20869 - Ruling on female servants working in households, and are they female slaves?!

the question

I'm an Indonesian Muslim, I need a fatwa regarding the status of Woman Labour, who work in midle east.

Does they who worked to family and living with that family is considering as a slave ?

It is very important to us know about The status about Woman Labour, because this issue used by christian misionaries to denigrating Islam in here.

Please attached Fatwa from some Ulama Institution/authorithies..

Detailed answer

Firstly:

The servants who work in households do not come under the same rulings as slaves, whether male or female. Rather they come under the ruling of private workers who are hired to work for the employer, and are like any other employee.

We have already spoken about female servants and the ruling on bringing them from their countries, and the haraam actions committed by some families towards female servants. Please see the answer to question no. 26282.

Secondly:

What some of these heads of households have done to these servants is not condoned by Islam, rather Islam forbids it and warns against it. It is not permissible to use that as a means of attacking Islam or giving a bad impression of Islam, because these sins on the part of some Muslims are forbidden by Islam itself.

Al-Bukhaari (50) and Muslim (1661) narrated that Abu Dharr said: I cursed a man and slandered his mother, and the Prophet (peace and blessings of Allaah be upon him) said to me: “O Abu Dharr, are you slandering his mother? You are a man in whom there is still some jaahiliyyah (ignorance)! Your slaves are your brothers whom Allaah has put under your command. So whoever has a brother under his command should feed him of what he eats and dress him of what he wears. Do not ask them (slaves) to do things beyond their capacity and if you do so, then help them.” This is the justice of Islam towards slaves who are owned by a person, so how should it be with a servant who is not a slave who belongs to his or her employer, but is rather hired to do a job?

Thirdly:

It is not permissible to be alone with these female servants, or to look at them, because they are non-mahrams to the men of the household. Similarly male servants are non-mahrams to the women of the household so it is not permissible for them to uncover in front of them or to be alone with them.

Shaykh ‘Abd al-‘Azeez ibn Baaz (may Allaah have mercy on him) was asked:

What is the ruling on dealing with servants and drivers – do they come under the same heading as non-mahram men? My mother tells me to go out in front of the servants and to put a scarf on my head. Is that permitted in our pure monotheistic religion which tells us not to disobey the commands of Allaah?

He replied:

Drivers and servants come under the same rulings as all other men: it is obligatory to observe hijab in front of them if they are not mahrams. It is not permitted to uncover one's face in front of them or to be alone with any of them, because the Prophet (peace and blessings of Allaah be upon him) said: “No man is alone with a [non-mahram] woman but the third one present is the Shaytaan.” And because of the general meaning of the evidence which indicates that hijab is obligatory and that it is haraam to make a wanton display of oneself or to uncover oneself in

front of non-mahrams. It is not permissible to obey your mother or anyone else in matters that involve disobedience towards Allaah.

Al-Tabarruj wa Khataruhu by Shaykh Ibn Baaz.

And Allaah knows best.