

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

أَلْحَمْدُ لِلَّهِ كَمَا هُوَ أَهْلُهُ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ أَدَمَ كَمَا يُحِبُّ وَيَرْضَى بِأَنْ يُصَلَّى عَلَيْهِ

In The Name Of Allah The Most Compassionate Very Merciful
All Praise Due To Allah And Peace And Blessings Be Upon His Beloved Messenger

جُمْلُ النُّورِ فِي نَهْيِ النِّسَاءِ عَنْ زِيَارَةِ الْقُبُورِ

Jumalul Nur fi Nah yin Nisaa 'an Ziyaaratil Quboor
**A STATEMENT OF LIGHT IN (REGARDS) TO THE
PROHIBITION OF FEMALES VISITING THE GRAVES
(1339 A.H.)**

**A Presentation from the Research & Translation Department of Musjidul
Haq (Uitenhage, Port Elizabeth)**

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Allah in Whose Name, Most Beneficent, Most Merciful.

All Praise is due to Allah *Almighty*, Durood upon His Most Special of Prophet
May Allah send peace and blessings upon him.

Issue (181): Molwi Hakeen Abdur Raheem Saheb Mudarris Awwal Madressah
Qaderiyah, Ahmedabad, Gujarat, District Jamalpur,
28th Safar 1339

The above Moulana Saheb sent a registered letter in which emphasis was placed through references from *Bahrur Raa'iq* and *Tasheelul Masaa'il* by Hadrat Moulana Fadle Rasool Saheb *May Allah be pleased with him* that it was permissible for females to visit the graves. In regards to this, the following answer was given.

Answer:

Moulana Molwi Hakeem Abdur Raheem Saheb,

As Salaamo Aaikum Wa Rahmatullah Wa Barakaatuhu,

Both of your registered letters were received. For three month now, my eyes have been a cause of concern. My opinion is completely opposite to this. A long time ago, my Fatwa in this regard named *Tohfah Hanafiyah* has also been printed. I had also presented this reference from *Bahrur Raa'iq* and had proven that females visiting the Rauda Shareef was Waajib or close to Waajib only.

As for females visiting the Mazaars, as far as reference from the *Ghunayyah* by Allama Muhaqqiq Ebrahim Halbi *May Allah be pleased with him* it is not permitted. This is especially true in today's environment, where there is dancing, musical instruments and others forms of un-Islamic behaviour been displayed.

This is committed by the Jaahils that we find in the 'Urs which takes place. As a matter of fact, I do not even consider it permissible upon males as well. Leaving aside that creation (females), for whom even the beautiful voice of Hadrat Anjashah *May Allah be pleased with him* was prohibited because this creation is considered as a delicate piece of glass.

Molwi Saheb then sent another registered letter and the following answer was given.

(Again sent from) Ahmedabad, Gujrat, District Jamalpur,
Sender. Molwi Hakeem Abdur Raheem Saheb.

13th Rabil ul Akhir 1339 A.H.

Janab Moulana Saheb,

After presenting my Salaam, I am in receipt of your letter. I have seen your Fatwa. Please explain to me the following that in Masjidun Nabawi there were three hundred males and one hundred and seventy females. At the same time, the Munafiqs were in the last row and were obviously looking at the females in front of them. Bear in mind, that during the Fajr and 'Isha, the females used to attend the Masjid to educate themselves about the Qur'an and the actual status of the Holy Prophet *May Allah send peace and blessings upon him*. However, the reason that that this command was given in the Qur'an about the carefulness to be displayed in this regard is to be found in Surah Hijr verse 24, 25:

وَلَقَدْ عَلِمْنَا الْمُسْتَقْدِمِينَ مِنْكُمْ وَلَقَدْ عَلِمْنَا الْمُسْتَأْخِرِينَ ﴿٢٢﴾

And We do know those who went ahead among you and We do know those who remained behind among you.

وَإِنَّ رَبَّكَ هُوَ يَحْشُرُهُمْ ۖ إِنَّهُ حَكِيمٌ عَلِيمٌ ﴿٢٥﴾

And verily your Lord alone will raise them on the Day of Judgment. No doubt, He is the Wise the Knowing.

At the same time, the Holy Prophet *May Allah send peace and blessings upon him* had also stated that, "The lines of the males are at the front. The smallest row is at the back and the best of row for the females is right at the back and the smallest row is just before this". (Sahih Muslim).

I also accept that entry to the females in the Masjid was also stopped. However, for females in Pardah to educate themselves about the state of the Holy Prophet *May Allah send peace and blessings upon him* and the Qur'an, especially a few of them to appear in front of a Murshid in a locality and for the Murshid to sit behind a veil and these females also and then to educate themselves about the state of the Holy Prophet *May Allah send peace and blessings upon him* (in this place this same type of prohibition) would be incorrect.

In the Qur'an in Surah Taubah, 32, the Qur'an states:

يُرِيدُونَ أَنْ يُطْفِئُوا نُورَ اللَّهِ بِأَفْوَاهِهِمْ وَيَأْبَى اللَّهُ إِلَّا أَنْ يُتِمَّ نُورَهُ وَلَوْ كَرِهَ الْكَافِرُونَ ﴿٢٢﴾

“They wish to extinguish the light of Allah with their mouths, but Allah will not agree except that He will perfect His light, even if the disbelievers get annoyed.”

As for the Sheikh, he is presenting what the Qur'an says in Surah Al Ahzab, verse 72:

إِنَّا عَرَضْنَا الْأَمَانَةَ عَلَى السَّمَوَاتِ وَالْأَرْضِ وَالْجِبَالِ فَأَبَيْنَ أَنْ يَحْمِلْنَهَا وَأَشْفَقْنَ مِنْهَا وَحَمَلَهَا الْإِنْسَنُ ۖ إِنَّهُ كَانَ ظَلُومًا جَهُولًا ﴿٧٢﴾

“We indeed offered the trust to the heavens and the earth and the mountains, but they refused it and were afraid of it - and man accepted it; indeed he is one who puts himself into hardship, is extremely unwise.”

In other words, the trust (in the aspect of knowledge) is been passed on within the confines of a veil. If the person is not in Pardah nor the females, then these people are destroying the trust which is to be passed on. There is no doubt that the Holy Prophet *May Allah send peace and blessings upon him* did pass this to the females after first making them Mureeds. This Peer who is passing this message (in Pardah) is teaching the Kalima, the same with these females. In all these cases, there is no openness.

In brief, in *Umdatul Qari*, the Sharah of *Sahih Bukhari* it is mentioned that, “In summary, for females to visit the graves is Makruh. In fact, in this day and age, it is Haraam especially the ladies from Misr. The reason is that their arrival is a means of fitnah and evil. (At the beginning) it was permitted because they would be warned about (the affairs) of the Hereafter. They would learn a lesson from the person who had passed on and also be able to refrain from the world.”

Answer

Allah in Whose Name, Most Beneficent, Most Merciful. All Praise is to due to Allah *Almighty*. Durood upon the most special of Prophets *May Allah send peace and blessings upon him*.

Respected Moulana, your registered letter was received on the 15th of Rabi-ul-Awwal. However, after taking part on the occasion of the 12th of Rabil-ul-Awwal, I became extremely ill in the evening to such a degree that I have not felt before. I even recorded my final Will and until today this is my state. Such is the case that even though the Masjid is next door, four people have to carry me on a chair to the Masjid and also bring me back. I had thought that the few words which I had mentioned at the beginning was sufficient, however, I will now fully explain this issue.

1. The first point to be noted is that I have seen the laws of permissibility. However, according to me and others, due to the circumstances in the present age and time, non-permissibility is to be adhered to which is more pre-cautious. You also say that during the time of the Holy Prophet *May Allah send peace and blessings upon him* females were not stopped (which I agree with). In fact, such was the state in that period that even those females who were sick were instructed to join the congregation for the same purpose of earning Barakah. In the *Sahiheen*, a report from Sayyidah Umme Attiyah *May Allah be pleased with her* is mentioned which is, “We were commanded that on the days of Eid, even the females in Pardah were to be taken (to the Masjid) so that they can join the congregation and join the Du’a. The females suffering from Haiz were told to sit on one side away from the place of Salaah. However, one female mentioned that they did not have a shawl or cloth to cover themselves and they were commanded that the person next to them should help them cover themselves.”

Besides, Eid Salaah, females were certainly never prohibited from coming to the Masjid. It was clearly mentioned, “Do not restrict the female servants of Allah *Almighty* from the Masjid.”

In the *Musnad* of Imam Ahmed and the *Sahih Muslim*, a report from Hadrat Sayyiduna Abdullah ibn Umar *May Allah be pleased with him* is mentioned

which is, “Do not restrict the female servants of Allah *Almighty* from the Masaajid of Allah *Almighty*”.

This is also mentioned in the *Sahih Bukhari* in the chapter of Jum’uah. The command of the Holy Prophet *May Allah send peace and blessings upon him* is Waajib and his prohibition is considered as something which is Haraam. As for receiving Barakah on these occasions, this is also clearly mentioned. You also mention that this (was then prohibited) and I also accept this. In the *Durre Mukhtaar*, it is mentioned, “For females to take part in congregation, whether it be Jum’uah, Eid or even a lecture, it is completely Makruh. Even if an old female goes in the evening. This is the ruling based on the fitnah of the present era.”

The same is mentioned in various other books. The Jurists have even prohibited this in aspects of lectures as well besides Jum’uah, Eid, etc. Bear in mind that in a lecture, good is been commanded and evil prohibited, yet there is a prohibition on females attending. However, all of this is based on the fact that it is closer to harm than being closer to good.

In the above narration about Jum’uah, the name of the Sahaabi is not mentioned. Some have said this is reported by Hadrat Sayyiduna Umar *May Allah be pleased with him* as is found in the *Musannaf* of Abdur Razak and the *Musnad* of Imam Ahmed. Some have said that it is mentioned by Hadrat Sayyiduna ibn ‘Umar *May Allah be pleased with him* as mentioned in *Sahih Muslim* and *Musnad Imam Ahmed*. Allah *Almighty* knows best.

Can it be said that the reason that this was prohibited was because Imam Aam, Imam Abu Yusuf and Imam Muhammed *May Allah be pleased with him* were bent of stopping these females from receiving the Divine Grace of Allah *Almighty*? This is impossible. These are Saints that rectified the hearts of people and understood the finer points of Shari’ah.

2. In the *Sahih Bukhari*, *Sahih Muslim*, *Sunan Abu Daud*, a report is mentioned by Sayyidah Ayesha *May Allah be pleased with her* pertaining to her era. She explains, “If the Holy Prophet *May Allah send peace and blessings upon him* had seen what the females had created in the present era, then certainty he would have

restricted them from coming to the Masjid as the females of the Bani Israel were restricted.”

This restriction then continued in the era of the Taba’een by the Muslim Jurists. First the younger females, then the older females. First during the day and then during the night until the prohibition became common. Were the females of that blessed period people who sang and danced and today the females are very pious? Or were there more evil females in that period and lessor evil females in this period? Or were there lessor spiritual grace in that period and more spiritual grace in this period? No, certainly not! In fact, the opposite has occurred. In that period if there was one evil female, today there are thousands. In that period there was untold manifestation of spiritual grace and today very little indeed. The Holy Prophet *May Allah send peace and blessings upon him* has also stated that, “Whatever period appears, the period after that will be even worse.” (Bukhari Shareef)

In fact, in the *Inaayah*, Imam Akmaludeen Baabarakki mentioned that, “Hadrat Sayyiduna ‘Umar *May Allah be pleased with him* prohibited females from coming to the Masjid and they took this complaint to Hadrat Sayyidah Ayesha *May Allah be pleased with her*. However, she replied that, ‘If this was state in the time of the Holy Prophet *May Allah send peace and blessings upon him*, he would have not allowed females coming to the Masjid.”

She continued, “Hadrat Sayyiduna ‘Umar *May Allah be pleased with him* restricted the females from entering the Masjid. They then took their complaint to Sayyidah Ayesha *May Allah be pleased with her*. She replied, “If the Holy Prophet *May Allah send peace and blessings upon him* had seen what Hadrat Sayyiduna ‘Umar *May Allah be pleased with him* had seen, then certainly, he would have also prohibited you from going to the Masjid”. (Al Inaayah; Fathul Qadeer)

From this, our ‘Ulama have deduced that it is prohibited for young females (to go to the Masjid). As for elderly females, Imam Abu Hanifa *May Allah be pleased with him* has restricted them for Zohr and Asr and given them permission for

Fajr, Maghrib and Esha. However, in the present time, complete prohibition (on all females) have been placed.” (Al Inaayah; Fahtul Qadeer)

In the *Aini*, a page before the paragraph you presented, it is mentioned that, “Hadrat Sayyiduna Abdullah ibn Mas’ud *May Allah be pleased with him* states that, “A female is something which is an entity of bashfulness. The closest thing for her to the Divine Court of Allah *Almighty* is her own home and when she leaves her home, the Satan looks at her.” Hadrat Sayyiduna ibn ‘Umar *May Allah be pleased with him* used to throw stones at females on the day of Jum’uah and remove them from the Masjid. And Imam Ebrahim Nakh’i *May Allah be pleased with him*, who is the teacher of the teacher of Imam A’zam *May Allah be pleased with him* never allowed the females of his family to join the congregation or (to go for even) Jum’uah”. (Umdatul Qari Sharah Bukhari)

If this was the state in that blessed period, imagine the state today? And if this is the state of visiting the Masjid where people are educated and receive spiritual training, imagine the law pertaining to visiting the grave which is not even strictly commanded in Shari’ah? Especially in the present environment where people have created all types of un-Islamic behaviour. How can one say that visiting such places is according to Shari’ah? In Shari’ah, the law is that one should firstly remove all evil habits before thinking of creating noble attributes. Look at the state in those days when the evil present was much less, yet eminent Jurists like Imam Abu Hanifa and his contemporaries *May Allah be pleased with him* prohibited females. In other words, they gave a clear command and instruction. Did these eminent ‘Ulama not read these verses of the Qur’an which is found in Surah Sajdah 18 and Surah Saad, 28 which are:

أَفَبِنُ كَانَ مُؤْمِنًا كَبُنُ كَانَ فَاسِقًا ۚ لَا يَسْتَوُونَ ﴿١٨﴾

Will then he who is a believer be like him who is disobedient, they are not equal?

أَمْ نَجْعَلُ الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ كَالْمُفْسِدِينَ فِي الْأَرْضِ أَمْ نَجْعَلُ

الْمُتَّقِينَ كَالْفُجَّارِ ۚ (٢٨)

Shall We make those who have believed and have done good deeds like those who spread mischief in the earth or make the pious ones like the wicked disobedient?

In the present time when there is so much of fitnah and fasaad, it is all the more necessary that they are prohibited from visiting Mazaars and the Masjid.

3. Another important point to bear in mind is that reformation and fasaad or mischief are hidden traits. When one spreads religion, the tongue of everyone is spacious and no one knows the hidden evil or true nobility of that tongue. To turn from good towards evil is nothing difficult. Especially when one is separate. It is very easy for the heart of a female to sway. In fact, such is the seriousness of this that it is even mentioned that for a male to actually rely on his Nafs is stupidity (leaving aside a female!). The Nafs is the greatest liar when it promises and when it swears to anything. In Surah Nisa, verse 120, the Qur'an declares:

يَعِدُّهُمْ وَيُؤْنِسُهُمْ ۖ وَالشَّيْطَانُ إِلَّا غُرُورًا (١٢٠)

“The devil promises them and arouses desires in them; and the devil does not give them promises except of deceit.”

In today's time, fasaad is more and reform is very rare. However, if therefore, it is permissible to re- analyse this issue on which there is a fatwa this would not be an analysis but a Satanic plot and a rope of the Satan which is been extended. Imam Muhaqqiq 'alal Itlaaq in the *Fathul Qadeer* states, “A person living in Haram and refraining from sin is becoming less and less. Therefore, a command of Shari'ah cannot be based on this. At the same time, permissibility will not be given based on this state. (In fact, based on the opinion of the majority, prohibition will be applied). The reason is that the Nafs calls towards falsehood.

And when it swears or makes a promise, this is when it is most false and when it makes a claim, you can imagine what then”. (Fathul Qadeer)

The three eminent Sayeds, namely Allama Halbi, Allama Tahtaawi and Allama Shaami *May Allah be pleased with him* state that, “This is indeed very noble and this is based on a person being in Haraam and therefore, it cannot be said that because one relies on one’s Nafs, hence it would not be Makruh”. (Raddul Muhtar)

In the *Muntaqah* which is the Sharah of *Multaqah*, it is mentioned that, “In today’s time it is very difficult to find noble students who are not like those who are spoilt. Therefore, there would not be any separate law for that person. The reason is that it is very difficult to distinguish between those who are mischievous and those who are noble.”

In the *Sharah Lubaab*, it is mentioned, “If the Islamic Jurists were present in our time and they were able to see our true state then they themselves would have prohibited us from residing in the state Haraam.” (From this, we come to realise that the ruling of Shari’ah is based on the majority. In other words, how the majority of people behave).

4. Bear in mind that at first it was prohibited to visit the graves and then permission was given. The ‘Ulama are still in disagreement whether this included females or not. The prohibition upon females is the Hadith Shareef which clearly curses those females who visit the grave and besides this Hadith Shareef which is found in *Umdatul Qari Sharah Bukhari Shareef*.

If we ignore this and admit for a moment that females were also included in this permission, then the same rule will apply as with the females in the first period of Islam pertaining to going to the Masjid. At first, they were allowed but as fitnah and fasaad increased, they were prohibited. Hence, the same rule will apply to them visiting a grave. In the *Ghunayyah* a few paragraphs before the paragraph which you mentioned, it is stated that, “Prohibition in the form of Tanzeehi was only specific to the era of the Holy Prophet *May Allah send peace and blessings upon him* when it was permissible for them to attend the Masjid and the Eid

Salaah. And in our time, it is only proper that this should be prohibition in the form of Tahreem.”

In the same *Ghunayyah* a few lines before what you had sent, it is mentioned that, “The majority of ‘Ulama have declared that it is Makruh for females to go for Salaah (in the Masjid). Imagine the law when it comes to going to a grave site? It is my opinion that by the mere fact that the compulsion of Jum’uah has been nullified upon them, clearly proves that all other restrictions should be applied upon them.” (Umdatul Qari Sharah Bukhari Shareef)

5. The laws pertaining to this is very clear in most books. Permission is sometimes only given by people who rely on their Nafs (which they should not do) and due to the external reasons of fitnah being created, prohibition is very clear. There are many laws in Shari’ah which can be seen in this regard. Such acts are things like people living in Haraam (and the strict laws they have to abide by), females attending public baths, expenses for children acquiring education and sport and play like chess. The laws pertaining to the first and third has already been explained. Pertaining to the second, in the *Durre Mukhtaar*, it is mentioned that, “In our era, for females to attend public baths is strictly not permitted”. As for the last action, in the *Jamia Ar Rumuz* and the *Raddul Muhtaar*, it is mentioned that, “In our opinion, it is Haraam to play chess and a major sin. For someone to consider this as something permitted is nothing but to help and assist the Satan against Islam and the Muslims.” (Raddul Muhtaar)

6. From this answer we also come to realize that even if there is one female in a thousand, still the law of Shari’ah will apply on the majority. This answer also becomes applicable to the issue of Biryani. If there are ten thousand pots of Biryani which have meat that is Haraam in them and ten thousand pots of Biryani which have Halaal meat in them and they become mixed, the entire twenty thousand will become Haraam for us to consume. In fact, even if one assumes that this pot has Halaal meat, still too, it will be Haraam for him to eat from that pot. In the *Durre Mukhtaar*, it is mentioned that, “The separation from Halaal and Haraam containers and Halaal and Haraam animals will be based on majority. If the majority is Halaal, then one can assume and eat from the pot which one is convinced about. If however, the majority of this is Haraam or equal

in number, then one is not allowed to assume and one is clearly commanded not to eat from any of them.”

Yes, if there is one which is Halaal and separate, then what affect does this have on the majority? However, in regard to these females, we have clearly come to see that there is a greater possibility of fitnah and fasaad compared to good, hence, the law of prohibition would come into being and become applicable.

7. The extract which you have presented from *Aini* which is the sharah of the *Bukhari*, volume three, there is no special law only applicable to the females from Misr and neither in the *Mughniyah* or its testimony. Sixteen forms of fitnah have been mentioned and only one have been presented here. It has been mentioned that there are also many other forms of fitnah besides this. The opinion of Sayyidah Ayesha *May Allah be pleased with her* also proves that many new things were created which resulted in Hadrat Sayyiduna ‘Umar *May Allah be pleased with him* prohibiting these females from coming to the Masjid. In fact, the possibility of fitnah and fasaad is clearly mentioned and not the actual occurrence. In the *Hidaayah*, it is mentioned, “For young females to attend the congregation is Makruh because there is a possibility of fitnah”. As for the time that this actually occurs, in other words, fitnah is taking place, then it becomes Haraam.

In the *Aini*, it is mentioned that, “The writer of the *Hidaayah* has clearly mentioned that it is Makruh for females to attend the congregation (Salaah in the Masjid). Some have mentioned that this is applicable for the young females. The word congregation would include Jum’uah, Eidain, Kusuf, Istisqah, etc”. Hadrat Imam Shafi *May Allah be pleased with him* has stated that it is permissible for them to attend. Our Mashaa’ikh have mentioned that the reason is because of the possibility of fitnah when they appear. This also becomes a reason for it being Haraam. Therefore, anything which can lead to Haraam is Haraam itself. The word Makruh in this regard is considered as Haraam. Especially in this period when evil and bad deeds have become quite common.” (Umdatul Qari Sharah Bukhari)

In the same page, the incident of Hadrat Sayyiduna Abdullah ibn ‘Umar *May Allah be pleased with him* throwing stones at females during the Jum’uah and removing them from the Masjid and the story of Imam Ajal Ebrahim Nakh’i *May Allah be pleased with him* stopping the females from his family from going for Jum’uah and Congregational Salaah is also mentioned. In the *Inaayah*, it is clearly mentioned that Hadrat Sayyiduna ‘Umar *May Allah be pleased with him* clearly prohibited the females from going to the Masjid. Let me ask you, where those blessed females not female Ashaab and also female Taba’een? Where the females of the family of Imam Nakh’i *May Allah be pleased with him* also not Taaba’een? Where these blessed females a cause for Fitnah, never.

Therefore, this prohibition is common and not only based on Fasaad.

8. This is the reason in that in the *Aini*, volume four, the message is quiet clear and the command also which is that females visiting the grave site; this is not only Makruh but also Haraam. He has not explained that it is Haraam in this fashion or Halaal in this fashion. In fact, from the beginning it is Haraam and not specific to this era only. In fact, the issue of fitnah is not looked upon, merely the act of females leaving their homes is a cause for this fitnah. Another important point to bear in mind is that even the rule of Shafi’is would change because Imam Kirmani, Imam Asqalani and Imam Qastalani *May Allah be pleased with him* are all eminent Shafi Jurists. Imam Kirmani *May Allah be pleased with him* has also mentioned that fasaad from a few females creates the rule that this prohibition is upon all females. He then states, “I have said and what I have said is reliable because fitnah and fasaad does not appear from all females, (hence because it comes from certain females, all of them are prohibited).” (Umdatul Qari)

9. The paragraph from *Ghunayyah* which you have mentioned, please look at the lines above. Permissible was only applicable at that time when it was Mubah for them to go to the Masjid. Now, this prohibition is on all of them whether there is fitnah or not. Look at the seventh line after this paragraph, it is mentioned, “This difference of opinion is created with the different ages. Hence, it became Makruh for females to attend Jum’uah and Congregational Salaah.

This is the reason that Hadrat Sayyidah Ayesha *May Allah be pleased with her* has stated that “If the Holy Prophet *May Allah send peace and blessings upon him* had seen what the females had created after him, then he would have also stopped them from coming to the Masjid as the females of the Bani Israel were prohibited.” If the eminent lady is speaking about the females in her time, imagine the females in this era?

This has been the basis for prohibition upon females and the law is common. The idea of fasaad emanating is just one cause and mean and not the actual cause and mean. In other words, the law of prohibition is common and general.

10. In the middle of the paragraph from *Ghunayyah*, there was your paragraph which was from *Fatawah Tataar Khaaniyah* and this was mentioned by *Shubah* and this is what is mentioned, “In other words, a question was asked to Imam Qadi on whether it was permissible for females to visit the graves, he replied, ‘Do not ask about the permissibility and non-permissibility of this, ask about how much of curse falls upon this female when she intends to travel from her house to the graves. She is in the Divine Curse of Almighty *Almighty* and the curse of the Angels. When she leaves her home, she is surrounded by the Satans and when she reaches the grave, the soul of the deceased also curses her and when she returns, she returns under the Divine Curse of Allah *Almighty*.’”

Look carefully at these words. Was there any mention of fasaad or fitnah in this question? It was a clear question about females visiting the graves and this is the answer which the person received. Nowhere in any of this question, is the issue of fasaad mentioned.

In fact, these quotes which you have presented actually becomes a clear testimony against your argument.

11. There is another point to be borne in mind which pertains to females. The issue of educating and removing them from fasaad makes no sense. In fact, the law in this regard is common whether they are pious or not. Fitnah is created from both parties. Bear in mind that Hadrat Sayyiduna Zubair bin Al Awwan *May Allah be pleased with him* restricted his wife from going to the Masjid even

though she was pious and noble. Bear in mind that this female was someone who had a great attachment for the Masjid. In fact, she was someone who was married to Hadrat Sayyiduna ‘Umar *May Allah be pleased with him* and made it clear that he should not stop her from going to the Masjid. Bear in mind that in those days, the law was not specific as it is today. In the *Sahih Bukhari* and *Muslim*, Sayyidah Attiyah *May Allah be pleased with her* narrates, “We were prohibited from going behind a Janaza however there was no specific restriction”.

In the *Ghunayyah*, it is mentioned that this was in that time when it was permissible for them to enter the Masjid. In the present time, it is forbidden and Haraam. This is the reason that Hadrat Sayyiduna ‘Umar *May Allah be pleased with him* accepted this condition. In other words, he did not present this condition to her. However, after that, she was married to Hadrat Sayyiduna Zubair *May Allah be pleased with him* and he stopped her but she refused to listen. One night, he decided to hide behind someone’s door and wait for her to walk past. When she walked past, he approached her and placed his hand on her head and remained silent. She screamed out, “We are for Allah *Almighty* and without doubt, fasaad has appeared among people.” After saying this, she returned home. She only appeared from her home when her Janaza was leaving home. Hadrat Sayyiduna Zubair *May Allah be pleased with him* was merely educating her about the fact that no matter how noble and pious a lady is, there is always a possibility of fasaad from another person. Tell me, is this something which is meant for everyone or merely an indication that the intent is to protect the Ummah from all future fitnah?

Our ‘Ulama have quoted both excuses. In the *Hidaayah*, both has been explained. In other words, whether there is danger from a female or whether there is danger for a female. Explaining the second cause, it is explained, “There is no harm for an elderly female to go for Fajr or Esha or Maghrib. In the view of the Saahibain, it is permissible for go for all Salaah because no one is attracted to this person. However, Imam A’zam has made it clear that the mischievous has more carnal desire for these females and because of this fitnah will occur. In fact, these Faasiqs are in the habit of walking around during the times of Zohr, Asr and Jum’uah and because of this, they had been permitted to go for Fajr, Maghrib and Esha (when it was still allowed).”

Muhaqqiq alal Itlaaq in the *Fathul Qadeer* states that, “Prohibition is also for that female who herself is not evil and hence the prohibition even at night. Even though from the words of Imam A’zam *May Allah be pleased with him* there seems to be permission, yet, taking into consideration the fitnah of the present era, this prohibition is now upon all females whether they are old or young and this prohibition is for all Salaah. There reason is that fasaad is now possible all the time.”

If one has to compile all the material on this subject, certainly it would become a very lengthy book. One can see the contents which you presented which is to be found in *Umdatul Qari*, volume three, a half a page prior.

In this Hadith Shareef the subject matter is that, that work in which there is benefit for a female, her husband should give her permission so that she can leave and complete this task and should not restrict her. This is on that condition that there is no possibility of fitnah for the female and no possibility of fitnah being created through her. In that early period in Islam, conditions were safe and there was no fear which could be seen. However, in our time, evil and fasaad has become common place. The same with fitnah. The condition which we have presented is based on the Hadith Shareef which has been narrated by Hadrat Sayyidah Ayesha *May Allah be pleased with her*. (Umdatul Qari Sharah Sahih Bukhari Shareef)

From the subject, in volume four of this book, we clearly come to realize that for a female to visit the grave is not only Makruh but also Haraam. It has not been mentioned that it is Haraam in this manner or Halaal in that manner. It has been Haraam from the outset and therefore, it cannot be said it is only like this because of the present era. And not because there is a possibility of fitnah or because fitnah can be caused by a female. Even though Hadrat Imam Shafi *May Allah be pleased with him* has maintained that they may go, however, we have already mentioned that eminent Shawaafi ‘Ulama later on, such as Imam Kirmani, Imam Asqalani and Imam Qastalani *May Allah be pleased with himm* who maintained that due to fitnah been caused during certain times, this is sufficient proof that

all females are prohibited. It has been said that, “I have stated that certainly what I have mentioned is correct that this fitnah or fasaad did not appear at all times.”

In the fourth volume, it has been mentioned from Abu Umr ibn Abdul Barr *May Allah be pleased with him* that, “As for young females, there is no possibility of fitnah not occurring when they appear. For a female, the best place is to be in their homes.”

All Praise is due to Allah *Almighty*, there has been nothing left out in revealing the truth. The ‘Ulama have also highlighted a few occasions in which a female may leave her home and I have mentioned this in my book *Murujun Nijaa li Khurujun Nisaa* (1315 A.H.) They have also mentioned that except for this, she does not have permission. And if the husband does give permission then both would be considered as sinful. In the *Durre Mukhtaar* it is mentioned that, “A female should not (leave her home) except for rightful reasons or because she needs to fulfil a certain right. (These would include) visiting her parents once a week or once in a year to visit her various relatives. Or if she is a foster-mother or she needs to leave to perform the Ghusal of some Mayyit. Besides these reasons, she should not leave her home. Even if the husband gives her permission, still both would be considered as sinful.”

In the *Nawaazil* by Imam Faqeeh Abul Laith Samarqandi, the *Fataawah Khulaasah* and in the *Fathul Qadeer*, etc, it is mentioned that, “A husband may give his wife permission to leave for seven reasons.

1. To meet her parents or one of them,
2. To visit them,
3. To sympathise with them,
4. To meet one of her relatives whom it is Haraam for her to marry,
5. If she is a foster-mother or wet nurse,
6. Or she needs to bathe a deceased female,
7. If she has a right over someone or someone has a right over her.

Hajj is also considered in the same light. Besides these mentioned. For her to meet strangers, to visit someone or to attend a Waleema (alone), the husband should not give permission. If he had given permission, then both are considered as sinners. (Khulaasatul Fatawa)

Look at these examples, is there any mention of visiting a grave? Can this even be found in any book?

I would like to mention very clearly and all strength is from Allah *Almighty* and only through Him are we able to prove anything. From all of this explanation, the absolute and complete truth has become apparent. Those who follow their Nafs, clearly state that Shari'ah allows a female a visit the grave. However, in various books of Shari'ah, there is no mention of this anywhere. As for those who prohibit this action of a female leaving her home to visit a grave or grave site, they have clearly outlined the various reasons for this. They also bring forward the testimony that; it is prohibited for a female to leave her home for the Masjid, one of the reasons is because there is a possibility of fitnah being created. All of the testimony which we have presented leads in this direction. If however, the grave is within the confines of her home or if a female leaves for Hajj or any permissible journey and finds a grave on the journey and visits this grave, she may do so on condition there is no wailing or loud weeping and all due to respect is shown.

In the *Kashfe Bazdawi*, the evidence which leads to certain points of permissibility is as follows. He states, "There are certain times when there are certain exceptions for both men and women. It is mentioned that Hadrat Sayyidah Ayesha *May Allah be pleased with her* used to always visit the blessed grave of the Holy Prophet *May Allah send peace and blessings upon him* and during the Hajj, she used to also visit the grave of her brother Abdur Rahman which was along the journey."

In the *Barur Raa'iq*, *Alamgheeri*, *Jami'ur Rumuz*, *Mukhtaarul Fataawah*, *Kashful Uzzaam*, *Siraajiyah*, *Durre Mukhtaar*, *Fathhul Minaan*, none of the references in these books are against our viewpoint. Yes, at the same time, there is clear refutation which is to be found in *Mee'atah Masaa'il*. In this book, it is mentioned, "For females to visit a grave according to the proper ruling is Makruh Tahreemi."

In the same *Bahrur Raa'iq*, in which it was mentioned that there is exception for both males and females visiting a grave, in this same book it is mentioned that, "Females should not attend a Janaza. The reason is that the Holy Prophet *May Allah send peace and blessings upon him* has prohibited this and he has also mentioned that, 'If they go, then it will be free of reward and they will return full of sin.'"

To join in a Janaza is Fard-e-Kifaayah and when it is not permitted for a female to join in this, then making Ziyarah of a grave would only be considered as Mustahab. How therefore, would it be permissible for her to visit the grave?

In the *Raddul Muhtaar* and the *Minhatul Khaaliq* it is mentioned, "If this visit to the grave is for the purpose of reactivating sadness and to wail and weep loudly, which is the habit of a female, then this is not permitted and this Hadith Shareef is based on this fact which is, 'The Divine Curse of Allah *Almighty* is on that female who visits the grave.' If it is done with the intention of learning a lesson, without weeping and to achieve Barakah at the grave of a pious person, then like the presence in a Masjid, this is only permissible on the elderly females and for the younger females, it is Makruh".

In the *Raddul Muhtaar*, it is mentioned that this is indeed a good explanation. In this, I have also recorded the following marginal notes which are. We come to know from this that the Fatwa is that for females to join the congregation is prohibited even though it is an elderly female and even though she may appear at night. The same will apply to visiting a grave. In fact, it would be even stricter.

14. You have mentioned something about an old Sheikh who is behind a veil teaching Zikr. What harm is there in this when there is no possibility of a female leaving the confines of her home?

15. As for the issue of a female been given the status of Khalifah, this is certainly not correct. There is 'Ijmah of the A'immah in the spiritual realm that a female cannot be a person who calls or invites towards Allah *Almighty*. Yes, she may be an emissary to other females highlighting the advice of the Murshid, there is no harm in this. Imam She'raani *May Allah be pleased with him* in the *Mizaan Ash*

Shariatul Kubra has stated that, “The Ahle Baatin (or the Mashaa’ikh) are unanimous that one of the conditions of those who call towards the Almighty *Almighty* is to be male. We have not received any report that a female became a Sadr Nasheen of any Shaikh. The reason is that a female is considered as incomplete in status. As for certain females who have been termed as complete, this is only in affairs of piety and nobility and not in determining any issue among people as a leader and not because they have completed the various stages of Wilaayah. These would include females such as Sayyiduna Maryam binte Imran, Sayyidah Aasiyah *May Allah be pleased with her*, etc. The greatest stage for a female is to be complete in acts of worship and in spiritual penitence such as Rabia Adawiyah *May Allah be pleased with her*, etc.

Allah *Almighty* knows best.