

## Ibn 'Ashur's Discussion of the Hadith Cursing Women Who Wear Wigs, Tattoos, Etc.

Translation: Usama Hasan, 25/07/2016

**[Bismillah. Many people think that tattoos are absolutely prohibited (haram) in Islam due to a particular hadith. The following discussion from Ibn 'Ashur shows that this is not the case.]**

### (1) *al-Tahrir wa al-Tanwir*

وليس من تغيير خلق الله التصرف في المخلوقات بما أذن الله فيه ولا ما يدخل في معنى الحسن؛ فإنّ الختان من تغيير خلق الله ولكنّه لفوائد صحيّة، وكذلك خلق الشعر لفائدة دفع بعض الأضرار، وتقليم الأظفار لفائدة تيسير العمل بالأيدي، وكذلك ثقب الأذان للنساء لوضع الأقرط والتزيين، وأمّا ما ورد في السنّة من لعن الواصلات والمنتّمصات والمتقلّجات للحسن فمما أشكل تأويله. وأحسب تأويله أنّ الغرض منه النهي عن سمات كانت تعدّ من سمات العواهر في ذلك العهد، أو من سمات المشركات، وإلاّ فلو فرضنا هذه منهيّاً عنها لما بلغ النهي إلى حدّ لعن فاعلات ذلك. وملاك الأمر أن تغيير خلق الله إنّما يكون إنّما إذا كان فيه حظّ من طاعة الشيطان، بأن يجعل علامة إنحطّة شيطانية، كما هو سياق الآية واتّصال الحديث بها. وقد أوضحنا ذلك في كتابي . المسمّى: النظر الفسيح على مشكل الجامع الصحيح

(Tafsir or Qur'an-commentary of: { لأضلنهم ولأمنينهم ولأمرنهم فليبتكن آذان }  
{ الأنعام ولأمرنهم فليغيرون خلق الله

*[Satan says: I will misguide them, and give them false hopes; I will instruct them and they will surely cut the ears of cattle; I will instruct them and they will surely change the creation of God, al-Nisa', 4:121]*

Ibn ‘Ashur says:

Modifying creation, in ways that God has allowed, or in beautification, is not included in “changing the creation of God.” For example: circumcision changes the creation of God but is done for health benefits; shaving the hair gives the benefit of preventing some harms; clipping the nails is for the benefit of facilitating manual work; ear-piercing for women is for adornment with ear-rings, etc.

As for what is narrated in the Sunnah of cursing women who use false hair and wigs, pluck their eyebrows [to thin them] or widen the gaps in their teeth, all for the sake of beauty, this is one of the difficult matters for interpretation (*ta’wil*). [Translator’s note: some versions of this hadith also mention women who have tattoos on their bodies.] I think its interpretation (*ta’wil*) is that its purpose is to forbid characteristics that were regarded as those of prostitutes or idolatrous, polytheistic women in that era. Otherwise, even if we regard these as (still) being forbidden, the forbiddance would not reach the extent of cursing the women who do so.

In short, “changing the creation of God” only applies where there is an element of obeying Satan by placing a symbol of a Satanic quality, as is the context of the verse and its link with the hadith. We have explained this clearly in my book, *al-Nazar al-Fasih ‘ala mushkil al-Jami’ al-Sahih* (*A Broad Analysis of the Difficulties of [al-Bukhari’s] Authentic Collection*).

## (2) Maqasid al-Sharia

فنحن نوقن أن عادات قوم ليست يحق لها - بما هي عادات - أن يُحمَل عليها قوم آخرون في التشريع، ولا أن يُحمَل عليها أصحابها كذلك. نعم يراعي التشريع حمل أصحابها عليها ما داموا لم يغيروها، لأن التزامهم إياها واطرادها فيهم يجعلها مُنزلةً منزلة الشروط بينهم يُحمَلون عليها في معاملتهم إذا سكتوا عما يضاؤها. ومثاله قول مالك رحمه الله: بأن المرأة ذات القدر لا تجبر على إرضاع ولدها في العصمة، لأن ذلك عرف تعارفه الناس، فهو كالشرط<sup>(١)</sup>، وجعل قوله تعالى: ﴿وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ﴾<sup>(٢)</sup>

مخصوصاً بغير ذات القدر، أو جعله مسوقاً لغرض التحديد بالمدة، وليس مسوقاً لأصل إيجاب الإرضاع.

ومن معنى حمل القبيلة على عوائدها في التشريع - إذا روعي في تلك العوائد شيء يقتضي الإيجاب أو التحريم - يتضح لنا دفع حيرة وإشكال عظيم يعرض للعلماء في فهم كثير من نهي الشريعة عن أشياء هـ لا تجد فيها وجه مفسدة بحال، مثل تحريم وصل الشعر للمرأة، وتفليج الأسنان، والوشم، في حديث ابن مسعود: «أن رسول الله ﷺ لعن الواصلات والمستوصلات، والواشحات والمستوشحات، والمتنمصات والمتفلجات للحسن، المغيرات خلق الله»<sup>(١)</sup>. فإن الفهم يكاد يضل في هذا إذ يرى ذلك صنفاً من أصناف التزين المأذون في جنسه للمرأة ١٠ كالتحميم والخلوق والسواك فيتعجب من النهي الغليظ عنه.

ووجهه عندي الذي لم أر من أفصح عنه، أن تلك الأحوال كانت في العرب أماراتٍ على ضعف حصانة المرأة. فالنهي عنها نهي عن الباعث عليها أو عن التعرض لهتك العرض بسببها.

Maqasid al-Shari'a (3/268-9; *Wizarah al-Awqaf al-Qatariyya*)  
Chapter/Section *fi maqasid al-tashri' al-'aammah: 'umum shari'ah al-islam – On the General Principles of Legislation: the Generality of the Law of Islam:*

We are certain that customs of people have no right – as customs – to be forced upon other people in legislation, nor in fact to be forced upon the original people themselves. It is true that the Sharia does force such customs upon people if they do not depart from them, because their adhering to these [customs] and the customs being central to them renders the customs as equivalent to mutual conditions that are considered in their mutual transactions, since the people are silent about anything contrary to these. An example of this is the view of Malik, may God have mercy upon him, that a noble woman is not to be forced to suckle her child, since that is the custom generally accepted by the people, and thus is like a [legal] condition. Hence, he applied the saying of God Exalted, “Mothers are to suckle their children for two complete years” (2:233) specifically to women not of the nobility, or regarded its context as being for the purpose of specifying the time period and not for the principle of mandating suckling.

From this principle of imposing a tribe's customs upon it within the Sharia, where such customs are related to obligatory or prohibited matters, it becomes clear to us how to clear the confusion and huge problems presented to the jurists in understanding many of the Sharia's prohibitions of matters where one finds no harm at all.

For example: the prohibition of wigs, widening gaps between teeth and tattoos for women, in the hadith of Ibn Mas'ud that “the Messenger of God, may God bless him and grant him peace, cursed women who use or ask for wigs or tattoos, or who pluck their eyebrows or widen the gaps between their teeth for the sake of beauty, who change the creation of God.” The mind is almost lost at this, because it sees categories of adornment for women, of which other types are permitted, such as rouge, perfume and the tooth-stick, so it is confounded by such a strict forbiddance of them.

The correct interpretation of this in my view, and which I have not seen anyone else articulate, is that those states [qualities and actions] were symbols of a woman's weak morality amongst the Arabs. Thus, the forbiddance of these was a forbiddance of the underlying cause, or of becoming exposed to a violation of dignity or honour because of these states [qualities and actions].