mandatory for both men and women it is sunnah for men and women as prophet (PBU) said:

عن أبي هريرة- رضي الله عنه- قال: قال النبي -صلى الله عليه وسلم- من قام رمضان إيماناً واحتساباً غفر الله ما تقدم من ذنبه .

On the authority of Abu Hurairah (may Allah bless him) reported, he said: "The Prophet said, "Whoever has offered Taraweeh prayer with faith and intending or expecting reward, Allah will forgive his previous sin." The statement includes men and women simultaneously, but their prayers at home is better than that in mosques if there are no other purposes except Salah e.g., hearing valuable religious advices, recitation of holy Quran from quality reciters and learning significant things of Islam. Then, priority will be given to go out to mosques in accordance with rules of priority (فقه الأولويات). Dr. Yusuf Al-Qaradawi, the prominent Islamic scholar said:"

"صلاة التراويح بالنسبة للمرأة والرجل جميعاً، يجوز أن تؤدي في البيت ويجوز أن تؤدي في المسجد، إلا أن صلاة المرأة في بيتها بصفة عامة أفضل. ولكن إذا كانت المرأة تستفيد في المسجد درسا علميا أو تسمع موعظة تنفع بها في دينها، تكون صلاتها في المسجد أفضل لها، فإن طلب العلم والتفقه في الدين فرض عليها."

Tarawih prayer for both women and men, may be performed at home and may be performed in the mosque, but the prayer of a woman in her home - in general - is better. But if a woman benefits from an academic lesson in the mosque or hears a sermon that will benefit her of religion, then her prayer in the mosque will be better for her, because seeking knowledge and understanding the religion is obligatory on her<sup>33</sup>.

Because, now a days maximum men do not teach their women about Islam and they haven't sufficient ability to teach them on religion and they haven't any source of learning their religion except mosques. So, they shouldn't be deprived of this opportunity and put any barrier between women and houses of Allah. Especially, the women remaining inside houses do not feel energetic, keen and willing to perform Tarawih prayers alone at houses as they feel in mosques in congregation. The women are bound to seek permission from their husbands for going out to anywhere even to mosques. Because, husband is the chief executive of the family and to obey husband is obligatory for wife until he command her to disobey Allah's order. 'There is no obedience of creation disobeying the creator'. None of the husband is allowed to prevent the willing women from going out to the mosques. Allah's apostle (PBUH) said: "Do not prevent women from Allah's mosques." The husbands can prevent women from going out to mosques for conceivable reasons e.g., if husband is ailing or if there are minor children in the family and none but she is only taking care of them.<sup>34</sup>

The women can perform their obligatory prayers as well as elective and optional prayers e, g., Tarawih prayer in congregation with women alone, although the famous jurists are different in their opinions on the issue. The opinions of renowned Imamas or jurists are delineated below:

<sup>30</sup> . Ahmad, Abu 'Abdillah Bin Muhammad Bin Hanmbal Bin Hilal Bin Asad As-Shaibani, Musnadu Al-Imam Ahmad Bin Hanmbal, Daul Hadith Cairo, 1999 A.C., Vol.:8, p-128, H.No.: 8012.

<sup>31</sup> . Al-Qushairi, Muslim Bin Hajjaj, Sahihu Muslim, H.NO.: 872.

<sup>32</sup> . Ibid, Sahihu Ibni Khuzaimah, Vol.: 2, p-864, H.No.: 1786.

<sup>33</sup> . Al-Qaradawi, Dr. Yusuf Bin 'Abdullah, Fatawa Mu'asirah, Vol.:1, Darul Qalam, Kuwait, 11<sup>th</sup> edition:2009, p-338.

<sup>34</sup> . Al-Qardawi, Ibid, p-316. Summarized

(a) Imam Shaf'iee said: Imamt (leadership) of women in women's prayers is not only lawful but also desirable (Mustahabb).<sup>35</sup> Imam 'Ata, Aawza'iee, Thawri, Humaid Ibnu 'Abdir Rahman, Ishaque Ibnu Rahwaih, Ibnu Juraij and Abu thawr (may Allah bless them all) are agreed with the opinion.<sup>36</sup>

(b) 'Allamah Marginani<sup>37</sup> and Ibni "Abidin<sup>38</sup> termed women's congregation only with womenas Makruh (undesirable). But 'Allamah 'Aini, the prominent and erudite scholar of hanafi school of thoughts criticized their opinion and said:

"These are the words of those who did not read the books of the people, and opined in it, because, he (PBUH) resided in Makkah thirteen years after the prophet hood, as narrated by Al-Bukhari and Muslim, then he married 'Aisha in Madinah and brought her as a wife to his home when she was nine years old, and she remained with the Prophet (PBUH) for nine years. She prayed as an imam only after she had attained puberty. So, how can it be consistent with the beginning of Islam<sup>39</sup>?"

Ibnul Humam, the prominent scholar of Hanafi school of thoughts opposed their opinion and said:

وَهُوَ لَا يَسْتَلْزِمُ ثُبُوتَ كَرَاهَةِ التَّحْرِيمِ فِي الْفِعْلِ بَلْ التَّنْزِيهِ وَمَرْجِعُهَا إِلَى خِلَافِ الْأُولَى، وَلَا عَلَيْنَا أَنْ نَذْهَبَ إِلَى ذَلِكَ فَإِنَّ الْمَقْصُودَ اتِّبَاعَ الْحَقِّ حَيْثُ كَانَ.

"It does not prove Makruh Tahrimi indeed, rather it proves Makruh Tanzih and it refers to contrary to the best, and we don't have to follow that because, what is meant is to follow the truth wherever it is."<sup>40</sup>

(c) Imam Ahmad Bin Hanmbal(R.) has two opinions on the issue and they are:

(i) It is Mustahab (desirable) and (ii) not Mustahab (not desirable).<sup>41</sup>

(d) Imam Imrahim Nakh'ye, Imam Sha'bi and Qatadah (R.) said: the women only can lead the congregation of the women in optional (Nafal) prayers. Imam Sha'bi said: The woman will lead the women in the prayers of Ramadan (tarawih) and she will stand in the midst.<sup>42</sup>

(e) Imam Malik (R.) the Imamat (leadership in the congregation) is not lawful either in mandatory or in optional prayers.<sup>43</sup>

Analyzing all profs and evidences on the issue we can decide that the Imamat of women (leadership in the congregation) is lawful, they can arrange the congregation in their homes or separate work-places with women only without Adhan and Iqamah and imam will stand in the midst.

### VIII. 'Eid day prayer for Women:

'Eid prayer is not mandatory for women but it is a sunnah for them because, Allah's prophet )PBUH( has enjoined them to do that and they practiced that until his (PBUH) death. Some scholars say: It is not permissible for women to perform 'Edain prayers due to mixing between the men and women in the prayer-place. This is why it is not permissible for females to go to the Mosques to perform salah in congregation; whether they go in day or at night; whether for Jum'ah or for Eidain; whether they are old or young.

The renowned scholar 'Allamah Sawkani mentioned in his famous book "Nailul Awter": There are six opinions on going out of women to Eidgah and they are:

1. It is Mustahab and the imperative form in saying of prophet (PBUH) on the issue refers to 'Nadab'. It is opinion of Abu Hamid (from Hambali school of thought) and Jurjani (belongs to Shafi'yi).
2. They discriminate between young and old women. They opined that the aged women are allowed to go to the mosques but young girls are not permitted. It is opinion of jumhur Shafi'yi.
3. It is permissible but not Mustahab. It is opinion of Imam Ahmad.
4. It is Makruh and it is narrated by Imam Tirmidhi from Imam Thawri and Ibnul Mubarak and it is opinion of Imam Malik and Abu Yusuf as well. Ibnu Abu Shaibah narrated from Imam Nakh'yithat out-going of young lady for Eid prayer is Makruh.
5. It is a right of women to go Eidgah. Qazi 'Ayyaz Abu Bakr, 'Ali and 'Abdullah bin 'Omar (may Allah be pleased with them all) narrated it. To remark going out of women as Makruh in general is refusal of authenticated traditions with invalid brain- child opinion sand ideas.

<sup>35</sup> . Al-Jaziri, Al-Fiqhu 'Alal Madhahibil Al ba'ah, Vol.:1, p-372.

<sup>36</sup> . 'Ali Dr. Ahmad, Salat Taraweeh, p-128 (Ibnu Qudamah, Al-Mugni, p-36.)

<sup>37</sup> . Ibid, (Marginani, Al-Bidayah, Vol.:1, p-56.

<sup>38</sup> . Ibid, ( Ibnu "Abidin, Raddul Muhtar, Vol.:4, p- 258.

<sup>39</sup> . Al- 'Aaini, Badruddin, Abu Muhammad Bin Mahmud Bin Ahmad Bin Musa Al-Hanafi, Al-Binayah Sharhul-Hidayah, Darul Kutub A- 'Ilmiyah, Bierut, 2000 A.C., Vol.:2, p-337.

<sup>40</sup> . Ibnul Humam, Kamal Uddin Muhammad Bin 'Abdul Wahid, Fathul Quadir, Darul Fikr, Vol.:1, p-354.

<sup>41</sup> . 'Ali Dr. Ahmad, Salat Taraweeh, Maktabatus Salam, Dhaka, 1100, 2021, p-128 (Ibnu Qudamah, Al-Mugni, p-36.)

<sup>42</sup> . Ibnu Abi Shaibah, Al-Musannaf, H.No.: 318/4992.

<sup>43</sup> . Ibid, Al- Mugni, vol, 2, p- 36.

Some body claims abrogation in this issue as Imam Tahawi said: the prophet's order to bring out the menstruating women and virgins to Eidgah was in earlier stage of Islam when Muslims were very poor in number to show their enemies the large gathering and make the mafraid of them and at present it is not necessarily due to large number of Muslim communities. 'Allamah Shawkani commented here saying: "the abrogation does not establish with possibility. 'Allamah Kirmanisaid: time (of order) is unknown. In reply to Kirmani and Tahawi Hafiz Ibn Hajar said: 'time was very known by the hadith reported by Ibn 'Abbas that he saw the arrival of prophet's family members in Eidgah in his boyhood after conquest of Makkah. It nullifies the statement of Imam Tahawi. Moreover, the objectives of prophet's enjoinder are very clear in hadith of Umm 'Atiyah and they are to witness the betterment and prayer of Muslims and to be blessed with the blessing of that day not to show the enemies their large gathering.<sup>44</sup>

The statement is not acceptable, because it contradicts with the long-life practice and highly authenticated traditions of prophet (PBUH) and his righteous caliphs. In favor of the legitimacy of women's Eid prayers, some authenticated traditions are quoted here:

عن أم عطية، قالت: أمرنا أن نخرج الحيض يوم العيدين، وذوات الخدور فيشهدن جماعة المسلمين، ودعوتهم ويعتزل الحيض عن مصلاهن، قالت امرأة: يا رسول الله إحدانا ليس لها جلباب؟ قال: «لتلبسها صاحبها من جلبابها».<sup>45</sup>

It reported on the authority of Umm 'Atiyah and she said, "We were commanded to bring out the monstrous women and those who were secluded on the day of the two festivals so that they might be present at the congregational prayer of the Muslims and their supplication, but the monstrous women had to keep at a distance from their place of prayer. A woman said, "Messenger of God, one of our number does not possess an outer garment." He replied, "Let her friend lend her hers."

عن حفصة، قالت: كنا نمنع عواتقنا أن يخرجن في العيدين، فقدمت امرأة فنزلت قصر بي خلف، فحدثت عن أختها، وكان زوج أختها غزاً مع النبي صلى الله عليه وسلم ثنتي عشرة، وكانت أختي معه في ست. قالت: كنا نداوي الكلمي، ونقوم على المرضي، فسألت أختي النبي صلى الله عليه وسلم أعلی إحدانا بأس إذا لم يكن لها جلباب أن لا تخرج قال: «لتلبسها صاحبها من جلبابها، ولتشهد الخير ودعوة المسلمين».

On the authority of Hafsa Bint Serin reported and she said, "We used to forbid our young women to go out for the two 'Eid prayers. A woman came and stayed at the palace of Bani Khalaf and she narrated about her sister whose husband took part in twelve holy battles along with the Prophet (PBUH) and her sister was with her husband in six (out of these twelve). She (the woman's sister) said, "We used to treat the wounded, look after the patients and once I asked the Prophet, 'Is there any harm for any of us to stay at home if she doesn't have a veil?' He said, 'She should cover herself with the veil of her companion and should participate in the good deeds and in the religious gathering of the Muslims and supplication of Muslims<sup>46</sup>."

عن جابر بن عبد الله، قال: شهدت مع رسول الله صلى الله عليه وسلم الصلاة يوم العيد فبدأ بالصلاة قبل الخطبة بغير أذان ولا إقامة ثم قام متوكفاً على بلال فأمر بتقوى الله وحث على طاعته ووعظ الناس وذكرهم ثم مضى حتى أتى النساء فوعظهن وذكرهن فقال تصدقن فإن أكثركن حطب جهنم فقامت امرأة من سبطه النساء سفعاء الخدين فقالت لم يا رسول الله قال لأنكن تكفرن الشكاة وتكفرن العشير قال فجعلن يتصدقن من خلبهن يلقين في ثوب بلال من أقرطهن وحوامهن.

I observed prayer with the Messenger of Allah (PBUH) on the 'Eid day. He commenced with prayer before the sermon without Adhan and Iqama. He then stood up leaning on Bilal, and he commanded (them) to be on guard (against evil for the sake of) Allah, and he exhorted (them) on obedience to Him, and he preached to the people and admonished them. He then walked on till he came to the women and preached to them and admonished them, and asked them to give alms, for most of them are the fuel for Hell. A woman having a dark spot on the cheek stood up and said: Why is it so, Messenger of Allah? He said: For you grumble often and show ingratitude to your spouse. And then they began to give alms out of their ornaments such as their earrings and rings which they threw on to the cloth of Bilal.<sup>47</sup>

The hadith denotes that the women were present in Eidgah and prophet (PBUH) gave special attention to them.

عن ابن عباس قال: "كان رسول الله -صلى الله عليه وسلم- يخرج نساءه وبناته في العيدين"

On the authority of 'Abdullah Bin 'Abbas (may Allah be pleased with both of them) reported and he said, "The Messenger of Allah (PBUH) was taking out his wives and daughters on both Eiddays.<sup>48</sup>"

<sup>44</sup> . As- Sawkani, Muhammad Bin 'Ali Bin Muhammad Bin 'Abdullah, Darul Hadith, Egypt, Vol.: 3, p-342.

<sup>45</sup> . Bukhari, Abu 'Abdillah Muhammad bin Isma'il, v:1 p-80 H. no. 351.

<sup>46</sup> . Bukhari, H.no.: 324.

<sup>47</sup> . Bukhari, Sahihul Bukhari, H. no.: 978, Sahihu Muslim, H.no.: 885.

<sup>48</sup> . Al-Baihaqi, Abu Bakr Ahmad Bin Al-Husain Bin 'Ali Bin Musa, As-Sunan Al-Kubra, DarulKutub Al-'Ilmiyah ,Beirut, 2003, Vol.:3, p-430, H.No.: 6245.

خرجت مع النبي صلى الله عليه وسلم يوم فطر ، أو اضحى فصلى ثم خطب ، : عن عبد الرحمن بن عباس، قال: سمعت ابن عباسقال  
ثم أتى النساء فوعظهن وذكرهن وامرهن بالصدقة.

It is reported on the authority of 'Abdur Rahman Bin 'Abis,he said, "I heard 'Abdullah Bin 'Abbas (may Allah be pleased with both of them) saying 'I went out with the Prophet on the day of Eidul Fitr, or Eidul Azha and then he offered Eid prayer and delivered Eid sermon, and then he went to wards the women and preached and advised them, and ordered them to give alms".

وَقَدْ اِخْتَلَفَ اَهْلُ الْعِلْمِ فِي خُرُوجِ النِّسَاءِ اِلَى الْاَعْيَادِ، فَرُوِّنَا عَنْ أَبِي بَكْرٍ، وَعَلِيٍّ اَنْهُمَا قَالَا: حَقٌّ عَلَيَّ كُلُّ ذَاتِ نِطَاقٍ اَنْ تَخْرُجَ اِلَى الْعِيدَيْنِ، وَرُوِيَ عَنْ عَلِيٍّ اَنْهُ قَالَ: الْخُرُوجُ اِلَى الْعِيدَيْنِ سُنَّةٌ لِلرِّجَالِ وَالنِّسَاءِ، وَكَانَ ابْنُ عَمْرٍو يَخْرُجُ مَنْ اسْتَطَاعَ مِنْ اَهْلِهِ فِي الْعِيدِ

The scholars are differed in going out of women to observe the Eid;it was narrated to us from Abu Bakr, and 'Ali (may Allah be pleased with them)and they said, "The right of everyone to go out to the two feasts"; and it is narrated on the authority of Ali that he said, "Going out to the two Eid is a sunnah for men and women, and Ibn Omar use to stake out the able members of his family to Eid".<sup>49</sup>

وهذا واضح في شرعية حضورهن في صلاة العيد، سواء كُنَّ كبيرات أو شابات، لكن مع العناية، ومع الالتزام بالحجاب، يحضرن الخير، ودعوة المسلمين، ويشاركن في الخير، ويحصل لهن بركة هذا اليوم المبارك، ولكن عليهن أن يحتشمن ويتعذرن عن أسباب الفتنة، ويكن مستترات بعبادات عن أسباب الفتنة، فإن لم يفعلن مُنعن إذا كُنَّ يخرجن بالتبرج، وإظهار الزينة، يُمنعن من ذلك، أما إذا تأدبن وخرجن بالصورة الشرعية؛ فإنهن يُسمح لهن بذلك، وخرجهن مطلوب، ومرغَّب فيه، ومشروع بشرط التأدب بالأداب الشرعية، والاحتشام، واعتزال أسباب الفتنة.

This is clear in the legitimacy of their presence in Eid prayers, whether they are old or young, but with care, and with commitment to the veil, they bring goodness, invite Muslims, participate in good, and receive the blessing of this blessed day, but they have to be confused and stay away from the causes of sedition, If they do not do so, if they come out with a makeup, and show decorations, they are prevented from doing so, but if they behave and go out in the legitimate way, they are allowed to do so, and their exit is required, desired, and legitimate on condition of Politeness in Islamic morals, decency, and the retirement of the causes of sedition.

قال الخطابي: أمر جميع النساء بحضور المصلى يوم العيد لتصلي من ليس لها عذر، وتصل بركة الدعاء إلى من لها عذر، وفيه ترغيب للناس في حضور الصلوات، ومجالس الذكر، ومقاربة الصلحاء لينا لهم بركتهم، وهذا أي: حضورهن غير مستحب في زماننا لظهور الفساد. وفي شرح السنة: اختلف في خروج النساء ليوم العيدين، فرخص بعضهم، وكرهه بعضهم...

وقال ابن الهمام: وتخرج العجائز للعيد لا الشواب اهـ. وهو قول عدل، لكن لا بد أن يقيد بأن تكون غير مشتتهة في ثياب بدلة، بإذن حليلها مع الأمن من المفسدة بأن لا يختلطن بالرجال، ويكن خاليات من الحلبي والحلل، والبخور والشموم، والتبختر والتكشيف، ونحوها مما أحدثن في هذا الزمان من المفاسد، وقد قال أبو حنيفة: ملازمات البيوت لا يخرجن، ووجه الطحاوي بأن ذلك كان أول الإسلام والمسلمون قليل، فأريد التكثر بهن ترهيباً للعدو اهـ.

ومراده أن المسبب يزول بزوال السبب، ولذا أخرجت المؤلفة قلوبهم من مصرف الزكاة، وليس مراده أن هذا صار منسوخاً فلا يتوجه عليه قول ابن حجر. وهو توجيه ضعيف؛ لأن مجرد احتمال ذلك لا يجدي، إذ لا بد في النسخ الذي زعمه من تحقق معرفة الناسخ، ومعرفة تأخره عن المنسوخ. قال الطيبي: وفيه أن الحائض لا تهجر ذكر الله ومواطن الخير، ويستحب إخراج الصبيان. كان ابن عمر يخرج من استطاع من أهل بيته في العيد.

Al-Khattabi said, "All women were ordered to attend the prayer on the day of Eid to pray to those who have no excuse, and the blessing of prayer reaches to those who have an excuse, and there is an inspiration for the people to attend prayers, remembrance councils, and to be close to righteousness for achieving their blessing, their presence (in Eidghah) is not desirable in our time forthe appearance of corruption. In the book Sharhis Sunnah: there is difference of opinions about going out of women to Eidghah on both Eid days, some of them approved them to go out, and some otherhated and dislike that."

Ibn al-Huamam said, "Old women go out for Eid, not the Youngs, it is a reasonable statement, but it must be restricted to be undesigned in the clothes of a get-up, with the permission of her husband with the security of spoilers not to mix with men, and be free of ornaments and suit, robes, incense and smells, and strutting and tightfitting and so on from what they have created in this time of evils". Abu Hanifa said, 'The house deputies do not come out, and at-Tahawi pointed out that this was in the early Islam and then Muslims were few. So, too much in number was desired including them to threaten the enemy'.

What he means is that the origin disappears with the disappearance of the cause, and that is why item of heart writing is taken out from items of Zakat expenditure and he does not mean that this has become abrogated, so the saying of Ibn Hajar is not directed against it.

<sup>49</sup>.Ibnul Munzir, Abu Bakr Muhammad bin Ibrahim An-Nisaburi, Al-Awsat Fis-Sunan Wal-Ijmaye Wal-Ikhtilaf, press: Daru Tayibah, Riad, K.S.A. Edition:1985 A.C. Vol.:4, p- 262.

It is a weak directive. Because the mere possibility of that does not work, as it is necessary in the abrogation that he claimed to verify the knowledge of the abrogator, and to know its delay from the abrogated. Al-Tibi said, 'And in it the menstruating woman does not abandon the remembrance of God and the places of goodness, and it is desirable to take out the boys (to Eidghah)'. Ibn Umar used to take out those who could from his family on the Eid day".<sup>50</sup>

### IX. Argument, reconciliation and preferences:

All hadiths mentioned above in favor of protesters are not authentic and chains of reporters are weak. The position of those hadiths is discussed here in a nutshell:

9:1: The hadith (4:1:) that is narrated by 'Aishah (may Allah be with her) "If Allah's apostle (PBUH) saw what women have done, he would prevent them from mosque as like as the women of Bani Isra'il were prohibited."

Imam Ibn Hazam (may Allah bless him) nullifies the authority of the hadith for eight reasons and they are:

9:1:1: Allah (SWT) has sent Muhammad (PBUH) with the truth to convey it to the mankind without discrimination between man and woman. He is not assigned to prevent women from mosques at day and night. He neither prohibit them to go to mosques due to unwanted occurrences nor say if any one of them commits any crime, then prevent them from mosque.

9:1:2: In fact, Allah knows what kind of crime will be happened by the women and to deny this truth is a kufr, none but disbeliever can deny it. Allah never suggested his Prophet (PBUH) to prevent women from going out to mosques when they commit evil deeds, and he never revealed upon him: "Say people if women commit such kind of evil, then, prevent them from going to the mosques". When Allah the almighty did not do it, the attachment to such a saying is a hybrid and a fault. On the other hand, if it is true and he (PBUH) had realized their committing such kind of evil deeds, then he (PBUH) would have prevented them; it would not have been permissible to prevent them because he (PBUH) did not realize and did not prevent; so, the prohibition is not permissible since he (PBUH) did not order it.

9:1:3: To abrogate the Shari'ah that the prophet (PBUH) did not abrogate till he bread the ned last is null and void.

9:1:4: No proof is acceptable after demise of prophet (PBUH) against his traditions.

9:1:5: 'Aishah (may Allah be pleased with her) did not say "to prevent them from mosque is lawful for you", but she imagined that if they commit such kind of deeds they would be prohibited by the prophet (PBUH) from going to mosques for prayers. Her imagination did not come true. Because, prophet (PBUH) did not do that.

9:1:6: No sin is more severe and greater than adultery and such kind of sins took place in the then society in the lifetime of prophet (PBUH) and adulteresses were punished. He prohibited the women to follow the culture of age of darkness and to dress up like the naked women. In spite of seeing the crimes committed by the women, prophet (PBUH) did not prevent them from going to mosques for prayers.

9:1:7: To punish innocent one for crime of criminal one is not lawful in Islam, as Allah (SWT) said:

وَلَا تَكْسِبُ كُلُّ نَفْسٍ إِلَّا عَلَيْهَا وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَى.

"Every soul draws the meed of its acts on none but itself: no bearer of burdens can bear the burden of another".<sup>51</sup> So, to prevent the innocent women from going to mosques for prayers due to criminal women is not defensible.

9:1:8: Finally, they considered women's movement and going out for their essentials to markets and crowdly places as lawful and permissible, but they treated their attendance in congregation in mosques as illegal and prohibited. Their argument against the highly authenticated traditions is daring and surprising to us.<sup>52</sup>

9:2: Hadith narrated by 'Aishah is a mawquf hadith; it can't abrogate many highly authenticated Marfu' traditions.

9:3:1: The hadith no. 4:2 and 4:3 is weak (ضعيف) because, there is a reporter in the chain of the reporters naming Ibrahim Bin Muslim Al-Hajri who is known as a weak reporter due to his weak memory.

قال الهيثمي: "فيه إبراهيم بن مسلم الهجري وهو ضعيف".

<sup>50</sup> . Mulla 'Ali Qari, 'Ali Bin Sultan Muhammad, Mirqatul Masabih Sharhu Miskatil masabih, Darul Fikr, Berut, 2002, Vol.:3, p-1063 A.C.

<sup>51</sup> . Al-Anaam: 164

<sup>52</sup> .Ibni Hazam, Abu Muhammad 'Ali bin Ahmad bin Sa'yeed Al-Andulusi Al-Qutubi Az-Zahiri, Al- Muhalla Bil-Athar, Darul Fikr, Beirut, Vol.:3, p-116.

Al-Haithami said: "There is Ibrahim ibn Muslim al-Hajri and he is weak."<sup>53</sup>

9:3:2: The hadith no. 4:3: is reported also by Ja'far Bin 'Aoun on the authority of Ibrahim Al-Hajri as a Mawquf hadith of 'Abdullah. As imam Baihaqi mentioned it in his Sunan:

عن إبراهيم بن مسلم الهجري، عن أبي الأحوص، عن عبد الله قال: قال رسول الله صلى الله عليه وسلم: " ما صلت امرأة صلاة أحب إلى الله من صلاتها في أشد بيوتها ظلمة". ورواه جعفر بن عون عن إبراهيم الهجري فوقفه على عبد الله.

On the authority of Ibrahim bin Muslim al-Hijri, on the authority of Abu al-Ahwas, on the authority of Abdullah reported, he said, "The Messenger of Allah (PBUH) said: "No woman prays a prayer more beloved to Allah than her prayer in the darkest(place) of her house." And Jaafar bin 'Aoun narrated it on the authority of Ibrahim Al-Hajri, and he set it on 'Abdullah."<sup>54</sup>

9:3:3: The Hadith no. 4:4: is narrated by Umm Salmah; there is a reporter naming IbnuLahi'ah(ابن لهيعة) who is a weak (ضعيف) due to weakness in the memory. Adh-dhahbi said:

عبد الله بن لهيعة، أجمعوا على ضعفه لسوء حفظه بعد احتراق كتبه.

"Abdullah Bin Lahi'ah, they are unanimous on his weakness due to his weedy memory after burning his books"<sup>55</sup>.

9:3:4: The hadith no. 4:6: is a shadh (شاذ) hadith, the sentence ويبيوتهن خير لهن contradicts the most authenticated hadith in Sahihul-Bukhari and Sahihu Muslim. Because, both of the Imams did not narrate this extension in their books.

9:3:5: The hadith no.4:7: there is a reporter in the chain of the reporters naming 'Abdullah Bin Suwaid Al-Ansari who is not trustworthy, as Haithami said:

"رواه أحمد ورجاله رجال الصحيح غير عبد الله بن سويد الأنصاري وثقه ابن حبان."<sup>56</sup>

He is an unknown (مجهول) reporter, as Bukhari mentioned him (5/109) and Abu Hatim (5/66) without hurting and modifying.

9:3:6: The hadith no. 4:8: narrated by At- Tabrani in his Al-Mu'jam Al-Kabir, and there is a reporter naming 'Abdullah Bin Lahi'ah who is a weak reporter due to his feeble memory. Al-Haithami said:

رواه الطبراني في الكبير، وفيه ابن لهيعة وفيه كلام.<sup>57</sup>

Finally, almost all hadiths regarding betterment of women's prayer at home are weak(ضعيف).If we consider any one as authenticated that will contradict clearly the most authenticated hadiths regarding going out of women to the mosques, the Sunnah that has been practiced in the life-time of prophet (PBUH) and his righteous caliphs and we can reconcile the hadiths saying : the hadiths that denote betterment of women's prayer at home are applicable for optional (نوافل) prayers and the hadiths that refer and inspire the women to pray in the mosques are relevant with mandatory (مكتوبات) prayers. As Allah's apostle(PBUH) said:

فعلیکم بالصلاة في بيوتکم، فإن خیر صلاة المرء في بيته، إلا الصلاة المكتوبة.

"So, you people offer this prayer at your homes, for the best prayer of a person is the one which he offers at home except the compulsory (congregational) prayer."

9:4: :1: Imam Ibni Hazam (R.) said:

وقد اتفق جميع أهل الأرض أن رسول الله - صلى الله عليه وسلم - لم يمنع النساء قط الصلاة معه في مسجده إلى أن مات - عليه السلام -؛ ولا الخلفاء الراشدون بعده، فصح أنه عمل غير منسوخ؛ فإذا لا شك في هذا فهو عمل بر، ولولا ذلك ما أقره - عليه السلام - .

All the people of the earth agreed that the Messenger of Allah (PBUH) never prevented women from praying with him (PBUH) in his (PBUH) mosque until he (PBUH) died (peace be upon him); nor the righteous caliphs

<sup>53</sup>. Ibn Kathir, Abul Fida Isma'il Bin 'Omar Al-Qurshi, Tafsirul Quranil 'Azim, Daru Tayyibahlin-Sashri Wat-Tawzi', 1999 A.C. Vol.:5, p-71.

<sup>54</sup>. Al-Baihaqi, As-Sunan Al-Kubra, Vol.:3, p-188, H.No.: 5362.

<sup>55</sup>. Adh-Dhahbi, Shamsuddin Abu 'Abdillah Muhammad Bin Ahmad Bin Othman, SiaruA'lamin-Nubala, Darul Hadith, Cairo, 2006A.C., Vol.:1, p-149.

<sup>56</sup>. Al-Haithami, Abul Hasan 'Ali Bin Abi Bakr Bin Sulaiman, Majma'uj Zawaidwa Manmba'ul Fawaid, Maktabatu Al-Qudsi, cairo, 1994A.C., Vol.:2, p-34.

<sup>57</sup>. Ibid, Vol.:2, p-34.

after him. Therefore, it is truly proved that it was an unabrogated act; when there is no doubt that is a good deed and if it was not a good deed then, the prophet (PBUH) didn't acknowledge it.<sup>58</sup>

وقال بعضهم (يقصد الطحاوي): لعل أمر رسول الله -صلى الله عليه وسلم- بخروجهم يوم العيد إنما كان إرهاباً للعدو لقلّة المسلمين يومئذ ليكثرُوا في عين من يراهم.

قال ابن حزم: وهذه عظيمة، لأنها كذبة على رسول الله -صلى الله عليه وسلم- وقول بلا علم. وهو -عليه السلام- قد بين أن أمره بخروجهم، ليشهدن الخير ودعوة المسلمين، ويعتزل الحيض المصلي. فأفّ لمن كذب قول النبي -صلى الله عليه وسلم- وافترى كذبة برأيه. ثم إن هذا القول -مع كونه كذباً بحتاً- فهو باردٌ سخيفٌ جداً. لأنه -عليه السلام- لم يكن بحضرة عسكر فيرهب عليهم، ولم يكن معه عدو إلا المنافقون ويهود المدينة، الذين يدرون أنهم نساء. فاعجبوا لهذا التخليط<sup>59</sup>

Some of them (meaning al-Tahawi) said: Perhaps the Messenger of God's command(PBUH),to go out on the day of Eid was only a threat to the enemy due to the small number of Muslims on that day so that they would multiply in the eyes of those who see them.

Imam Ibni Hazam in reply to Imam Tahawi said: This is a great mistake, because it is a lie against the Messenger of God (PBUH) and it is a statement without knowledge. And he (PBUH) has made it clear that he ordered them to go out, to witness goodness and the prayer of Muslims, and menstruating women to abstain from place of prayer. So, sorry for those who disbelieve the saying of the Prophet (PBUH) and fabricate a lie according to his opinion. Moreover, this saying - although it is a pure lie - is very cold and silly. Because he (peace be upon him) was not in the presence of a military; so he would threaten them; and there was no enemy with him except the hypocrites and the Jews of Medina, who knew that they were women. They liked this mixture.

9:4:2: 'Allama Shawkani said:

“والقول بكراهة الخروج على الإطلاق رد للأحاديث الصحيحة بالأراء الفاسدة، وتخصيص الشواب بأباه صريح الحديث المتفق عليه وغيره. قوله: (يكبرن مع الناس) وكذلك قوله: " يشهدن الخير ودعوة المسلمين " يرد ما قاله الطحاوي: أن خروج النساء إلى العيد كان في صدر الإسلام لتكثير السواد ثم نسخ. وأيضاً قد روى ابن عباس خروجهن بعد فتح مكة، وقد أفنت به أم عطية بعد موت النبي -صلى الله عليه وسلم- بمدة كما في البخاري قوله: (إذا غدا إلى المصلى كبر) فيه إن صح رفعه دليل على مشروعية<sup>60</sup>.”

“And the saying in general that going out is disliked is a retort to the authentic hadiths with corrupt opinions, and allocating the young ones, it is nullified clearly agreeing upon hadith and others. His saying: “They say takbir with people” and his saying: “They witness goodness and the prayers of Muslims” refutes what al-Tahawi said: “The women's going out to the 'Eid was at the beginning of Islam due to incensement of blackness (number of Muslims), then it was abrogated. Also, Ibn Abbas narrated their going out after the conquest of Makkah, and Umm 'Atiya issued a fatwa for it long after the death of the Prophet (PBUH), as in al-Bukhari his saying As in Al-Bukhari, he said: (When he comes to the prayer-place (Eidgah), say the takbir), there is an evidence of its legitimacy if its raising to prophet (PBUH) is correct.”

9:5:Suspicion of eve-teasing is not true and practical. Because, it did not take place anywhere in mosques or on the way to mosques in the world from life-time of prophet (PBUH) till today but a rare exception and the women are performing their daily prayers and other Nafl prayers 24 hours in both sacred mosques. Moreover, women are praying their five-times prayers, weekend prayer, Eid prayers and other Nafl prayers in various mosques all over the world safely without any hassle. Even in Bangladesh women are praying their all types of prayers in the mosques of urban and rural areas without any problem.

Moreover, prophet (PBUH)being informed about a woman who was raped on the way to mosque for prayer did not prohibit women from going out to mosques.

9:6: Mosques of rural areas are safer and women-friendly because the people of the same village knew one another very well and they maintain very close interaction.

9: 7: Women's prayer in the mosques is not one of the unchangeable issues(ثوابت) of Shari'ah; it is one of changeable issues (متغيرات). So, it depends on the circumstances of the society and the state. The society where women are in thirst of religious knowledge are deprived of academic education opportunity; rather for which social security system is to be developed and satisfactory they should be encouraged and inspired to attend the congregation and Eid prayers. On the other hand, where women are aware of religion and the world but their safety is episodic and not ensured, their prayers at home are better than those in the mosques.

<sup>58</sup> . Ibid. V:2, p-176. There is a mistake in the book in composing and that is the word "غير" is not written in the sentence فصح أنه عمل "غير منسوخ" which is written in other copies and what is understood from the context.

<sup>59</sup> . Ibid, Vol.:3, p-134.

<sup>60</sup> . As-Sawkani, NailulAwter, Vol.:3, p-342.

Now a days the issue of eve-teasing and safety is considered as lame excuse to us because they are moving here and there, going to markets, to schools, Colleges, Universities and huge public gathering safely without any annoyance excepting a few exceptions. The exception is not considered in legislation. Moreover, the most rather all of Islamic scholars of our homeland and other countries are teaching the young girls in Madrasahs and other places without any question. But they prevent them from going to mosques for prayers imposing the lame excuse of safety and security. Their statements and opinions contradict their practice. So, according to the rules of jurisprudence, their statements are null and void.

Therefore, we see if they are allowed to the various academies or institutions for learning and to many job fields for earning, then they should be allowed to the mosques to attend the prayers with congregation, the safest place in the world on priority basis.

9:8: The then mosques and the mosques at present are different. The mosques at present are women friendly. They have separate facilities for women. So, there is no chance of free-mixing and so-called eve-teasing. We have to remind here that in the life-time of prophet (PBUH) and his righteous caliphs, the men and women used to perform their prayers all together in amosque under a roof. The women were directed to stand behind the men always and raise their heads after raising of men to avoid the indecent view of the men.

9:10: Finally, if we gather all traditions on the issue together, we will find that the traditions that discourage the women from attending in congregation in mosques do not refer to illegality of their attendance in congregation in mosques but they denote the betterment of their prayers at homes in unsafe situations and their busy time in home-making e.g. Zuhr, 'Asr and Magrib prayers. The practice of female companions indicates that they used to perform Fajr and 'Isha prayers with congregation. It will make them habituated to early raising and having early dinner, the sunnah of prophet (PBUH).

عن صخر الغامدي، قال: قال رسول الله صلى الله عليه وسلم: "اللهم بارك لأمتي في بكورها."

"It was narrated from Sakhr Al-Ghamidi that the Messenger of Allah (PBUH) said:

"O Allah, bless my nation in their early mornings (i.e., what they do early in the morning)." <sup>61</sup>

عن ابن عمر قال: قال رسول الله - صلى الله عليه وسلم -: "إذا وضع عشاء أحدكم، وأقيمت الصلاة؛ فابدؤوا بالعشاء، ولا يعجل حتى يفرغ، منه".

On the authority of Ibn 'Omar reported, the Prophet (PBUH) said: "If dinner of any one of you is presented and prayer is to be held, start dinner" He should not rush until it's finished. <sup>62</sup>

عن هشام، قال: حدثني أبي قال: سمعت عائشة عن النبي صلى الله عليه وسلم أنه قال: «إذا وضع العشاء وأقيمت الصلاة، فابدؤوا بالعشاء»

On the authority of Hisham reported and he said, "My father told me: I heard 'Aisha reporting from Prophet (PBUH) that he said, 'The Prophet (PBUH) said, "If supper is served, and Iqama is pronounced, one should start with the supper." <sup>63</sup>

The grading of those traditions is lower than the traditions that inspired the women to attend the congregation. The prophet (PBUH) did not prohibit women from going to mosques in his life-time rather he enjoins them and their Mahrams and guardians to bring out them to Eidgah in both Eid-al- Fitr and Eid-al-Adhha even menstruating women to witness the huge gathering of Muslim community and enjoy pleasure of Eid day and share the happiness each other.

9:11: The so-called sedition (فتنة) is not different to the sedition of wealth and children as well as spouses as Allah (SWT) said:

وَاعْلَمُوا أَنَّمَا أَمْوَالُكُمْ وَأَوْلَادُكُمْ فِتْنَةٌ وَأَنَّ اللَّهَ عِنْدَهُ أَجْرٌ عَظِيمٌ <sup>64</sup>

"And know ye that your possessions and your progeny are but a trial and that it is Allah with whom lies your best reward."

إِنَّمَا أَمْوَالُكُمْ وَأَوْلَادُكُمْ فِتْنَةٌ <sup>65</sup>

<sup>61</sup> . IbnuMajah, Abu "Abdullah Muhammad bin Yazid Al-Qazwini, Tahqiq: Fuad "Abdu Baqi, Daru Ihyail Al-Kutubl "Arabiah, Vol.: 2, P-752, Hadith no.:2236, Albani considered the hadith as an authentic.

<sup>62</sup> . At-Tirmidhi, Abu 'Isa Muhammad bin 'Isa bin Sawra, vol.:1, p-386, hadith no.:354. Muslim, Sahihu Muslim, vol.:1, p-392, H. no.:66.

<sup>63</sup> . Bukhari, Abu 'Abdullah Muhammad bin Isma'il, Sahihul Bukhari, Vol.:1, p-135, H.no.: 671.

<sup>64</sup> . Al-Anfal:28.

<sup>65</sup> . At-Tagabun:15.

“Verily, your possessions and offspring are a temptation and atrial.”

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تُلْهِكُمْ أَمْوَالُكُمْ وَلَا أَوْلَادُكُمْ عَنْ ذِكْرِ اللَّهِ وَمَنْ يَفْعَلْ ذَلِكَ فَأُولَئِكَ هُمُ الْخَاسِرُونَ<sup>66</sup>

“O ye who believe, let not your riches or your children divert you from the remembrance of Allah. If any act thus, the loss is their own.”

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّ مِنْ أَزْوَاجِكُمْ وَأَوْلَادِكُمْ عَدُوًّا لَكُمْ فَاحْذَرُوهُمْ.<sup>67</sup>

“O ye who believe, truly among your wives and children are enemies to yourselves: So, beware of them.”

زِينٌ لِلنَّاسِ حُبُّ الشَّهَوَاتِ مِنَ النِّسَاءِ وَالْبَنِينَ وَالْقَنَاطِيرِ الْمُقَنْطَرَةِ مِنَ الذَّهَبِ وَالْفِصَّةِ.

"Beautified for the people is the love of the lusts of women and sons, and vaults of gold and silver."<sup>68</sup>

The verses of the holy Quran mentioned above denote that sometimes the demands of families, i.e., wives and children may conflict with a man's morality and spiritual conviction and duties. A man can be tested and experimented with women as like as wealth and children. So, we can't prevent the women from going to mosques for praying there as we don't abstain ourselves from wealth and children in excuse of sedition and trial. We have to give them permission to go out to mosques for prayers keeping us aware of them.

Moreover, the sedition is not a vital factor for preventing the women from going to mosques for prayers. Because, a rape case took place with a woman on the way to mosque for prayer in the life-time of prophet (PBUH). In spite of that kind of occurrence, prophet (PBUH) did not prohibit women to go to mosque. So, question of sedition is a lame excuse. Because, it was an accident not the incident. The hadith on the context is mentioned here:

عن علقمة بن وائل الكندي، عن أبيه، أن امرأة خرجت على عهد رسول الله صلى الله عليه وسلم تريد الصلاة، فتلقاها رجل فتجللها، ففضى حاجته منها، فصاحت، فانطلق، ومرو عليها رجل، فقالت: إن ذلك الرجل فعل بي كذا وكذا، ومرو بعصاية من المهاجرين، فقالت: إن ذلك الرجل فعل بي كذا وكذا، فانطلقوا، فأخذوا الرجل الذي ظنت أنه وقع عليها وأتوها، فقالت: نعم هو هذا، فأتوا به رسول الله صلى الله عليه وسلم، فلما أمر به ليرجم قام صاحبها الذي وقع عليها، فقال: يا رسول الله، أنا صاحبها، فقال لها: «أذهبي فقد غفر الله لك»، وقال للرجل قولا حسنا، وقال للرجل الذي وقع عليها: «ارجموه»، وقال: «لقد تاب توبة لو تابها أهل المدينة لقبل منهم»<sup>69</sup>.

On the authority 'Alqamah Bin Al-Wayel Al-Kindi reported and he said, "That a woman went out in the time of the Prophet to go to prayer, and a man who met her attacked her and got his desire of her. She shouted and he went off, and when a company of the Emigrants came by, she said, 'That man did such and such to me.' They seized the man and brought him to God's Messenger who said to the woman, 'Go away, for God has forgiven you,' but of the man who had had intercourse with her he said, 'Stone him to death.' He also said, "He has repented to such an extent that if the people of Medina had repented similarly it would have been accepted from them."

فيه: دليل على جواز خروج النساء إلى المساجد، مع إمكان أن يصيبهن مثل هذا.

“In it, evidence that it is permissible for women to go out to mosques, with the possibility that something like this may happen to them.”<sup>70</sup>

9:10: keeping a door special for the women in prophet's mosque due to huge gathering hints us to ensure their safety and uninterrupted attendance at mosque not to stop them due to gathering.

## X. Research Outcomes and Proposals:

10:1: The research has simplified that five-time prayers are not mandatory for women in congregation in mosques as well as Jumu'ah prayers and other optional (Nafli) prayers coupled with Eid prayers but they are allowed to perform all these prayers going to mosques rather they are enthused and inspired to go to Eidgah in both Eid days.

10:2: Jumu'ah is not obligatory for women but it was practiced by female companions of prophet (PBUH) in his life-time and in life-time of righteous caliphs. Now a day's Jumu'ah prayer is the most essential for female Muslim community as well. Because, Masques are considered as regional campuses of open university of prophet Muhammad (PBUH) and speakers of Jumu'ah are the teachers of those campuses. So, half part of Muslim community, home-makers and house-tutors of the families should not be deprived of weekend lecture,

<sup>66</sup> . Al-Munafiqun:9.

<sup>67</sup> . At-Tagabun:14.

<sup>68</sup> . Ali- 'Imran: 14.

<sup>69</sup> . At-Tirmidhi, Abu 'Isa Muhammad Bin 'Isa, Sunan At-Timidhi, Vol.: 4, p-86, H.No.:1454.

<sup>70</sup> . Ibid.

which will teach them how to serve the society, how to be obedient to Allah the almighty and how to make and manage the families and their members. Because, the education systems of maximum Muslim countries are not Islamic and religion- friendly. It is our bitter experience that the Muslim population of rural areas learnt their religious affairs from mosques and Furqania Madrashes and the husbands or guardians of families have not so enough knowledge to teach the female members of the family inside the houses. Where there is no any Jumu'ah mosque in the village, the Muslim community of that village is reminded ignorant regarding religion. We do believe that the speakers of the mosques are the change-makers of the society. The managing committees of the mosques are recommended to appoint the quality speakers for the mosques considering that they are the most important change-makers of their lives and the society.

10:3: Among the five times prayers, Fajr Magrib and 'Isha prayers are the most preferred and favorite for women to perform in the mosques in congregation due to having the company of their Mahram and darkness of night. It also makes the community adapted with early rising and familiar to have the dinner before 'Isha prayer according to Sunnah of prophet (PBUH) as he said, "To do everything early is blessed always". Early rising and early sleeping are Sunnah of our beloved prophet and healthy way of life also. A proverb goes: Early to bed and early to rise makes a man healthy, wealthy and wise.

10:4: Eid prayer for women is a regular Sunnah but it is dead now. Ummah should enliven this dead Sunnah.

10:5: To observe Eid in a festive mode is one of women's human rights. So, Muslim community is responsible to ensure this human right for women. The feminists should raise their voices to establish this right for women.

10:6: Eid prayer should be held in Eidgah not in the mosques except in cloudy and rainy day. Because, prophet (PBUH) did not perform Eid prayer in mosques but once due to heavy rainfall. To observe the Eid day in festive mode, children and women even menstruating women also enjoined to go to Eidgah and pray Eid Salah and witness the huge gathering of Muslim community and interact each other and share happiness and pleasure.

10:7: In our country, Eid prayer in Eidgah is not performed due to Imams' protest and they protest it for remunerations issue. If the community wants to offer Eid Salah in Eidgah, they have to ensure their remunerations before Eid prayer and an Eid Salah committee should manage Eid-prayer smoothly and in a pleasant manner.

10:8: Eid prayer should be led by Imams of region by rotation.

10:9: Sayings of prophet (PBUH) on Eid prayer issue is imperative. Some scholars have intended obligation and some others have meant it optional.

10:10: Disliking of anybody does not mean unlawfulness of any issue or anything. Omar (may Allah be pleased with him) dislikes his wife's prayer in mosque but he did not prevent her from going to mosque due to command of prophet (PBUH).

10:11: Women used to go with troopers for serving the injured fighters but now a days women are serving as army professional. They are fighting in every sector with men parallelly. So, issue of safety and security is a lame excuse. Jews women are going to their synagogues, Christian women are praying in their churches, Hindu women are going to their Mandirs, Sikh women are worshipping in Gurdwaras and Buddhists women are going to pagodas but Muslim women are going to markets, schools, colleges, universities and working in many places even as army personnel. But the doors of mosques are closed to them, the power house that enlivens his dead soul and empowers his weak inner faculty. So, the doors of the mosques should reopen for them and they should be encouraged for coming out towards the mosques and pray as like as men do.

10:12: Women would maintain dress code of Islam when they went out for prayers to the mosques, should not be perfumed and not to go out without her husband's permission.

10:13: Home management should be given priority. Because it is more important than the congregation in mosques. If her husband is ailing or she has dependent minor children and none is present in the family to take care of them during the prayer time and if there is other Shariah allowed reasons and excuses, she has to give priority to the family affairs according to rules of priority (فقه الأولويات).

10:14: New mosques should be facilitated for women and in shopping malls as well as other workplaces also needed facilities for women to offer their prayers on time. Discrimination between men and women deprives women of their human rights.

10:15: Government could issue a notice to all Imams and the managing committees by the ministry concerned to pray the Eid- prayer in Eidgah and keep opportunity for women as same to men and monitor the management by thana nirbahi (executive) officer.

10:16: The seminars and webinars on the issue should be arranged by the erudite Islamic scholars in Local and national level to clarify the issue to Muslim community at home and abroad. Public media will play an important role to elucidate and clarify the issue to the community.

10:17: Tarawih prayer is Sunnah for women as well. Their Tarawih prayer in home is better than it in mosques if there is no other opportunity for them in mosques like teaching of the Quran or religious discussion and instructions. They can arrange congregation with female members of the family and neighbors and can lead the 'Isha coupled with Tarawih prayers in congregation. Because, to lead the Salah of women is lawful for the women as righteous female companions of prophet (PBUH) did it in his life-time.

10:18: Every Muslim family should keep a prayer corner in the house as like as they have dining room, living room, bed room and kitchen as Allah's prophet (PBUH) said, "Don't make your houses the graves." To perform optional prayer at home is better than praying in the mosques and the obligatory prayers are to be offered in the mosque irrespective of man and woman but Zuhr and 'Asr prayer are more preferable for women to be prayed at home due to business in their home management, broad day-light and absence of mahram.

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