

The Decree on Bedizenment in the Qur’ān and Islamic Narrations

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Abstract

Women’s lack of legal veiling, as the non-feasance of a divine obligation in the Islamic society, is a criminal act for which the law has foreseen punishment. This behavior and its instances are called “tabarruj” (bedizenment) in the Islamic narrations. Notwithstanding the viewpoint of those who follow the superficial enlightenments of recent centuries and do not consider bedizenment so reprehensible, this article set out to look for the decree on this behavior in the related qur’ānic verses and Islamic narrations. The exploration of Islamic sources indicated that bedizenment is one of the clear legal prohibitions and is one of the grave sins. Based on the Islamic legal and judicial principles, the perpetrator of this sin is deprived of the right to give testimony in the courts of law. The article at hand revolves around the Qur’ān 33:33, the viewpoints of the past Qur’ān exegetes and philologists, and a novel reflection on the connection of the various parts of other verses related to it.

Keywords

Legal clothing, Hijāb, Testimony, Fisq, Tabarruj.

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Introduction

In the Islamic Penal Law (the note under article 638), the various forms of women's lack of legal veiling are criminalized, and the legislator has foreseen punishments for them. Whatever is the basis of the enacted law, the Islamic Law uses the specific term "tabarruj" for Muslim women's lack of veiling. What is today called "bad hijāb" is called by the noble Qur'ān and Islamic narrations as tabarruj. Therefore, the points related to the decree on this behavior should be looked for using the latter term in the Qur'ānic verses and Islamic narrations.

Notwithstanding the detailed verses on the necessity of hijab (i.e. a predefined veiling) for the Muslim women, there have been some worthy studies on the scope of the concept of tabarruj (bedizenment) discussed in the Qur'ānic verses and Islamic narrations (Rūhī, 2014: 113-128). In this article, we do not want to explain extensively our concerns about those pieces of text. Rather, we adopt the definitive scope of this concept to clarify the decree on it through a reflection on the bedizenment verses as well as the assertions of the notable exegetes. For more than one hundred years, the foreigner-oriented people who mostly feed on the freemasonry and its slogans (Jazā'irī, 1981: 22) not only have not deemed the foregoing act as ritually prohibited or even reprehensible, but also have taken it as a desirable act and have insisted on it (Mushfiq Kādimī, 1971, vol. 1: 378). They have introduced it as one of the useful and important changes that occurred during the Pahlavi era (Mīnawī: 155-160 & 205-211) and even have stepped further in their claims and have maintained that there is no verse in the Qur'ān on the necessity of women's veiling (Dashfī: January 5 & 8, 1937)¹. They have even challenged the religious scholars to present evidence from the Book of Allāh on the necessity of women's veiling (Madanī Kāshānī, n.d.: 153). Believing that they have come across a novel idea, they have brought their pieces of writing to the offices of the religious authorities and asked them to publish those texts (Wishnawī, 2000: 49). It is evident that Muslim scholars have responded these actions with articles and treatises (Āqā Buzurg Tihirānī, 1983, vol. 6: 254), though few of them are accessible now. In a significant effort, a contemporary study has led to the collection of more than 30 treatises in this regard, which have been published in the form of a high quality and beautiful volume (Ja'fariyān, 2007: 19)².

1. The complete form of these articles are published at the end of the second volume of *Rasā'il Hijābiyya*.

2. It is clear that numerous treatises are remained out of this collection in the research or selection phases. One of these is the *Hijābiyya* treatise by the late Āyatullāh Mullā 'Abdulasul Madanī Kāshānī published in 1926, i.e. nine years before the kashf-e Hijāb

The question of tabarruj and its ugliness is so clear today in the Islamic society and culture and for the knowers of the religious knowledge and teachings that it does not need to be proved or emphasized. The necessity of hijāb for women is the result of the human intellectual experience and follows the need to it. In addition, the observation of the chastity boundaries is supported and emphasized by divine religions with the consideration of the existing requirements (Ṣadr, 1976: 93). Nonetheless, there are some who – despite the confession of the conscience to the beauty of veiling and hijāb – ignore the vicious consequences of bedizenment (Muwahḥid Qazwīnī, 1981: 23) and repeat the words of the same enlightenment followers of the past 100 years. They believe that in the present-day conditions, this phenomenon cannot be considered as one of the religious and cultural priorities of the Islamic society and there does not exist such a strong emphasis by the Saint Legislator on its prohibition. Therefore, they contend that the religious people should not put treating it as one of their priorities in preaching and cultural undertakings. Consequently, the article at hand aims at finding out the strength of emphasis put by the Saint Legislator on this issue in the bedizenment verses of the noble Qur'ān.

We will first have a glance at the concept of bedizenment to achieve a tentative perception of it. Then, we will compare this concept with what is called today as bad hijab, etc. In the next phase, we will review the opinion of the Saint Legislator about it.

The equivalents for the word “tabarruj” in the ancient Persian are “beautifying” (Rajā'ī Bukhārā'ī, 1984: 122), “beautifying oneself” (Jurjānī, 1985: 32), “coming out of house after beautifying oneself” (Marwzī, 1982: 209), or “women’s self-beautification and appearance out of house” (Zūzanī, 1966, vol. 2: 506). Taking into account the qur'ānic uses of the word, it is defined as “a woman’s self-beautification and appearance out of house” (Bukhārā'ī, 1986: 121 & 197). In the book *Gharīb al-Qur'ān*, which is traced back to the second century LH and is attributed to Zayd b. 'Alī b. al-Ḥusayn (martyred in 122 LH), the word tabarruj, which appears in the Qur'ān 33:33, is defined as “revealing the makeup” (Zayd b. 'Alī, 1997: 327). Similarly, Muqātil b. Sulaymān Marwzī Khurāsānī, the well-known

(Banning of Islamic Veiling) in Iran. This treatise has been published in *Fawā'id al-Mutakallimīn* (pp. 152-188) by the son of Āyatullāh Madanī Kāshānī, i.e. Āyatullāh Ḥāj Āqā Riḍā Madanī Kāshānī, in 1308, that is, two years before the Banning of Islamic Veiling in Iran; a lithographic copy of it was published in 1347 LH in Qom, and in a high quality letter press in 2007. Moreover, the treatise *Ḥikma al-hijāb wa adilla al-niqāb* by an anonymous writer was published in 1349 LH, i.e. five years before the Banning of Islamic Veiling in Iran. This list can be enriched with more than tens of other treatises that are not mentioned here.

Sunnī exegete of the second century LH, who passed away in 150 LH (Ibn ‘Imād Ḥanbalī, n.d., vol. 1: 227), asserts: “Tabarruj is when a woman puts her scarf on her head loosely and does not fasten it tightly, in a way that her necklace, earrings, and neck are not covered and are all visible. This is the main meaning of tabarruj” (Suyūfī, 1984, vol. 5: 197).

This definition has been deemed by some notable Sunnī exegetes as acceptable (Ibn Kathīr Damishqī, 1982, vol. 3: 482; Sayyid Quṭb, 1989: 2860). Moreover, Shaykh Ṭūsī briefly asserts: “The basis of tabarruj is that women do not reveal their beauties to non-congenial people” (Ṭūsī, 2010, vol. 8: 257). This short analysis is sufficient to understand the pivotal role of tabarruj discussion and the need to find out its qur’ānic decree. Moreover, a reflection on it clearly indicates that what the assertions of notables such as Zayd b. ‘Alī (a), Muqātil, and other great exegetes reveal is the same thing we understand from the terms such as bad hijāb. The concept is the same notwithstanding the historical or geographical differences of the two expressions, as clearly suggested by Sayyid Quṭb – the well-known contemporary exegete (Sayyid Quṭb, 1989: 2461). A more detailed explanation of the scope of tabarruj can be found in the aforementioned article. All in all, tabarruj in Islamic narrations is suggested to be against veiling (Barqī, 1992: 197; Kulaynī, 1984, vol. 1: 22). This is sufficient to achieve an acceptable understanding of this concept in the Islamic Law language and its comparison with its instances in any time and place.

Related issues

In this section, we axially explore three issues that are related to the main topic of the article.

The first denotation of the evident qur’ānic prevention in the noble verse “Bedizen not yourselves with the bedizenment of the Time of Ignorance” (Qur’ān 33:33) is the prohibition of tabarruj. It is needless to explain and prove this point that although the main address of the verse is toward the wives of the Prophet (s), due to the use of this term and its implied prevention in the Qur’ān 24:60, the target group of this verse is all Muslim women (Bustānī, 2002, vol. 3: 483). We know that the obligation of the women’s veiling in the presence of non-congenial people that is agreed upon by the decrees of Islamic jurists is derived from the various parts of the hijāb verses, such as “...to draw their veils over their bosoms, and not to reveal their adornment save to ...” (Qur’ān 24:31), “provided they make not a wanton display of their beauty” (Qur’ān 24:60), and “...they should cast their outer garments over their persons (when abroad)...” (Qur’ān 33:59). The jurists firmly and with no doubt have ruled that these verses denote the obligation of women’s veiling (Ḥakīm, 1984, vol. 14: 59). In this

case, the induction of the prohibition of tabarruj from the aforementioned noble verse is very clear and unambiguous. It is so evident that we might not discuss it anymore.

Grave sins

According to the noble Qur'ān verses, the sins are divided into “minor” and “grave” sins (Qur'ān 4:31; 18:49). However, the definition of the grave and minor sins or their instances are not completely evident, and great scholars have suggested different viewpoints in this regard (Ṭabāṭabā'ī, 1971, vol. 4: 346-349; Shaykh Bahā'ī, 1994: 380-381). Some believe that a grave sin is one which is stipulated by the Qur'ān as so, there is a definitive or implied promise of punishment for it in the Qur'ān and valid traditions, it is considered larger than the definitive grave sins in the Qur'ān and valid traditions, or it is considered to be grave by the common sense of the religious scholars (Yazdī, n.d., vol. 1: 800). This might be the most valid stance that can be adopted with regard to this issue. At any rate, a clear definition and its limits and boundaries of the grave or minor sins more than what said above does not exist, and the stance of those who have think that there are a certain number of grave sins (Jazīrī, n.d., vol. 5: 441) is not comprehensive and precise. As the late Shaykh Bahā'ī asserts, this issue might be one of those ones which should remain hidden due to reasons that are above our knowledge, including issues such as the Qadr night and the middle prayer (Shaykh Bahā'ī, 1994: 382). Nonetheless, in a sound tradition (Majlisī, 1984, vol. 10: 45) from 'Abdul-'Azīm Ḥasanī from Imām Jawād (a) from Imām Riḍā (a) from Imām Kāḍim (a), more than twenty cases of grave sins are enumerated (Kulaynī, 1984, vol. 2: 285). The author of *Kāfi* has allocated a section in this book to this topic entitled “kabā'ir” and has collected the traditions in this regard. We might identify at least a collection of the cases of grave sins introduced in the narrations of the Infallible Imāms (a) in this section of *Kāfi*. In brief, it can be said that what has been prohibited by God the most can be considered as a grave sin and at any rate, perpetrating them is deemed as prohibited and grave, as the graveness of a sin should be gauged based on the intensity of its prohibition and the strength of the warning given by the Saint Legislator against it (Ṭabāṭabā'ī, 1971, vol. 4: 364). After this brief expression of the topic, we can now explore the related noble verses.

In the Qur'ān 33:30, God forbids the wives of the Prophet (s) from any behavior that is called “manifest disobedience of Allāh” and threatens the perpetrators with double punishment. Therefore, whatever that action is, it is a grave sin. Discussing the word “fāḥisha”, the author of *Majma' al-bayān* has expressed that “A sin that is extremely ugly is considered a grave sin”

(Ṭabrisī, 1998, vol. 3: 312), while *Al-Mīzān* asserts that “An act that is extremely ugly and obscene is a grave sin” (Ṭabāṭabā’ī, 1990, vol. 16: 325). It is clear that doubled punishment is meaningful in comparison to other women, that is to say, if the act is done by others, some punishment is foreseen for them, but if the same act is done by the wives of the Prophet (s), the same punishment is doubled for them (Ṭūsī, 2010, vol. 8: 254; Abūl-Futūḥ Rāzī, 1990, vol. 15: 413; Ṭabrisī, 2011: vol. 7: 34; id., 1998, vol. 3: 313). In the Qur’ān 33:32, the wives of the Prophet (s) are addressed: “O Consorts of the Prophet! Ye are not like any of the (other) women: if ye do fear (Allāh).” As it is clear, their higher level in comparison to other women is conditioned to piety. There are two possibilities with regard to the condition “if ye do fear (Allāh).” First, the transitive verb (fear) might be considered as intransitive due to rhetorical reasons and the verb is not associated with any specific or general object (Taftāzānī, n.d.: 191), as the phrase points to the necessity of the existence of piety virtue, without reference to any specific association. The assertions of some exegetes suggest that they have preferred this possibility, as one of them has said: “The condition set for the wives of the Prophet (s) was piety so that the Glorified Allāh makes it clear that their superiority was due to their piety rather than their attachment to the Prophet (s)” (Jazā’irī, 2009, vol. 4: 84). The second possibility is to consider the aforementioned transitive verb to be actually associated with an object (due to contextual evidences) such as divine punishment: “if you keep away the divine punishment through avoidance of the prohibited deeds” (Ṭūsī, 2010, vol. 8: 257). Also, it is said that its meaning is that “if you fear opposition to His orders and prohibitions” (Sharīf Lāhījī, 2002, vol. 3: 630) and “suchlike issues” (Thaqafī, 1997, vol. 3: 396). In both possibilities, especially in the second one, the internal connection between the Qur’ān 33:32 and 33:30 seems to be very significant. That is, it is shown in this connection that whatever comes after the verse 33 – either the Divine orders or prohibitions – are very important for God. To be exact, if the wives of the Prophet (s) observe them, they will get a high rank, and if they oppose them, they will be afflicted with the double punishment by God. Moreover, among those orders and prohibitions that are mentioned in the Qur’ān 33:33, there are some cases whose importance cannot be ignored, such as “...and establish regular Prayer... and obey Allāh and His Messenger,” and we know that according to the sound narrations from Ahl al-Bayt (a), the non-performance of ritual prayers is among the grave destructive sins (Kulaynī, 1984, vol. 2: 287; q.v. Jazīrī, n.d.: 457). Similarly, the disobedience to God and His Prophet (s) leads to aberration and a permanent residence in the Hell (Qur’ān 33:36;

4:14; 72:23). Here, the prohibition of tabarruj is introduced in the same group of propositions, and the linguistic context here indicates that this issue is also important from the viewpoint of the Saint Legislator, in a way that the ignorance of it is a grave sin and the decree on insisting on undertaking bedizenment and setting it as one's clothing style is clear by itself and does not need extra explanation. In the Islamic narrations, too, the degree of the graveness of tabarruj can be understood, which can be used to support the foregoing understanding of the aforementioned noble verse. In a narration in Sunnī sources, whose presentation in some Shī'a sources can be considered as the acceptance of its theme by the Shī'a notables (Shīrāzī, 2012: 97; Majlisī, n.d., vol. 89: 367), it is noted that the Prophet (s) hated ten features. One of these was "tabarruj through makeup in an inappropriate situation" (Nisā'ī, 1929, vol. 8: 141). That is to say, women's makeup and showing it to non-congenial people is among issues that the Prophet (s) considered as undesirable and reprehensible (Suyūṭī, 1929, vol. 8: 141). There is also another narration from the Prophet (s) which says: "The bedizening women are the worst women; they are hypocrite; none of them goes to Paradise more than an A'sam crow does" (Suyūṭī, 1984, vol. 5: 197). What is A'sam crow? What point lies in this simile? 'Amāra b. Khazīma says in this regard: "We were with the Prophet (s) in a Lesser or Greater Hajj occasion. His holiness said: 'Look through this valley. Do you see anything new?' We looked and said: 'We see crows among which there is only one A'sam crow (that is, one whose beak and feet are red)...' His holiness said: 'None of the women enters Paradise other than one which is like this crow among crows'" (Ibn Ḥanbal, n.d., vol. 4: 197). Moreover, it is said in a narration from the Prophet (s): "Nothing should be asked about three types of people [because of their extremely bad fate]. One of them is a woman whose living expenses is paid by her husband, but she wears makeup and leaves the house to show off in the absence of her husband" (Ibn Ḥanbal, n.d., vol. 6: 19; Mutaqqī Hindī, 1988, vol. 16: 30). Do not ask anything about suchlike people. It is clear from the evidences and reasons for the prohibition and badness of the women's bedizenment that it is not limited only to the married women at all, and it covers the mature and teenager girls as well (Mardāwī, 1985, vol. 1: 453). It is based on these reasons and evidences that the great Shī'a and Sunnī jurists of Islam have called bedizenment and tabarruj as one of the biggest religious prohibitions and among the most defamatory disallowed things in Islamic Law, and have called for the observation of this prohibition as a religious requirement (Ja'fariyān, 2007: 1416)¹.

1. Moreover, there are numerous manuscripts of the handwritten decrees by the great Shī'a jurists on the prohibition of bedizenment and tabarruj (Ja'fariyān, 2007, vol. 2: 1407-1416)

The acceptance of testimony

Similar to the judicial systems of other nations, there are conditions and requirements for the witness in the Islamic judicial system, which are discussed in the jurisprudential and judicial works in detail. One of the main conditions for testimony is justice, and in the Islamic jurisprudence, justice means freedom from any “*fisq*” (transgression). The Muslim jurists have defined justice as “a faculty that prevents the human from disobeying God.” Therefore, the testimony of a *fāsiq* – i.e. a person who commits a grave sin or repeatedly commits a minor sin – is not acceptable in the legal and judicial system of Islam (Khumaynī, n.d., vol. 2: 442).

Fisq is defined as “reprehensible and detestable rebellion” (‘Askarī, 2000: 405) to differentiate it from the “absolute rebellion”; this way, some have taken it as getting out of the spiritual steadfastness and moderateness domain (Ibn Athīr Jazarī, 1985, vol. 3: 446). With regard to the atmosphere of the divine religions, it is said: *fisq* is disobedience (Rajā’ī Bukhārā’ī, 1984: 318), the non-feasance of the divine orders (Farāhīdī, n.d., vol. 5: 82), the transgression of the divine order (Jurjānī, 1985: 87; Zūzanī, 1961, vol. 1: 45 & 150), and the betrayal of God (Hawkes, 2004: 654; Muḥammadiyān, 2001: 894), no matter if it is a practical transgression or practical-doctrinal transgression, i.e. disbelief. Therefore, *fāsiq* should be considered as disbeliever (Ḥusaynī Kafawī, 1992: 693). The most common definition of *fāsiq* is a person who is committed to a religion in his heart, but distorts some or all of its obligations in practice (Rāghib Iṣfahānī, 1953: 380). After prohibiting the believers from some bad behaviors, God addresses them and says: “that is a transgression” (Qur’ān 5:3), “that is most surely a transgression” (Qur’ān 6:121), and “and if you do (it) then surely it will be a transgression in you” (Qur’ān 2:282). Moreover, the noble Qur’ān connects the necessity of the non-acceptance of the testimony of the sinful and their transgression: “...and do not admit any evidence from them ever; and these it is that are the transgressors” (Qur’ān 24:4). That is to say, the testimony of this group is never accepted and they are transgressors indeed (Sharīf Lāhījī, 2002, vol. 3: 260) and in testimony, justice is the condition and transgression is opposite to it (Kāshānī, 1967, vol. 6: 271). Now, if *bedizenment* is considered transgression and is a grave sin based on the foregoing verses that promised punishment for it, its relationship with the testimony is also clear. In a narration with a strong chain of transmission and text (Majlisī, 2017, vol. 6: 126) which is used by Muslim jurists as the basis of their decree (‘Ijlī Ḥillī, 2011: 183; Quṭb al-Dīn Rāwandī, 1985, vol. 1: 402), it is narrated from Imām Bāqir (a): “The testimony of those women is accepted who are from families famous for their goodness, use veil and have chastity,

obey their husbands, are not verbally abusive, and do not go among men with makeup and showoff” (Tūsī, *Al-Iṣṭibṣār fīma-khtalafa min al-akhbār*, 2011, vol. 3: 13; id., *Tahdhīb al-aḥkām*, 2011, vol. 6: 242). The obvious implication of this tradition on the prohibition of bedizenment as an instance of transgression can be readily admitted by anyone. It is noteworthy that the article 55 of the Criminal Procedure Code of Islamic Republic of Iran stipulates the necessity of the presence of justice in the witness in the required cases. Moreover, the third note of this same article points out that any record of transgression and the reputation to corruption on the side of a witness prevents the acceptance of the testimony given by him/her. In addition, in the article 233 of the Civil Procedure Code, the conditions written in article 155 are reiterated. Moreover, in the article 234 and its note, the challenging of the witness and its related issues are pointed out. These can be studied in a separate research project within the domain of Islamic jurisprudence and law, and are out of the scope of the present study.

Conclusion

1. The claim that tabarruj and hijāb have no evident legal evidence is completely unsupported.
2. The Qur'ān and sunna stipulate that bad hijāb and tabarruj are manifest unlawful acts and grave sins.
3. According to Islamic narrations, in addition to the punishments foreseen in the Islamic Penal Law, the bedizening women are deprived of the right to give testimony in the courts of law.

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