

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Series of Questions Addressed to Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,
Ameer of Hizb ut Tahrir through his Facebook Page (Fiqhi)

Answer to Question

How to Deal with Widespread 'Awra

To: Abdullah Ibn Al-Mufakkir

(Translated)

Question:

Assalamu alaikum wa rahmatullahi wa barakatuhu, our esteemed sheikh. I ask Allah to preserve you, keep you in good health for this Da'wah and Deen and grant you a long life in His Ibadah and make you a witness to reestablishment of the second Khilafah Rashidah. I ask Allah to preserve and strengthen the Dawah, to the Islamic way of life, and to unite our Ummah under one banner. Ameen.

My question is about men looking at women. In the West, most women expose their awrah (hair and arms at a minimum - almost everything in summer and heat). I am under the impression that seeing their awrah is haram for men, regardless of if they are attractive or ugly women, just as it's haram for a man to see the awrah of another man even though he has no attraction to him.

I understand that the supposed 'First glance' is permissible, and any looking after the initial look is haram. In the day-to-day lives of people in the West, a man will encounter awrah-exposing women everyday. In cases such as driving or walking, he can manage to have just one glance, however, this is practically impossible in the work place, school, and shopping places.

It's essentially impossible for a man to interact with female co-workers without seeing their awrah. If he only saw her awrah once, for every other interaction with her, he would have to close his eyes or look at the floor. Here, I'm not referring to looking with any lust. Maybe the female co-worker is ugly, but for interaction, the man still has to look at her awrah - but he is only permitted can only look once (as I understand).

A Muslim student wouldn't be able to participate in a class where a female teacher is showing her awrah. After looking at her in the beginning of the lesson, it would be impermissible to look at her for the rest of the lesson, even if she is old or ugly. She is showing her awrah, which is haram to look at.

The situation is similar for shopping as well.

The man wouldn't be able to interact with the woman except by looking at the floor or closing his eyes. Even if she's ugly, he still cannot look at her awrah.

My question:

Is my assumption correct - that looking at a foreign woman's awrah is haram except for the first glance, even if she is ugly, just as looking at a man's awrah is haram despite there being no attraction to him? If it's haram, would work involving interacting with awrah-exposing women be permissible on a case-by-case basis, based on daroorah?

Can you please practically explain the first glance?

Can you also please practically explain what lower their gaze "Yaghuddhoo Absarihin/Absarahim" means and when it should be done?

Jazakumullahu Khairan dear Shaikh

From: Saifudeen Abdullah) End.

Answer:

Wa Alaikum Assalam Wa Rahmatullah Wa Barakatuh,

With regard to the widespread 'awrah that are difficult to avoid in the current conditions of countries that do not apply Islam, in these cases, Allah (swt) has commanded us to do two things:

The first: Ghad ul Basar, i.e. lower our gaze to what is necessary for walking and performing work...

The second: Not to follow the sudden look with another look...

We have detailed this in the book, *The Social System in Islam*, in relation to the answer to your question, so we stated:

(...Since the onslaught of the Western culture and the rule of the Muslim countries by the systems of kufr, non-Muslim women started to go out semi-naked, baring their chests, backs, hair, arms and legs. Some Muslim women began to imitate them and also going out in public attired in this manner, until a person could no longer differentiate between a Muslim woman and a non-Muslim woman when walking in the market or shopping for a certain item. The Muslim men who lived in these cities were unable to eradicate this munkar by themselves. It was impossible to live in these cities without looking at the awrah of women. A man would inevitably look at a woman's awrah due to the lifestyle and the type of houses in which they lived. No man could guard himself from looking at the awrah of women; their arms, chests, backs, lower legs and hair, no matter how much he tried not to look, except if he sat in his own house and didn't leave. A man could not remain at home as he had to engage in the social relationships in terms of buying, selling, leasing, work etc. He could not undertake such relationships whilst guarding his eyes from such awrah. However, the prohibition of looking at such women is clear in the Quran and Sunnah, so what should he do? This problem can be addressed in two situations:

Firstly, the sudden look (nazrat al-fujaa'ah) which is what he encounters whilst in public. This person is forgiven for the first unexpected look (at an awrah) but he must not look again as has been narrated from Jarir bin Abdullah, who said: «سَأَلْتُ رَسُولَ اللَّهِ ﷺ "عَنْ نَظْرَةِ الْفُجَاءَةِ فَأَمَرَنِي أَنْ أَصْرِفَ بَصَرِي" I asked the Messenger of Allah (saw) about the sudden look (nazrat alfujaa'ah), so he instructed me to divert my gaze.» [Reported by Muslim] It has been narrated on the authority of Ali that he said: The Messenger of Allah (saw) told me: «لَا تُشَبِّعِ النَّظْرَةَ النَّظْرَةَ، فَإِنَّمَا لَكَ الْأُولَى، وَلَيْسَتْ لَكَ الْآخِرَةُ» "Do not follow up the (first) glance with a second look. The first is permitted for you but not the second." [Reported by Ahmad on the authority of Buraydah]

In another situation where a non-mahram man is talking to a woman whose head and arms are uncovered as well as other parts she has become accustomed to show, he must divert his sight and lower his gaze. This has been reported by al-Bukhari on the authority of Abdullah bin Abbas (ra): «كَانَ الْفَضْلُ رَدِيفَ النَّبِيِّ ﷺ فَجَاءَتْ امْرَأَةٌ مِنْ حَتْنَمَ فَجَعَلَ الْفَضْلُ يَنْظُرُ إِلَيْهَا وَتَنْظُرُ إِلَيْهِ فَجَعَلَ النَّبِيُّ ﷺ يَصْرِفُ وَجْهَ الْفَضْلِ إِلَى الشِّقِّ الْأَخْرِ» that alFadhli bin Abbas was the Prophet's riding partner at the time when a woman from Banu Khath'am came seeking a hukm (ruling), so al-Fadhli began to look at her and she at him, so the

Messenger of Allah (saw) made him turn his face from her. Allah (swt) has said: **قُلْ** ﴿تَلْمِذَةً لِّلْمُؤْمِنِينَ يَئِسُوا مِنَّ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ﴾ **“Tell the believing men to lower their gaze and protect their private parts”** [An-Nur: 30] What is meant by 'lowering the gaze' is to curtail it. The solution to this problem is that a man should lower his gaze whilst, for example, engaging in necessary conversations with a woman, travelling by car or sitting on a balcony due to the intense summer heat. These are part of the necessities of the public life for a man. He does not have the ability to repulse this affliction of women uncovering their awrah and so he is obliged to lower his gaze in accordance with the provision of the ayah; he is not permitted to do so whatsoever.

One cannot argue here: that this affliction has become widespread and it is difficult to guard against. Indeed, this principle contradicts the Shar'i. The haraam does not become halaal when it becomes an affliction and nor does the halaal become a haraam when it becomes an affliction. Nor can one argue that these women are unbelievers and so they should be dealt with in the same way as slave girls and their awrah is the same as that of the slave girl. This is not true because the hadith is general and applies to all women, not exclusively to Muslim women. The Prophet (saw) said: **«إِنَّ الْجَارِيَةَ إِذَا حَاضَتْ لَمْ تَصْلُحْ أَنْ يَرَى مِنْهَا إِلَّا وَجْهَهَا وَيَدَاهَا إِلَى الْمِفْصَلِ»** **“When a young girl begins to menstruate, it is not correct that anything should be seen of her except her face and hands up to the wrist.”** which is explicit in prohibiting looking at a woman whether she is Muslim or non-Muslim, and this is general applicable to all situations. The kaafir woman is not compared to the slave girl because the analogy is devoid of meaning.

...Those living in the cities who are forced to interact in society or deal with kaafir women revealing their awrah in terms of buying, talking, renting, leasing or selling, should lower their gaze during that time. They should limit the encounter to that which is necessary). **End of Quote.**

I pray that this answer is sufficient for you question. Allah Knows Best and is Most Wise.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

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The link to the answer from the Ameer's Facebook page:

<https://web.facebook.com/HT.AtaabuAlrashtah/posts/2977186275860710>