

Veiling From Viewpoint of Shia and Sunni

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Abstract

One of the constant precepts of Islam that all Islamic sects agree on it is order of the observance of veiling for women. Since the Sunnia constitute a significant part of Islamic world, this issue is posed in the entire Islamic world. The Sunni commentators and jurisprudents' view in the field of necessity of the coverage principle and its scope has been examined according to the verses narrations and jurisprudents inferences, and its reasons and principles have been posed in this article. In continue, this question has been answered from the perspective of Sunni jurisprudents whether the Islamic system and religious legitimate government is responsible in the field of veil and unveiling phenomenon? Reasons and strategies that can be assumed in the context of jurisprudence in this field have also been investigated. One of the important reasons that can be mentioned for this issue is "guilty punishment", "enjoining good and forbidding evil" and "preservation of Muslims rituals".

Key words: Sunni, Shia, Cover, Privy parts, Government, Punishment, Veiling

INTRODUCTION

Orders and instructions were revealed to mankind after the advent of Islam. Most of these precepts based on the narration of "حلال محمد حلال ابدأ الى يوم القيامة و حرامه حرام" (Koleini, 1405 AH: vol. 1, p. 58) are constant and eternal. Some of these precepts are public and all people, both men and women are obliged to follow them and a number of them are related to specific social groups.

One of the public orders is precept of cover for men and women. But what has excited sensitivities and has become problematic in recent times is about veiling of women and its scope. Veiling of women is universally challenged with the arrival of modernity phenomenon and enlightenment topics in the Islamic world, including Arab and non-Arab world. Interestingly, some have opposed to conventional and common method of veiling with modern defense from religious law, and have interpreted verses and narrations with a different look.

The Aim of Choosing Subject

The sensitivity of this issue has been increased by the realization of the Islamic Revolution and engaging of some Islamic precepts with social relations. Particularly, now veiling has become a symbol of identity of Muslim women and has been specially attended in intellectual, cultural, and press meetings in recent decades. In this paper, inference of Quad Sunni religious scholars has been quoted after explaining the Quranic words of cover and it has been tried all the resources to be from books and writings of Sunni scholars.

COVER BEFORE ISLAM

women did not much observe cover like men at the time of ignorance and even after the migration of the Prophet of Islam (PBUH) to Medina and the time of revelation verses related to veiling. All commentators and historians have affirmed this matter, and have interpreted this holy verse as this meaning "ولا تبرجن تبرج الجاهلية الأولى" (Ahzab, 33). Zemakhshari writes: "women clothes were open at that time, so that the neck, chest and around it had no cover" [1] (see Zemakhshari, 1407 AH: vol. 3, p. 231; Qortobi, 1985, vol. 12, p. 230; Samarqandi, Bitā: p. 508; Qernati, 1416 AH: vol. 2, p. 67).

Another writes: "The women of that era neglected the issue of cover and did not much care to it, they left their scarves from behind and they even did not observe cover

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in the sight of the men during breastfeeding” [2] (Molahvish, 2003: vol. 6, p. 129). Others have quoted, this same degree of cover was not observe in the hot season, Arab men and women were also used to naked circumambulate and considered it virtue. Beihaqi quoted from Ibn Abbas in this regard, the women circumambulated without clothes in the time of ignorance until this verse was revealed “قل من حرم زينة الله” (Araf, 32) [3] (Beihaqi, Bitā: vol. 2, p. 223).

So, how far from reality, the claim by some modernists of Arab world who write: “The veil is Jewish doctrine that has influenced Arab world and from there to Islam” (Nihum, quoting women’s character and rights in Islam, 2003: vol. 3, p. 366). Or another person says, “الحق ان الانتقاب و التبرقع ليسا من المشروعات الاسلاميه لالتعبد و الادب بل هما من العادات القديمة السابقة على الاسلام الباقية بعده (Mohammad Ibn Abdeh quoted from Abu Zeid, 1995, p. 240). (Mask and burqa are of the habits of women before Islam that have been still remained and are not derived from Islam).

Verses and teachings of the Holy Prophet of Islam (PBUH) about the veiling of women were issued in such an environment. Of course the word veiling although has become known and popular among Muslims, but has not been used for cover in the holy Quran: “يا ايها الذين آمنوا لا تدخلوا بيوت النبي الا ان يؤذن لكم. و اذا سألتموهن متاعاً فاسئلهن من وراء حجاب (Ahzab, 53). This verse is famous as Hejab (Nishabouri, Bitā: vol. 4, p. 150).

But some commentators have considered this verse dedicated to the wives of the Prophet of Islam (PBUH) and believe that it is not generalized towards other women (see Jesas, 1415 AH: C 5, p. 243; Zemakhshari, 1407 AH: vol. 3, p. 556; Razi, 1420 AH: vol 25, p 180). Also they have written that the extent of veiling is not determined in this verse, but according to the cause of revelation, the verse is an expression of direct contact with the wives of the Prophet (PBUH) (Bokhari, 1981: vol. 6, p. 149).

VEILING VERSES

Two verses among verses that have expressed the need for veiling are more explicit that are mentioned below:

Ahzab

God in Sura of Ahzab, after mentioning some points that some of them are specific for wives of the Prophet (pbuh), says: “يا ايها النبي قل لازواجك و بناتك و نساء المؤمنين يدين عليهن: ”من جلابيبن ذلك ادنى ان يعرفن فلا يؤذين و كان الله غفوراً رحيماً (Ahzab, 59), (O Prophet! say your wives and daughters and the believing women to wear their scarves. This is closer

than to be recognized and not to be harassed and God is Forgiving, Merciful) [4] (Ansari, 1998, p. 426).

Chador

There is a disagreement among Arab philologists about the meaning of this term. Some have defined it “garment” (Raheb Isfahani, 1412 AH, p. 93) and some have defined it “a garment larger than the scarf” does have (Ibn Manzur, 1984: vol. 1, p. 273; Farahidi, 1409 AH: vol. 6, p. 132). Another group has written: “Chador is a cover that is up to the knees” (Ibn Athir, 1985, vol. 1, p. 283). Others believe: “Chador is a coverall that covers whole the body” (Abdolqader, 1415 AH, p. 64).

So the meaning of Chador is not so clear from the view of the philologists. This disagreement has been spread to the experts, including Andalosi, he writes: “Some believe about the meaning of Chador: a garment that covers from head to toe and Ibn Jubayr has defined it headdress. Some others have said it coverall. Another group considers Chador as clothing that women wear on their clothes. Some also believe that Chador is any clothing by which cover is achieved. Finally, some have defined Chador greater than Khamar (veil) and scarf.

Akrameh believes one side of Chador is thrown to the other side. When it was asked from Abu Obaideh Salmani about Chador, he replied: Woman should put her garment on her eyebrows and covers her nose after wrapping it” (Andalosi, 1420 AH: vol. 8, p. 504). Ibn Arabi in summing up these opinions writes: the common thing among all of them is that Chador is a cover that covers the body, and covers at least the head, chest and neck to half of the body (Ibn Arabi, Bitā: vol 3; see Ibn Ashour, Bitā: vol. 21, p. 328; Khatib, Bitā: vol. 11, p. 752; Sais, Bitā, p. 667).

Yadnin

The term “إدناء” is from the material “دنو” means to make close and proximity (Sayyah, 1999, vol. 1, p. 584). It has been said in this verse that women make close Chadors to themselves. Commentators disagree on the purpose of the combination of this word. Qortobi writes: “اختلف الناس في صورة ارخائه فقال ابن عباس و عبيدة السلماني ذلك ان تلويه المرأة حتى لا يظهر منها الا عين واحدة تبصر بها و قال ابن عباس ايضاً و قتادة ذلك ان تلويه فوق الجبين و تشده ثم تعطفه على الانف و ان ظهرت عيناها ”لكنه يستر الظهر و معظم الوجه و قال الحسن تغطي نصف وجهها (Qortobi, 1985, vol. 14, p. 243).

(There is disagreement in quality of Chador cover. Ibn Abbas and Obeideh Salmani believe woman should put Chador on herself so that no more than one her eye can be seen. Qatadeh and Ibn Abbas believe she wear it so that the shoulder and most part of face to be covered, although

her eyes can be seen. Hassan says that she should cover half of her face).

Cover extent

The necessity of covering the head, chest and neck by putting on coverall on her is proved for women by the concept of the word “Chador” and “Yadnin”. Therefore, jurists and commentators believe the veiling is of the requirements of Islam. Many Sunni commentators clarify about face that the necessity of covering face is also revealed from this verse [5] (See Haghi, *Bitā*: vol. 7, p. 240; Hejazi, 1413 AH: vol. 3, p. 116; Zoheili, *Tafsir Al-Monir*, 1418 AH: vol. 22, p. 106; Sais, *Bitā*: p. 667; Nishabouri, 1416 AH: vol.5, p. 475, Novi, 1417 AH: vol. 2, p. 261; Alousi, 1415 AH: vol. 11, p. 264; Ibn Kathir, 1419 AH: vol. 6, p. 425; Meibodi, 1992, vol. 8, p. 89; Sa’labi, 1422 AH: vol. 8, p. 64; Ghasemi, 1418 AH: vol. 8, p. 112; Jesas, 1415 AH: vol. 5, p. 245; Razi, 1420 AH: vol. 25, p. 183; Samarqandi, *Bitā*: vol. 3, p. 73; Nasqi, 1988: vol. 2, p. 802; Andalosi, 1420 AH: vol. 4, p. 399).

Maudoodi also writes: “no one had hesitated on this issue by the eighth century AD” (Maudoodi, *Bitā*, p. 302). But since nothing has been said about covering face in this verse, it must be seen why and how they have perceived such appearance.

Causes of the necessity of cover of face

One of the meanings that have been expressed for Chador is covering the whole body. Hence some have also inferred the necessity of cover of face. They believe the necessity of cover of face is also confirmed by a combination of verse and becoming transitive of word “يدنين” with the word “على”.

For example, Zemakhshari writes, “و معنى يدنين عليهن من جلابيبهن يرخينها عليهن و يغطين بها وجوههن و اعطافهن، يقال اذا زل الثوب عن وجه المرأة أدنى ثوبك على وجهك” (Zemakhshari, 1407 AH: vol. 3, p. 559). (The verse orders the covers to be put on themselves in a way that cover their faces and around their bodies. This is because in term it is said put your cloth on your face when the cloth is removed from the face of woman).

Some have also used the word “يعرفن” that is the cause of women’s cover that free women must cover their faces to be recognized from bondswomen. This is because the bondswomen heads and faces were unveiled at that time and this order had been issued to identify free women, (see Tabari, 1412 AH: vol.22, p. 34). In addition to what has been said, some narrations have been also resorted to prove this claim, which are stated below:

ابن عباس مي فرمايد: «امر الله نساء المؤمنين اذا خرجن من بيوتهن - في حاجة ان يغطين وجوههن من فوق رؤسهن بالجلابيب و يبيدين عيناً

واحدة» (زحيلي، تفسير المنير، 1418ق: ج22، ص 108). (خداوند به زنان امر کرده که هنگام خروج از منزل برای انجام کار از بالای سر (خود، چهره را نیز بپوشانند و فقط یک چشم را باز گذارند

- Ibn ‘Abbas said: “امر الله نساء المؤمنين اذا خرجن من بيوتهن في” “حاجة ان يغطين وجوههن من فوق رؤسهن بالجلابيب و يبيدين عيناً واحدة” (Zohaili, *Tafsir Al-Monir*, 1418 AH: vol. 22, p.108). (God commanded to the women that cover also their faces from over their heads and unveil only one eye when leave home to do work).

- An Mohammad ibn Ka’b Al-qarzi “الكان رجل من المنافقين يتعرض لنساء المؤمنين يوذيهن فاذا قيل له قال كنت احسبها أمه فامرهن الله تعالى ان يخالفن زى الاماء و يدنين عليهن من جلابيبهن تخمر وجهها الله تعالى ان يخالفن زى الاماء و يدنين عليهن من جلابيبهن تخمر وجهها” (Soyuti, 1404 AH: vol.5, p. 221). It has been said in the narration of Mohammad ibn Ka’b that God commanded Muslim women to cover their faces to be identified from the bondswomen.

It is found from these narrations that understanding of the companions of the Prophet (PBUH) had been also cover of face.

Criticism and review

The principle of necessity of cover of the head and the body is definite purport of final the holy verse, but is not a clear implication for the obligation of cover of face. The mentioned aspects can be criticized from several aspects, which are expressed as follows:

1.4.1.2. Due to disagreements within the meaning of the word Chador, cover of face cannot be inferred from it, unless as a possibility that is not useful for argument.

2.4.1.2. It is found from the combination of sentence “يدنين عليهن” only to put on and to close, but throw on what is not inferred from the verse. Zemakhshari also poses a proverb that is not related to the subject and is irrelevant analogy; because he clarifies in that example put on the cloth on your “face”, but the word “face” is not in the verse, and therefore is succinct. So the meaning close to the verse purpose is such: O believing women! Close your Chadors to yourselves and do not drop it.

3.4.1.2. The word “يعرفن” implies that free women should come out in such a way that to be recognized from bondswomen. Because bondswomen were unveiling their face, head and collar, thus cover of the head and chest was enough to identify free women and no need to cover also their faces.

4.4.1.2. Narrations were mentioned in the cause of the revelation of the verse; firstly none of them are authentic in terms of documents. This is because Sunni scholars also

believe that the narrations that are statement act or written of the holy Prophet (PBUH) are proof. For example, Sarakhsi writes one of the sources is the tradition of the Prophet of God (PBUH) that has been heard from him or been quoted with Tavator (a narration that has been reported frequently by different people and in different ways) and consensus. The root of all these is hearing from the messenger of God (PBUH) because he has recited the Qur'anic revelation for us (see. Sarakhsi, AH 1414: vol. 2, p. 5).

Therefore, the understanding of Ibn Abbas, Obeideh Salmani, and Mohammad ibn Ka'b although have been known scholar people and as a reference in interpretation of Quran cannot be documented unless their inference is documented with the proper document of Holy Prophet (PBUH) or at least they mention an evidence of word for their understanding.

Secondly, other narrations have also been entered in the cause of the revelation of the verse, which do not mention cover of face, but somehow are in conflict with narrations, such as Ayesheh quotes: "قالت خرجت سوده بعد ما ضرب الحجاب واحجتها وكانت امراة جسيمة لاتخفى على من يعرفها فراها عمر فقال يا سوده انك والله ما تخفين علينا فانظري كيف تخرجين فانكفات راجعة و رسول الله (ص) في بيتي و انه ليتعشى و في يده عرق فدخلت و قالت يا رسول الله اني خرجت لبعض حاجتي فقال لي عمر كذا و كذا فاوحى اليه ثم رفع عنه و ان العرق في يده فقال انه قد اذن لكم ان تخرجن لحاجتكن"(Soyuti, 1404 AH: vol. 5, p. 221).

Soudeh, wife of the Prophet (PBUH) who was big-boned was recognized whenever walking out of the house. Once Omar encountered with her and blamed her. She complained to the Prophet (PBUH) and this verse was revealed to defend the exclusion of women with maintaining adequate cover.

It has been said in another narration: "كان نساء النبي (ص) يخرجن بالليل لحاجتهن و كان ناس من المنافقين يتعرضون لهن فيؤذنين يخجلن ذلك للمنافقين فقالوا انما فعله بالاماء فنزلت الآية" (See Tabari, 1412 AH: vol. 22, p. 34; Soyuti, 1404 AH: p. 221). Such narrations that pose the story of the harassment of free women by pesky youth as the cause of the revelation the verse do not mention covering face, and cover to the extent to preserve the respect of a free woman has been only emphasized.

This narration has been also quoted from the other narrators such as Abu Saleh, Saddi, and Jahed (ibid.). So it is found that Mohammad ibn Ka'b who brought cover of face in this narration added his inference to the narration that is not compatible with other quotes.

It has been also quoted from Umm Salameh: "لما نزلت هذه الآية خرج نساء الانصار كان على رؤسهن القربان من السكينة و عليهن"

"اكسيه سود يلبسها" (Ibn Kathir, 1419 AH: vol. 6, p. 425). (After the revelation of this verse, Ansar women were leaving house and walking so dignified and calm, so that they put a pot over their heads and carried it and their coverall were also black garment). It has been said from Umm Salameh in another similar quote: Ansar women with black covers that placed over their heads, it was as though a crow sitting on their heads (Ibn Abi Hatam, 1419 AH: vol. 10, p. 3154).

Cover of face has not also been mentioned in these two narrations, because the cover of head is a thing other than covered of face. Ayesheh says: "رحم الله نساء قريش لما نزلت يا ايها النبي. شققن مروطنهن و اعتجرن بها فصلين خلف رسول الله (ص) كانما على رؤسهن القربان" (ibid.). Ansar women after the revelation of this verse torn their garments and wrapping them on their heads and were following the prophet.

5-4-1-2: What is surprising is that some consider the cover of face obligatory. They clarify in the interpretation of the verse of Noor surah that cover of the hands and face is not necessary (Razi, 1420 AH: vol. 23, p. 361; Zemakhshari, 1407 AH: vol. 3, p. 231; Thalabi, 1423 AH: vol. 7, p. 87; Novi, 1417 AH: vol. 2, p. 109). They consider unbearable hardship and difficult situation as the cause for lack of the necessity to cover the face and hands. Therefore, they believe that God has not made obligatory covering it.

According to Ibn Kathir's view, famous jurists also do not consider cover of face obligatory (Ibn Kathir, 1419 AH: vol. 6, p. 42). But considering that Noor Surah has been revealed on the Prophet (PBUH) after Ahzab Surah, it is meaningless the command that has been issued at the beginning of the religious law is stricter than the next command. However contrary of this is reasonable, such as decree of prohibition of drinking alcohol that was gradually stated (see Soyuti, Al-Atatqan Fi Olum Al-Quran, 1416 AH: vol. 1, p. 194; ZarkeshI, 1997: vol. 1, p. 193).

Also no one has claimed the abrogating of Ahzab verse by Noor verse. So commentators are saying true who have left ambiguous the cover extent in terms of covering face in interpretation of the verse, and have mentioned only to put on and to make close coverall on head. if the interpretation is also to the whole body, it is implied from the verse of Noor Surah and a decree that has been said in jurisprudence, and the purpose is other than the face and wrists (Sayyed Qotb, 1412 AH: vol.5, p. 2280; Khatib, Bit: vol. 11, p. 752; Ibn Ashour, Bit: vol. 21, p. 328; Tantawi, Bit: vol. 11, p. 245).

Even Zoheili in the interpretation "الوسيط" has changed his view in the interpretation of "المنير" and explicitly states that cover of face is not needed (Zoheili, 1422 AH: vol. 3, p 2087). Akrameh one of the early Islamic commentators

also believes: “تغطي ثغرة نحرها بجلابها تنديه عليها” (Ibn Kathir, 1419 AH: vol. 6, p. 425) the purpose of verse is cover of neck.

Noor Surah

وقل للمؤمنات يغضضن من ابصارهن و يحفظن فروجهن و لا يبدين زينتهن الا ما ظهر منها وليضربن بخمرهن على جيوبهن و لا يبدين زينتهن (Noor, 31). (O Mohammad! Tell women, who are follower to close their eyes from unfamiliar men visiting, and keep their vulvas and do not expose the make-up parts of their body to unfamiliar people, except what is appearance, such as faces, palms, and soles, and also put the ends of their scarves on their pockets.

This means not to expose their chest and bosom and adornment parts of the body, and their inwardness unless for their husbands or fathers or sons or brothers or their bondswomen or eunuch servants that have no desire to any women or kids who are not aware of the privy parts of women and do not think about it; and not to hit their feet on the ground that their anklets is not revealed; and repent and return to Almighty God to prosper in both worlds (Nasqi, 1988: vol. 2, p. 666). It is appropriate to express at first the literal and technical meaning of some words of the verse:

Adornment

“Adornment” literally means a tool by which embellishment and beauty is achieved (Zabidi, 1414 AH: vol. 18, p. 267; Joharo, 1989: vol. 4, p. 2132). Ibn Arabi believes,

الزينة على قسمين خلقية و كسبية فالخلقية وجهها فان اصل الزينة و جمال الخلقه و معنى الحيوانية لما فيه من المنافع و طرق العلوم و حسن ترتيب محالها في الراس و وصفها واحداً مع آخر على التدبير البديع و اما الزينة المكتسبة فهي ما تحاوله المرأة في تحسين خلقها بالتصنع كالتياب و الحلي و الكحل و الخضاب و منه قوله تعالى خذوا زينتك عند كل مسجد ”يعنى الثياب“ (Ibn Arabi, Bita: vol. 3, p. 1368).

Adornment is divided into natural and acquired. Natural adornment refers to the creation of man. Such as female face that is the principle of adornment and beauty of the creation. Acquired adornment is an adornment that women acquire artificially for their beauty. Such as: clothing, jewelry, kohl, color, and so on.

But the disagreement is what the purpose of adornment is? Ibn Jozi has reported the disagreement of quotes in detail and quotes seven opinions [6] (Ibn Jozi, 1422 AH: vol. 3, p. 290). Ibn Arabi in a summation has summarized these quotes in three quotes and writes:

ختلف في الزينة الظاهرة على ثلاثة اقوال الاول انها الثياب يعنى انها يظهر منها ثيابها خاصة قاله ابن مسعود، الثاني الكحل و الخاتم قاله ابن عباس و المسور الثالث انه الوجه و الكفان (ibid.).

First, the purpose of apparent adornment is the same clothing and this is the opinion of those who consider the whole body as adornment (see Ibn Ashour, Bit: vol. 18, p. 165). This is because in this case the woman body is her inner adornment, and her clothing is apparent adornment. Second, the purpose of apparent adornment is kohl and ring. Third, the purpose of apparent adornment is wrists and face that most Sunni scholars have adopted the same view, although some have also added feet steps.

Instances of adornment

According to the first view, the meaning of this part of the verse is that women should not show any part of their body except the cloths that are appearance. Proponents of this view have cited to the narrations, including narration by Abdullah ibn Mas’ud:

الزينة زينتان فزينة باطنه لايرها الا الزوج الخاتم و السوار و الظاهرة” (Ibn Abi Hatam, 1419 AH: vol. 8, p. 2573).

He considers ring and bracelet as inner adornment and clothing as apparent adornment. Another narration with the same contents has been also quoted from Ibn Mas’ud narrated, but he has used the term “رداء” instead of clothing (ibid.). It has been also narrated from Ibn Abbas that the purpose of the sentence “الا ما ظهر منها” is the outerwear [7] (Samarqandi, Bit: vol. 2, p. 508).

It has been said in another narration:

روى عن ابن مسعود انه سئل عن قوله تعالى الا ما ظهر منها فتقنع عبدالله” (ibid.).

(Ibn Mas’ud was asked about the apparent adornment; he put a cloth over his head, and covered all his face except one eye). It has been quoted in another narration from Ibrahim Nakhae: “الزينة الثياب” (Tabari, 1412 AH: vol. 18, p. 92). This interpretation has been also quoted from Hasan Basri (ibid.).

Since these narrations in terms of document do not refer to the Prophet (PBUH), they are not authentic proof. Since no other reasons other than mentioned narrations have been mentioned for this inference, and there are also other possibilities, restricting allowable adornment in outerwear will not be justifiable. This is because clothing is itself apparent beauty and does not need to be clarified. This is also incompatible with eloquence of Holy Quran, because in this case the meaning of the verse is such “do not appear unless what is apparent.”

In addition, outerwear clothe cannot be hidden and if covering it is obligatory and does not require any other cover, its cover should be covered and this requires

concatenation. Surprisingly, contemporary writers such as “Maudoodi” who insists on inferring the necessity of cover of face from this verse (Maudoodi, Bitā: p. 290). His cause is that revealing face is source of intrigue and will cause the youth sin. But this argument is not complete and our imagination cannot be imposed on the Holy Quran.

Because if cover of face was obligatory, the Holy Quran clearly expressed it, especially that many narrations against this view have been quoted from the companions of the Prophet (PBUH) and other commentators, such as narrations that consider the hands and face as apparent adornment and narrations that introduce bracelet, ring, kohl, and even necklace as artificial adornments. Including: Ibn Abi Hatam quoted from Ibn Abbas: “The purpose of apparent adornment is roundness of the face and wrist” (Soyuti, 1404 AH: vol. 5, p. 41).

Ring and bracelet has been also added to apparent adornment in another narration (ibid.). It has been also quoted from Ayesheh:

«إنها سئلت عن الزينة الظاهرة فقالت القلب والفتخ وضمت طرف كمها» (ibid.).

The same interpretation for apparent adornment has been also narrated from Saeed ibn Jubayr, ‘Ata, Auzaee and Zahhak (ibid.). Qatadeh writes also about the interpretation of the verse and the word adornment:

«المسكتان والخاتم والكحل قال قتاده وبلغنى ان النبى (ص) قال لايجل لامرأة تؤمن بالله و اليوم الآخر ان تخرج يدها الا الى هنا و يقبض نصف الذراع» (ibid.).

He quotes from the holy Prophet (PBUH) in this narration after determining instances and cases of apparent adornment that he told revealing hands over the former half is not permissible for a woman who believes in God and the Resurrection.

Ayesheh also quotes a similar narration, when one of her relatives had come to her, and the holy Prophet (PBUH) turned away of her. Ayesheh says: “I said him she is my nephew, the holiness said: If a woman reaches the age of puberty, she should cover her body, except the face and wrists “(ibid.). This contents has been also quoted in another narration from Ayesheh about Asma’ daughter of Abu Bakr and her encounter with the Prophet (PBUH) (ibid.).

Neck and throat have been also added in the narration of “Akrameh” (ibid.). Ornaments have been also mentioned in other narrations and they have been considered the instances of apparent adornment (ibid.). Since the purpose

of ornaments is when they are used, it is determined that revealing hands and face that are the place of using ornaments is permissible, so majority of commentators have interpreted face and hands as apparent adornment. Tabari after summing up the quotes in this regard writes:

The best view is the exception of the face and hands. Therefore kohl, ring, and bracelet are also excluded from cover. The reason for choosing this view is the consensus that has been expressed by the jurists on allowing revealing the face and hands and the necessity to cover the rest of the body in prayer (Tabari, 1412 AH: vol. 18, p. 94).

Some have interpreted apparent adornment to what appears involuntary during walking and conventional social relationships (Maudoodi, Bitā, p. 296). But no field remains for this undocumented possibility according to the narrations and the evidences that were posed. In addition, prohibition or permission does not belong to what appears involuntary. So we can claim in the first part of the holy verse that the definite amount of the necessity of cover of women’s body is all parts other than the face and hands, but feet have been also added in some rare quotes.

Khamar

“Khamar” is root of Khamr meant to cover. in the so-called and custom of the Arab “a fabric that women cover their head with them and in famous construction the scarf or kerchief is known in Persian language” (R. K. Ragheb Esfahani, 1412 AH, p. 160; fume, Beata: Page 182; Ibn Athir, 1985: vol. 2, p. 78; Zabidi, 1414 AH: vol. 6, p. 364).

Commentators have denoted also similarly meaning as sample in Al-Ahkam verses has come: «الخمار هو ما تغطي به» (Sayes, Beata: p. 587).

Jayb

“Jayb” means: «الجيب ما يفتح على النحر» (Fiumee, Beata, p. 115) Face, neck and slit of garment in the collar section is called Jayb.

Commentators have considered Jayb of irony of its location is that the same neck and chest. Of course, such irony has come in word, for example, they say: «فلان ناصح» (Ibn Manzur, 1984: vol. 1, p. 288). (If they said someone is clean collar the purpose is that he has a pure heart and open chest).

In a Narration also has been mentioned:

«على جيوبهن اي على صدورهن يعنى على مواضع جيوبهن»

(Qurtubi, 1985, vol. 13, p. 230) And the Word of «يضربن» in the phrase of «يضربن بخمرهن على جيوبهن»

Because with the letter of “Al” becomes transitive is the sense of putting (Haghi, Bitā: vol. 6, p. 42; Ibn Ashour, Bitā: C 18, p. 167). The letter of “Bae” in word of «بخمرهن» also is to emphasize and tightly close the Khamar (Veil) (R. K, Soyuti, Mahalli, Tafsir-Aljiyuhanne, 1416 AH, p. 356; Bayzawi, 1418 AH: vol. 4, p. 104). Therefore, due to the combination of the verse literally it becomes clear that the women should be put and close their scarves on the breast and neck tightly.

Due to the clear meaning of the Materia of verse, this part of the verse is not controversial for interpretations and narratives also confirm this entry. Ibn Abbas has narrated that:

«وكن النساء قبل هذه الآية يبدن بخمرهن من ورائهن كما يصنع النبط»
«فلما نزلت هذه الآية سدلت الخمر على الصدر و النحر»

(Samarghandi, Bitā: vol. 2, p. 508). Women cover neck and chest with scarves after the revelation of this verse, while the before it, tied from behind like Nabataean, Khamar (veils). Saeed Bin Jubair also has quoted: «النحر و الصدر و» «لا يرى منه شيء» (Suyuti, 1404 AH: C 5, p. 42).

he knows the purpose of this verse as covering the neck and chest, in the such way that do not found anythings of it, so according to this verse it is clear that head, neck and chests should be covered, but cannot be understood the sentence of face from this verse, but since the verse in the expression level of coverage, should be expressed if the covering the face to be necessary, so can be concluded of silence of verse that covering the face is not obligatory, same as the first part of verse - however this understands with disagreements

COVER IN SUNNISM JURISPRUDENCE

Discussion of cover and its limitation in jurisprudence has no independent position and only has been raised in two the cases, “cover in prayer.” that is one of the premises and conditions of prayer and another “Book of Marriage” on occasion of permit the look of man to a woman who has gone to woo; Sarakhi is the only jurist that has stated this issue independently, He has independently examined the issue of covering men and woman and look to each other issue in accordance with Hanafi jurisprudence (Sarakhsi, 1406 GH: vol 10, p 145).

Many of jurists have said in discussion of cover of prayer the cover is not specific to prayer and includes none of prayer. For example, Ibn Hazm writes:

«والعورة المفترض سترها عن الناظر و في الصلاة»

(Ibn Hazm, Bitā: vol. 3, p. 210) Also, most of them cite to the verse of «ولا يبدن زينتهن», it this issue turns out. In some writings explicitly or by using the evidences turned out that aim of writer is not only covering in prayer (R. K, Najafi, 1981: vol 8, p 163; Amoli 1410 AH: vol. 3, p. 188; Bohrani, 2000: vol. 7, p. 7).

Because many of Sunnism jurisprudents have raised the issue of cover and its limitation generally, so at the beginning their words are quoted and then are reviewed:

- Shafei:

«وكل المرأة عورة الا كفيها و وجهها و ظهر قدميها» (Shafei, 1403 GH: vol. 1, p. 109) Women have all the body except the face, hands and feet covered, some other scholars of the Shafei, except the face and have cleared hands and have referred to feet (Mzny, Beata: p. 16; Shrbyny, 1377, vol. 1, p. 185, Novi, Beata: vol. 3, p. 165). Of course Rafei Shafee of religion in his commentary on “الوجيز» of Ghazali said: «ولا يستثنى ظهور قدميها» (Rafee, Bitā: vol. 4, p. 88). Means the step covering is obligatory and have no face and wrists sentence. But some also believe from the Shafei’s view, women should cover their faces and their hands (Jaziri, Bitā: vol. 1, p. 290).

- Malek bin Anas Maliki believes the head of religion,

«إذا صلت المرأة و شعرها باد او صدرها او ظهور قدميها فأتعد الصلاة»

(Ibn Anas, Bitā: vol. 1, p. 94) (If a woman during prayer her head and chest to be found or the back of the her leg to be not covered not, Prayer restore) lordships of the face and wrists to cover excepted have (R, K, 1416 GH: vol. 2, p. 181; Vol 2, P181, Abubarakat, Bitā: Volume 1, p. 214; Desoughi, 1414 GH: vol. 1, p. 214).

- Some of Hanafi Jurisprudents have accepted the same opinion (R, Egypt, 1418 GH: vol. 1, p. 469; Kashani, 1409 AH: 5, pp. 121, Mardin, Bitā: vol. 2, p. 225). But some steps have accepted from cover (R, Haskfy, 1415 GH: vol. 1, p. 437).

- Ibn Roshd Andalusi that is an independent jurist also attributes to Abu Hanifa, cover of women’s steps do not need (Andalusi, GH 1415: vol. 1, p. 95).

- Hanbalis also are two groups, some have excepted the face and hand (Ibn qodameh, Bitā: vol. 1, p. 15). But most of them cover the entire body except for the obligatory woman have considered; Some other the unfolding of hands have doubted in it or at least have not allowed (Ibn

qadameh, 1405 GH: vol. 1, p. 637; Biyuti, 1418 GH: vol. 1, p. 316; Abdol Wahab, Bitā: vol. 1, p. 5).

-Shokany difference of opinion of jurists states in such way: "There is difference in the free female genitals; some believe all her body is genitals except the face and the wrists and this is opinion of some independent jurists of the first era. Shafei, Abu Hanifa and Malek also in one of their votes have accepted this view; others have added footsteps that Abu Sofyan Thori and Abu Hanifa in the second narrative of him have been based on the same vote

The other group except the face, the whole body of woman have considered as woman's genitals, like Ahmad ibn Hanbal and Davood; the fourth group known as genitals all of woman's body without any exception that the view of some followers of Shafei, and of Ahmad also has been narrated and reason of this all differences is discord among commentators is located on the verse of «لا ما ظهر منها» (Shokany, 1973: vol. 2, p. 55).

So quad Sunnism religions covering all women's body except the face, hands and steps know obligatory in prayer and against non-mahram and jurists have ruled that the being open of face is okay, though to be because of the necessity and hardship on the cover. Scholars have cited reasons for two reasons means necessary of cover and its value; some of this citation states:

1-3: narrative «المرأة عورة»:

Holy Prophet (pbuh) said in a famous hadith: "Women genitals" (Termezi, 1403 AH: vol. 2, p. 319). All Sunna scholars have deemed this narrative to acceptance; Even discussions in relation to the limitation of genitals in women? How much of female body is not genitals and its cover is not obligatory? Have raised, if these narratives is correct of the text and the document, keep covering women's bodies are confirmed.

1-1-3: concept and meaning of genitals:

in Multi-meaning word books has been mentioned for genitals, including:

«العورة سوءة الانسان و كل ما يستحي منه والعورة كل خلل يتحوف» (Johari, 1989: vol. 2, p. 759).

In this definition has come two meaning, the first parts of the human body that is obscene and shame prevents of its apparent,

Ibn Athir writes: «كل ما يستحي منه اذا ظهر» (Ibn Athir, 1364, vol. 3, p. 319). In the upholstered has come: «الستر. كل شئ»

«يستتره الانسان من اعضائه أفنة و حياة» (Maalouf, 1973). (Whatever that man to modesty covers it), others have expressed more or less the same meaning (R.K. Zabidi, 1414 AH: vol. 7, p. 276).

According to some definitions is not seen no negative point and contemptuously in this term, Because it refers to the female genitals as a vulnerable zone, Should be placed in the enclosure and cover or physically her body is such that modesty prevents the show it in front of strangers.

By this sense certainly the purpose of narrative, "Elmer private parts", is not defects. But the aim of the genitals, parts of the body that must be covered. In another narration has come: "Women Mstvrh private parts" (Merghinany, Bitā: vol. 1, p. 43). This narrative reflects this means and for this reason jurists genitals divide to genitals of free woman genitals of servant;

While the is not physically difference between them. Fakhr Razi's word that divides genitals into four parts also is in the same direction

«اعلم ان العورات على اربعة اقسام، عورة الرجل مع الرجل و عورة المرأة مع المرأة و عورة المرأة مع الرجل و عورة الرجل مع المرأة»

(Razi, 1420 AH: C 23, p. 261). Male genitals than other men, women genitals compared to other women genitals, man genitals to a non-mahram woman and vice versa, which is expressed for each separate divisions.

So genitals is not means an obscene matter and in cases where there is no evil, also be used, such as the borders of a country or house without walls. If in the Quran, genitals have been used in this sense: «ويستأذن فريق منهم النبي و يقولون» (Ahzab, 13) "ان بيوتنا عورة"

A group of Prophet asked permission to return to their homes under the pretext that our homes are unprotected. Therefore, it seems that this term in Muslim literature means part of the body that its coverage is necessary, as the Maududi explains: «العورة في مصطلح الاسلامى ما يجب ستره» (Mawdudi, Bitā: Page 302). «من الجسم على كل رجل و امرأة»

Narrative «مى كح نبزم»:

Another tradition that some jurists (Harrani, 1413 AH: vol. 2, p. 255; Beyhoty, 1418 AH: vol. 1, p. 313), to cover the entire body have cited into it, is a narrative that «بهز بن حكيم» narrates of his grandfather that the Messenger of Allah I asked about the ruling genitals, he said:

"keep your genitals apart from his wife and maidservant, although that to be alone, because God is observer and modesty of him is worthy" (Bayhaqi, Bitā: vol. 2, p. 255).

This tradition has been narrated, in the case of men, but because at first questions from base of genitals and second the principle of genitals, according to the former version, the whole body of female is genitals, necessity can be used to cover the whole body.

Criticism and Review

Now given the fact that these two narrations imply the necessity of cover of the entire body of woman, this question remains why most jurisprudents have also excluded face and most of them wrists, and some of them steps from the issue of cover.

In this regard, some jurisprudents cite the verse of adornment (see Andalosi, 1415 AH: vol. 1, p. 95; Mesri, 1418 AH: vol. 1, p. 469; Seyyed Sabeq, Bitā: vol. 1, p. 127). Because this verse refers to the principle of necessity and amount of cover, but there are some disagreements among jurisprudents in this debate. Its origin is the same disagreements were posed about apparent adornment in interpretation of the verse. As the Ibn Roshdi Andalosi clarifies:

و سبب الخلاف في ذلك احتمال ذلك في قوله تعالى و لا يبدین زینتهن
”الا ما ظهر“ (Andalosi, 1415 AH: vol. 1, p. 95)

Others, for the exception of the face, have cited to the verse of adornment, as well as the narration quoted from Islam Prophet (PBUH) ”نهى النبي (ص) عن لبس القفازين و“ ”النقاب“ (see Mesri, 1418 AH: vol. 1, p. 469; Ibn Qodameh, 1405 AH: vol. 1, p. 112). He forbade women to mask during Ihram (pilgrim’s garb). This narration, however, refers to a state of pilgrim’s garb, but if cover of face was obligatory, the Prophet would not allow revealing it in any case. so many jurisprudents for non-obligatory of cover of face have cited to the principle of “sin” and “the necessity of hardship” on the cover and the need of woman to conventional social behavior for unveiling of face, (see Sharbini, Bitā: vol. 1, p. 113; Harrani, 1413 AH, p. 255; Sais, Bitā: p. 584).

For the same argument many jurisprudents do not made necessary the cover of wrists. However, Ibn Qodameh of Hanbali jurisprudents believes hands are among private parts and must be covered, because the necessity and need is not enough to be added to face (Ibn Qodameh, 1405 AH: vol. 1, p. 15). The following results are achieved from the mentioned cases:

Firstly, all Sunni jurisprudents have considered imperative the necessity of cover of woman’s body and have made consensus on that claim (Zoheili, Al-Feqh Al-Islami and Adalteh, 1418 AH: vol. 1, p. 739; Harrani, 1413 AH, p. 259). As far as the Hanbalis make also necessary cover

of woman even in solitude mode and absence of stranger (Harrani, 1413 AH: vol. 2, p. 259; Ibn Qodameh, 1405 AH: vol. 1, p. 15).

Because some of the reasons are cover of general women and include all states, such as narration of Behzeben Hakim that was quoted. Other narration from Ibn Omar has said: ”اياكم و التعرى فان معكم من لا يفارقكم“ (Termezi, 1403 AH: vol. 4, p. 199). Avoid being naked, because God is always with you.

Secondly, Sunni quad religious scholars do not make necessary cover of face. even Mohammad ibn Abd al-Wahhab, Wahhabism religious founder, despite all the severities and violence of his followers in the current situation of Saudi Arabia and especially new excuses that they have recently posed about bad-veiling of Iranian pilgrims women, clarifies: cover of woman’s face is not necessary, ”و الحرة كلها عورة الا وجهها“ (Abd al-Wahhab, Bitā: vol. 1, p. 5).

But on the cover of steps though has been posed as a theory among Hanafis (see Shokani: 1973 AD, vol. 2, p. 55; Ibn Hazm, Bitā: vol. 3, p. 210; Raeini, 1416 AH: vol. 2, p. 181; Zoheili, Al-feqh Al-Islami and Adlateh, 1418 AH: vol. 1, p. 739), but some believe that hardship and sin about a foot is higher than the wrist, especially in rural and poor women who need to going back and forth outside the home for subsistence (Sais, Bitā, p. 586). But some have clarified their purpose is only in prayer (Zoheili, Al-feqh Al-Islami and Adlateh, 1418 AH: vol. 1, p. 739).

Quality of Clothing

Almost all Sunni jurisprudents have clarified that clothing must not be transparent and thin (see Novi, 1417 AH: vol. 3, p. 165; Ibn Qodameh, 1405 AH: vol. 1, p. 15; Shafei, 1403 AH: vol. 1, p. 109; Beihuti, 1418 AH: vol. 1, p. 316; Andalosi, AH 1415: vol. 1, p. 95; Sharbini, Bitā: vol. 1, p. 185). It has been argued to some narrations in this field:

1.4.3. عن عائشه ان امرأة دخلت عليها و عليها خمار رقيق يشف جبينها.
فاخذته عائشه فشققته ثم قالت الا تعلمين ما انزل الله في سورة النور فعدت
”لها بخمار فكستها اياه“ (Soyuti, 1404 AH: vol. 5, p. 42).

(A woman came to Ayesheh that had a thin scarf. Ayesheh said her, have not you red Noor. She took the scarf from her and torn it up and put another scarf on her head).

2.4.3) An Abi Horaireh:

قال رسول الله (ص) صنفان من اهل النار لم ارهما. و نساء كاسيات
”عاريات“

(Nishabouri, Bitā: vol. 6, p. 168).

(Two groups are in hell. women who put apparently clothing on their body, but in fact they have no cover). This probably refers to thin and transparent cloths as some have clarified it (Ibn Ashour, *Bitā*: vol. 18, p. 166).

3.4.3. دحيه الكلبي انه قال اتى رسول الله (ص) بقباطى فاعطاني منها. «قبطيه فقال اصدعها صدعين فاقطع احدهما واعط الاخر امرأتك تختمر به فلما ادبر قال و امر امرأتك ان تجعل تحته ثوبا لا يصفها» (Sajestani, 1410 AH: vol. 2, p. 273).

(Thin Egyptian clothes were brought as gifts for the Prophet (PBUH). He took one of them and gave to the narrator, and said to him: Give it to your wife, but recommend her to wear clothing under it that her body cannot be seen).

4.4.3. عن عايشه انها سئلت عن الخمار فقالت انما الخمار ما وارى. «البشره و الشعر»

(Beihaqi, *Bitā*: vol. 2, p. 235). (Ayesheh was asked about the appropriate scarf, she answered everything that covers the skin and hair).

5.4.3. Narration quoted from Ayesheh that the Prophet (PBUH) in encountering with Asma' turned away of her because she wore a thin clothing (Ibn Qodameh, *Sharh Al-Kabir*, *Bitā*: vol. 7, p. 355).

In any case, even if the document of these narrations is not also correct, cover of the body and the clothing being covered is an obvious matter, and in the interpretation of Qortobi, it does not make sense without covering the body (see, Qortobi, 1985, vol. 14, p. 244).

Body Size

Some Jurisprudents and experts believe covering body size is not required and there is no problem if woman's body size is appeared (see, Seyyed Sabeq, *Bitā*: vol. 1, p. 127; Shafei Saghir, 1402 AH: vol. 2, p. 6; Sharbini, *Bitā*: vol. 1, p. 185; Zoheili, *Al-Feqh Islami al-Adlateh*, 1418 AH: vol. 1, p. 739). In this regard, Ibn Ashour quotes a narration from Malek:

«ان عمرين الخطاب نهى النساء عن لبس القباطى» (Ibn Ashour, *Bitā*: vol. 18, p. 167)

Ibn Ashour, quoting Ibn Roshd writes in the description of this narration: Egyptian clothes were tight that wearing them is banned by the second caliph. They were revealing eminences of the body because they were tight and thin.

Regardless of the document discussion of the narration, it seems such interpretation for Egyptian clothing is the inference of Ibn Roshd. Therefore it is not authentic proof.

But some have paid attention to this interpretation, and have interpreted Egyptian clothing as transparent clothing.

Many jurisprudents and commentators consider taboo any kind of behavior that is a source of intrigue, as far as in the case of women face believe if unveiling face cause concern because of woman beauty or local conditions, cover of face is also obligatory (see, Desouqi, 1414 AH: vol. 1, p. 214; Sarakhsi, 1406 AH: vol. 10, p. 145; Rea'ini, 1416 AH: vol. 2, p. 181; Zoheili, *Al-Feqh Al-Islami and Adalteh*, 1418 AH: vol. 1, p. 739; Haskafi, 1415 AH: vol. 1, p. 437; Andalosi, 1420 AH: vol. 8, p. 34; Zoheili, *Tafsir Al-Monir*, 1418 AH: vol. 18, p. 218). Shokani writes:

«هذا عند امن الفتنة. اتفاق المسلمين على منع النساء ان يخرجن سافرات»
«الوجه لاسيما عند كثرة الفساق»

(Shokani, 1973 AD: vol. 6, p. 244)

Cover of face is not required in the case of assuring about lack of occurrence in the taboo.

But the consensus of Muslims is that women should not go out with ostensible face, especially when exposed to incompetent youths. Therefore, since the possibility of stimulation and depravity in the woman's body eminences is more than his face, this criterion can be treated and accordingly necessity of covering woman's body size is not required. As perhaps woman's body size can be said as an instance of adornment in the verse «ولا يبدین زينتهن» and therefore cover of body size to be considered necessary.

Some in the interpretation of the verse «ولا تبرزن تبرج» (Ahzab, 33), believes: because women were walking in the street and allies by displaying their beauties in the time of ignorance, this verse was revealed and was prohibited them from this behavior. Therefore some of jurisprudents have inferred obligation of cover from this verse (see Molahoysh, 2003: vol. 5, p. 476; Ibn Al-Arabi, *Bitā*: vol. 3, p. 1573; Jesus, 1415 AH: 5, pp. 229; Beyzawi, 1418 AH: vol. 4, p. 231; Ibn Ashour, *Bitā*: 21, p. 244). It has been said in a narration from Mojahed that this verse refers to women who are going back and forth among men (Ibn Kathir, 1419 AH: vol. 6, p. 363). Although this verse is addressed to the wives of the Prophet (PBUH), but perhaps this decree can be generalized due to the cause that has been posed in the previous verse «فيطمع الذى فى قلبه» (Ahzab, 33).

As most commentators have inferred similarly. Therefore the Lord who forbids women's «anklet» because of attracting attention «ولا يضرين بارجلهن ليعلم ما يخفين من زينتهن» (Noor, 32), at least is not satisfied of revealing body size as the secondary decree, especially if it is the source of

intrigue. This can be posed about any other behavior or cover that attracts attention. Because the use of anklets was the popular adornment at that time, and the verse cites cause for this decree, experts believe stating the cause in precepts generalizes the decree from the mentioned case to other cases.

Thus, anything that attracts the attention of men to women and the probability of heartsick men covet is posed is forbidden in Islam. Perhaps for this is for this reason that unconventional clothes that make woman conspicuous or the use of the clothes of the opposite gender have been declared taboo and have been cursed by the Prophet (PBUH). Ibn Abbas quotes from the Prophet (PBUH): “God has cursed mannish women” (Sajestani, 1410 AH: vol. 2, p. 269). Abu Horayreh also quotes the same. It has been also quoted from Ayesheh that the Prophet (PBUH) has cursed mannish women.

COVER AND RESPONSIBILITY OF THE GOVERNMENT

This question is posed according to the above: whether from the Sunni jurisprudence’s perspective, the government can intervene in unveiling phenomenon, in other words, is there jurisprudential strategy about the government treatment with this phenomenon?

First, it is appropriate to investigate defaults of veiling issue obligation. On the issue of covering what has specific importance for holy legislator is the issue of women dignity and their own position. Therefore, some experts have put the same subject as the criterion for this type of precepts, and have considered veiling as a private matter. One of the documentations that have been posed for this default is the verse of Jalbab (Chador).

Most jurisprudents have not considered veiling obligatory for bondswomen according to this verse, because they had not social dignity. But it has been quoted from the second caliph in a narration: bondswomen were not allowed to use headdress and scarf at the time of his caliphate (Soyuti, 1404 AH, vol. 5, p. 221). But some jurisprudents put sedition, and libido as the criterion for the obligation of cover. The following reasons can be cited in this case:

- “فيطمع الذى فى قلبه مرض” (Ahzab, 32) Requisiteness of veiling is to prevent intrigue and is a protective order.

- “ولا يضربن بارجلهن ليعلم ما يخفين من زينتهن” (Noor, 31) Necessity of veiling has been posed for precautionary look and paying attention to the mental health of community.

و القواعد من النساء التى لا يرجون نكاحا فليس عليهن جناح ان يضعن - “ثيابهن غير متبرجات و ان يستعفن خبرلهن” (Noor, 60),

(It is a sin for postmenopausal women who have no hope of marriage to put their clothes on while not revealing any adornment). Because their less cover does not lead to intrigue, thus they are allowed for less cover. However He says in the end of the verse, it is better for them to practice modesty.

- Some Jurisprudents have inferred from all Hadiths have been narrated about the less presence of women in society, even religious rituals such as: Congregational Prayer Friday Prayer that the holy legislator decree is for preventing intrigue and depravity (see Termezi, 1403 AH: vol. 2, p. 259; Bokhari, 1981: chapter: ما جار فى خروج النساء الى المساجد، كراهيه زيارة قبور للنساء، خروج النساء فى العيدين Al-Sajestani, 1410 AH: vol. 1, p. 197; Malek ibn Anas, 1406 AH: vol. 1, p. 197). According to this base, if unveiling exits from the personal sphere of the people and enters the society, it cannot be considered personal any more.

Reasons of Government Authorities

Some of jurisprudential reasons of government responsibility about the issue of veiling are mentioned below:

Consensus on punishment of sinner

According to the prohibition of unveiling and being vice, jurisprudents believe governor can prevent from every sin whether rights of God or rights of people, and punish the guilty. Ibn Najim writes:

اما سبب وجوب التعزير فارتكاب جنابة ليس لها حد مقدر فى الشرع سواء كانت الجنابة على حق الله تعالى او حق العبد فيعزر كل عاقل ارتكب جنابة ليس لها حد مقدر سواء كان حراً او عبداً او ذكراً او انثى، مسلماً او كافراً، بالغاً او صبيهاً بعد ان يكون عاقلاً (Mesri, 1418 AH: vol. 5, p. 67)

“Mavrodi”, “Fara”, and “Ibn Akhveh” have mentioned the cases that the legislator has issued order of punishment (see Fara, Bit: pp. 279-281; Mavrodi, Bit: pp. 237 -238 site, Qoreshi, 1408 AH: pp. 78-91).

All Sunni jurisprudents agree on this decree (Jaziri, Bit: vol. 5, p. 592). So a consensus of scholars that is one of the resources of Sunni to express precepts is the first reason for government right in the issue of cover, even if veiling is a personal matter.

Instances of punishment according to some Jurisprudents’ claim are:

و التعزير يكون اما بالضرب او بالحبس او الجلد او النفي او التوبيخ او التغريم المالى او نحو ذلك مما يراه الحاكم رادعاً للشخص بحسب اختلاف

”حالات الناس حتى القيل سياسة“ (Zoheili, Al-Feqh Al-Islami and Adalteh, 1418 AH: vol. 4, p. 387)

Punishment is not exclusive to whiplash or arrest and something like these, but includes any punitive action to prevent or avoid a repeat of the action. admonishing, taking commitment, and chastening even killing the guilty if needed have been considered some instances of punishment. Kashani of Hanbalism states suitable punishments for different social groups in detail [8] (Kashani, 1409 AH: vol. 7, p. 64).

Enjoining good and forbidding evil

There is an organization called “Hesbeh” in Sunni jurisprudence and for which rules have been set. They believe Muslims governor appoints a competent person for enjoining good and forbidding evil and put an organization at his disposal to prevent vices. Ibn Khaldun writes: “Hesbeh is a religious obligation caused by enjoining good and forbidding evil. Muslims governor is responsible to choose a person for this and put some employees at his disposal to follow up the status of vices in society and to punish offenders “(Ibn Khaldun, 1424 AH, p. 239).

They believe that one of the duties of Mohtasab (Governor Functionary whose duty is to enjoin the good and forbid the evil) is punishment of sinner (see, Mavrodi, Bitā: p. 23; Fara, Bitā, p. 284; ghoreshi, 1408 AH, p. 56). Therefore governor is free to perform the right. It has been said in the introduction of the book “Ma’lem Al-qorbeh” which is a report of the history of the formation and development of Hesbeh office after the advent of Islam and Islamic governments in different areas of the world: enjoining good and forbidding evil at the beginning of the formation of Islamic government was being performed by the Prophet (PBUH) and Rashedin caliphs. Then it was organizationally developed at the time of Islamic governments in Egypt. Some examples of their works have been said in this book that some of them are mentioned below:

- The second caliph prohibited men from circumambulation with women. He punished a man with lashing who prayed among women (Qoreshi, 1408 AH, p. 4).
- A person named “Jor ibn Aola’,” had been appointed as the police chief of Egypt in 253 AH. He was very strict and prevented women from going back and forth to public baths and visiting graves and performing ceremony of tearing and mourning for the dead. He severely punished the offender (ibid., P. 39).
- Caliph of Egypt in 395 AH. In one of his decrees and orders issued and implemented the order of prohibition of unveiled women going back and forth and prevent them from going back and forth (ibid., P. 17).

So Sunnis scholars believe that government based on the perspective of Hesbeh task should follow up the decree of veiling as one of the eminent instances and prevent from unveiling or bad-veiling. This is different from the issue of forbidding evil that is obligatory upon every Muslim, because Jurisprudents do not allow the person who forbidding evil to deal with the offender. The responsibility of these people does not exceed the stage of word.

Provision of social security and community mental health

There is no doubt that the establishment of order in society and social legislation in order to provide the rights of people has high priority to the extent that in some cases, individual precepts are sacrificed against social precepts. This point is obvious in Islam, whether in religious texts or in the writings of Muslim scholars. Government has a special place especially in Sunni jurisprudence. Public precepts have priority in congestion of individual and public precepts, and people are not allowed to upset the social order. Since promotion of unveiling and bad-veiling is a serious threat to religious and moral health of society and the families and on contrary observance of veiling and preventing sexual stimulation underlying growth and sublimity of individuals in society, the government is obliged to legislate against this phenomenon to guarantee social security and community mental health.

Maintain muslim rituals

Another task of the Islamic governor is to try to setup affairs that are considered Muslim rituals. The government should plan to revive it and deal with obstacles. There are cases in jurisprudence in which the governor is allowed to punish people for not implementing them. This is because they are of public rituals of Muslims and people’s lassitude will cause them to be forgotten and their marginalization, such as Eid prayer, Congregational Prayer, call to prayer, and so on (see, Novi, Bitā: vol. 5, pp. 2, Rafei, Bitā: vol. 5, p. 4; Sharbini, 1998, vol. 1, p. 310; Mavrodi, Bitā: p. 244; Rea’ini, 1416 AH: vol. 2, p. 296; Samarqandi, 1414 AH: vol. 1, p. 109).

Veiling of women is considered one of rituals of Muslims around the world and is the sign of being Muslim. This is why there is sensitivity in some countries to this issue, and is their current problem to the extent that in Turkey country that Laic principles governing its rules, there is no obstacle for Muslim people setting up congregational prayer in the mosques. But veiled women entering schools, universities and governmental centers are prohibited. This is because veiling as one of ritual of religion is incompatible with Laic principles. So government with this criterion can resist against the obstacles of veiling, and prevent unveiling.

In this regard perhaps verse 59 of Ahzab Surah can be used in the verification, because some commentators, contrary to popular opinion believe the pronoun in “يعرض” refers to Muslim women (see, Ibn Zemmin, 1422 AH: vol. 3, p. 412). As a result, one of the objectives of the verse is identification of Muslim women from non-Muslim women. This goal is realized by proper veiling.

Of course it is noteworthy that some of the mentioned strategies are compatible with both defaults and some only with the second default. The two recent strategies are secondary titles that are used in specific conditions. Sunni jurisprudence makes legitimate government responsible for this right but the duty to make decision on veiling, and punish offenders, if coercion is needed.

CONCLUSION

Veiling is meant cover. Veiling can be limitation, but any limitation is not considered restriction because a lot of limitations can be inviolability.

Since each valuable gem should be preserved, and woman's chastity and modesty is a precious object, therefore, it is necessary to preserve it.

Considering that after the creation, a force guides the first humans to cover them, it seems that this is an innate factor that human unconsciously prefers being covered on nudity.

Since promotion of bad-veiling and unveiling is considered a serious threat for religion, it is necessary for Shia and Sunni to be active in enjoining good and forbidding evil in this field.

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