



Original Article

## The Objectives (*Maqasid Shari'ah*) of Observing Modesty and Women's Modest Dress In The Holy Quran

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### ABSTRACT

In all of divine religions, God has established His law for the aims of the people's welfare and happiness in this world and hereafter life. In Islamic teachings, *Maqasid al-Shari'ah* comprises those benefits, welfare and advantages which Allah has revealed in His law. One of the regulations which Quran has established for keeping the human communication from the damages is regarding the observation of modesty and modest dress. Nowadays, along with the development of some phenomena such as humanism, secularism, modernism and feminism, consideration to divine providence and law have been weakened. Therefore, the consideration to real benefits of human and effects of spiritual and hereafter of human actions are lowered. Also, political and economic motivations have questioned many cultural traditions. The objective of this study is to explore the *Maqasid al-Shari'ah* of modesty (for men and women) and women wearing the kinds of modest dress in Quran (*Jilbab* and *Khimar*) as a symbol of religious devotion.

**Keywords:** Quran; *Shari'ah*; Modesty; Woman; Modest Dress

### Introduction

Islam is a comprehensive manner for a person's life to enjoy all benefits in the current life and the hereafter<sup>1</sup>. Although, believers obey God's commands devotionally and enjoy spiritual pleasure from obedience of God, they also enjoy their benefits, whether they realized the wisdom of them or not. God the Creator has considered our real needs in the decrees.

Our mission is realizing these provisions benefits because:

- 1- God, Himself, command to think about His verses (الآيات الأفاقى والانفسى)
- 2- Human instinctively want to convince intellectually by the reason of these commands.

<sup>1</sup> Wajdi Dusuki, Asyraf & Abozaid, Abdulazeem 'A Critical Appraisal on the Challenges of Realizing Maqasid al-Shariah in Islamic Banking and Finance'. IIUM, *Journal of Economics and Management*, 15/2 (2007): 143-165.

- 3- When man finds out the reason has more motivation to do it and will do it completely especially today, that universal Humanism apply to the profit-oriented.

In addition, Achieving *Maqasid al-Shariah* will create a society whereby every member will cooperate with each other and compete constructively in achieving success in life which is to obtain the ultimate happiness (*falah*).<sup>2</sup>

*Maqasid al-Shari'ah* aims the achievement of good, happiness and benefits and maintaining from evil, damage and harm to people (which in Arabic terminology has stated as *Masalih al-Ibad*). For this purpose it has advised the people to observe the measures suggested by Shari'ah to enjoy its advantages not only in this world but also in the world hereafter.<sup>3</sup>

Obviously, regarding to family value is one of important issue that all of divine religions particularly Islam has noticed to, as a central rule. So, many of moral and juristically regulations are for maintaining family value. One of these regulations is invitation to modesty and modest dress. These recommendations are not only for protection of family but also has remarkable role in stability of society and excellence of individual's spirituality. This article will deal with the importance of investigation of *Maqasid al-Shariah* and objectives of modesty and modest dress observations in Quranic view.

### **Concept of *Maqasid al-Shariah***

Maqasid is the plural of Maqсад and comes from Qasada. Literally, it means to intend. The word *Shariah*, which is a noun meaning a path to a water hole, and in its more common usage, the law of God as revealed to the Prophet. Together, the term *Maqasid al-Shariah* means the goals and objectives for the legislation of the rules of Islam or simply the objectives of the Islamic Law.<sup>4</sup>

All *Shariah* laws have wisdom behind it. In understanding this concept, we have to distinguish between '*illah*' and *hikmah*. A ruling that has a clear reason behind it is called '*illah*'. On the other hand, there are ruling in which the reasons are hidden and concealed from human knowledge but there is always a *hikmah* on all rulings.<sup>5</sup>

Allah has enjoined humans to lead a fruitful life and allowed us to even enjoy our lives on earth. Since the realization of the objectives (*maqasid*) of the *Shari'ah* necessitates identification of the cause/rationale of the *ahkam*, it becomes our duty to discover these in order to be able to pursue the general objectives of the Lawgiver.<sup>6</sup>

These are the objectives which are basic for the establishment of welfare in this world and the world hereafter. So, if they are ignored the harmony and order cannot be recognized and

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<sup>2</sup> Ahmad Faizal Abdul Aziz, Mohamad Shaifulfazlee, Fulfillment of Maqasid al-Shariah viaTakaful, *International Centre for Education in Islamic Finance* (INCEIF), Malaysia, <http://mpr.ub.uni-> 12 November 2013

<sup>3</sup> Ahmed, Zia, Achieving Maqasid al Shariah through Takaful, [www.ziaahmed.org](http://www.ziaahmed.org), 10 December 2013

<sup>4</sup> Faizal Abdul Aziz, Ahmad, Mohamad, Shaifulfazlee, Fulfillment of Maqasid al-Shariah viaTakaful.

<sup>5</sup> Ibid.

<sup>6</sup> Kamali, Mohammad Hashim, *Principles of Islamic Jurisprudence*, Ed. 3, Publisher: Islamic Texts Society (1991).

disorder and anarchy (*Fasad*) will overcome in this world and there will be obvious damage in the world hereafter (*al-khursan al-mubin*).<sup>7</sup>

There are many jurists who have already tried to explain the objectives of *Shari'ah* upon Quran and *Sunnah*. Among them Imam *Ghazali*, the *Shafite al-'Izz ibn 'Abd al-Salam*, the *Hanbalite Ibn Qayyim al-Jawziyyah* and *Malikite Abu Ishaq al-Shatibi* are the outstanding figures. *Al-Ghazali* has tried to formulate this theory and established frameworks of *Al-maqasid*.<sup>8</sup> *Maqasid al-Shariah* has been classified into three categories according to their importance of life preservation namely; *daruriyyat*, *hajjiyyat*, and *tahsiniyyat*.<sup>9</sup>

These aims relate to both the worldly life and the life hereafter.<sup>10</sup> Regulations of *Shariah* not only have benefits for human life but also make it easy because they are according to human nature: "Allah desireth for you ease; He does not desireth hardship for you." (2:158)

Today, *Maqasid al-Shariah* that refers to the higher ideals and objectives of Islamic Law, can address current and real challenges facing Muslims living both in Muslim societies and as minorities.<sup>11</sup>

### Significant of Study in Maqasid Shari'ah of Observing Modesty and Women Veiling

The academic literature on women veiling usually refers to the experience of Muslim women (Ahmed, 1992<sup>12</sup>; Daly, 1999<sup>13</sup>; El Guindi, 1999<sup>14</sup>; Ghazal Read & Bartkowski, 2000<sup>15</sup>; Hoodfar, 2001<sup>16</sup>; Lorasdađı, 2009<sup>17</sup>; Marshall Gul, 2005<sup>18</sup>; Mohanty, 1988<sup>19</sup>, 2002; Smith, 1987<sup>20</sup>;

<sup>7</sup> Ahmed, Zia, Achieving Maqasid al Shariah through Takaful, [www.ziaahmed.org](http://www.ziaahmed.org) 12 November 2010.

<sup>8</sup> Salami suzaee, Farook, The Maqasid Theory in Imam Ghazali's Views: A Textual Analytical Study, (Arabic; نظرية مقاصد الشريعة عند الإمام الغزالي: رؤية تحليلية لفهم النصوص القرآنية), *International Journal on Quranic Research*, 2 (2012): 3.

<sup>9</sup> Faizal Abdul Aziz, Ahmad, Mohamad, Shaifulfazlee, Fulfillment of Maqasid al-Shariah via Takaful.

<sup>10</sup> Ahmed, Zia, Achieving Maqasid al Shariah through Takaful.

<sup>11</sup> Al-Raysuni, Ahmad, Imam Al Shatibi's Theory of The Higher Objectives And Intents Of Islamic Law, *The International Institute of Islamic Thought*, (2005), USA.

<sup>12</sup> Ahmed, Leila, *Women and gender in Islam: Historical roots of a modern debate*. (New Haven: Yale University Press, 1992).

<sup>13</sup> Daly, Catherine M., *The 'Paarda' expression of Hejaab among Afghan women in a non-Muslim community*. In Arthur Linda (Ed.), *Religion, Dress and the Body* (pp. 147–162). (Oxford: Berg 1999).

<sup>14</sup> El Guindi, Fadwa, *Veil: Modesty, privacy and resistance*. (Oxford: Berg, 1999).

<sup>15</sup> Ghazal Read, Jen'nan, & Bartkowski, John. P., To veil or not to veil: A case study of identity negotiation among Muslim women in Austin, Texas. *Gender & Society*, 14/3 (2000): 395–417.

<sup>16</sup> Hoodfar, Homa The veil in their minds and on our heads: Veiling practices and Muslim women. In Castelli Elizabeth (Ed.), *Women, gender, religion: A reader* (pp. 420–446), (New York: Palgrave 2001).

<sup>17</sup> Lorasdađı, Berrin Koyuncu, The headscarf and 'Resistance IdentityBuilding': A case study on headscarf-wearing in Amsterdam. *Women's Studies International Forum*, 32 (2009): 453–462.

<sup>18</sup> Marshall Gul, Aldikacti Ideology, progress, and dialogue: A comparison of feminist and Islamist women's approaches to the issues of head covering and work in Turkey. *Gender and Society*, 19/1 (2005): 104–120.

<sup>19</sup> Mohanty, Chandra Talpade, Under Western eyes: Feminist scholarship and colonial discourses. *Feminist Review*, 30 (1988): 65–88.

<sup>20</sup> Smith, Jane. I., Islam. In Sharma Arvind (Ed.), *Women in world religions* (pp. 235–250), (Albany, NY: State University of New York Press 1987).

Werner, 1997<sup>21</sup>; Zuhur, 1992<sup>22</sup>). However, within Judaic Orthodox and some Christian sects' communities it is widely accepted that covering hair and even veiling are obligatory law. (Broyde & Krakowski, 1991<sup>23</sup>; Fox, 2003<sup>24</sup>; Gordon, 1997<sup>25</sup>; Henkin, 2003<sup>26</sup>; Melamed, 1994<sup>27</sup>; Shapiro, 1990<sup>28</sup>).

In fact, veiling and secluding women are ancient customs. Women's modest dress is a precept common among all Abraham religions (Judaism, Christianity, and Islam). So, these laws predate not only Islam but Judaism and Christianity.<sup>29</sup>

The veiling of Muslim women, the hijab, has been the subject of almost obsessive attention and extensive interpretation. The debate over its meaning and effect on women has been particularly heated in the past few decades. While, an increasing number of scholars have acknowledged that equating the veil with oppression and subjugation of women is an overstatement, this perception remains widely held, especially in the West.<sup>30</sup> In the Western view, especially orientalist and even some feminist perspectives, the veil has been singled out as a symbol of oppression of the Muslim woman and its practice is often criticized. The fact is that these theoretical critiques turned a blind eye to colonial hegemony.<sup>31</sup> Today, some authors consider the veil as a mark of fundamentalism, an indicator of strong convictions regarding

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<sup>21</sup> Werner, Karin, *Between westernization and the veil: Contemporary lifestyles of woman in Cairo*. (Bielefeld: Transcript1997).

<sup>22</sup> Zuhur, Sherifa (1992). *Revealing revealing: Islamist gender ideology in contemporary Egypt*. Albany, NY: State University of New York Press. Valeria Seigelshifer is a Phd Candidate in the department of Gender Studies at Bar-Ilan University. Her dissertation focuses on the work and experience of modern orthodox women filmmakers. Tova Hartman is a senior lecturer at the department of Gender Studies at Bar Ilan University and author of *Appropriately Subversive: Modern Mothers in Traditional Religions* (2002, Harvard University Press) and *Feminism Encounters Traditional Judaism: Resistance and Accommodation* (2007, Brandeis University Press).

<sup>23</sup> Broyde, Michael. J, & Krakowski, Lillit, Further on women's hair covering: An exchange. *Judaism*, 157/40 (1991):79–94 1.

<sup>24</sup> Fox, Ilan, A study on spheradic rabbis' interpretations on head covering: a new reading. Position paper. [http://www.biu.ac.il/law/unger/wk\\_papers.html](http://www.biu.ac.il/law/unger/wk_papers.html) Hebrew 2003).

<sup>25</sup> Gordon, Samuel, Head covering for women: A look at the sources. In F. K. Zisken (Ed.), *The Pardes reader* (pp. 35–42). (Jerusalem: The Pardes Institute1997).

<sup>26</sup> Henkin, Yehuda Herzl, Contemporary Tseni'ut. *Tradition*, 37/3 (2003): 1–48.

<sup>27</sup> Melamed, Eliezer, *Hilchot Tzniut*. (1994), [www.yeshiva.org.il](http://www.yeshiva.org.il). 12 November 2013

<sup>28</sup> Shapiro, Marc, Another example of 'Minhag America'. *Judaism*, 154/39 (1990): 148–154 2.

<sup>29</sup> Davary, Bahar, Miss Elsa and the Veil Honor, Shame, and Identity Negotiations, *Journal of Feminist Studies in Religion (JFSR)*, Vol. 25.No. 2, pp. 47–66, Also see; Sadatmoosavi, Zohreh, The Commonality of Hijab Among Abrahamic Religions, *Quarterly Journal of Women Strategic Studies*, 10/3 (2009): 55-70.

<sup>30</sup> Leila Ahmed, *Women and Gender in Islam: Historical Roots of a Modern Debate* (New Haven, CT: Yale University Press, 1992); Elizabeth Fernea, *In Search of Islamic Feminism: One Woman's Global Journey* (New York: Doubleday, 1998); Fatma Müge Göçek and Shiva Balaghi, eds., *Reconstructing Gender in the Middle East: Tradition, Identity, and Power* (New York: Columbia University Press, 994); Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999); Nimat Hafez Barzangi, *Woman's Identity and the Qur'an: A New Reading* (Gainesville: University Press of Florida, 2004); and Gisela Webb, ed., *Windows of Faith: Muslim Women Scholar-Activists in North America* (Syracuse: Syracuse University Press, 2000).

<sup>31</sup> Davary, Bahar, MISS ELSA AND THE VEIL Honor, Shame, and Identity Negotiations, *Journal of Feminist Studies in Religion (JFSR)*, 25/ 2 (2009): 47–66.

gender relations, or a symbol of religious devotion<sup>32</sup> and resistance opposite of immodest culture dominance of today.

In Islamic countries Veil is often considered as a visible marker of distinction between religious and secular women.

One of the cultural dimensions which have been endangered through communication development is regarding to observing of modesty and veil which are divine commands. It can be seen that as Jennifer Heath says "in describing the forms and origins of and reasons for veiling in assorted places and times, repetitions naturally and necessarily occur"<sup>33</sup>.

One of the conditions for understanding why some women choose the veil is the realization that it is a potent symbol that can assume multiple meanings. In the mind of a particular Muslim woman, the veil— veiling is a sign of honor and unveiling brings about shame

Shame and honor are universal concepts.<sup>34</sup>

The strength and stability of the family and "family values" also fall within the ambit of maqasid that merit attention and further development. Preservation of lineal identity (hifz al-nasl), due to observance of the ties of kinship (qarabah), nurturing of a healthy generation, and ultimately of a humane civilization are of primary importance to maqasid.

Shari'ah permits and appreciates the use of lawful adornments; wearing fine dress; eating good food, etc, and discourages their abstinence.<sup>35</sup> Says the Holy Quran: "Who has forbidden the adornment of Allah which He has brought forth for His bondsmen, and the good things of His provisions?" (7:32)

According to *Shatibi*, these five protections are *daruriyyah* for the establishment of welfare in this world as well as in the world hereafter.<sup>36</sup> The 5 factors fall under the Dharuriyyah or essentials which are the basic rights of a human being:

- 1- The protection of the right of people to practice their religion.
- 2- To protect human life.
- 3- To protect the intellect.
- 4- Safeguarding the posterity (nasl). This means safeguarding one's lineage from illegitimate children. Each child has the right to know who the father is and be proud of his or her lineage. When compared to the *Maslow's* Hierachy of Needs, the essentials only covers food, shelter and clothing. This clearly shows the limits of man's intellect and Allah (SWT)'s ultimate wisdom. The disintegration of values in society has brought many social ills like unwanted teenage pregnancies and baby dumping. The babies that are born already lack their basic right in Islam which is a proper lineage. The feeling of belonging and utmost pride towards ones lineage must be instilled in our children so that it would deter them from tarnishing their lineage.
- 5- The fifth objective would be to protect the wealth.

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<sup>32</sup> Ibid.

<sup>33</sup> Heath, Jennifer (ed.), *The Veil: Women Writers on Its History, Lore, and Politics*. (California: University of California Press 2008), 1.

<sup>34</sup> Davary, Bahar, Miss Elsa And The Veil Honor, Shame, and Identity Negotiations, *Journal of Feminist Studies in Religion (JFSR)*, 25/2 (2009): 47–66

<sup>35</sup> Ahmed, Zia, Achieving Maqasid al Shariah through Takaful.

<sup>36</sup> Ibid.

## Maqasid al-Shariah of Modesty and veil Observance in Quran

Holy Quran says about the natural human desire for modesty and having coverage:

يَا بَنِي آدَمَ قَدْ أَنْزَلْنَا عَلَيْكُمْ لِبَاسًا يُؤَارِي سَوْعَاتِكُمْ وَرِيشًا وَلِبَاسَ التَّقْوَىٰ ذَٰلِكَ خَيْرٌ ذَٰلِكَ مِنْ آيَاتِ اللَّهِ لَعَلَّهُمْ  
يَذَكَّرُونَ<sup>37</sup>

This verse shows the reason of clothing and covering in the Qur'an and the phrase of " يُؤَارِي " implies that human needs covering. Even Quran has known Adam and his wife in a suitable heaven coverage that is gone because of their sin:

يَا بَنِي آدَمَ لَا يَفْتِنَنَّكُمُ الشَّيْطَانُ كَمَا أَخْرَجَ أَبَوَيْكُم مِّنَ الْجَنَّةِ يَتَزَعُ عَنْهُمَا لِبَاسَهُمَا لِيُرِيَهُمَا سَوْآتَهُمَا<sup>38</sup>

According to Quran, modesty is not merely related to clothing. It also regulates the manner in which women should look, how contacts should be formed and maintained, and the manner in which they are to speak. For example, Allah (swt) says in the Holy Qur'an that the wives of the Prophet (s) should speak very carefully to people who are not their close relatives. They should not speak in a way that might attract those people to their beauty or to their privacy.

Generally, verses that have clearly reminded about observance of affairs modesty and veiling quality are in four items. Two verses (in Surah Nur and Ahzab (Chapter 24 and 33) addressed to the prophet wives because veil observance became obligatory first for them and then extended for other women.

The Noble Qur'an regards two aspects as the reasons of observing modesty and veil by woman that this text categorizes it into:

### 1. Individual trait: to achieve individual prosperity and perfection.

#### 1.1. Spiritual and Mental aspects:

##### A: Attainment to Devotion and Purgation

Nearness to God which is obtained through piety and self-purification is the main aim of legislation of provisions in Quran:

إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ<sup>39</sup>  
هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِنْهُمْ يَتْلُوا عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَإِنْ كَانُوا مِنْ قَبْلُ  
لَفِي ضَلَالٍ مُّبِينٍ<sup>40</sup>

The ultimate goal of sending prophets and scriptures of God is purification and evolution of humans. So, observance of modesty and women's appropriate veils is regarded as the sake of purity of both men and women in Quran.

<sup>37</sup> اعراف / 26

<sup>38</sup> اعراف / 2

<sup>39</sup> حجرات / 13

<sup>40</sup> جمعه / 2

و اذا سألتموهن متاعا فستلوهُن من وراء حجاب ذلكم اطهر لقلوبكم و قلوبهن<sup>41</sup>

قُلْ لِلْمُؤْمِنِينَ يَعْضُوا مِنْ أَبْصَارِهِمْ وَ يَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ<sup>42</sup>

Quran considers veiling as a sign of women piety.

لا جناح عليهن في آباتهن و لا ابناهن ... و اتقين الله ان الله كان علي كل شيء شهيد<sup>43</sup>

## B: Spiritual Life and Hereafter

Modest dress as a duty and obligation of God has considered examples of obeying to Allah commands and the Prophet's Sunnah that causes salvation.

و من يطع الله فقد فاز فوزا عظيما<sup>44</sup>

These divine commands compliances can bring along God's pleasure, rewards and sins forgiveness.

يا ايها النبي قل لازواجك بناتك و نساء المؤمنين يدنين عليهن من جلا بينهن ... و كان الله غفورا رحيم<sup>45</sup>

Moreover, observant ladies have basically defended and advertised Islam religion by wearing hijab as an Islamic Ritual. As a matter of fact, wearing veils provide every woman an opportunity to look the same regardless of their beauty and physical appearance. Then minds only reflect to the human values. So, veil is reviver of spiritual values, so women prevail moral purities, virtues and prosperities by their modest dress.

Quran demonstrates this issue in two cases:

عليها النبي قُلْ لَأَزْوَاجِك وَبَنَاتِك وَنِسَاء الْمُؤْمِنِينَ يُحْنِنْنَ عَلَيْنَّ مِنْ جَلَابِئِنَّا ذَلِكَ أَذْنَى أَنْ يُخْرِفُنَّ<sup>46</sup>

و اذا سألتموهن متاعا فستلوهُن من وراء حجاب ذلكم اطهر لقلوبكم و قلوبهن<sup>47</sup>

### 1.2. Protection of Women:

#### A: respecting women values and avoiding their banality

Observance of appropriate dress is a good way of recognizing noble and personable ladies.

عليها النبي قُلْ لَأَزْوَاجِك وَبَنَاتِك وَنِسَاء الْمُؤْمِنِينَ يُحْنِنْنَ عَلَيْنَّ مِنْ جَلَابِئِنَّا ذَلِكَ أَذْنَى أَنْ يُخْرِفُنَّ<sup>48</sup>

Woman coverage strengthens imagination and love of men and keeping privacies is one of the mysterious means for maintaining women authorities and statuses against men. Thus, this privacy policy can be effective in emotional role of women on men.

Although nude women are sexually attractive, veiled women rely on their mental-value. They prefer to be considered as a human with virtues and talents apart from their beauty and

<sup>41</sup> احزاب / 53

<sup>42</sup> نور / 30

<sup>43</sup> نور / 31

<sup>44</sup> احزاب / 10

<sup>45</sup> احزاب / 59

<sup>46</sup> احزاب / 59

<sup>47</sup> احزاب / 53

<sup>48</sup> احزاب / 59

physical characteristics and also would like their personal validities to be seen in society. So, one of the Hikmah of "modesty" is emerging a humanistic looking on woman. *Javadi Amoli* writes:

“Here is no difference between men and women in any dimension for the journey towards perfection levels; the veil is a way to respect and reverence for women so that passers would not look at them brutish.”<sup>49</sup>

About the reason why the Islamic commands to cover is exclusive for women can mention that the desire to show off and display one's self is a particular trait of women. She is the hunter in the domination of the hearts of men and man is the prey, whereas man is the hunter in the domination of the body of women and she is the prey. A woman's desire to display herself comes from this essence of the hunter. It is the female instinct, because of her particular nature, wishes to capture hearts and imprisonment of males. Thus, the deviation begins with the female instinct and therefore the command to cover was issued.<sup>50</sup> But today, advertising looking at women introduces them as consumer goods and a sexual tool for advertising various products to attract customers; and women who does not have Spiritual and moral capitals, fill their lack by decoration and projection of their appearances and shapes.

### **B: Women Immunity and Sexual protection**

وَقَوَاعِدُ مِنَ النِّسَاءِ اللَّاتِي لَا يَرْجُونَ نِكَاحًا فَلَيْسَ عَلَيْهِنَّ جُنَاحٌ أَنْ يَضَعْنَ يَبَائِهِنَّ غَيْرَ مُتَّبِعَاتٍ بِزِينَةٍ وَإِنْ يَسْتَغْفِبْنَ خَيْرٌ لهنَّ<sup>51</sup>.

Islam has allowed women to attend in community but with privacy policy, to declaring staying away from corruptions.

عَلَيْهَا النَّبِيُّ قُلْ لَأَزْوَاجِكُمْ وَبَنَاتِكُمْ وَنِسَاءَ الْمُؤْمِنِينَ يُحْنِنْنَ عَلَيْهِنَّ مِنْ جَلَلَتِهِنَّ ذَلِكَ أَدْنَى أَنْ يُحْفَرْنَ<sup>52</sup>

## **2. Social Aspects**

Women veils have some individual impacts apart from the social effects. If women have the appropriate coverage, men will be kept spiritually healthy and clean of purity and also a safety in social centers and social behavior can be raised which ends up with delinquency reduction.

Modest dress causes social affection as below:

### **2.1. Stability of family foundation**

Quran has had some regulations that increase and strengthen existence of family. The role of family is very important in the growth of the communities and individuals.

#### **A. Mental and Physical Composure**

The Holy Quran explicitly and clearly emphasize the need of families and couple relationships as one of the most intimate human relationships in many verses. Quran knows marriage of men and women as one of God's signs which has the following impacts:

<sup>49</sup> Javadi Amoli, Abdullah, Zan dar Ayeeneh Jamal va Jalal (Mirror the Beauty and Glory). (Iran, Tehan: Asra' publishing, 2012), 75.

<sup>50</sup> Mutahhari, Murtadha *The Islamic Modest Dress*, Trans: Laleh Bakhtiar, (Islamic Republic of Iran: Dar us Seqafe 1987),177

<sup>51</sup> نور / 60

<sup>52</sup> احزاب / 59



53. وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

### B. Covering and supporting each other:

هُنَّ لِيَسَابَّ لَكُمْ وَ أَنْتُمْ لِيَسَابَّ لَهُنَّ<sup>54</sup>

So, finding the fulfillment of sexual desires within the family environment and within the framework of a legal marriage will strengthen the relationship between a husband and wife causing their union to become more stable.

As to the family, efforts must be made so that the extent possible and marital relations become more and more intimate and whatever will weaken this relationship must be resisted. The limiting of sexual fulfillment to marriage, whatever kind of fulfillment it may be, causes the married couple to develop a more profound union because a man or a woman who knows only their spouse to be the source of their pleasure and happiness clearly will develop deeper and stronger ties.

### C: Psychological Tranquility in society

People are not only responsible for their faith and deeds according to Islam, besides they are responsible for the faith and practices of others as well as Islam is a social religion and the individual aspects are spread throughout the societies. Without limits being established for relations between men and women or with unlimited free associations, sexual excitement and stimulation increase and demands become unquenchable and insatiable. The sexual instinct is a powerful, deep-rooted instinct which resembles the fathomless ocean. Although one thinks that by obeying it, one will have tamed it, its rebellious nature continues to show forth. It is like a fire: the more fuel is added to it, the greater would be its flame. In order to comprehend this, two points should be noted

Allamah Tabatabaee says about this verse:

يا ايها النبي قل لازواجك بناتك و نساء المؤمنين يدنين عليهن ... ادني ان يعرفن فلا يؤذين

"The second effect which the Dress code and chastity make in society is providing mental tranquility and stay away internal inflammations. Women nudity and profligate communication always increase exciting and inflammation and considered to be the spiritual thirst."

At any rate, Islam has placed special emphasis upon the amazing power of this fiery instinct. There are traditions which speak of the danger of a 'look', the danger of a man and woman being alone together and finally, the danger of the instinct which unites a man and a woman.

Islam has established ways of controlling, balancing and taming the instinct. Duties have been given to both men and women in this area. One duty which is the responsibility of both men and women relates to looking at each other. "Say to the believing men to cast down their glance and guard their private parts..." (24:30). Plus, "Say to the believing women to cast down their glance and guard their private parts." (24:31). In summary, the command is that a man and a woman should not fix their eyes upon each other; they should not flirt with each other; they should not look at each other with lust or with the intention of seeking sexual pleasure (unless it is within the sacred bounds of marriage).

<sup>53</sup> روم / 21

<sup>54</sup> بقره / 187

## 2.2. protection of Social immunity

Women veils observing cause their security from invasion.

يَا أَيُّهَا النَّبِيُّ قُلْ لَأُزْوَاجِكُمْ وَبَنَاتِكُمْ وَنِسَاءَ الْمُؤْمِنِينَ يُحْيِينَ عَلَيْهِنَّ مِنْ جَلْبَابٍ ذَلِكَ أَدْنَىٰ أَنْ يُعْرَفْنَ  
يَا نِسَاءَ النَّبِيِّ لَسْتُنَّ كَأَحَدٍ مِّنَ النِّسَاءِ إِنِ اتَّقَيْتُنَّ فَلَا تَحْضُرْنَ بِالْقَوْلِ فَاسْتَمِعِ الَّذِي فِي قَلْبِهِ مَرَضٌ...<sup>55</sup>

In fact, hijab is restrictions of lewd men who attempt to enjoy limitless.

Therefore, Islam is covetous for fixing and organizing sexual relations and then strives towards closing the means used by those evil-minded individuals for exploiting woman and achieving their enjoyment through her as they wish.

Horrible reports that are disseminated related to public, contain Sex and spiritual crises in modern societies which have negatively affected women safety.<sup>56</sup>

The methodology of research is deductive and the researcher collected the data from the books, in particular the Quran, Ahadith and some academic books. In fact, this study is a library research. The scope of Study is searching data about the necessity of the discussion and Maqasid Shari'ah of observing modesty and Veil in Quran.

## Conclusion

In a nut shell, deeply understanding of *Maqasid al-Shari'ah* along with new findings, experiences and knowledge can reveal Quranic wisdom show current and future challenges confronting Muslim communities around the world properly. The regulations of *Shariah* emphasize on observation of modesty and consider covering for women as a suitable field for preservation of men and women from the act of lapse in social communications, safety of women and preserving their valuable statuses along with upholding families' stability. According to Islamic precepts, modesty observing in public and limiting sexual desires to the family environment (regarding to this issue that marriage and family stability are considered *sunnah* and according to the God Will) helps to maintain the society's mental health, women immunity and fosters the human spiritual and cultural development.

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<sup>55</sup> احزاب/ 32

<sup>56</sup> In Britain, 9 out of 12 girls - below 20 years of age - are subjected to rape and kidnapping. The security forces were able to catch 13% of the criminals. The percentage of crimes increased by 84% in recent years; whereas juvenile crimes increased by fivefold during the first half of 1975.[15] Al-Qabas Newspaper, Kuwait, issued 6.2.1976, which also quotes from an Italian Magazine Tempo. An Italian newspaper Amica disclosed the following exciting facts concerning the crimes committed in its country: "In fact, an Italian woman fears leaving her home in order not to expose her dignity to the mad young men who wander the roads and streets and those who have no work except attacking women and girls and kidnapping them with the aim of robbery or sexual abuse...surely a woman refuses to accept any honorable work which forces her to return home at night so as not to expose her dignity and life to danger." [16] [16] Ibid., 6-10-1976.

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