



KARAMAH

MUSLIM WOMEN LAWYERS FOR HUMAN RIGHTS

Ask Zahra

Welcome to the Ask Zahra advice column! Sister Zahra is ready and willing to answer your questions about Islam. Her answers are based on years of studying Islamic scholarship and culture throughout the Muslim world. Zahra welcomes your questions, and looks forward to providing balanced and credible access to information on the many issues that are important to Muslim women. If you have you have more questions about Islam or Islamic law, contact us [here](#).

Question: What Do We Have to Hide?

The Islamic Principle of “*Satr*” and Cultural Bias

Answer: Many of the victims who reach out to KARAMAH face a serious dilemma. They are told by those around them that bringing such issues into the public eye violates the Islamic principle of *satr*. However, the popular understanding of the principle of *satr* in our community is loaded with cultural biases. It reduces the options of a victim into two equally unfair and unrealistic ones: 1. Obey God who ordered us Muslims to cover each other's shortcomings and flaws, and remain silent at the expense of the victim's safety and well being; or 2. Speak up and publicly denounce the perpetrator of the abuse, and hence disobey God and create *fitnah* (chaos and conflict) in the community.

This understanding shows no regard to victim's rights. In fact, it contributes to the problem by injecting it with an element of spiritual abuse. It forces the abused to abandon legitimate protections or feel deeply guilty for defying God. Furthermore, Muslim women who opt against the advice of some "well intentioned," "God fearing" relatives and friends, and publicly disclose the abuse or harassment, are often faced with hostility and pushed out of the community. Are these really the only options an abused Muslim woman has? Is a good Muslim woman a voiceless and submissive woman in the face of abuse and harassment? And are the Qur'anic principles of justice, accountability, and dignity compatible with such an understanding of the principle of *satr*? The answer to all

these questions is in the negative. To establish this fact we turn to the basic sources of Islamic jurisprudence.

Satr, an Arabic term that means covering/protecting one's privacy, refers in the context of social behavior to: 1. Being discreet about one's own sins, which means keeping one's life, especially one's sins, private; and 2. Lowering the veil of discretion/privacy over the shortcomings, flaws or sins of others (which do not involve rights of additional people) as opposed to exposing them to the public eye or reporting them to the legal system. (For example, advising a teenager against consumption of alcohol.) The second meaning is the one of concern to us today, as it applies to domestic abuse and sexual harassment situations. There are many *hadiths* (statements of the Prophet PBUH) that praise people who, when they discover other people's flaws, they do not expose them. Instead, they advise them and encourage them to reconsider their behavior. In one instance for example, the Prophet (PBUH) said "Whoever covers the flaws of a Muslim in this world, God will cover his/her flaws on the Day of Judgment." (Al-Bukhari). Some Muslims have misunderstood this *hadith*, and others of its variations, to mean that covering Muslims' flaws and shortcomings is an unconditional duty. That is incorrect. Ibn Hajar, a renowned Muslim scholar and *hadith* interpreter, commented on the aforementioned *hadith* as follows: "It means (a situation where) someone witnesses something bad (wrong) and does not disclose it to other people. This does not mean abstaining from vehemently reprimanding (the offender) in private. This also involves testifying against (the offender) when reprimand and advice fail to work...It appears therefore that *satr* applies to past sins, while reprimand and advice apply to flagrant (present) sins. However, if the sinner does not refrain then it is one's responsibility to report (the sinner) to the ruler..." (Fath al-Bari, 5:97) So, the purpose of the principle of *satr* is not to create a secret society that covers up various sins. Rather, its purpose is to counsel a person who errs, and afford him/her an opportunity to reflect on his/her wrong doing or flaw and correct his/her behavior before it becomes one of public or even legal concern. Sometimes all a person needs is to step back from a situation and see it through someone else's eyes to become aware of the gravity of his/her actions and repent. This is particularly true when the sin/flaw committed involves the sinner alone.

What happens then when a person is subject to or witnesses an injustice or crime? Does *satr* still apply? In other words, is the subject of abuse (or any other form of injustice) expected to keep silent in order to be a good Muslim? Of course not; that would be inherently unjust. Yet, some Muslims have confused *satr* with impunity. They believe that the duty of *satr* is unconditional and requires Muslims not to expose each other, regardless of the circumstances. This confusion is not new despite the fact that Muslim jurists clearly defined *satr* as "forgiving and covering someone's sin or crime if nobody else's rights were involved.[i] Jurists also set strict criteria for practicing *satr*. They include the following:

- The sinner has not already disclosed the sin him/herself as a way of showing off;
- The sin/offense is not in the making and hence could still be prevented;
- The sin/wrong doing does not cause any harm to anyone else but the sinner;
- *Satr* offers wrongdoers a chance to repent and rectify their actions. If they persist, then it is the duty of a Muslim to expose them;

- *Satr* should not stop a person from testifying against injustice. After all, the Qur'an orders us: "And do not conceal testimony, for whoever conceals it - his heart is indeed sinful, and God is Knowing of what you do." (2:283); and finally,

- *Satr* is limited by victim's rights. If an act of *satr* perpetuates an injustice done to the victim, then it is prohibited. Furthermore, the person who covers for a wrongdoer is an accomplice in the crime of violating the victim's right.[ii]

The last requirement means that when the sin violates the rights of other people, as in the case of sexual harassment and domestic violence, it is no longer just a sin. It becomes a crime that has to be addressed in a way that restores the right of both the victim and society at large. In short, *satr* is not an unconditional pass given to repeat offenders who persist in their offenses and whose actions affect others and violate their rights. *Satr* is a second chance given to people whose actions harm them and not others. They show remorse and a readiness to repent and redeem themselves. If other people's rights are involved, *satr* cannot be invoked. Accountability, individual responsibility, and justice are the Islamic principles that control in these situations. For, as the Qur'an states, "whoever does wrong shall be requited with it. He will not find, besides God, any protector or helper." (4:123) Silencing women victims of domestic abuse, sexual

harassment and other types of injustice and suffering not only adds insult to injury but goes against the very core of Islamic values and principles. The Qur'an states very clearly that "God commands Justice" and that He "forbids all shameful deeds and injustice." (16:90) One quick note about the "*maslaha*" or best interest of the community, an argument used sometimes to support the misguided demand for unconditional *satr*. It is in the *maslaha* of the community to correct its own mistakes and promote just behavior among its members. This principle is deeply rooted in Islamic law and ethics. The Qur'an states it clearly when it says: "O ye who believe, stand out firmly for Justice as witnesses to God, even as against yourselves, or your parents, or your kin..." (4:135) The fact that others may exploit the situation against the Muslim community should not stop us from doing what is right. Instead it should strengthen our resolve to fight injustice and prejudice wherever we find it.

Notes:

[i] Abd al-Lateef al-Ghamidi, *As-Satr fi al-Qadaya al-Jina'iyah*

<http://www.islamfeqh.com/Nawazel/NawazelItem.aspx?NawazelItemID=666>

[ii] For more on criteria for *satr*, see: an-Nawawi, *Al-Minhaj Sharh Sahih Muslim Ibn al-Hajjaj*; Ibn Taymiyyah, *Majmou'al-Fatawi*, 28:220; and Khalid Ibn 'Abdillah ibn Muhammad Ashayi', *As-Satr 'ala Ahl al-Ma'aasi*, 2001.