

Answer to a Question

The Islamic Dress Islam Obligated on Women in the Public Life

(Translated)

Question:

I respect Hizb ut Tahrir, especially its unity of opinion in its books and leaflets that its members adhere to. This adherence is rare among other Islamic movements, but when I was reading on the internet pages I noticed a discussion among the members of the Hizb on the jilbab; some said it is made up of one piece and others said it is made up of two pieces...I thought that the Hizb has an opinion on this and that its members adhere to it especially since the Hizb was among the Islamic movements that greatly influenced the spread of jilbab among Muslim women... My question is: Did the Hizb change its policy of making its members abide by the Hizb's opinion? Thank you.

Answer:

First, regarding what came in the question, I say: That the committed members in the ranks of the Hizb must completely abide by the opinion of the Hizb and there is no change in this. They have no dispute among them that the jilbab consist of one piece: an overflowing dress worn on top of and covers the regular every day clothes and it must drape down to the feet, covering them (feet). It is also true that the Hizb has a great influence in the spread of the jilbab amongst Muslim women; this is by the grace of Allah (swt). The Hizb has given sufficient details on the subject of the Muslim women Islamic dress in *The Social System* (book) under the chapter of "Looking at Women". The condition of the Islamic dress is that it must be a jilbab and Khimar that fulfill the covering of the awrah without Tabaruj, i.e. it is not permitted for women to go out in any dress that covers their awrah, but rather it is a specific dress that the Shar'i has detailed. Here are the explanations of the above points:

1- In *The Social System*, it states that women's Islamic dress in the public life is the jilbab and khimar that cover the awrah without Tabaruj... I quote some of what came in the Social System on this subject:

"The evidence to show that the Legislator has obliged the covering of the colour of the skin is his (saw) saying: «لَمْ يَصْنَعْ أَنْ يُرَى مِنْهَا» "...it is not correct that anything should be seen of her." This is a clear evidence to prove that the Legislator has stipulated that the awrah be covered such that it cannot be seen through the clothes, i.e. the clothes should cover the awrah and not reveal what is behind it. So it obligatory on the women to make sure that the garment by which she covers the awrah is not thin i.e. does not describe what is behind it nor reveal what is under it. This is the subject of covering the awrah. This subject should not be confused with the woman's dress in public life, or the tabaruj (revealing the beauty) portrayed by some types of clothes. Even though a garment covers the awrah, it does not mean that the woman is allowed to wear it in public, whilst in public a specific type of clothing has been specified by the Legislator. To merely use something that covers the awrah while in public is not sufficient. So trousers, for example, do cover the awrah, but still cannot be worn in public i.e. it is not proper to be worn in the public road.

With regard to the woman's dress in public life, i.e. marketplace and roads, the Legislator has obliged her to wear a garment which conceals her (home) clothes when she leaves to the market or public places. It is obliged upon her to have a wrap or covering to be worn over her clothing that drapes down until it covers her feet. If she does not have such a garment jilbaab, she must borrow one from a neighbour, a female friend or relative. If she is unable to borrow one, she is not allowed to go out without such a garment. If she leaves without a wrap over her (home) clothes she would be sinful, for she would have abandoned an obligation from Allah.

This is in reference to the lower portion of women's clothes. As for the upper portion, she must have a khimaar (head cover) or anything similar which covers the entire head, the neck and the opening of the garment on the chest. Such a khimaar should be available when she goes out in public as this constitutes the upper portion of the woman's dress in public life. Once a woman has these two items of clothing, she is allowed to leave her home to the marketplaces, travel on the roads, i.e. the public life. If the woman does not have these two pieces of clothing, she is not allowed to leave no matter what. This is because the command to wear these two pieces is general ('*aam*) and it will remain so, since there is no proof of specification.

As for the evidence which obliges these two items of clothing to be worn in public life, it is the saying of Allah (swt) with respect to the upper part of the clothing: ﴿وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا﴾ **“and not to show off their adornment except only that which is apparent, and to draw their veils all over juyubihinna ...”** [An-Nur: 31] As for His (swt) saying regarding the lower half: ﴿يَا أَيُّهَا النَّبِيُّ قُلْ لَأَزُوجِكُمْ وَبَنَاتِكُمْ وَنِسَاءَ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلَابِيبِهِنَّ﴾ **“Oh Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (Jalabeeb) all over their bodies”**. [Al-Ahzaab: 59] Also, it has been narrated from Umm Atiyyah (ra), who said: «أمرنا رسولُ الله صلى الله عليه وسلم أن نخرجهنَّ في الفطر والأضحى، العواتق والحِيضَ وذواتِ الخدور، فأما الحيضُ فيعتزلن الصلاةَ ويشهَدنَّ الخيرَ، ودعوةَ المسلمين. قلت يا رسولَ الله إحدانا لا يكون لها جلبابٌ، قال: «لَتَلْبَسَهَا أُخْتُهَا مِنْ جِلْبَابِهَا» **“The Messenger of Allah (saw) ordered us to bring out the young women, the menstruating women and veiled women for the two Eid festivals. The menstruating women were to keep away from prayer, yet witnessing the goodness and the dawah (address) to the Muslims. I asked, "Oh Messenger of Allah, what about one who does not have a jilbaab?" He said: "Let her use the jilbaab of her sister.”** [Reported by Muslim]

These evidences are explicit in their indication of a woman's dress when in public life. Allah has thus described accurately, completely and comprehensively in these above verses the clothing which He (swt) has obliged the woman to wear in public life. Allah (swt) has said with respect to the upper part of a woman's clothing: ﴿وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى جُيُوبِهِنَّ﴾ **“Let them draw their head-coverings (khumur) over their necks and chests (juyooB)”**. [An-Nur: 31] Meaning to drape their head-coverings over their necks and chests and to conceal the collar of the shirt and garment from the neck and chest. As regards the lower part of a woman's clothing, He (swt) said: ﴿يُدْنِينَ عَلَيْهِنَّ مِنْ جَلَابِيبِهِنَّ﴾ **“...to draw their cloaks all over their bodies”**. [AlAhzaab: 59] It means to drape their outer garments over their bodies and over their clothes when going out, that is to wear a cover (mulaa'ah) or piece (milhafah) of cloth which is draped down. Concerning the general manner in which this clothing should be worn, Allah (swt) has said: ﴿وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا﴾ **“And they do not show off their charms (zeenah) except that which is apparent”**. [An-Nur: 31] The objects of charm in terms of the parts of the body including ears, arms and lower leg should not be shown except of that which normally appeared of her at the time this verse was revealed, i.e. the hands and face. According to this precise description it is clear what the dress of the woman should be in public life. The hadith of Umm 'Atiyyah explains very clearly the obligation on the Muslim woman to wear a garment which covers her normal clothes when she goes out: when Umm 'Atiyyah said to the Messenger (peace and blessings be upon him): «إحدانا لا يكون لها جلبابٌ» **“Oh Messenger of Allah what about one who does not have a jilbaab?”** The Messenger (saw) ordered her, «لَتَلْبَسَهَا أُخْتُهَا مِنْ جِلْبَابِهَا» **“Let her use the jilbaab of her sister.”** When she replied to the Messenger that she did not have a garment to wear over her clothing so that she may go out, he (saw) ordered her to borrow one from her sister to wear over her clothing. This means that if she is unable to borrow one then it would not be lawful for her to go out. This is an indication (qareenah) that the order in this hadith constitutes an obligation (wujooB). It is obligatory, therefore, for the woman to wear a jilbaab over her clothes when she wants to go out. And when she does not wear it, she does not leave.

It is stipulated that the jilbaab is draped down to the floor until it conceals the feet because

Allah (swt) says in the ayah: ﴿يُدْنِينَ عَلَيْهِنَ مِنْ جَلَابِيهِنَّ﴾ “**to draw their cloaks (jalabeeb) all over their bodies**” [Al-Ahzaab: 59] i.e. they should drape their jilbaabs because the preposition, "من" is not partative here but explanatory. In other words, they should drape their cover (mulaa'ah) and sheet (*milhafah*) downwards. Since it has been narrated on the authority of Ibn Umar that the Messenger of Allah (saw) said: «مَنْ جَرَّ ثَوْبَهُ خِيَلَاءَ لَمْ يَنْظُرِ اللَّهُ إِلَيْهِ يَوْمَ الْقِيَامَةِ فَقَالَتْ أُمُّ سَلَمَةَ فَكَفَيْتُ يَصْنَعْنَ «On the Day of Judgement, Allah will not look with mercy towards the one that trails his garment behind him/herself in haughty pride,” Umm Salamah asked: “What are the women to do with the hems of their dresses?” He answered: “Let them increase their hems the length of a hand span.” She enquired: “Then their feet will be uncovered!” He then replied: “Let them increase a fore arm's length and no more.” [Reported by at-Tirmithi] This hadith is hasan sahih. This clearly shows that the garment which is worn over one's clothes - i.e. the cover (mulaa'ah) and sheet (milhafah) - should be draped down towards the floor until it covers the feet. Even if the feet were to be concealed by wearing socks or shoes, that will not substitute the draping of the garment down towards the floor. It is not necessary to cover the feet (by the draping of the garment) if the feet are concealed (by wearing shoes and socks) – but the draping of the garment must be done. The jilbaab must come down towards the floor in an obvious manner such that it is known that it is the dress of public life, which the woman is obliged to wear. The draping must be apparent in accordance with the saying of Allah (swt): ﴿يُدْنِينَ﴾ “**Draw down their jilbaabs**” [Al-Ahzaab: 59].

It is shown from this that the woman is obliged to have a wide and loose fitting garment, which she wears over her clothes in order to go out. If she does not have such a garment and she wishes to go out then she should borrow one from her sister, i.e. any Muslim woman. If she cannot find someone to lend her one, she should not go out until she finds a garment to wear over her clothes. If she goes out wearing her home clothes without a wide and loose fitting garment which drapes down towards the floor, then she would be sinful even if her entire awrah was covered since wearing a wide and loose fitting garment, which drapes down towards the floor until the feet, is obligatory (fard). If she does not wear this garment, she will be going against this fard and is sinful in the sight of Allah (swt). She will be punished by the state with a discretionary (ta“zeer) punishment.” **End of quote**

2- It is clear from the text above that the Islamic dress must cover the awrah without tabaruj, and it must consist of a khimar that covers the hair and drape their head-covering over their necks and chests and to conceal the collar of the shirt and garment from the neck and chest, and it must consist of a jilbab that drapes down to the feet, and it is clear that the jilbab is made up of one piece: “wide and loose fitting garment, which she wears over her clothes and drapes down to cover the feet so that they do not remain exposed” and this is clear for all who have sight, all the those with sight and foresight realizes this, in the text it is mentioned that:

- The Legislator has obliged on women to have a dress to wear over their clothes.
- It obliged that they have **wrap (cover) or sheet** to wear over their clothes.
- If a woman goes out without wearing a dress (*Thawb*) over her clothes, she is sinful.
- It is made clear that she must have a dress to wear over its clothes when she goes out.
- Hence, from this it is clear that women must have a wide-fitting dress (**Thawb**) that they should wear over their clothes to go out in.

The word Thawb (dress) is repeated in the singular form, and Mul’ah (sheet) also in the single form for confirmation: (That she should have a Thawb to wear on top of her clothes...to have Mul’ah (sheet) or Milhafah (cover) to wear over her clothes...If she goes out without a Thawb to wear over her clothes, she is sinful... to have a Thawb over her clothes when she goes out... that a woman have a loose-fitting Thawb to wear over her clothes to go out in...) This repetition is a confirmation that the jilbab is one piece, it is a Thawb (dress) that a woman wears over her clothes...etc, and this is a very clear matter.

To clarify further: the noble verse: ﴿يُدْنِينَ عَلَيْهِنَ مِّنْ جَلَابِيبِهِنَّ﴾ “...to draw their cloaks all over their bodies” [AlAhzaab: 59] shows that the jilbab is one piece, the word “*min*” it is for illustration (*bayan*), i.e. that they make their jilbab drapes, draping is associated with the jilbab, and this means that jilbab is one piece that is draped down, **and it cannot be two pieces according to the words used in the noble verse,** because draping as we said is linked to the jilbab. If the jilbab was two pieces then both pieces must be draped down to the feet, then there will be two pieces draping one over the other with the piece on the outer layer being the jilbab only that is draping from the neck to the feet... Therefore what is built is the linguistic form (*siyagha laghawiyah*) that confirms that jilbab is one piece because the draping is linked to the jilbab as we showed. Naturally this is in addition to what we mentioned, the repetition of the word *Thawb*...and what we explained before that the jilbab is a loose-fitting *Thawb* that a woman wears over her normal clothes and drapes down to the feet.

- Islam stressed on this Islamic dress, and it did not give permission for the woman to go out if she did not have a jilbab, and that she had to borrow one from her sister to be able to go out. It is not sufficient to cover her *awrah* with any other *Thawb* (dress) except by a jilbab and *Khimar* without *tabaruj*.

3- This is the adopted opinion by the Hizb, and members must abide by and must not accept another opinion...but may be the questioner read different opinions on the internet and thought that they represent the members and they say that the jilbab is made up of two pieces (skirt and a blouse (shirt) or trousers and a shirt or trousers with a coat on top to the knee and so on), and thought that the members have a difference on the jilbab. We can excuse the reader because he/she may have been reading the opinion of someone who left the Hizb, or is being punished by the Hizb or a *Nakith* (broken the oath of the Hizb) or someone who loves to confuse others, and thought that these are committed members in the ranks of the Hizb, especially that we do not circulate the position of these people except in certain circumstances... Therefore, the reader on the internet will get confused and thinks that there is a difference among the members on whether the jilbab is one piece or two pieces...

We confirm to the reader that committed members of the Hizb do not have a difference in the opinion of the Hizb. Jilbab is one piece: An overflowing dress worn on top and covers the clothes of women and it must drape down to cover the feet, so that they are not exposed... Those who say otherwise may be from those who left the Hizb, those punished, or from the *Nakitheen*, or those who love to spread confusion! And they do not say the right things of the Hizb and the commitment of its members, by the permission of Allah.

I end with what I started with: That the committed members in the ranks of the Hizb must completely abide by the opinion of the Hizb and there is no change in this. They have no dispute among them that the jilbab consist of one piece: an overflowing dress worn on top of and covers the regular every day clothes and it must drape down to the feet, covering them (feet). It is also true that the Hizb has a great influence in the spread of the jilbab amongst Muslim women; this is by the grace of Allah (swt). The Hizb has given sufficient details on the subject of the Muslim women Islamic dress in *The Social System* (book) under the chapter of “Looking at Women”. The condition of the Islamic dress is that it must be a jilbab and *Khimar* that fulfill the covering of the *awrah* without *Tabaruj*, i.e. it is not permitted for women to go out in any dress that covers their *awrah*, but rather it is a specific dress that the *Shar’i* has detailed.

I hope that this answer is sufficient to show that the Hizb has one opinion on the jilbab as we illustrated above.

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