



RESPONDING TO WOMEN'S TRAVELLING WITHOUT A MAHRAM IN THE ERA OF SOCIAL TRANSFORMATION: An Analysis of *Mukhtalif al-Hadith*

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Abstract

This study views two hadiths about women travelling with a *mahram* which at first glance seem contradictory. One hadith says that it is not lawful for women to travel without a *mahram*, while in another hadith, the Prophet states that there will be women who travel alone and are not afraid of anything except Allah. These two hadiths need to be studied further. The concept of *mahram* must be clearly understood so that there is no discrediting of women in doing something in the public sphere because many factors have encouraged women to travel in the current era of social transformation, for example, to pursue an education that necessitates being far away from family. This study uses the *al-jam'u* method so that these two *mukhtalif* hadiths about women travelling with a *mahram* could be applied to modern society that has undergone a social transformation. The hadith about women travelling with *mahrms* is substantially a concern for security on women's travels. Suppose on the way; a woman is worried that it will be unsafe. In that case, she can practice the hadith that is not lawful for a woman's trip if a *mahram* does not accompany her. In contrast, if the woman can travel safely, she can practice the second hadith about a woman travelling alone without a *mahram*, and there is no fear except for Allah. For this reason, modern society with social transformation can choose between the two hadiths that conform to the situation

and conditions.

Keywords: *mukhtalifal-hadith, mahram, social transformation, woman*

Abstrak

Permasalahan yang diangkat dalam penelitian ini tentang perempuan bepergian bersama mahram, didalam hadis-hadis yang sekilas tampak bertentangan. Salah satu hadis berisi tentang tidak halal perjalan perempuan tanpa mahram, sedangkan hadis lainnya Rasul bersabda akan ada perempuan yang bepergian sendirian dan tidak takut kepada apapun kecuali kepada Allah. Hadis-hadis tersebut perlu diketahui penyelesaiannya, serta konsep mahram perlu diketahui lebih jauh, agar tidak ada pendeskreditan terhadap perempuan didalam melakukan sesuatu di ruang public, karena banyaknya faktor yang mendorong perempuan melakukan perjalanan di era transformasi sosial saat ini, misalnya untuk mengenyam pendidikan yang mengharuskan jauh dari keluarga. Penyelesaian *mukhtalif al-hadis* tentang perempuan bepergian dengan mahram menggunakan metode *al-jam'u*, sehingga penulisan ini memiliki tujuan ialah kedua hadis *mukhtalif* tentang perempuan bepergian dengan mahram, dapat diaplikasikan dalam konteks masyarakat modern yang telah mengalami transformasi sosial. Hadis tentang perempuan bepergian bersama mahram secara substansi merupakan perhatian keamanan pada perjalanan perempuan. Apabila dalam perjalanannya perempuan dikhawatirkan tidak aman maka dapat mengamalkan hadis tidak halal perjalanan perempuan jika tidak disertai mahram, sedangkan jika perempuan dalam perjalanannya aman, maka dapat mengamalkan hadis tentang seorang perempuan berjalan sendirian dan tidak ada rasa takut kecuali kepada Allah. Untuk itu masyarakat modern dengan transformasi sosial dapat memilih diantara hadis keduanya yang selaras dengan situasi dan kondisi yang dihadapi.

Kata kunci: *mukhtalifal-hadith, mahram, transformasi sosial, perempuan*

Introduction

Women have had to travel more frequently recently due to the huge growth in the amount of work they do outside the home. As a means of existence, women's productive endeavors must constantly be encouraged. Many women are currently working in all fields actively, from the domains of economics, society, and politics to religion (Tuwu, 2018, p. 65). For instance, women played a variety of roles historically when working outside the home as teachers, lecturers, nurses, doctors, and other professionals. Women play a variety of responsibilities in government politics, including those of the President of the Republic of Indonesia, Governor, Minister, Regent, and others. They are also mothers, wives, farmers, company managers, volunteer workers, village leaders, and village elders. This stresses even more the many roles that women play in their lives and in society (Manembu, 2017, p. 2).

Despite being reliable and productive human resources, there are still a number of obstacles that impede women from working in a productive capacity. When engaging in activities outside the home that require travel, the hadith that indicates that women must go with a *mahram* does not always apply. This is why it's crucial to comprehend the hadith about traveling with a *mahram*.

Women travelling with *mahram* are found in hadiths that, at first glance, seem contradictory. One of the hadiths contains that it is not permissible for a woman to travel without a *mahram*, while in another hadith, the Prophet said that a woman would travel alone and fear nothing but Allah. These hadith that seem contradictory in the science of hadith is called *mukhtalif al-hadith*; these two hadiths about women travelling with a *mahram* which at first glance appear contradictory must be studied to obtain a complete understanding, namely by analyzing using the *mukhtalif al-hadith* science so that it can be seen the concept

of *mahram* in question and make a compromise to know the message of these two hadiths.

In *fiqh*, *mahram* is people who are forbidden to be married forever because of breastfeeding, descent, or marriage in Islamic law. According to the Big Indonesian Dictionary, *Mahram* is a person (female, male) with a close relative because of heredity, milk, or a marital relationship, so she is not allowed to marry (Subki, 2010, p. 121). The concept of *mahram* needs to be known further so that there is no discrediting of women in doing things in the public sphere, even in the era of social transformation; to receive an education, for example, requires living far away from family. The concept of *mahram* needs to be known further so that there is no discrediting of women in doing things in the public sphere, even in the era of social transformation to receive education, for example, requires being away from family.

Therefore, the hadith of women travelling with a *mahram* needs to be studied further so that the position of the hadith is clear and there is no gender inequality or exclusion of women who do not have a *mahram*. Because today's modern society has many factors that inspire women to travel, this mobility requires a deep study of women's travelling with the *mahram*, which is obtained from the interpretation of the arguments of the Qur'an and hadith (Handayana & Budiman, 2020, p. 86).

The background of the issue serves as a point of reference for the requirement to be familiar with the approaches used in resolving *mukhtalif al-ahadith* by using one of the *al-jam'u* methods, namely by compromising the two hadiths that appear to be incongruous so that both hadiths can be applied. More than that, it is also crucial to be familiar with the interpretation of the hadith.

Several previous studies on the discussion of women making the journey with a *mahram* and *mukhtalif al-hadith*, namely the law of

travelling for women without a *mahram* according to the Shafi'i and Hambali schools, in a journal published in 2021 discusses the comparison of the law of taking a trip according to the two schools of thought, namely Shafi'i and Hambali. Fazlur Rahman's hermeneutic analysis, namely the two hadiths are understood using Fazlur Rahman's hermeneutics, as well as the reinterpretation of the hadith prohibiting women from journeying without a *mahram*, and the prohibition on painting socio-historical and anthropological approaches in painting, was published in a journal in 2019. The journal published in 2021 discusses the two hadiths using a socio-historical and anthropological approach, and the journal *mukhtalif al-hadith* science and analysis of educational values discusses the educational values contained in the journal year 2021.

While the hadith about women travelling with the *mahram* was specifically analyzed using the science of *mukhtalif al-hadith*, namely the *al-jam'u* method, in order to obtain a common thread between conflicting hadiths to be applied in modern society that has undergone social transformation. There has never been a similar study before in this regard. This is a qualitative research paper that uses a literature review and data from various scientific works such as books and journals. One of these books is *Al-Umm Bab Ikhtilaf al-Hadith* by Abu Abdullah Muhammad bin Idris al-Syafi'i, and another is *Musthalah Hadith Science* by A. Qadir Hassan, and Handayani and Ilyas journals on Gender Issues: Portraits of Past Relationships. Other data were gathered using documentation techniques and analyzed using a hadith science approach that focuses on *mukhtalif al-hadith* using the *al-jam'u* method.

The purpose of this study is to understand the hadith about women travelling with *mahram* using *mukhtalif al-hadith* analysis, specifically the *al-jam'u* method. As can be seen, two seemingly contradictory hadiths can be reconciled and both can be applied to modern society, which has undergone social transformation.

Mukhtalif al-Hadith Science

Linguistically, the word *mukhtalif* is the *isim fa'il* of the word *ikhtilaf*, and the *mashdar* form of the word *ikhtalafa (fi'il madhi)*, which means disagreeing, and is the opposite of the word *qidam* (Ibn Manzhur, n.d., vol. 82, p. 2). Al-Suyuthi cites Nawawi's opinion, stating that the *mukhtalif al-hadith* are two traditions that are contradictory in external meaning, so it is necessary to compromise between the two, namely to strengthen one of the two traditions, by using *al-jam'u* and *al-tarjih* so that it can be understood that the *mukhtalif al-ahadith* are hadiths that appear to be outwardly contradictory, and need to be compromised so that there is no conflict. Scholars have developed a theory of *mukhtalif al-hadith* studies to understand a hadith so that there is no conflict between one hadith and another, and so that *mukhtalif al-hadith* science, namely the science that discusses hadiths that appear contradictory, can be understood. This theory is expected to be able to correctly understand the hadith in order to avoid misunderstanding *mukhtalif al-hadith* by explaining its contents (Adhari et al., 2021, p. 67–68).

Mukhtalif al-ahadith, in the opinion of al-Hakim, are *sunnahs* of the Prophet Muhammad that are in conflict with one another. Because each of their reasons are equally sound, the scholars cursed the reasoning of one of them. *Mukhtalif al-hadith* are two hadiths whose meanings appear to conflict with one another; hence it is required to compromise with or reinforce one of them, according to al-Nawawi. Al-Suyuthi describes it similarly, saying that when a hadith is disregarded due to another hadith, a compromise or a middle ground should be sought (Huda, 2019, p. 52–53).

Additionally, there are prerequisites for the designation of a hadith as *mukhtalif*, the first of which is that it be a *maqbul al-hadith* rather than a *mardud al-hadith*. Second, the hadith's literal interpretation

contradicts itself. Third, even though the hadith's degree is subpar, it is still useful for defense. Fourteenth, it might be hacked or destroyed. Those are the four categories of *mukhtalif al-hadith* (Nurdin & Shodik, 2019, p. 78).

Due to issues with the hadiths that seemed inconsistent, the branch of *mukhtalif al-hadith* science was created. The two hadiths are not *ikhtilaf*, however, if their contents can both still be true without one of them superseding the other (Syafi'i, n.d., p. 342). The dispute arises in one's understanding rather than from what the Prophet said, according to Ibn al-Qayyim, who holds that there cannot be a contradiction between authentic hadiths. If there is a conflict, it can be determined that one of them is untrue (Baq'a'i, 1998, pp. 341–342). Knowing the quality of a hadith is crucial to reconcile the conflicting hadiths since it is likely that one of the hadiths is a *dhaif* or *maudhu'* hadith, which prevents it from being compared to *shahih* or *hasan* hadiths. So as not to look contradictory, only hadiths of similar quality may be studied, and rationally speaking, it is impossible to teach anything incorrect about the Prophet Muhammad. Understanding a hadith's intention and orientation is also necessary for practicing its differences in accordance with its message, allowing for the practice of all seemingly incompatible traditions (Adhari et al., 2021, p. 69).

Ismail stated that al-Shafi'i utilized the first approach, *al-jam'u wa al-taufiq*, to reconcile two incompatible traditions by determining the core meaning of many hadiths in order to complete *mukhtalif al-hadiths*. Second, *nasikh mansukh* is a hadith that cannot be questioned; it can be tracked by looking for texts from the Prophet or from companions. As a result, it is important to understand the history of the hadith or *asbabul wurud* in order to distinguish between texts that have the status of *ma'mul bih* or that can be put into practice and *mansukh* as *ghair al-ma'mul bih*, which means unmanageable. If no *asbabul wurud* is discovered, the next

approach can be used (Ismail, 1995, p. 83).

The third step is *tarjih*, which involves comparing the more powerful hadiths in terms of *sanad* and *matan* so that the stronger ones can be used and the weaker ones can be left behind. Fourth, *tanawwu' al-ibada*, or the customs that justify worship such that it necessitates doing one, is what results in the variation in how a worship is performed (Adhari et al., 2021, p. 70). Even though the approach taken by al-Shafi'i and his followers was quite straightforward, subsequent generations have continued to refine it (Harahap, 2015, p. 16).

Implementation of the *al-Jam'u* method

Al-Jam'u is the *isim mashdar* of *jama'a*, which literally translates to "to gather something, then arrange it, and to reunite what is divided." The *al-jam'u wa al-taufiq* approach, which involves identifying areas of contention and attempting to reach a compromise, is another name for it (Wahyudi, 2014, p. 86). Anwar Sadat also described *al-jam'u*, which is compromising a hadith that appears incongruous so that it can be applied depending on the circumstances, and circumstances according to the context (Sadat, 2015, p. 189). There are those who refer to this technique as *thariqa al-jam'i*, which refers to the process of gathering the hadiths that appear to be in opposition, which are then seated one by one so that they can all be employed (Hassan, 2007, p. 255).

By compiling contradictory hadiths, the *al-jam'u* technique is one method for analyzing contradictory hadiths. Khairuddin cited al-Nawawi as saying that contradicting hadiths could be gathered or *taufiq* (Khairuddin, 2010, p. 49). In the meantime, *jam'u* or *taufiq* refers to the act of gathering two hadiths together when they show conflict. If the meanings of the two hadiths are consistent, one can put one into practice while the other can be used in other contexts (Syafi'i, 1985, p. 99, 598).

It can be concluded that the *al-jam'u* approach can be seen as the fusion of opposing hadith through accommodation so that all hadiths can be followed. This accommodation can be used to opposing arguments that have particular parallels or are generic (Anas & Rosyadi, 2015, p. 131). *Al-jam'u wa al-taufiq* is Ibn Qutaibah's preferred approach for solving hadiths that appear contradictory, and it is based on the tenets of the *al-jam'u* method. First, there are disparities between occurrences so that each can be understood in its proper context. Second, there won't be any disagreement if each hadith is understood in light of the specific circumstances. Third, the place and portion of each hadith vary. Fourth, each tradition has its own position in the two traditions (Aswar, 2016).

The prerequisites for applying the *al-jam'u* method to reconcile seemingly incompatible hadiths are that both of them must be *shahih* since they cannot be compared to *dhaif* hadiths because *shahih* hadiths are inherently strong and cannot be undermined by conflicting *dhaif* hadiths. Second, the dispute in question is not entirely contradictory or *tanaqud* because it's feasible that neither can be resolved. Thirdly, it prevents a hadith from being canceled that appears contradictory because it has been tampered with. Fourth, the *Shari'a's* goals are not coercive, and it is necessary to satisfy this requirement before making compromises by using the right Arabic language or *uslub* (Zuhad, 2010, p. 10).

In order to find a common ground and compromise them, contradictions that emerge outwardly or externally can be addressed by tracing the hadith's content. This will result in the correct understanding, which can then be put into practice in accordance with how each hadith's seeming contradiction fits into its overall context. According to Edi Safri, the *al-jam'u* method can be used to resolve the issue of contradicting hadiths (Safri, 1999, p. 81–82), that is:

1. Contextual Understanding

Understanding a hadith in its context involves taking into account the circumstance or incident that served as the Prophet's hadith's backdrop. Studying the *asbab al-wurud al-hadith* (Suyutiy, 1984, p. 11; As'ad, 2001, p. 24). can help you comprehend the relationship between the circumstances that exist at the time the hadith is presented. According to Hasbi Ash-Shiddiqiey, *asbab al-wurud al-hadith* is the science that analyzes the circumstances surrounding the prophet's transmission of a hadith (Ash-Shiddieqy, 2001, p. 50).

According to Nur al-Din 'Itr, a *mukhtalif al-hadith* is a hadith that occurs as a result of an incident that took place in the background of the hadith. The definition of these meanings can be drawn as a midpoint, namely that *asbab al-wurud al-hadith* is an occurrence or is in the form of a question that led to the emergence of hadith, or it can be mentioned as a historical context that has applications to determine the hadith specifically or generally, so that it can be analyzed using *mutlaq* or *muqayyad*, *nasikh* or *mansukh*, and so on. The hadith is incoherent because it leads to a misinterpretation of its meaning if you don't pay attention to the *asbab wurud al-hadith*. Knowing the context to which the hadith refers in this regard is crucial. The direction of each hadith's meaning can be used to determine and comprehend the distinction between the opposing traditions (Safri, 1999).

2. Understanding Correlatively

In order to reduce external barriers, this approach focuses on the interpretation of the *ikhtilaf* hadiths in talks that are comparable to them. This not only explains one or two hadiths, but it can also explain some seemingly incongruous hadiths. Because of this, it is essential to comprehend the hadith as a whole in order to understand how the many meanings relate to one another, have a clear picture of the issue at hand,

and resolve any apparent contradictions in the hadith (Safri, 1999).

3. *Ta'wil* Approach

Due to the presence of *qarinah*, or the necessary connectivity, this knowledge is a transformation of *lafad* from its exterior meaning to other forms of meaning. This strategy is used because the interpretation that is being used to explain the intended purpose is not entirely accurate, thus it makes use of alternative meanings that are consistent with the meaning of the hadith as a whole. If there is a strong case for taking the meaning, this meaning swap is possible. Imam Shafi'i claimed that the *takwil* method might be used to overcome the opposition between hadiths because of this (Aswar, 2016).

The following are the steps for applying the *al-Jam'u* method:

1. *Takhsis hadith al-'am* (customizing general hadith)

Two reasons could explain the discrepancy between the pronunciation of "am" and "khas": first, there is one sound that is more unique or distinctive than the other, which is absolute. When you encounter this issue, you can prioritize practicing the *khas* over the 'am because training the 'am does not always need a distinctive pronunciation, although practicing the *khas* does. Second, only one hadith mentions it particularly and generally (Aswar, 2016).

2. *Taqyid hadith al-mutlaq* (limiting absolute hadith)

Muthlaq is a word that shows the meaning of the text so that it seems to have a limited narrow understanding. Meanwhile, *muqayyad* is a pronunciation that is limited by other words so that it is more assertive (Rajiah, 2013, pp. 158–160). The opinion of the majority of scholars, namely understanding the *mutlaq* pronunciation is usually done with *muqayyad*, i.e. there is only one hadith that has the *mutlaq* pronunciation for that it is necessary to understand *muqayyad* (Aswar, 2016).

Hadith about Women Travelling with *Mahram*

Tracing the hadith about women journeying with a *mahram*, can be found in the following hadith inventory:

1. Hadith of women journey with *mahram*

Narrated by Al-Bukhari index number 1088 (Bukhari, 1422, vol. 2, p. 43)

حَدَّثَنَا آدَمُ، قَالَ: حَدَّثَنَا ابْنُ أَبِي ذَنْبٍ، قَالَ: حَدَّثَنَا سَعِيدُ الْمُقْبِرِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُمَا، قَالَ: قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «لَا يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ تُسَافِرَ مَسِيرَةَ يَوْمٍ وَلَيْلَةٍ لَيْسَ مَعَهَا حُرْمَةٌ»

Telling us Adam said: told us ibn Abi Di'bin said, told us Sa'id al-Muqburi, from his father, from Abi Hurairah ra. said, the prophet Muhammad, he said: 'It is not lawful for a woman who believes in Allah and the Last Day to journey for a day and a night, without a mahram with her.

The hadith is also narrated by Imam Muslim index number (1339) 421, Imam Malik index number 37, ibn Wahhab index number (151) 157, al-Syafi'I index number 851, ibn Hibban 2725, Al-Baihaqi index number 5409 and 10138.

Another thematic hadith is also narrated by Al-Bukhari index number 1197 (Bukhari, 1422, vol. 2, p. 61)

حَدَّثَنَا أَبُو الْوَلِيدِ، حَدَّثَنَا شُعْبَةُ، عَنْ عَبْدِ الْمَلِكِ، سَمِعْتُ قَزْعَةَ، مَوْلَى زِيَادٍ، قَالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيَّ رَضِيَ اللَّهُ عَنْهُ، يُحَدِّثُ بِأَرْبَعٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَأَعْجَبْتَنِي وَأَنْفَقْتَنِي قَالَ: «لَا تُسَافِرِ الْمَرْأَةُ يَوْمَيْنِ إِلَّا مَعَهَا زَوْجُهَا أَوْ ذُو مَحْرَمٍ، وَلَا صَوْمَ فِي يَوْمَيْنِ الْفِطْرِ وَالْأَضْحَى، وَلَا صَلَاةَ بَعْدَ صَلَاتَيْنِ بَعْدَ الصُّبْحِ حَتَّى تَطْلُعَ الشَّمْسُ، وَبَعْدَ الْعَصْرِ حَتَّى تَغْرُبَ وَلَا تُشَدُّ الرَّحَالُ، إِلَّا إِلَى ثَلَاثَةِ مَسَاجِدَ مَسْجِدِ الْحَرَامِ، وَمَسْجِدِ الْأَقْصَى وَمَسْجِدِي»

Telling us Abu al-Walid, telling us Shu'bah from 'Abdi al-Malik, I heard Qaza'ah the slave Ziyad say, I heard Aba Said al-Khudri ra.

four hadiths from the Prophet Saying what I like and I speak, it is forbidden for a woman to journey for two days, except with her husband, or her mahram, and do not pray on the two holidays, namely Eid al-Fitr and Eid al-Adha, and do not pray badiyah after the dawn prayer until sunrise. the sun and after the Asr prayer until the time of Maghrib, and do not go far except for the three mosques, namely the Al-Haram Mosque, the Al-Aqsa Mosque, and my Mosque (Nabawi Mosque).

It is also narrated by Muslim index number (827) 415, Ibn Huzaimah index number 2522, ibn Hibban index number 2724, Abu Hanifah index number 10. Atsar ibn Yusuf index number 91, and Ibn al-A'rabi 1376. Other hadiths are in the narrations Muslim (Muslim, n.d., vol. 2, p. 977)

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ، جَمِيعًا عَنْ أَبِي مُعَاوِيَةَ، قَالَ أَبُو كُرَيْبٍ: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الْأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «لَا يَجُزُّ لِامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ، أَنْ تُسَافِرَ سَفَرًا يَكُونُ ثَلَاثَةَ أَيَّامٍ فَصَاعِدًا، إِلَّا وَمَعَهَا أَبُوهَا، أَوْ ابْنُهَا، أَوْ زَوْجُهَا، أَوْ أَخُوهَا، أَوْ ذُو مَحْرَمٍ مِنْهَا»

Telling us Abu Bakr ibn Abi Syaibah, and Abu Kuraib, together from Mu'Awiyah said Abu Kuraib told us Abu Muawiyah from al-A'masyi from Abi Salih from Abi Said al-Khudri said the prophet said: It is not lawful for women who believes in Allah and the Last Day journeys for the next three days, except with her father, or son, or husband, or brother, or with her mahram.

This hadith was also narrated by al-Tirmidhi index number 1169, Abi Ya'la index number 1197, and al-Syaukani index number 1804. Other hadiths were also narrated by Muslim (Muslim, n.d., vol. 2, p. 976)

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى، حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ، قَالَ: سَمِعْتُ قَزْعَةَ، قَالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيِّ، قَالَ: سَمِعْتُ مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَرْبَعًا فَأَعْجَبَنِي وَأَنْفَتَنِي، نَهَى أَنْ تُسَافِرَ الْمَرْأَةُ مَسِيرَةَ يَوْمَيْنِ، إِلَّا وَمَعَهَا زَوْجُهَا، أَوْ ذُو مَحْرَمٍ وَاقْتَصَّ بَاقِيَ الْحَدِيثِ

Tell us Muhammad ibn Muthanna, tell us Muhammad ibn Ja'far, tell us ibn Shu'bah, from 'Abdi al-Malik ibn Umar said, I heard qaza'ah say, I heard aba al-Sa'id al -Khudri. The prophet Muhammad said four things that I love and speak about, it is forbidden for a woman to journey for two days, except with her husband, or her mahram and save the continuation of the hadith.

Another Hadith on the same theme narrated by Muslim (Muslim, n.d., vol. 2, p. 978)

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، كِلَاهُمَا عَنْ سُفْيَانَ، قَالَ أَبُو بَكْرٍ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ، عَنْ أَبِي مَعْبُدٍ، قَالَ: سَمِعْتُ ابْنَ عَبَّاسٍ، يَقُولُ: سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَخْطُبُ يَقُولُ: «لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا وَمَعَهَا ذُو مَحْرَمٍ، وَلَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»، فَقَامَ رَجُلٌ، فَقَالَ: يَا رَسُولَ اللَّهِ، إِنَّ امْرَأَتِي خَرَجَتْ حَاجَةً، وَإِنِّي اكْتَتَبْتُ فِي غَزْوَةِ كَذَا وَكَذَا، قَالَ: «انْطَلِقِي فَحُجِّي مَعَ امْرَأَتِكَ» ،

Telling us Abu Bakr ibn Abi Syaibah, and Zuhair ibn Harb, their second saying from Sufyan said, Abu Bakr told us Sufyan ibn Uyainah, told us Amr ibn Dinar, from Abi Ma'bad said, I have heard ibn 'Abbas say, I heard the Prophet. He preached in his saying that a man should not be alone with a woman unless the woman is accompanied by her mahram, and a woman should not journey except with her mahram, suddenly a man stands up and asks, "hi, prophet, my wife is about to go haji. but i assigned go to war there and there ", the prophet replied, "go for Hajj with your wife".

The hadith is also contained in the narrations of Ibn Abi Syaibah index number 15175, Ibn Huzaimah index number 2529, and ibn Hibban 3757.

2. Hadith about women journey without a mahram

Hadith narrated by al-Bukhari index number 3595 (Bukhari,

1422, vol. 4, p. 197)

حَدَّثَنِي مُحَمَّدُ بْنُ الْحَكَمِ، أَخْبَرَنَا النَّضْرُ، أَخْبَرَنَا إِسْرَائِيلُ، أَخْبَرَنَا سَعْدُ الطَّائِي، أَخْبَرَنَا مُحَمَّدُ بْنُ خَلِيفَةَ، عَنْ عَدِيِّ بْنِ حَاتِمٍ، قَالَ: بَيْنَا أَنَا عِنْدَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذْ أَتَاهُ رَجُلٌ فَشَكَا إِلَيْهِ الْفَاقَةَ، ثُمَّ أَتَاهُ آخَرُ فَشَكَا إِلَيْهِ فَطَعَّ السَّبِيلِ، فَقَالَ: «يَا عَدِيُّ، هَلْ رَأَيْتَ الْحَيْرَةَ؟» قُلْتُ: لَمْ أَرَهَا، وَقَدْ أُنْبِئْتُ عَنْهَا، قَالَ «فَإِنْ طَالَتْ بِكَ حَيَاةٌ، لَتَرَيْنَ الطَّعِينَةَ تَرْتَجِلُ مِنَ الْحَيْرَةِ، حَتَّى تَطُوفَ بِالْكَعْبَةِ لَا تَخَافُ أَحَدًا إِلَّا اللَّهَ

Has told me Muhammad ibn al-Hakam, has told us al-Nadr, has told us Israil, has told us Sa'du al-Tha'i, has told us Muhillu ibn Khafah, from 'Adi ibn Hatim, said one time I was with the Prophet. Then a man came to complain about his poverty and another complained about the robbery that had happened to him on the street. Then the Prophet asked me. "O Adi, you know the city of Hira?" I replied "never seen it, but have heard of it" and the Prophet said "one day, if you long live, you will see a woman who dares to journey alone from the city of Hira (exactly in Iraq and visit Mecca), so that she can tawaf in Ka'bah and there is nothing to be afraid of for anyone because it is safe except the fear of Allah.

Also narrated by al-Baihaqi index number 10131, and Jamal Muhammad 'Ali al-Syaqiri index number 352. Another similar hadith narrated by al-Bukhari with index number 1860 (Bukhari, 1422, vol. 3, p. 19)

وَقَالَ لِي أَحْمَدُ بْنُ مُحَمَّدٍ هُوَ الْأَزْرَقِيُّ: حَدَّثَنَا إِبْرَاهِيمُ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، «أَذِنَ عُمَرُ رَضِيَ اللَّهُ عَنْهُ، لِأَزْوَاجِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي آخِرِ حَجَّةِ حَجَّهَا، فَبَعَثَ مَعَهُنَّ عُثْمَانَ بْنَ عَفَّانَ، وَعَبْدَ الرَّحْمَنِ بْنَ عَوْفٍ»

And has told me Ahmad ibn Muhammad he is al-Azraqi, told us Ibrahim, from his father, from his grandfather, namely Umar ra. Give permission (to do Hajj) for the wives of the Prophet at the end of his hajj, then he sent or delegate 'Uthman bin Affan and 'Abdurrahman bin 'Auf with them.

The hadith was also narrated by al-Baihaqi index numbers 8621 and 10144.

To find out the quality of the hadith about women journeying with a *mahram*, you can do a *sanad* analysis and a *matan* analysis as follows:

1. Analysis of *Sanad*

The conditions for the validity of a *sanad* hadith or *shahih al-ismad* are that the *sanad* is continuous, all the narrations are *dhabit* and 'adil and have no *syadz* or confusion, and there is no 'illat or defect (Sumbulah, 2008, p. 27). The first hadith about women travelling with a *mahram* narrated by Al-Bukhari index number 1088, all of the *sanad* is continued from mukharrij al-Bukhari, Adam (Mizi, 1987, vol. 2, p. 301) Ibn Abi Di'bin (Mizi, 1987, vol. 25 p. 630), Said al-Maqburi (Mizi, 1987, vol. 10, p. 466), Abihi (Mizi, 1987, vol. 24, p. 240), Abi Hurairah until the prophet Muhammad because there was a relationship between teacher and student, and no defective narrator was found because all *tsiqah* narrators could be known from the comments of the scholars', thus fulfilling the requirements of justice and narration of the narrators and also avoiding *syadz* and 'illat, for that it can be concluded that the hadith has fulfilled the validity of the *shahih sanad* hadith.

While the second hadith, the hadith about women travelling without a *mahram*, the history of al-Bukhari index number 3595, all of them are continued, because the relationship between teacher and student was found, and there was no defective narrator, because Muhammad ibn al-Hakam (Mizi, 1987, vol. 25, p. 88), Al-Nadr (Mizi, 1987, vol. 29, p. 379), Israil, 'Adi ibn Hatim (Mizi, 1987, vol. 19, p. 524) all *tsiqah*, while Sa'dun al-Thai quality *la ba'sa bih* (Mizi, 1987, vol. 10, p. 317) and Muhillu ibn Khalifah is a *la ba'sa lahu* (Mizi, 1987, vol. 27, p. 290). It can be concluded that all narrators are still at the *ta'dil* level,

so that they meet the requirements of justice and narrators who are classified as *sahih al-isnad*.

2. Analysis of *Matan*

Matan analysis can be done by knowing a hadith to avoid *illat* and *syad* (Sumbulah, 2010, p. 94). From these two hadiths there is no *'illat* and *syad*. After analyzing the *sanad* and *matan*, it can be seen that the two hadiths have met the requirements for the validity of the *sanad* and the *matan* of the hadith, so they can be classified in the *hadith shahih lidhatihi*. According to *ushul* experts and *fuqaha*, it is stated that the hadith can be practiced and used *hujjah* as evidence even though in its narration there is one narrator or there are other supporting narrators (Itr, 2014, p. 244).

Application of *al-Jam'u* Method in the Conflicting *Hadith*

Before conducting an analysis using the *al-jam'u* method, it is necessary to know that the two hadiths have met the requirements and are included in the category of *mukhtalif hadith*. For this reason, it will be explained that the two hadiths are classified as *mukhtalif hadith*, namely both of them have met *the first* requirement in accordance with the analysis of the validity *shahih* of the hadith, in the previous discussion it was stated that these traditions are valid traditions or *maqbul* because both are authentic namely *hadiths shahih li dhatihi*.

Second, the literal interpretation of the two hadiths contradicts itself because, according to the first hadith, it is forbidden for a believing woman to travel alone and without a *mahram* to Makkah in order to perform *tawaf* at the Ka'bah. However, the second hadith explains that, in the future, a woman will travel by herself and without a *mahram* from the city of Hira to Makkah in order to perform *tawaf* at the Makkah. It is so abundantly evident that the two are in conflict, with the first outlining

women's travel with a *mahram* and the latter outlining it without one. Third, the hadith is crucial for elucidating women's travelling in conformity with the Prophet's instructions. Fourth, a compromise between the two hadiths is possible if the *al-jam'u* method is applied.

Here are three approaches that can be used in understanding these two conflicting hadiths, as follows:

1. Contextual Understanding

The first hadith serves as a special cautionary tale for believing women traveling with a *mahram*, such as while packing books or armor. It has been suggested by scholars that traveling with a *mahram* is a sign, a way to submit to him, and a way to create a bond with him. In actuality, men's reputation serves to support prohibition rather than to control the release of women. If it has been determined that a location is safe and there is no concern about encountering polytheism there or any other confusion, such as while seeking for a place to live, ladies may travel without a *mahram* (Asqalani, 1986, vol. 2, p. 662).

'Abd al-Karim Zaydan claims in the book *al-Mufassal fi Ahkam al-Mar'ah* that Muslims (including men and women) are entitled to the freedom of travelling (*hurriyah al-tanaqqul*), which is one of their rights under Islamic law. Islamic law recognizes Muslim rights, but it also deems some travel to be *wajib* (obligatory) and others to be permissible under certain circumstances. It is also permissible or sunnah in specific situations, such as for purchasing and selling, even though traveling is a right for Muslims (Zaydan, 1993, vol. 4, p. 199)

As in the Qur'an al-Jumu'ah: 10

فَإِذَا قُضِيَتِ الصَّلَاةُ فَانْتَشِرُوا فِي الْأَرْضِ وَابْتَغُوا مِنْ فَضْلِ اللَّهِ وَاذْكُرُوا اللَّهَ كَثِيرًا لَعَلَّكُمْ تُفْلِحُونَ

When the prayers have been performed, they are scattered on the earth; seek the bounty of Allah and remember Allah as much as possible so that you will be lucky (Kemenag RI, 2017, p. 554).

It is also mentioned in the QS. al-Mulk: 15

هُوَ الَّذِي جَعَلَ لَكُمُ الْأَرْضَ ذُلُولًا فَامْشُوا فِي مَنَاكِبِهَا وَكُلُوا مِنْ رِزْقِهِ وَإِلَيْهِ النُّشُورُ

It is He who made the earth for you easy to explore, so explore in all directions and eat some of His sustenance and to Him you will (return after) resurrected (Kemenag RI, 2017, p. 563).

in the Qur'an Ali 'Imran: 97.

فِيهِ آيَاتٌ بَيِّنَاتٌ مَقَامُ إِبْرَاهِيمَ وَمَنْ دَخَلَهُ كَانَ آمِنًا وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ

There are clear signs, (among them) the maqam of Ibrahim, whoever enters it (Baitullah) will be safe. And among the (obligations) of humans towards Allah is to carry out the hajji to the Baitullah, namely for those who are able to journey there. Whoever denies (the obligation of) Hajj, then know that Allah is rich (does not need anything) from all the worlds (Kemenag RI, 2017, p. 62).

If their husband or guardian grants them permission, women are permitted to travel or exercise their right to freedom of travelling, such as visiting a mosque. Similar to this, it is necessary for women to travel from their houses to other locations, to engage in legal activities like buying and selling, or to engage in volunteer activities like visiting the ill or their family (Zaydan, 1993, vol. 4, p. 201).

Security for women is a requirement that must be met in order for a *mahram* to be represented by a dependable lady. This protection is primarily for young women, but it is nevertheless applicable to older women because it does not completely exclude the possibility of crimes against older women. The need for a *mahram*, including those with lineage, kinship, or breastfeeding ties, as well as sisters and aunts, arises from the requirement that women traveling, particularly those passing

through areas where many criminals congregate or where the conditions are extremely vulnerable and unsafe, have people who maintain security for them (Syafi'i, 1370, vol. 2, p. 285).

Women are not allowed to travel alone in order to heed Allah's mandate to abstain from adultery, which carries a lashing and exile as a penalty. This could make someone's condition uncomfortable in a far-off location. Because of this, we can use the prophet's hadith that it is improper to be alone with either a man or a woman, with the exception of a *mahram*, which is permitted on a trip, in order to prevent adultery. In order to prevent negative things from happening and avoid making unnecessary visits (Syafi'i, 1422, vol. 10, pp. 131–132).

The second interpretation of the hadith regarding women traveling without a *mahram* is found in the hadith of al-Bukhari, where it is stated that I said in my heart, "Where the robbers of the Tha'iy tribe who blaspheme a great deal and fan the flame of slander on people who roam this country," he continued. It is said that if you live a long life, you will unlock or conquer the treasury of Kisra. What about Kisra ibn Hurmuza? Yes, Kisra ibn Hurmuza, if you live long enough, you will open or take control of Kisra's treasury and witness someone holding a complete amount of gold and silver in his hands. He searches for those willing to accept it as *shadaqah*, but he comes up empty-handed (Asqalani, 1986, vol. 6, p. 706).

In another hadith, the Prophet said that, on the last day, when one of you will face Allah, there won't be an interpreter present to represent him. Have I not sent a prophet to you to communicate it to you? Allah will inquire. Yes, he replied, adding, "Did I not give you money and something better?" He turned to the left and the right, but all he saw was Hell. Adi reported hearing the prophet utter the words: "Protect yourselves from damnation even with *shadaqah* of half a date seed," And I am one of

them who unlocked Kisra ibn Hurmuz's wealth and enjoyed a long life ('Asqalani, 1986, vol. 6, p. 706).

The prophet predicted that one day everything would be entirely safe so that ladies might go out on their own. The hadith text recalls the frequent robberies that took place at that time. It is clear that the text's definition of *mahram* for a woman traveling alone is to preserve safety and protection. Therefore, it is essential to foresee the trip's security environment so that ladies can travel great distances without a *mahram's* escort (Kodir, 2021, p. 141).

2. Correlative Understanding

The hadith about women traveling with a *mahram* can be correlated to the following: First, it is obvious that Islam does not prevent women from obtaining diverse jobs in the public arena. Aisyah was a well-known hadith expert who was frequently consulted for counsel and direction, while Khadijah was a prosperous trader. On the other hand, women had a pretty significant social role in the early years of Islam. Second, the hadith concerning *mahram* does not forbid women from engaging in activities outside the house. Women are allowed to perform the Hajj and Umrah. However, a *mahram* must accompany them owing to security and safety concerns (Handayana & Budiman, 2020, p. 100).

Third, distance is not a barrier as rapid technical advancements in the telecommunications industry coexist with the security system. Technology truly spoils its users by putting the entire world in their hands. The essence of the *mahram* as described in the hadith can likewise be matched by this technological progress. As a result, women should ideally be accommodated by the neighborhood and the government in particular so that they can participate in their surroundings without being concerned for their safety and security. In addition, the prophet only listed the travel time for distances over which women must be

accompanied by a *mahram*. With the use of contemporary transportation methods that can shorten travel times, this challenge can be overcome (Handayana & Budiman, 2020, p. 101).

It is clear from the two hadiths that the overarching message is one of security and protection. Everyone who is weak or needs protection must be followed and accompanied by someone who is capable and dependable, especially in an emergency. Due to the fact that not only women but also males need protection, everyone has a responsibility to establish a secure and tranquil environment, especially those who have the power and ability to do so. Similarly, individuals who safeguard not only males but also women can safeguard others who require protection (Kodir, 2021, p. 141).

3. *Ta'wil* Approach

Previously, it was also stated how to interpret the hadith text as a whole, namely, that religion is tied to more than only rituals and beliefs (*aqidah* and *ibadah*); it is also connected to other topics like the morality and human interactions in society. *Al-nushus mutanahiyah wa al-waqqa'i ghayr mutanahiyah*, as it is called in Arabic, means "the text is restricted while the historical events of humanity are not limited" (Aziz & Dinata, 2021, p. 111). For this reason, this *ta'wil* approach can be done if there is no correlation between conflicting hadiths.

It is known that there is a correlation between the first hadith, which states that it is not allowed for women to travel without a *mahram* if the circumstance is not secure, and the second hadiths regarding women traveling with a *mahram*, therefore there is no need to perform *ta'wil* or reverse word (*lafdz*). The woman in the second hadith is not frightened of anyone except Allah, and the second hadith explains that there will be women traveling without a *mahram* since their condition is safe. Using a different interpretation that is consistent with the hadith's

content is required because, as was said in the previous discussion, the *takwil* technique can be utilized if the meaning used is incorrect.

The steps for applying the *al-jam'u* method:

1. *Takhsis hadith al - 'am* (specifying a general hadith)

It is clear that both, in general, refer to women traveling, and that the first hadith is intended for circumstances or conditions that make traveling unsafe, necessitating the need for a *mahram* to travel with the woman. Women do not need to be accompanied by a *mahram* when traveling because he does not feel afraid other than his fear is only in Allah, unlike the second hadith where the situation and conditions are safe, there are no longer robberies and other crimes, even when someone wants to give alms with gold and silver in his hand.

2. *Taqyid hadith al-muthlaq* (limiting an absolute hadith)

The *mutlaq* pronunciation, which states that it is prohibited for women to travel without a *mahram* if the circumstances are unsafe, can be limited (*taqyid*) by allowing women to travel without a *mahram* when the circumstances have been determined to be safe, and there is nothing to be concerned about other than the fear of Allah.

Interpretation of the Hadiths in the Era of Social Transformation

The geographical location of the Arabian peninsula, which was primarily desert with wet valleys during the rainy season but no rivers, was one of the contributing elements to the historically highly difficult social conditions throughout the *jahiliyah* period. The expanse of the Sahara desert, which fosters individualism, freedom, and a place to live alone in the desert, or *pasawangan*, which is placed far away, is one factor that has an impact on the personality of the locals. As a result, it

develops a bold society because it is only protected by its own courage and always carries a weapon to ensure its security (Satir, 2019, p. 39).

Due to the hardships of desert living, the local populace was frequently attacked and disturbed. Apart from the fact that they are extremely rigid and obedient to the laws of the tribe or qabilah in social situations, this aspect is what makes people who frequently kill and fight. The educational system, which began with boys learning from their dads, has been in place since the time of the Prophet Muhammad. The majority of Arabs are illiterate because girls learn from their mothers despite the fact that many of them have been married since they were young (Satir, 2019, p. 39).

Because the ignorant society thought of women as being animals of a low station, it was exceedingly embarrassing for females to be buried alive in pre-Islamic days. A husband who marries a woman who gives birth to a daughter is viewed with dishonor, and the newborn daughter is buried alive in order to bury the entire scandal that has befallen her. Some people also follow customs that keep the girls, but they treat them unfairly and cruelly (Hanapi, 2015, p. 16)

Similar to property left to a child in a will, a wife can also be inherited after her husband passes away, giving the child complete control over his mother. The child has the option to remarry to a guy of his choosing, marry his mother if she so chooses, or even forbid her from getting married again. The mother must give her child some money, though, if she still wants to get married again. Women were viewed as very humble people who lived like the dirt and trash of society and had no right to inherit at that time, making them a symbol of degrading and backwardness. While men are free to wed women without constraints or attachments, it is not the case for women (Magdalena, 2017, p. 13).

Salvation through avoiding death before the advent of Islam, girls

existed solely to please men. Even his father's wishes must be obeyed by them. Girls are not permitted to work outside the house. They are sufficient to do the laundry, serve the male husband, and prepare meals in the kitchen. It is hardly unexpected that an old proverb claimed that a woman's place was simply in the kitchen, the well, and on the bed (Sutiono, 2020, p. 123).

In general, Mubarakfuri noted that the situation of the ignorant society is apparent in the attitude and promiscuity of men and women who have no relationships, drinking *khamr* which can cause intoxication and loss of common sense, due to their predilection for wasting wealth and abusing the weak. Additionally, they enjoy fighting with other tribes and between tribes. Additionally, the oppression of women has become customary (Sutiono, 2020, p. 123). Because women are weak physically and cannot defend themselves, they are merely referred to as a burden on the family because they were not given any roles in that era, and this ignorance of the uneducated society towards women would only result in tragedy and shame (Handayani & Ilyas, 2014)

Due to the Prophet's concern for women, it is not surprising that in the first hadith, he barred women from traveling alone without a *mahram*. Women at that time faced many dangers in a social environment that was not welcoming to them. By attempting to travel with the *mahram*, it is hoped that negative issues can also be avoided, as well as the dangers that occur to women because the situation is not safe. The motivation behind the 'illat hadith is the fear of disturbances in women's journeys, as well as the demons who participate in tempting them to sin.

A woman can travel without a *mahram* if her safety and honor can be ensured, according to the second hadith, because she is no longer frightened of anybody but Allah. Because of this, it cannot stop women from traveling as long as they are safe and free from immoral defamation,

engaging in good activities like studying or working outside the home to meet their necessities, as well as other worthwhile pursuits (Hanapi, 2015, p. 21).

As a result, everyone has the right to travel under regular, secure circumstances, and there are no restrictions, much alone onerous requirements like the requirement of having a *mahram*. Because the hadith's language refers to the embodiment of security and protection. Security is now handled by the State rather than by individuals, allowing each person to be protected while also engaging in other productive activities without being bound by any basic restrictions (Kodir, 2021, p. 141).

Particularly now that it has experienced a social revolution, in which women are safe, have their rights as a sign of gratitude for women, and are removed from the pre-Islamic history of burying girls alive and the removal of women's rights as previously detailed. Women currently enjoy equal access to various sectors of the economy, including education, politics, and socio-culture. Modernization's effects brought on by the industrialization process and the development of information technology (Lan, 2015, p. 25).

Likewise, the digital era provides an excellent opportunity for women to take part more broadly because women have a very strategic role in development; therefore support from various parties is needed (Suarmini & Zahrok, 2018, p. 52). From the point of view of the roles between men and women, both of them carry out roles in the domestic, public and social spheres (Ahdiah, 2013, p. 1091).

Even Islam introduced justice, gender equality, and respect for human dignity. Islam, then, broadens the range of roles and properly upholds the rights of women, respects humanity, and acknowledges their participation alongside males in a variety of jobs and all professions

(Magdalena, 2017, p. 35). If there is a democratic process that gives women the freedom and power to actualize their potential and choose what is best for their fate and future, then the balance between men and women can be realized as it should be (Shalihin & Firdaus, 2019, p. 134).

This is also possible if women have a free and secure environment that is supported by the government and larger society. This necessitates the existence of numerous organizations and institutions tasked with ensuring everyone's safety and security, particularly that of women. As stated in Pancasila and the 1945 Constitution of the Republic of Indonesia, every citizen has the right to protection, security, and freedom from all terms of violence. This can be seen in many individual or institutional implementations, such as the Ministry of Women's Empowerment and Child Protection, which is the government's representative in resolving issues to protect women's rights in Indonesia. Additionally, this is consistent with the Sustainable Development (Angraini et al., 2021, p. 173).

Similar to this, Indonesia's National Commission on Violence Against Women was established as a national mechanism to end violence against women. It is an independent state entity. The National Commission on Violence Against Women collaborates with a number of parties, including Service Provider Partners who are responsible for helping women victims file complaints and receive assistance, *Catahu* Partners who are responsible for gathering yearly data and information on violence against women, which are typically published every March in observance of International Women's Day, and the Civil Society Network, which is a network of civil society participation.

Based on Presidential Regulation No. 65 of 2005, the National Commission on Violence Against Women was established with the goal of creating the necessary framework for the abolition of all forms of

violence against women and the upholding of women's human rights in Indonesia. It also aims to increase efforts to prevent and end all forms of violence against women and to defend all human rights, but particularly those of women. In addition, numerous organizations and people work to safeguard women, and there are laws that act as legal guardrails like the Act on the Crime of Sexual Violence (UU TPKS) and Permendikbud on Research and Technology No. 30 for the years 2021 and later (Komnas Perempuan, 2020, p. 29).

The point of the two hadiths that appear to be in conflict is that they are both extremely conditional. It is possible to follow the second hadith if the situation feels secure and under control, supported by security from the State, various transportation options, and technological sophistication. Although everything is currently safe, if there are any concerns or there are still vulnerable areas that require full caution, you can follow the first hadith.

Conclusion

There are two hadiths seem to be conflicting. One hadith stated that it is forbidden for women to travel alone while second, the Prophet said there will be women who travel alone and have no fear other than that of Allah. The *al-jam'u* technique, which entails reconciling the hadiths that initially appear conflicting could be implemented and nothing is left out. It can resolve hadiths that appear to be in conflict with one another, in this regard the hadith of women traveling with the *mahram*.

It makes sense that the hadith concerning women traveling with a *mahram* is primarily a concern for women's travel safety. In spite of the fact that everything is absolutely ensured in the present period, ladies may worry about being unsafe when traveling. However, you can follow the first hadith, which states that it is not permissible for women

to travel if they are not accompanied by a *mahram*, if it is deemed that there are any areas that are vulnerable and require extreme vigilance.

However, if women can travel in safety and away from pre-Islamic customs they can apply the second hadith as the society has advanced to the point where women have earned their rights as a result of the industrialization process, changes in information technology supported by government security, or other transportation facilities, making women's journeys safe.

Reference

- 'Asqalani, A. ibn 'A. ibn H. (1986). *fathl bari bisyarah shahih al-imam abi 'abdullah Muhammad ibn ismail al-Bukhari*. Kairo: Dar al-Rayan litturath.
- 'Itr, N. (2014). *'Ulumul Hadis* (Mujiyo, penerj.). Bandung: Remaja Rosdakarya.
- Adhari, I. Z., Fikri, Y. T. A., Sukarnoto, T., Jamaludin, J., Cahyanti, I. S., Naafisah, D. D., ... Artuah, M. G. (2021). *Kumpulan Teori Penafsiran Al-Qur'an - Al-Hadis dan Teori Ekonomi Islam Menurut Para Ahli* (W. B. Persada, ed.). Bandung.
- Ahdiah, O. I. (2013). *Peran-peran Perempuan dalam Masyarakat*. 5(2), 1085–1092.
- Anas, M. & Rosyadi, I. (2015). Metode Memahami Hadis-hadis Kontradiktif. *Mutawatir*, 3(1), 123–139. <https://doi.org/10.15642/mutawatir.2013.3.1.123-139>
- Angraini, S., Nurhayati, Lukitasari, I., Bodromurti, W., & Surida, D. (2021). *Profil Perempuan Indonesia Tahun 2021*. Jakarta: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak.

- Subki, A. Y. (2010). *Fiqh Keluarga*. Jakarta: Amzah.
- As'ad, T. A. H. (2001). *Tariq As'ad Halimiy al-As'ad*. Beirut: Dar Ibn Hazm.
- Ash-Shiddieqy, M. H. (2001). *Sejarah dan Pengantar Ilmu Hadis*. Semarang: Pustaka Rizki Putra.
- Aswar. (2016). *Metode Penyelesaian Ikhtilaf Al-Hadis (Telaah Terhadap Kitab Ta'Wil Mukhtalif Al-Hadis Karya Ibn Qutaibah)*. UIN Alauddin Makasar.
- Aziz, A., & Dinata, Y. M. (2021). Pelacakan Hadis Bepergian Wanita Tanpa Mahram. *Al Amin: Jurnal Kajian Ilmu dan Budaya Islam*, 4(1), 102–114. <https://doi.org/10.36670/alamin.v4i01.86>
- Baqa`i, A. N. (1998). *al-Ijtihad fi `Ilm al-Hadits wa Atsaruh `ala al-Fiqh al-Islami*. Beirut: Dâr al-Basyâ'ir al-Islâmiyah.
- Bukhari, M. ibn I. A. 'Abdullah A.-B. A.-J. (1422). *Al-Jami' Al-Musnad Al-Shahih Al-Muhtashar Min 'Umuri Rasulullah Shallallahu 'Alaihi Wasallam*. Mashurah: Daru Tuqa An-Najah.
- Hanapi, A. (2015). Peran Perempuan dalam Islam. *Gender Equality: Internasional Journal of Child and Gender Studies*, 1(1), 15-26. <http://dx.doi.org/10.22373/equality.v1i1.620>
- Handayana, S., & Budiman, A. (2020). Pemahaman Proposional tentang Mahram sebagai Pendamping dalam Perjalanan Perempuan. *al-Fikr*, 3(1), 85-103. <https://doi.org/10.32332/al-fathin.v3i01.2238>
- Handayani, T., & Ilyas, D. (2014). Isu Gender : Potret Relasi Masa Lampau, At a Glance. *Jurnal Ilmu Agama: Mengkaji Doktrin, Pemikiran, dan Fenomena Agama*, 15(2), 35–48.
- Harahap, I. (2015). *Hadis-Hadis ekonomi*. Jakarta: Kencana.
- Hassan, A. Q. (2007). *Ilmu Musthalah Hadits*. Bandung: Diponegoro.

- Huda, M. K. (2019). *Ilmu Matan Hadis*. Tangerang Selatan: Yayasan Pengkajian Hadis el-Bukhori.
- Ibn Manzhur, A.-M. M. bin M. bin M. al-A. (n.d.). *Lisan al-'Arab*. Beirut: Dâr Shâdir.
- Ismail, M. S. (1995). *Hadis Nabi Menurut Pembela, Peningkar, dan Pemalsunya*. Jakarta: Gema Insani Press.
- Khairuddin. (2010). Metode Penyelesaian Hadist Mukhtalif. *Substantia*, 12(1), 48–58.
- Kodir, F. A. (2021). *Perempuan (Bukan) Sumber Fitnah! Mengaji Ulang Hadis dengan Metode Mubadalah*. Bandung: Afkaruna.id.
- Komnas Perempuan. (2020). *Dokumen Rencana Strategis Pencegahan dan Penanggulangan Segla Bentuk Kekerasan Terhadap Perempuan dan Pemenuhan Hak Korban*. Jakarta.
- Lan, T. J. (2015). Perempuan dan Modernisasi. *Jurnal Masyarakat dan Budaya*, 17(1), 17–28. <http://jmb.lipi.go.id/index.php/jmb/article/view/118>
- Magdalena, R. (2017). Kedudukan Perempuan dalam Perjalanan Sejarah (Studi Tentang Kedudukan Perempuan dalam Masyarakat Islam). *Harkat an-Nisa: Jurnal Studi Gender dan Anak*, 2(1), 13–36. e-journal.lp2m.uinjambi.ac.id
- Manembu, A. E. (2017). Peranan perempuan dalam pembangunan masyarakat desa. *Jurnal Politico*, 6(1), 1–28.
- Mizi, L. J. A.-D. A. A.-H. Y. (1987). *Tahdibul Kamal fi Ismail Rijal*. Beirut: Muassasah Ar-Risalah.
- Muslim, H. A. A.-H. A.-Q. A.-N. (n.d.). *Al-Musnad Al-Shahih Al-Muhtashar Binaqli Al-'adli 'an adli Rasulullah Shallallahu 'Alaihi Wasallam*. Beirut: Darul ihya'

- Suarmini, N. W. & Zahrok, S. (2018). Peluang dan Tantangan Peran Perempuan. *Prosiding SEMATEKSOS 3 "Strategi Pembangunan Nasional Menghadapi Revolusi Industri 4.0,"* 48–53.
- Nurdin, A., & Shodik, A. F. (2019). *Studi Hadis Teori dan Aplikasi*. Bantul: Lembaga Ladang Kata.
- Rajiah. (2013). al-Mutlaq dan al-Muqayyad dalam Hukum Islam. *Jurnal PILAR*, 2(2), 157–174. <https://almaiyyah.iainpare.ac.id/index.php/diktum/article/view/229/153>
- Kemenag RI. (2017). *Al-Qur'anul Karim Mushaf dan Terjemahnya*. Surabaya: Nur Ilmu.
- Sadat, A. (2015). Ikhtilaf Di Kalangan Ulama Al-Mujtahidin. *Al-Risalah Jurnal Ilmu Syariah dan Hukum*, 15(2), 181–191.
- Safri, E. (1999). *al-Imam al-Syafi'iy; Metode Penyelesaian Hadis-Hadis Mukhtalif*. Padang: IAIN IB Press.
- Satir, M. (2019). Kehidupan Sosial Masyarakat Arab Masa Awal Kehadiran Pendidikan Islam. *AL-FIKR: Jurnal Pendidikan Islam*, 5(1), 39–48. doi: 10.32489/alfikr.v5i1.17
- Shalihin, N., & Firdaus, F. (2019). Transformasi Gender: Strategi Pembebasan Perempuan dari Jerat Pembangunan dan Kapitalisme. *Sawwa: Jurnal Studi Gender*, 14(1), 109-140. <https://doi.org/10.21580/sa.v14i1.3366>
- Sumbulah, U. (2008). *Kritik Hadis: Pendekatan Historis Metodologis*. Malang: UIN-Malang Press.
- Sumbulah, U. (2010). *Kajian Kritis Ilmu Hadis*. Malang: UIN-Malang Press.
- Sutiono. (2020). Pendidikan Perempuan Sebelum Islam. *Tahdzib Al Akhlaq*, 2(6), 123–133. <https://uia.e-journal.id/Tahdzib/article/>

download/1149/665

- Suyutiy, J. al-D. (1984). *al-Luma' fi Asbab Wurud al-Hadis*. Beirut: Dar al-Kutub al- 'Ilmiyah.
- Syafi'i, A. A. M. ibn I. al-. (1422). *Al-Um Bab Ikhtilaf al-Hadits*. Mankurah: Dar al-wafa' li al-taba'ah.
- Syafi'i, Muhammad bin Idris al-Syafi'i Abu Abdullah. (1985). *Al-Um*. Beirut: Mu'assasah al-Kutub al-Saqafiyah.
- Syafi'i, A. A. M. ibn I. al-. (n.d.). *al-Risalah*. Beirut: Dâr al-Kutub al-`Ilmiyah.
- Syafi'i, A. A. M. ibn I. al-. (1370). *Musnad al-Imam al-Syafi'i*. Beirut: Dar al-Kitb al-'Alamiyah.
- Tuwu, D. (2018). Peran Pekerja Perempuan Dalam Memenuhi Ekonomi Keluarga: Dari Peran Domestik Menuju Sektor Publik. *Al-Izzah: Jurnal Hasil-Hasil Penelitian*, 13(1), 63-76. <http://dx.doi.org/10.31332/ai.v13i1.872>
- Wahyudi, A. (2014). Kontroversi Hadits-Hadits Menangisi Mayat Dalam Perspektif Mukhtalif Hadits. *Al-Ihkam*, 9(69), 75–116.
- Zaydan, 'A. al-K. (1993). *Al-Mufassal Fi Ahkam Al-Mar'ah Wa Al-Bayt Al-Muslim Fi Shari'ah Allslamiyyah*. Beirut: Mua'ssasah al-Risalah.
- Zuhad. (2010). *Fenomena Kontradiksi Hadis dan Metode Penyelesaiannya*. Semarang: Rasail Media Group.

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