



REINTERPRETATION OF THE MEANING OF THE HADITH ON PROHIBITION FOR WOMEN TO TRAVEL WITHOUT A MAHRAM: The *Ma'na-cum-Maghza* Approach

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Abstract

One of the interesting objects of study to be researched in the current era is related to gender issues. One of the interesting gender issues is related to the hadith which prohibits a woman from traveling except with her mahram or husband. The scholars in responding to this hadith tend to establish strict laws, namely, it is forbidden for women to travel alone. This is interesting to study because now many women are traveling alone due to many reasons, such as economic and educational problems. Therefore, the authors are interested in researching and reinterpreting the meaning of the prohibition of traveling for women except with their husbands or *mahrms* using the *ma'na-cum-maghza* approach. This aims to determine the historical significance of hadith and its significance today. The results of this study indicate that women are prohibited from traveling alone without being accompanied by a mahram or husband due to safety factors that were not guaranteed at the time of the Prophet. As for traveling today, if it is safe to travel alone, it is permissible for a woman to travel alone. However, if the current situation is dangerous on the road or at the destination and a woman can't travel alone, then there must

be someone who can look after her.

Keywords: *mahram, ma'na-cum-maghza*, reinterpretation

Abstrak

Salah satu obyek kajian yang menarik untuk diteliti di era sekarang adalah terkait isu-isu gender. Salah satu isu gender yang menarik adalah terkait hadis yang melarang seorang wanita melakukan safar (bepergian) kecuali bersama mahram atau suami. Para ulama dalam menyikapi hadis tersebut cenderung menetapkan hukum ketat, yaitu dilarang bagi perempuan melakukan bepergian sendirian. Hal ini menarik untuk dikaji dikarenakan pada kenyataannya sekarang banyak wanita yang melakukan safar sendirian dikarenakan banyak alasan, seperti masalah ekonomi dan pendidikan. Oleh karena itu penulis tertarik untuk meneliti dan mereinterpretasi pemaknaan larangan safar bagi perempuan kecuali bersama suami atau mahram dengan menggunakan pendekatan *ma'na-cum-maghza*. Hal ini bertujuan untuk mengetahui signifikansi historisitas hadis di zaman sekarang. Hasil penelitian ini menunjukkan larangan perempuan untuk melakukan safar sendirian tanpa ditemani mahram atau suami dikarenakan faktor keamanan yang tidak menjamin pada zaman Nabi. Adapun bepergian pada zaman sekarang jika sudah terjamin keamanannya untuk melakukan safar secara sendirian, maka diperbolehkan seorang perempuan melakukan safar sendiri. Namun jika keadaan zaman sekarang terdapat bahaya di jalan maupun tempat tujuan dan tidak memungkinkan seorang perempuan untuk bepergian sendirian, maka harus ada seseorang yang bisa menjaganya.

Kata kunci: *mahram, ma'na-cum-maghza*, reinterpretasi

Introduction

One of the interesting objects of study to be researched at this time is related to gender issues. One interesting gender issue is related to the hadith which prohibits a woman from traveling except with her *mahram* or husband. According to Abu Zakariya Yahya al-Nawawi,

there are differences of opinion among scholars regarding traveling for women who are not motivated by obligations, although according to the majority of scholars they must still be accompanied by a *mahram* or husband (Nawawi, 1392, vol. 9, p. 104). Scholars have different opinions regarding the law on traveling without an obligation. According to Hanafiyya, a woman who goes on pilgrimage must be accompanied by a *mahram* or husband. Meanwhile, according to Malikiyya and Syafi'iyya, you don't have to be accompanied by your husband or *mahram* as long as the situation is safe. The interpretation of a safe situation here according to Abu Zakariya is when the woman is accompanied by someone who can make her safe, namely women who can be trusted, husband, or *mahram* (Nawawi, 1392, vol. 9, p. 104). The differences of opinion that occurred among the scholars above lead to one conclusion, namely that a woman is not allowed to travel alone without a background of obligation. As for the law of traveling, which is motivated by an obligation, there is still debate among scholars.

Studies related to the problem of women leaving the house have been widely researched. Research in the perspective of *fiqh* such as the article *Pandangan Wahbah Az-Zuhaily Terhadap Wanita Keluar Rumah Tanpa Mahram*. However, this research only focuses on examining the character's thoughts, and has not explored the source, namely the hadith of the prophet. The conclusion obtained is that Wahbah Az-Zuhaily believes that it is permissible for women to travel without a *mahram*. Traveling is like carrying out *Hajj* or *Umrah fardhu* (not *Hajj* or *Umrah Sunnah*) provided that conditions are safe, do not cause slander, and one can take care of oneself (Mustar, 2022, p. 1). Not much different from the research above, Ronny Mahmuddin et al. also examined the law of women traveling alone without a *mahram* from the point of view of *fiqh*. This research is comparative by comparing the perspectives of the Shafi'i and Hambali schools. This study concludes that the Shafi'i school

is considered relevant. However, the opinion of the Shafi'i school does not allow women to leave the house unless there is a *mahram*, husband, or trusted Muslim woman (Mahmuddin et al., 2021, p. 446). While research related to the hadith prohibiting women from traveling alone has been carried out by Abd Azizi in the article *Pelacakan Hadis Bepergian Wanita Tanpa Mahram*. This research concentrates on the *takhrij* hadith prohibiting women from traveling alone. Even though it also alludes to the law of women traveling alone from the point of view of scholars. However, this research does not specifically read the hadith using a contextual approach (Aziz & Dinata, 2021). Other research related to the hadith prohibiting women from traveling alone has also been carried out by Miski in an article entitled *Nalar Hermeneutis Ulama Hadis: Larangan Perempuan Bepergian Tanpa Mahram dalam Ruang Sejarah Pemahaman*. This research focuses more on uncovering the hermeneutic reasoning of previous scholars and has not touched on the analysis of the context of hadith and the contextual meaning of hadith specifically (Miski, 2020).

Existing research has not specifically reinterpreted the meaning of the hadith prohibiting traveling for women without a *mahram* or husband using a contextual approach. In addition, the results of the conclusions that exist also still limit the categories of travel that are allowed, which must be *fardhu* or urgent. Meanwhile, if we look at the current situation, many women leave the house and it is not possible to be accompanied by their husbands or *mahram*, for example, a woman working outside the home—in a situation where there is no pressure, her husband's economic status can be sufficient—and a female student who is studying outside the city or overseas. This will be quite inconvenient and cost more if you have to be accompanied by a *mahram*. It is on this basis that the authors are interested in researching and reinterpreting the meaning of the prohibition of traveling for women except with their

husbands or *mahram* using the *ma'na-cum-maghza* approach. This aims to complement previous studies as well as to determine the historical significance of hadith and its significance today.

Glimpse of the *Ma'na-cum-Maghza* Approach

The hermeneutic approach can not only be used to interpret holy books but can also be used as an approach to other texts, including hadith. The approach that will be used to study the hadith of the traveler in this study is the identical *ma'na-cum-maghza* approach used to study the Qur'an. Operationally it takes a little adjustment to apply the *ma'na-cum-maghza* approach to hadith objects, such as the steps mentioned by Sahiron using the Qur'anic object will be adapted to hadith objects.

Contemporary hermeneutics according to Sahiron Syamsuddin is divided into three types of schools, namely: first, conservative quasi-objectivist, this school states that the teachings of the Qur'an must be understood, interpreted and can be applied to the present; just like the Qur'an was understood, interpreted and applied at the beginning of Islamic periods. Second is the subjectivist which is the school arguing that all interpretations are subjective, therefore their truth is also relative. This view is shared by Syahrur and Hasan Hanafi. Third is the progressive quasi-objectivist; this school is almost similar to the conservative quasi-objectivist school, namely, the contemporary interpretation is obliged to look for the original meaning according to the past. A *mufassir* must also adhere to the methodical set of the science of exegesis, but apart from that, he must also adhere to other methodical tools, such as information about the macro-historical context of the Arab world at the time of revelation, theory of linguistics, modern literature, and hermeneutics. The striking difference between the school of progressive quasi-objectivist and conservative quasi-objective is that it sees the original meaning only as a basis for understanding the Qur'an

and the literal meaning is not seen as the main meaning of the Qur'an. This school is embraced by Fazlurrahman, Nasr Hamid Abu Zaid, etc. (Syamsuddin, 2017, pp. 54-58)

Based on the typology above, *ma'na-cum-maghza* itself belongs to the progressive quasi-objectivist category. Sahiron's thoughts -as the results of an interview conducted by Taaibah- were influenced by prominent figures, such as Gracia, Gadamer, and Fazlurrahman. Especially in language analysis influenced by Abu Zayd and Abdullah Saeed's contextual method (Rohmatun, 2021, p. 34). While the spirit that is carried out in this approach is *al-Qur'an ṣāliḥ likul al-zamān wa al-makān* (the Qur'an is always appropriate in any periods and places).

In general, the *ma'na-cum-maghza* approach includes three methodical steps, including searching for historical meaning (*al-ma'na al-tārikhī*), historical phenomenal significance (*al-maghzā al-tārikhī*), and finally, at the same time, the essence of this approach is to seek dynamic phenomenal significance (*al-maghza al-mutaharik*) for the context in which the Qur'an was revealed. As for the steps to find historical meaning (*al-ma'na al-tārikhī*) and historical phenomenal significance (*al-maghzā al-tārikhī*) the following methodical steps are needed:

Language Analysis

Someone who wants to examine the meaning contained in the Qur'an, the first step that must be done is to analyze the language, both the meaning of the words or the arrangement of the language of the Qur'an and other aspects related to language, such as its *balagha*. This is necessary because the nature of language is diachronic or experiencing development. The diachronic nature of language means that a researcher cannot see the meaning of the Qur'an—which was handed down fifteen centuries ago—using the current barometer of language meaning.

A researcher needs to analyze the language of the Qur'an by using a representative Arabic dictionary with the meaning of the vocabulary when the Qur'an was revealed or using ancient Arabic poetry.

Intratextuality

The next step to sharpen language analysis is that researchers should do intratextuality by comparing and analyzing the use of words in other verses.

Intertextuality

The next step is that a researcher performs the analysis of the intertextuality of a verse. This step can be done by comparing texts around the Qur'an, such as hadith, texts from Judaism and Christianity, and Arabic poetry that lived at the time of the revelation of the Qur'an. This analysis serves to see to what extent the meaning of the vocabulary in the Qur'an is strengthened by texts outside the Qur'an. It also serves to distinguish the meanings and concepts of terms used in the Qur'an from other texts. After that, a researcher is advised to provide information on whether there are dynamics or not in the concept of the Qur'an.

Paying Attention to Several Things Related to Both Micro and Macro Historical Context

Macro context means covering all of the situations and conditions when the Qur'an was revealed. While the micro context is a small incident that is the background for the decline of the verse or commonly called *asbāb al-nuzūl*, or in hadith studies, it is known as *asbāb al-wurūd*. Based on the micro and macro contexts, a researcher will know the historical meaning of the interpreted vocabulary as well as reveal the historical phenomenal significance when the Qur'an was revealed.

Looking for Maghzā al-Ayah when the Qur'an was Revealed

Furthermore, a researcher must analyze *maghzā al-āyah*. *Maghzā* is sometimes mentioned explicitly in the verses, but most of the time it is not. If *maghzā* is not mentioned explicitly, the researcher must carefully analyze the linguistic and historical context, both micro and macro, to help find the *maghzā* when the Qur'an was revealed. It is at this stage that the meaning of the verses revealed fifteen centuries ago will be discovered.

As for knowing *al-maghzā al-mutaharik* several steps are needed that must be considered by researchers before taking the message of the verse in the present context, including:

First, Researchers must classify verses, whether they include historical, cultural, normative, legal, or divine verses. It is this classification that will later become a benchmark for whether the verse under study needs to be reconstructed in meaning or not. If the verse is related to law or culture, it is possible and necessary to reconstruct it while still paying attention to the context of the verse. Because these verses were heavily influenced by the culture and society of that time.

Second, Researchers develop appropriate *maghzā* that have been adapted to the current context. Researchers see the development of social values when the Qur'an is interpreted, and later it will be seen as the subjectivity of researchers to connect the message of the Qur'an with the existing social context.

Third, Look for the symbolic meaning contained in a verse. This meaning is needed to give advice relevant to the development of meaning to the reader.

Fourth, Paying attention to considerations of other social sciences such as psychology, sociology, and anthropology (Syamsuddin, 2020, p.

9-17).

Views of *Ulama* on The Hadith of Prohibition for Women Traveling Alone

Islamic scholars have various responses in response to the hadith regarding the prohibition of women traveling without a *mahram*. Some scholars said that this hadith is only for young women. The debate of the scholars in responding to the hadith which prohibits women from traveling without a *mahram* will be explained first before the author reinterprets the meaning of the hadith. This aims to map the extent to which the views of the Islamic scholars respond to the hadith.

عن ابي سعيد رضي الله عنه وقد غزا مع النبي صلى الله عليه و سلم اثنتي عشرة غزوة- قال: اربع سمعتهن من رسول الله صلى الله عليه و سلم او قال يحدثهن عن النبي صلى الله عليه و سلم فاجبني وانقنتني: ان لا تسافر امرأة مسيرة يومين ليس معها زوجها او ذو محرم ولا صوم يومين الفطر و الاضحى ولا صلاة بعد صلاتين بعد العصر حتى تغرب الشمس و بعد الصبح حتى تطلع الشمس ولا تشد الرحال الا ثلاثة مساجد مسجد الحرام ومسجدي و مسجد الاقصى. اخرجه البخاري

From Abu Sa'īd radhiya Allah 'anhu, he fought with the Prophet Muhammad twelve times. He said, "I listened to the four laws of the Prophet and I was amazed by these four laws. First, a woman is not allowed to travel for two days without being accompanied by her husband or mahram, secondly, she is not allowed to fast during Eid al-Fitr and Eid al-Adha, third, she is not allowed to pray after the Ashar prayer until the sun sets and is not allowed to pray after the Fajr prayer until the sun rises, and not bound by vehicles except in three mosques, namely the Grand Mosque (Masjid al-Haram), my mosque and al-Aqsha mosque (Bukhari, 1987, vol. 2, p. 659)

The status of this hadith in *sanad* and *matan* can be accounted for. This refers to the opinion of the majority of scholars who say that

the hadiths from the book *Shahīh al-Bukhārī* can all be accounted for. The general meaning that can be understood from the above hadith is that a woman has limits when it comes to activities outside the home. The time limit for a woman not being allowed to travel outside the home is for two days unless she is accompanied by her husband or *mahram*. In addition to this, the hadith above also explains other laws, namely, first, the Prophet forbade his people to fast during *Eid al-Fitri* and *Eid al-Adha*. Second, the Prophets forbade their followers to pray after the *Ashar* prayer until the sun sets and after the *Fajr* prayer until the sun rises. Third, the Prophet forbade his people to travel to various mosques except for the Haram mosque, Nabawi mosque, and Aqsha mosque. This prohibition aims to inform that all mosques have the same virtues except for the Haram mosque, the Prophet's mosque (Nabawi mosque), and the al-Aqsha mosque.

Scholars of *fiqh* differ in opinion regarding the law that women are prohibited from traveling without a *mahram*. In the opinion of the Shafi'i and Maliki schools of law, women who want to travel to carry out the obligatory pilgrimage are not required to be accompanied by a *mahram*, but are required to be safe. The meaning of safety here, according to some followers of the Shafi'i school of thought, is defined as having to be accompanied by trustworthy women, *mahram*, and husbands. According to Abū Zakariyā Yahya's view, a woman, even though performing the obligatory pilgrimage, must be accompanied by one of the people who can make her safe, namely a husband, *mahram*, or woman who can be trusted (Nawawi, 1392, vol.9, p. 104). This differs from the opinion of the Hanafi school, who still require that they be accompanied by a *mahram*, except that the distance between the house and Mecca is less than three *marhalah* (Nawawi, 1392, vol. 9, p. 104). As for traveling that is not obligatory—such as visiting family homes and performing *sunna* pilgrimages—according to some scholars, it is

sufficient to be accompanied by fair women. The majority of scholars reject this opinion and they argue that a woman must be accompanied by a *mahram* or husband when traveling which is not obligatory (Nawawi, 1392, vol. 9, p. 104). From the description above, the area of difference of opinion lies in the type of travel, whether it is mandatory or not. Scholars tend to be a little lax regarding the law of a woman traveling alone with a background of obligation. Meanwhile, if the type of travel is not motivated by an obligation, then the majority of scholars agree that it must be accompanied by a *mahram* or husband.

The majority of *fiqh* scholars have different opinions regarding the criteria for women not being allowed to travel alone. Some scholars argue that the term of woman here is absolute, not distinguishing between small or big, and ugly or beautiful (Lāshīn, 2003, p.194). Meanwhile, according to some Maliki schools of law, women who are prohibited from traveling without a *mahram* are especially young, while the elders are free to travel without a *mahram* (Taqiyuddin, 2005, vol. 1, p. 304). However, there are *fiqh* scholars who argue that the law for the elder women is the same as for young children (you cannot travel without a *mahram*) (Shan'ānī, 1960, vol. 2, p. 183). If we map the difference above, it is due to two reasons. Opinions that say women who are banned are beautiful women because looking at them has more potential to cause lust. Meanwhile, the opinion that says absolute prohibition, whether she is young, old, ugly, or beautiful, looks more at the safety of women.

Scholars also differ in opinion regarding the distance between women who are prohibited from traveling alone. As quoted by Muhammad bin Shālih al-Utsaimin (d. 1421), some scholars stated that it is permissible to travel in short distances and it is forbidden to travel in long distances. While some other scholars are absolute, there is no difference between traveling far and near. Responding to these two opinions, Muhammad bin Shālih (d. 1421) argued that there is no

difference between traveling far or near. Women are not allowed to travel alone within a short or long radius. It is feared that there will be slander, danger, and disaster for women (Utsaimin, 2002, vol. 1, p. 1232). In contrast to Muhammad bin Shālih, Malik ibn Anas, as quoted by Abū al-Hasan, stipulates that it is forbidden to travel for one day and one night (Ibn Khalaf, 2003, vol. 3, p. 81).

Scholars' debate regarding the prohibition of women traveling alone revolves around the type of travel, the criteria for women and the distance traveled. The types of travel that are prohibited for women to travel alone are divided into two, namely traveling with mandatory and non-mandatory backgrounds. Scholars tend to be a little lax in setting laws regarding traveling with a background of obligation compared to traveling with a non-compulsory background. An obligatory traveling woman does not have to be accompanied by a husband or *mahram*, but it is sufficient to be accompanied by trusted women. This is true if conditions are safe. The majority of scholars think that women must be accompanied by a *mahram* or husband if the traveling is non-obligatorily. Meanwhile, the opinions of scholars regarding the criteria for women who are prohibited from traveling alone are also divided into two sides. Some scholars argue that the prohibition is only for young women. While others said it was not permissible, which is not differentiated between old and young. The opinion of the scholars regarding the travel distance that is prohibited is also divided into two groups. Some allow traveling at close range and some others forbid it.

The *Ma'na-cum-Maghza* Approach to the Hadith Prohibiting Travel for Women without a *Mahram*

The debate that has taken place among scholars regarding the prohibition of a woman traveling alone has not answered the problems that occur in the current era. The opinion of the scholars in general still

concludes that it is forbidden for a woman to travel alone. While the social fact is that many women travel alone, be it for economic or educational reasons. This fact is an interesting reason to review the meaning of the hadith prohibiting traveling using a progressive quasi-objectivist hermeneutic approach. The general view of this hermeneutic approach is not to regard literal meaning as the only meaning. He considers the context in which the text appears and the context in which the text is read. The progressive quasi-objectivist hermeneutic approach used in this study is *ma'na-cum-maghza*. The methodical steps are as follows:

Language Analysis

The first step in linguistic analysis related to the hadith prohibiting women from traveling alone is to analyze the words *safara-yasfiru-safran*. This aims to distinguish it from the root word *safara-yasfuru-sufūran* as well as to find its original meaning. *Safara-yasfiru-safran* in Arabic has the origin of the meaning *kashf* (to open), such as *safara al-bait* which means *kanasa al-bait* (to sweep the house). *Al-sufārah* means *al-kunāsah* (garbage), for example *safara al-sufārah* means *kasāṭa al-sufārah* (he picks up trash). *Safarat al-rīhu al-ghaima 'an wajh al-samā' safran fansafara* means *farraqathu fatafaraqa* (the wind separates the clouds, so the clouds are separated) and means *kasaḍat hu 'an wajh al-samā'* (the wind picks up the clouds from sky side). *al-safīr* is *mā safarat hu al-rīh* (something that is swept by the wind) like a leaf, and it is said that *al-safīr* is one type of *'usyab* leaf (a leaf that turns white after green) which falls because the wind has swept it (Ibn Mukrim, 2014, vol. 6, p. 32).

Meanwhile, the word *al-safar* has a different meaning from *al-hadar* (staying) which is formed from *safara-yasfiru-safran* in which there are elements of going and coming. Like the leaves that are swept by the wind "*tadzhab al-rīh bi al-safīr* (the wind removes something

that is swept by the wind, like leaves)” and the coming of the wind. *Al-safar* has the plural *asfār*, for example, *rajulun sāfirun* means *rajulun dzū safar* (a person who does not live), *qaumūn sāfiratun*, *safrun*, *asfārun*, *suffārun* and sometimes *safrun* is used for one person. The word *al-safar* itself has no *fi’il* (Ibn Mukrim, 2014, vol. 6, p. 32).

While *safara-yasfuru-sufūran* is out for *al-safar* (traveling), then it says *anā sāfirun* (I am a traveler), *al-qaumūmu safrun* (a traveling people), this is like the words *shāhib* (mufrad), and *shahbun* (plural). The plural of *sāfir* can also be *suffār* (plural) such as *rākib* (mufrad) *rukkāb* (plural). Whereas *musāfirīn* and *sāfara* have the same meaning, this is like in the hadith related to wiping two *muza* (boots) “*amaranā idzā kunna safran auw musāfirīn*” the narrator is confused between *safran* or *musāfirīn*. *Safran* is the plural of *sāfir* while *musāfirīn* is the plural of *musāfir*. Both have the same meaning (Ibn Mukrim, 2014, vol. 6, p. 33).

While the word *imra`ah* here is absolute and general. It is said to be general because the *isim nakirah* of *imra`ah* falls after the *kalam nafi* of *lā tusāfiru*. In the rules of the science of *usūl al-fiqh* the word is judged ‘*am* (general) (Ibn ‘Abd al-Lathīf, 2006, p. 74). This means covering all women, not limited by number. Whereas it is said to be absolute because there is no limit to the nature of *imra`ah* here, so it includes all types of ugly, beautiful, lucky, young women, not limited by class.

Intratextuality

The next step is to sharpen language analysis, the researcher performs intratextuality by comparing and analyzing the use of words in other verses. Since the object of study in this study is hadith, the intratextuality in this study is to compare the editorials of various kinds of hadith that are in line with the theme of study in this study.

عن ابن عباس رضي الله عنهما : أنه سمع النبي صلى الله عليه و سلم يقول (لا يخلون رجل بامرأة ولا تسافرن امرأة وإلا معها محرم) . فقام رجل فقال يا رسول الله اكتبني في غزوة كذا وكذا وخرجت امرأتي حاجة قال (اذهب فحج مع امرأتك

From ibn 'Abās ra, he heard the Prophet Muhammad SAW say: don't be alone between men and women, and don't a woman travel except with her mahram' then a man stood up and said 'O Messenger of Allah, I served in war this and that and my wife went out to perform Hajj and then Rasulullah said 'go to Hajj with your wife'" (Bukhari, 1987, vol. 3, p. 1094).

The status of this hadith in *sanad* and *matan* can be accounted for. This refers to the opinion of the majority of scholars who say that the hadiths from the book *Shahīh al-Bukhārī* can all be accounted for. The general meaning that can be understood from the above hadith is that a woman is prohibited from solitude with a man except with her *mahram*, and a woman has limits when she will carry out activities, especially activities outside the home even though it is for worship. This limitation is a prohibition for a woman to travel except with her *mahram*. Even so, there is no specific explanation regarding how far women are prohibited from traveling. It's just that a man complained to the prophet that his wife was going on a pilgrimage and the prophet told him to follow her. This does not directly indicate that the distance limit for a woman who is prohibited from traveling without a *mahram* or husband is the distance between Medina and Mecca. This can be proven by several other hadiths which explicitly show differences regarding the distance a woman is prohibited from traveling without a *mahram* or husband.

لا تسافر امرأة فوق ثلاث ليال إلا مع ذي محرم

It is not permissible for a woman to travel for three nights except with the *mahram* (Bukhari, 1987, vol. 3, p. 1094).

The status of this hadith as *sanad* and *matan* can be accounted for

as a legal argument. This refers to the opinion of the majority of scholars who say that all hadiths in the Muslim Shahīh can be fully accounted for. Unlike the previous hadith, this hadith prohibits women from traveling alone with a time limit of more than three days, while the previous hadith has no time limit.

حدثنا عبد الله حدثني أبي ثنا وكيع قال ثنا بن أبي ذئب عن سعيد بن أبي سعيد عن أبيه عن أبي هريرة
قال قال رسول الله صلى الله عليه و سلم : لا تسافر امرأة مسيرة يوم تام إلا مع ذي محرم

Abdullah told us, my father told me, Waki' told us, he said Abī Dzi`b from Sa`īd bin Abī Sa`īd from his father from Abī Hurairah he said: "Rasulullah said: a woman does not travel for a full day except with her mahram" (Ibn Hanbal, 1999, vol. 15, p. 462).

According to Syu'aib's comments, the hadith above is included in the category of authentic hadith based on the standards of al-Bukhārī and Muslim (Ibn Hanbal, n.d., vol. 2, p. 445). This hadith generally explains the prohibition for a woman to travel for one full day except with a *mahram*.

أبي هريرة قال : قال رسول الله صلى الله عليه و سلم : لا تسافر امرأة مسيرة ليلة إلا مع ذي محرم

Abī Hurairah said: The Messenger of Allah said: a woman does not travel overnight except with a mahram (Al-Hakim al-Naysaburi, 1990, vol. 1, p. 609).

According to the comments of Musthafā 'Abd al-Qādir 'Atā this hadith is included in the category of authentic based on the standards set by Imam Muslim (Al-Hakim al-Naysaburi, 1990, vol. 1, p. 609). This hadith explains the prohibition of a woman traveling overnight without being accompanied by a *mahram*.

We can compromise on the differences in the editors of the hadith above. There are differences in the editorial distance and the number

of days in the hadith above. However, all lead to one conclusion. The hadiths prohibit traveling within a long radius. According to the Hanafi school of thought, the distance a woman is prohibited from traveling alone is the distance she is allowed to collect prayers. This argument can be strengthened by several hadiths which allow a woman to travel alone without a *mahram* within a short radius. Here are the hadiths:

حدثنا مسدد حدثنا بشر بن المفضل حدثنا عبد الله بن محمد بن عقيل عن جابر بن عبد الله قال
خرجنا مع رسول الله -صلى الله عليه وسلم- حتى جئنا امرأة من الأنصار في الأسواق فجاءت المرأة
بابنتين لها ...

Musaddad said: Bisyr bin 'Aqīl from Jābir bin 'Abdillah he said: he said: we went out with Rasulullah SAW until we came to a woman from Ansar's friends in the markets, then came the woman with her two daughters...

The continuation of the hadith above is very long and we do not mention all of them here. We simply take important points in the hadith related to this research. According to al-Albānī's commentary, this hadith is included in the *hasan* category, so it can be used as a legal argument (Abū Dāwud, n.d., vol. 3, p. 80). This hadith tells that the Prophet and his companions met a woman in the market. This hadith shows that the Prophet did not forbid women to leave the house. This statement is reinforced by several hadiths which show that during the time of the Prophet and his companions, women were allowed to go to the mosque to perform congregational prayers.

أبي هريرة قال لقيته امرأة وجد منها ريح الطيب ينفح ولذيلها إعصار فقال يا أمة الجبار جئت من
المسجد قالت نعم. قال وله تطيبت قالت نعم. قال إني سمعت حبي أبا القاسم -صلى الله عليه وسلم-
يقول « لا تقبل صلاة لامرأة تطيبت لهذا المسجد حتى ترجع فتغتسل غسلها من الجنابة... »

Abū Hurairah, he said: a woman met me and I found her smelling good, the wind (smell) was blowing behind her, then she (Abī Hurairah) said: Hi people of Allah (al-Jabār), you came

from the mosque, she (the woman) said: yes. He said: you make the mosque smell good, the woman said yes. He (Abī Hurairah) said: I heard my beloved abā al-Qāsim SAW say “the prayer of a woman who perfumes this mosque is not accepted so that she returns and takes a bath like a junub bath washing the perfume” (Abū al-Sa’ādāt, 1970, vol. 4, p. 771)¹

قال : إذا استأذنت أحدكم امرأته إلى المسجد فلا يمنعها

The Messenger of Allah said: When your wife asks you for permission to go to the mosque, don't stop her (Muslim, 2015, p. 140).

The status of this hadith as *sanad* and *matan* can be accounted for as a legal argument. This refers to the opinion of the majority of scholars who say that all hadiths in the Shahih Muslim can be fully accounted for. Based on the two hadith stories above, we can conclude that at the time of the prophet and his companions a woman was not prohibited from leaving the house. This is shown by the fact that during the time of the Prophet and his Companions a woman was permitted to go to the mosque and the market. Other evidence that shows the Prophet did not forbid women from leaving the house is the story of Muslim women who were harassed by Bani Qainuqa' in their market (Shihab, 2012, p. 608). This shows that the hadith which prohibits women from traveling alone is not absolute.

Intertextuality

In this step, a writer can use analysis by comparing texts around hadith, such as the Koran, texts from Judaism and Christianity, and Arabic poetry. This analysis serves to distinguish the meanings and concepts of

¹ According to al-Albāni's commentary, this hadith is included in the category of shahīh hadith

terms used in the hadith from other texts. In addition, later it will also be found whether there are dynamics or not in the object under study.

In the Qur'an the word *al-safar* is mentioned 6 times, namely (QS. 2:184), (QS. 2:185), (QS. 2:283), (QS. 4:43), (QS. 5:6), (QS.18:62). If we observe more closely, the word *al-safar* contained in the Qur'an all implies a trip with a far radius outside the village, such as (QS. 2:184) and (QS. 2:185) discussing travel that is permitted to break the fast, namely the distance allowed for the *qashr* prayer. As in (QS. 2: 283) it also indicates a long journey, with the assumption that the two people who are transacting will have difficulty meeting again, so they are ordered to agreement. The hint of the word *al-safar* which refers to traveling far also applies to (QS. 4: 43) and (QS. 5: 6). These two verses hint at those traveling far away who have difficulty finding water. The subsequent use of the word *al-safar* (QS. 18:62) also implies the long journey undertaken by the prophet Musa and his people.

In addition to using the word *al-safar*, the Qur'an also often uses the word *dzahaba* to show the meaning of traveling. However, the two words when compared have different travel contexts. The context of using the word *dzahaba* is more likely to be used for traveling within a close radius. We can see this in (QS. 12:13) and (QS. 12: 17). In (QS. 12:13) contains a story about the anxiety of the father of the Prophet Yusuf when his brothers asked permission to invite the Prophet Yusuf to play outside the house. Prophet Yusuf's father said *innī layahzununī 'an tadzhabū bihi*. From this, we can see that the context of the use of the word *dzahaba* here is traveling not too far from home. This argument is based on the habits of a child when asking permission to play outside the house, he will not be far from home. This is reinforced by a fragment of the story in (Qur'an 12:17) which tells of the prophet Yusuf' brothers when they left him. In this verse there is a fragment of the word *innā dzahabnā nastabiqu wa taraknā yusuf*. The word *dzahabnā* here implies

a short journey. This can be seen from the word after '*nastabiqu*' which according to al-Tsā'labī means running or archery competition (Ibn Muhammad, n.d., vol. 2, p. 227). If we use the meaning of *nastabiqu* to compete in archery, then the word *dzahabnā* means traveling with an arrow's flight radius. This traveling aims to see how far their arrows go and who goes further.

This intertextuality analysis shows that the word *safar* contained in the hadith above means traveling with a long radius. This is supported by several editorials on travel found in the Qur'an which refer to the meaning of traveling far from where you live. Apart from that, this opinion is also reinforced by other hadiths which show a woman is allowed to go out within a close radius, such as praying in congregation at the mosque and going to the market.

The Historical Context of The Hadith Prohibiting Travel for Women Alone

Based on the data that has been presented, it can be understood that the hadith prohibiting women from traveling without a *mahram* was born amid the unstable condition of the Muslim community. There are still many threats from the enemies of Islam who want to destroy Islam. This context can be seen from the editorial conversation of a *rajul* (a man) who complained that his wife was on pilgrimage while he was busy with various wars. This conversation confirms that the condition of the Muslim Ummah is not yet stable and safe. There are still many wars that must be faced by Muslims. There is no exact data that explains the appearance of this hadith. However, we can be sure that this hadith appeared when the Prophet migrated to Medina, because Muslims were first allowed to fight after they migrated. This is like the opinion of Ibn Abī Hātim that the *qitāl* verse which was first revealed to Muslims came down in the Medina period (QS. 2:190).

In general, a great many wars took place during the period in Medina. Besides that, the main reason the Muslims migrated to Medina was because they—especially the weak—were intimidated and tortured by polytheists in Mecca. In the first year of the hijra, to be precise in the month of Ramadan (March 623 AD) the Muslims confronted the caravan led by Abu Jahl. The *Kafila* (caravan) has 300 members (Shihab, 2012, p. 524). In May of the same year, in 623 AD the Prophet assigned Sa'ad ibn Abi Waqqash and a group of 20 people to intercept the Quraysh caravan. However, in this ambush, the Quraysh people managed to escape (Shihab, 2012, p. 525). This ambush was because the Quraysh had persecuted the Muslims while in Makkah and expelled them from their homeland. Another reason is that Allah has permitted Muslims to fight.

Tensions between Muslims and non-Muslims continued in the following years. In the 2nd year *of the hijra*, the situation became increasingly tense, even in that year, the Prophet felt the need to be guarded at night (Shihab, 2012, p. 533). Several wars took place this year, such as the battle of Badr which was won by the Muslims. Furthermore, the war with Bani Qainuqa'—the Jews of Medina—was motivated by sexual harassment by Bani Qainuqa' to a Muslim woman. This incident occurred at the Bani Qainuqa market when a Muslim woman visited there. They asked the Muslim woman to uncover her face, but she would not comply. After that, one of the Jews tied the end of the woman's clothing to her back—without the woman realizing it—so that when she stood up her private parts opened and she screamed with all her might. This incident caused a Muslim who heard the screams and saw the Muslim woman being abused to kill the Jew. For his actions, the Muslim man was beaten by the Jews to death. This incident made the Prophet take action to blockade Bani Qainuqa'. However, in the end, they were released and allowed to leave Medina (Shihab, 2012, p. 606). In the 3rd year, there was the battle of Uhud between the Muslims and the Meccan infidels.

This battle was motivated by the defeat of the infidels in the Battle of Badr. The disbelievers do not accept and want to take revenge. This war can be said to be a draw, even though there were many casualties from Muslim groups (Shihab, 2012, pp. 624-664). The series of wars that took place showed that the tension between Muslims and non-Muslims was continuing, even though they had migrated.

Threats from the enemies of Islam continue. Many wars and threats disturbed the security of Muslims after the Uhud war occurred in the 3rd year of the Hijra. The 4th year of Hijra took place al-Raji', Bi'r Ma'unah, the final Badr war, and the Khandaq war. Then in the 5th year of Hijra, there was the Bani Quraidzah war, the Hunain war (8 H), the Mu'tah war against the Romans (8 H), and the Tabuk war (9 H) (Ridha, 2010). From the description and condition of society in the early days of Islam, we can see that at that time the condition of the Muslim community was still not safe. Many enemies of Islam wish to destroy Islam, both personally and as a group. Ibn Kathir in his book of chronicles narrates that the Prophet Muhammad during his life participated in wars—whether he took up arms or not—seventeen times. Some reports said eighteen times and sixteen times (Ibn Kathir, 2015, vol. 4, p. 15). Regardless of the differences of opinion that existed, the many wars that took place showed that at that time the situation for the Muslims was not safe and it required full vigilance, especially for physically weak women.

The Historical Significance of the Hadith Prohibiting Women to Travel Alone

The hadith prohibiting women from traveling alone is not absolute, but there are reasons behind it. Hadiths that prohibit women from traveling without being accompanied by a husband or *mahram* have varying time limits. The limit is one day, two days, or even three days. The specified number of days indicates the trip made is included in the

long trip category. The factors that encourage women to be prohibited from traveling alone within a long radius are safety factors. The situation at that time was still in a period of war, the situation was still not stable. Therefore, the meaning of the historical significance of the above hadith is to keep women safe. This is reinforced by several hadith narrations which show a woman is allowed to go out of the house in an environment that is considered safe, such as the village market or mosque. The reason why women when traveling long distances are required to be with their *mahram* or husband is that they are the most trustworthy people to look after the woman's safety. The factor for maintaining the safety of women is the reason behind the birth of the hadith that a woman is prohibited from traveling alone.

The Contemporary Significance for Women Traveling alone

Based on the historical significance described above, it can be concluded that any form of travel undertaken by women today is legal, provided that the road traveled or the place visited is safe from disturbances that could threaten the safety of women. Traveling like this does not have to be accompanied by a *mahram* or husband. On the other hand, if the road or place that a woman has visited is considered unsafe, then traveling is prohibited unless she is with someone who can be trusted and can take care of her.

Conclusion

It turns out that the reinterpretation of the meaning of the hadith on women's prohibition from leaving the house alone without a *mahram* or husband using a contextual approach has different results from the conclusions of classical scholars. The prohibition for women to travel alone without being accompanied by a *mahram* or husband is due to the safety factor which did not guarantee that women would travel

alone during the time of the Prophet. Nowadays, the safety of a woman is guaranteed to travel alone, then this is not a problem. A woman can go on a *safar* (travel) alone, as long as it is safe. However, if the current situation is dangerous on the road or at the destination and a woman can't travel alone, then there must be someone who can take care of her.

A woman can get the right to leave the house to meet their needs without being overshadowed by guilt. Apart from that, it is hoped that this research can add to the reader's perspective that the prohibition of a woman traveling alone is essentially not aimed at curbing women from always staying at home. The prohibition was made by the Prophet to maintain the safety of a woman while traveling. In the rules of *fiqh* this is known as *hifdz al-nafs* (guarding the soul). However, there are still many gaps to carry out further research to complement this research, such as how the perspective of hadith related to the social phenomenon of women traveling alone accompanied only by drivers or non-*mahram* men.

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