



**Riwayah : Jurnal Studi Hadis**

issn 2460-755X eissn 2502-8839

Available online at: [journal.iainkudus.ac.id/index.php/riwayah](http://journal.iainkudus.ac.id/index.php/riwayah)

DOI: <http://dx.doi.org/10.21043/riwayah.v10i1.25657>

## **THE IMPLEMENTATION OF THE *AL-JAM'U* METHOD ON *MUKHTALIF AL-HADITS* AND ITS LEGAL *ISTIDLAL*: Hadith Study on the Limits of Male *Awrah***

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### **Abstract**

Scholars offer three methods to resolve the *mukhtalif al-hadits*: *al-jam'u* (reconciliation), *al-naskh* (abolishing the ruling of the hadith that first appears), and *al-tarjih* (favoring one of the traditions). Among the examples of traditions that fall under the category of *mukhtalif* are the traditions about the limits of the *awrah* of men. The researcher in this article will discuss the implementation of the *al-jam'u* method on the hadith about the limits of male genitalia. This research is a type of qualitative research with a library research model through a philosophical approach, and data processing techniques using descriptive-analytical methods and then analyzed using content analysis techniques. The results of this study are that there are two hadiths about the limits of male *awrah* that are outwardly contradictory. The first hadith comes from Jarhad who says that the male thigh is *awrah*. While the second tradition which comes from Anas bin Malik says that the Prophet's thigh is not *awrah*. The implementation of the *al-jam'u* (reconciliation)

method related to this issue is that although in terms of *sanad* quality the first tradition is stronger which says, the *madzahib arba'ah* agree that the thigh is a male *awrah* which should not be shown to others. Only Dawud Zhahiri and Ustukhri say that the thigh is not *awrah*. The *madzahib arba'ah's* interpretation of the hadith about the opening of the Prophet's thighs explains his inadvertence because his clothes were uncovered and in a critical situation. In addition, after his thighs were exposed, he immediately covered them.

**Keywords:** *Al-Jam'u, Mukhtalif Hadith, Male Awrah*

### Abstrak

Untuk menyelesaikan *mukhtalif al-hadis*, para ulama menawarkan tiga metode, yaitu: *al-jam'* (rekonsiliasi), *al-naskh* (menghapus hukum hadis yang pertama kali muncul), dan *al-tarjih* (mengunggulkan salah satu hadis). Di antara contoh hadis yang termasuk kategori mukhtalif adalah hadis seputar batasan aurat laki-laki. Artikel ini akan mengulas seputar implementasi metode *al-jam'u* terhadap hadis seputar batasan aurat laki-laki dan *istidlal* hukumnya. Penelitian ini merupakan jenis penelitian kualitatif dengan model kepustakaan (*library research*) melalui pendekatan filosofis, serta teknik pengolahan data menggunakan metode deskriptif-analitik kemudian dianalisis menggunakan teknik analisis isi (*content analysis*). Hasil dari penelitian ini yaitu terdapat dua hadis tentang batasan aurat laki-laki yang secara lahiriahnya bertentangan. Hadis pertama bersumber dari Jarhad yang mengatakan paha laki-laki adalah aurat. Hal ini dibuktikan dengan perintah Nabi kepada Jarhad untuk menutup pahanya. Sementara hadis kedua yang bersumber dari Anas bin Malik mengatakan paha Nabi bukanlah aurat. Hal ini berdasarkan pada hadis yang menjelaskan bahwa paha nabi terlihat saat menuju ke perang Khaibar. Implementasi dari metode *al-jam'u* (rekonsiliasi) terkait masalah ini yaitu meskipun dari segi kualitas *sanad* lebih kuat hadis pertama, tapi *madzahib arba'ah* sepakat mengatakan paha merupakan aurat laki-laki yang tidak boleh diperlihatkan kepada orang lain. Hanya Dawud Zhahiri dan Ustukhri yang mengatakan paha bukan aurat. Keduanya mengatakan aurat laki-laki hanya kemaluan depan

dan belakang. *Istidlal madzahib arba'ah* dari hadis tentang terbukanya paha Nabi menjelaskan ketidaksengajaan beliau karena pakaiannya tersingkap dan dalam keadaan genting (perjalanan perang Khaibar). Di samping itu setelah pahanya terlihat, beliau langsung menutupnya.

**Kata Kunci:** *Al-Jam'u, Mukhtalif Hadith, Aurat Laki-laki*

## Introduction

Understanding hadith requires comprehensive scientific tools. Haphazard understanding of the wording of the hadith can lead to mistakes and away from the intentions of the Prophet Muhammad. Regarding the danger of understanding hadith textually without being supported by scientific tools, Sufyan bin Uyainah said: "Hadith can really mislead except for those who have the knowledge to understand it (Haitami, 2010).

The redaction of many hadith in the form of *jawami' al-kalim* (concise redaction but many meanings) adds to the difficulty in understanding them. In addition to *jawami' al-kalim*, the complexity in understanding hadith usually arises because outwardly there are two traditions that appear to be contradictory. In the hadith science discipline, this is called *mukhtalif al-hadith* which has many theories in dealing with it (Qutaibah, 2010).

The word *mukhtalif* itself from the morphological aspect is an *isim fa'il* from the word *ikhtalafa yakhtalifu ikhtilafan*. Etymologically, the word *ikhtilaf* means different, disputing or disagreeing (Munawir, 1997). While according to terminology, *mukhtalif al-hadith* as stated by Imam Nawawi is two traditions contradicting each other in their external meaning so that it is necessary to reconcile between the two or by the method of *tarjih* (strengthening one of the two traditions).

In contrast to Imam Nawawi's opinion above, at-Thahanawi argues that *mukhtalif al-hadits* are two traditions that are *maqbul* in quality while contradicting in meaning on the surface. Therefore, it is necessary to make reconciliation efforts to reconcile the contradiction between the two traditions. The point of difference between Imam Nawawi and at-Thahanawi lies in the wording of the *maqbul*.

In addition to as-Suyuti and at-Thahanawi, Edi Safri - one of the hadith professors of UIN Imam Bonjol Padang - also provides a definition. According to him, *mukhtalif al-hadith* is two *sahih* or *hasan* traditions that seem to contradict each other outwardly. However, the meanings of these traditions are not contradictory because they can be reconciled with each other or resolved in the form of *naskh* (abrogation of one of the traditions) or *tarjih* (strengthening of one of the traditions) (Safri, 1999).

In this definition, Edi Safri offers three methods, as expressed by al-Nawawi, namely *jam' wa taufiq* (reconciliation), *naskh* (deletion of one of the traditions), and *tarjih* (strengthening of one of the traditions). From these three definitions, there are similarities and differences. From the aspect of *mukhtalif*, Thahanawi and Edi Safri require that the contradictory traditions must be *maqbul* quality traditions. While al-Nawawi does not require it. In terms of the method of resolution, Thahanawi only adopts the method of reconciliation. While al-Nawawi and Edi Safri offer three methods, namely: *jam' wa taufiq*, *naskh* and *tarjih* (Aliyah, 2014).

Imam Syafi'i as one of the scholars who have worked on *mukhtalif al-hadits* in his book *Ikhtilaf al-Hadits* does not formulate a definition of these *mukhtalif* traditions. However, by looking at the content of his discussion in the book, it appears that he makes a broader definition compared to the definition above. In *Ikhtilaf al-Hadits*, Imam Syafi'i in

addition to including examples of some of the contradictory traditions mentioned above, he also includes traditions concerning the issue of *tanawwu' al-ibadah* (kinds of worship) in the category of *mukhtalif* traditions in the discussion (Syafi'i, 2008).

Hasbi as-Shiddiqi said that most of the *muhadditsin* and *fuqaha'* agree that the *shahih* and *hasan* traditions can be used as evidence. In addition, some scholars argue that the *hasan* hadith cannot be used as evidence unless it meets the accepted characteristics, such as a continuous chain of transmission, fair and *dhabit* narrators, and is completely free from *syadz* and *'illat*.

Among the examples of *mukhtalif* traditions are those that deal with the limits of the male genitalia. There are two types of traditions that are textually contradictory in meaning. The first is the hadith narrated by Imam Bukhari which states that the thighs of men are not *awrah* with the evidence that the Prophet was once seen with his thighs. The wording of the hadith is:

حدثنا يعقوب بن إبراهيم، قال: حدثنا إسماعيل بن علية، قال: حدثنا عبد العزيز بن صهيب، عن أنس بن مالك، أن رسول الله صلى الله عليه وسلم غزا خيبر، فصلينا عندها صلاة الغداة بغلس، فركب نبي الله صلى الله عليه وسلم وركب أبو طلحة، وأنا رديف أبي طلحة، فأجرى نبي الله صلى الله عليه وسلم في زقاق خيبر، وإن ركبتني لتمس فخذ نبي الله صلى الله عليه وسلم، ثم حسر الإزار عن فخذة حتى إني أنظر إلى بياض فخذ نبي الله صلى الله عليه وسلم.

*Ya'qub ibn Ibrahim narrated to us, he said: Ismail bin Ulayyah narrated to us, he said: Abdul Aziz bin Shuhaib reported from Anas bin Malik that the Messenger of Allah fought in Khaibar. Then we prayed the Fajr prayer while it was still dark. Then the Prophet and Abu Talhah went up. While I rode on Abu Talhah's back. Then the Prophet passed through a narrow road in Khaibar, so that my knees touched the Prophet's thighs. The*

*Prophet removed the sarong from his thigh so that I could see the whiteness of his thigh (Bukhari, 2009).*

The hadith explains that during the battle of Khaibar, the Prophet removed his sarong and Anas ibn Malik saw the whiteness of his thigh. This hadith is understood by some scholars to mean that the thighs of men are not *awrah* because the Prophet once showed his thighs to others (Asqalani, 2014).

This hadith differs in content from the hadith narrated by Imam Ahmad below, which explains that the thighs are included in the *awrah*, as evidenced by the Prophet telling the Companions whose thighs were visible to cover them immediately. The hadith reads:

حدثنا هشيم، حدثنا حفص بن ميسرة، عن العلاء، عن أبي كثير مولى محمد بن جحش، عن محمد بن جحش، ختن النبي صلى الله عليه وسلم، أن النبي صلى الله عليه وسلم مر على معمر بفناء المسجد محتبياً كاشفاً عن طرف فخذه، فقال له النبي صلى الله عليه وسلم: خمر فخذك يا معمر؛ فإن الفخذ عورة

*Husayim narrated to us, Hafsh ibn Maisarah narrated to us from 'Ala' narrated to us from Abi Katsir the freed slave of Muhammad ibn Jahsh narrated to us from Muhammad ibn Jahsh the brother-in-law of the Prophet, "The Prophet once passed Ma'mar who was in the courtyard in front of the mosque; while sitting he hugged his knees so that some of his thighs were visible. Then the Prophet said, "Cover your thighs, O Ma'mar, for they are awrah. (Ibnu Hanbal, 2009).*

The two hadith above are outwardly contradictory (*mukhtalif al-hadits*). Therefore, the formulation of the problem to be discussed includes: How does the method of *al-jam'u* (reconciliation) apply to the *mukhtalif al-hadits* about the limits of male genitalia? What is the method of legal deduction? By raising these two issues, the author aims to resolve the two conflicting traditions and to analyze the legal reasoning related

to the limits of the *awrah* for men.

Salamah Noorhidayati in her book *Ilmu Mukhtalif al-Hadis* says that the contradictions that exist in the *mukhtalifal-hadits* can be resolved by methods that have been established by scholars, so that the hadith can be practiced according to its context. The existence of contradictions in the hadith, if not addressed wisely, will trigger differences and even divisions. This method of resolving contradictory traditions helps to avoid mistakes in understanding the hadith (Noorhidayati, 2016).

This research is a type of qualitative research with a library research model. Library research is a research activity that uses various tools to collect information and data contained in libraries such as reference books, similar previous research results, scientific articles, notes, and various journals related to the problem to be solved (Sari & Asmendri, 2020). While the approach is through a philosophical approach, which is an approach that seeks to explain something fundamental, principled, and the core that lies behind the formal object (Nata, 2008). This research uses documentation research techniques. The data processing technique used by the author to process the data of this research is descriptive-analytic method then the data is analyzed using content analysis technique.

As for the scientific research conducted by this author, it is actually not the first time it has been done. There are several previous studies that are used as literature. Among them are: First, research conducted by Misbah in 2018 in the *Riwayah* journal with the title *Hadis Mukhtalif dan Pengaruhnya terhadap Hukum Fikih (Studi Kasus Haid dalam Kitab Bidayatul Mujtahid)*. The conclusion of his research is that *Mukhtalif* science is used to resolve prophetic traditions that appear contradictory. The solution is by compromising the two traditions, or by the method of *nasakh* or by *tarjih*. If it cannot be resolved by these three methods then the final solution is *tawaqquf*. The existence of seemingly contradictory

traditions has an impact on the opinions of scholars in terms of Islamic law. This is discussed by Ibn Rusyd in the book *Bidayatul Mujtahid* (Misbah, 2018).

The second research was conducted by Muhammad Sakti Garwan in his article published in the *Tajdid* journal in 2020 with the title *Telaah Hermeneutika dalam Kitab Ta'wil Mukhtalif*. This study concludes that the background of the preparation of the book of *Ta'wil Mukhtalif al-Hadits* is a rebuttal to the assumption of some groups who accuse hadith scholars of carelessness, by narrating traditions that are considered contradictory or inconsistent with the Qur'an and understanding of reason. In addition, this study also concludes that this book includes the use of hadith hermeneutics in terms of methods in explaining hadith accompanied by various other sciences (Wil, Al, & Garwan, 2020)

The third research was conducted by Fadli Azmi in his thesis in 2023 with the title *Paha sebagai Aurat dalam Tinjauan Hadis (Studi Komparatif antara Imam Syaukani and Syaikh Utsaimin)*. This study concludes that in understanding the hadith of the thigh as an *awrah* the two figures differ in opinion. Imam Syaukani said that the thigh is included in the male *awrah* based on the hadith delivered by Jarhad, while Syaikh Utsaimin said that the thigh is not included in the *awrah* based on the context of the hadith during the Khaibar war the Prophet uncovered his sarong so that his thigh was seen (Azmi, 2023).

The fourth research was conducted by Habieb Bullah in 2022 with the title *Metode Pemahaman Hadis: Analisis Mukhtalif al-Hadis*. The conclusion of this research is: there is no *ikhtilaf haqiqi* (contradiction in the essence of the content of the hadith) in the hadith. There is only *ikhtilaf zhahiri* (textual contradiction of the hadith). There are many factors that lead to conflicts in the traditions including: the existence of general and specific meanings in the traditions, differences in conditions



and situations and differences in the transmission of the traditions. The solutions are: *al-jam'*, *naskh mansukh* and *tarjih*. The first person who came up with a method to deal with the *mukhtalif al-hadits* was Imam Syafi'i (Bullah, 2022).

All of the above studies, although almost the same as the author's research, have some differences. These differences are: First, this study directly focuses on the reconciliation of *mukhtalif al-hadits*. Although, there are three methods to deal with *mukhtalif al-hadits*, viz: reconciliation, abrogation of one of the traditions, and strengthening of one of the traditions. Reconciliation is used by the author because it is the first method that should be used when encountering *mukhtalif al-hadits*. In addition, there is a rule that says: *i'mal al-kalam aula min ihmalih* (accommodating all arguments is better than leaving them alone) (Suyuthi, 1990). Contextualization related to this rule means that it remains as much as possible to accommodate the content of all traditions even if the content is different.

The second difference is that this research will discuss the legal *istidlal* made by scholars responding to the *mukhtalif al-hadits* related to the hadith about men's *awrah*. In addition, this research will provide a solution to the results of the law resulting from *istidlal*.

The theory used by the researcher is to follow what has been conveyed by al-Nawawi in dealing with traditions that outwardly contradict (*mukhtalif al-hadits*). According to him, there are three ways to resolve *mukhtalif al-hadits*, namely: *al-jam'u*, *nasikh mansukh* and *tarjih*. Based on this theory, it is then implemented on the hadith about the limits of male genitalia and how to take evidence (*istidlal*) from the perspective of madzhab scholars from the *mukhtalif al-hadits*.

## Method of Dealing with *Mukhtalif al-Hadits*

There are various methods for resolving *mukhtalif al-hadits*, namely: *jam'*, *naskh*, *tarjih*, and *tawaqquf*. In the scholars' views on the order of resolving contradictory traditions there are two differences as follows.

First, the majority of the muhaddisin, including Imam Suyuti, the Shafi'is, the Zaidis, the Hanbalis, and the Maliki. They are of the opinion that the step to take in addressing *mukhtalif hadits* is to do *jam'* (reconciliation) first, then *naskh*, *tarjih*, and then end with *tawaqquf* (although the latter is more appropriate not to be called a method) (Thahhan, 2011).

The second group is represented by the Hanafis. According to them, the way to deal with contradictory traditions is to use the *naskh* method first, then the *tarjih* method, and then the *jam'* method. If all the methods cannot resolve the seemingly contradictory traditions, then *tawaqquf* should be done.

The first group that holds the view that in dealing with contradictory traditions the *jam'* method should be used first is based on the following arguments:

The *al-jam'u* method is chosen with the view that contradictory traditions do not exist. This is because it is impossible for two things from the same source to have a difference bias, so the ultimate goal is to practice both traditions. It is different if the *al-naskh* and *al-tarjih* methods are given precedence because they will not use both traditions but rather will adopt one of them and abandon the other.

The risk of error using the method of *al-naskh* or *al-tarjih* is greater than using the method of *al-jam'u* because the consequence will be to abandon one of the *syar'i* propositions.

From this it can be concluded that the solution offered by the majority of scholars by prioritizing the *al-jam'* method is better than prioritizing *al-naskh*. The following is an explanation related to the resolution of the *mukhtalif hadits*:

### *Al-Jam'u wa al-Taufiq*

The method of *al-jam'u wa at-taufiq* is the reconciliation and compromise of two or more contradictory traditions in order to avoid the contradiction, so that they are compromised and eventually they can be used in life.

Certain conditions must apply when using this method to resolve contradictory traditions. First the wording and transmission system of the allegedly contradictory traditions must both be *shahih*. Secondly, it is not clear which tradition appears earlier than the other. If the tradition appears first to be known then it becomes a *naskh* for the previous tradition. This is a condition agreed upon by those who prefer the *nasikh* method over the *al-jam'u* method. Third, the interpretation used must be a sound interpretation.

### *Naskh*

According to al-Hazimi, etymologically the term *naskh* only revolves around two meanings, namely *al-izalah* (eliminate) and *annaql* (move). Meanwhile, in terms of terms, the word *naskh* means lifting and abolishing sharia law with the argument of another sharia law. *Naskh* is also used to mean annulment, abolition, transferring from one means to another, and alteration. *Naskh* is used for something that annuls, erases, and transfers. While *mansukh* is something that is lifted, canceled, transferred, and deleted. This method can be applied if the contradictory traditions can each be detected in their respective periods

of occurrence and are very difficult to reconcile.

The concept of *naskh* can be recognized by several indications. First, the Prophet Muhammad explains it, such as the hadith about the prohibition of grave pilgrimage being abrogated by the permissibility and even the recommendation of grave pilgrimage because it can remind us of death. Secondly, there is a definite description of the time of the event, such as the hadith that informs us that if a husband and wife have intercourse without ejaculating, they can purify themselves by performing ablution. This hadith is abrogated by the hadith that clarifies that purification must be done by taking a bath. Third, the statement of a companion. This can be seen in the hadith narrated by Imam Ahmad about the procedure for honoring the dead, where the information first appears that the Prophet ordered the Companions to honor the dead by standing, then the Prophet ordered them to sit.

Among the examples of *mukhtalif* traditions that are resolved by the *nasakh* method is the hadith about pilgrimage to the grave, which was initially forbidden and then the Prophet encouraged it. Another hadith that falls under this category is the hadith that explains that if a man and woman do not have intercourse, they do not need to take a bath, they just need to clean their genitals. The hadith reads:

أخبرني أبي بن كعب، أنه قال يا رسول الله: إذا جامع الرجل المرأة فلم ينزل؟ قال:  
«يغسل ما مس المرأة منه، ثم يتوضأ ويصلي»

*Ubay bin Ka'b informed me that he said: "O Messenger of Allah, what is your opinion when a man has intercourse with his wife but does not ejaculate?" The Messenger of Allah said: "Wash his genitals, then perform ablution and pray." (Bukhari, 2009).*

The hadith is superseded by another Hadith which reads:

سألت عروة عن الذي يجمع ولا ينزل؟ قال: على الناس أن يأخذوا بالآخر،

والآخر من أمر رسول الله صلى الله عليه وسلم. حدثتني عائشة أن رسول الله صلى الله عليه وسلم كان يفعل ذلك ولا يغتسل، وذلك قبل فتح مكة، ثم اغتسل بعد ذلك، وأمر الناس بالغسل «

*I asked Urwah about a man who has intercourse with his wife but does not ejaculate, and he said: Many of the Companions were of the opinion of the last of the Prophet's commandments, (i.e.) 'Aisha narrated to me: The Messenger of Allah did this and did not take ghusl, and this was before Fathu Makkah. After Fathu Makkah, the Prophet took ghusl and ordered the people to take ghusl (Hibban, 2011: 198).*

### Tarjih

The *tarjih* method is used to test the superiority of contradictory traditions by favoring one of them. If the choice of attitude in dealing with contradictions between traditions is to apply the *tarjih* pattern, then the factors to consider are: First, the *sanad* aspect by examining the number of transmission lines, their continuity, fairness, and the level of capability (*dhabit*) of the narrators as well as the position of the companions of the narrators. Secondly, the *matan* aspect by paying attention to the historical data of the contradiction of the redaction of the *matan* of the hadith along with the legal '*illat*' and the *sanad* of the hadith to the authority. Thirdly, external support obtained from the Qur'an, information on other traditions of equal or better quality, compatibility with legal analogies (*qiyas*), state practice, and the leadership of *Khulafa' al-Rasyidin*, the indigenous religious traditions of Medina and so on.

Examples of mukhtalif hadith that are resolved using this method are:

عن ابن عباس رضي الله عنهما، أن النبي صلى الله عليه وسلم تزوج ميمونة وهو محرم

*Ibn Abbas reported that the Prophet married Maimunah while he was in ihram (Ibnu Hanbal, 2009).*

This hadith is contradicted by another hadith that reads:

عن يزيد بن الأصم، حدثني ميمونة بنت الحارث، «أن رسول الله صلى الله عليه وسلم تزوجها وهو حلال»

*Yazid ibn Asham reported to me Maimunah bint Haris that the Messenger of Allah married her when he was not in ihram (Ibnu Hajjaj, 2000).*

### *Tawaqquf*

*Tawaqquf* is a way of suspending the practice of the tenets of the two contradictory traditions. This method is adopted when the contradictory traditions cannot be compromised (*al-jam' wa al-taufiq*), their historicity is unknown, so the *naskh* method cannot be applied and finally the superiority of one of the contradictory traditions cannot be detected. Some scholars do not include *tawaqquf* as one of the methods of dealing with contradictory traditions because it does not contribute anything and is only the last alternative if some other methods cannot be implemented

## **A Study of the *Mukhtalif al-Hadits* on Male *Awrah***

### *Hadith Analysis of the Male Thigh is an Awrah*

The Hadith about the thighs of men being *awrah* has many versions. In addition to the redactions that the author has mentioned in the introduction, there is another redaction that comes from *Sunan al-Tirmidzi*. This hadith is attributed to a Companion named Jarhad with the following wording:

حدثنا ابن أبي عمر، قال: حدثنا سفيان، عن أبي النضر، مولى عمر بن عبيد الله، عن زرعة بن مسلم بن جرهد الأسلمي، عن جده جرهد، قال: مر النبي صلى الله عليه وسلم بجرهد في المسجد وقد انكشف فخذه فقال: إن الفخذ عورة

*Ibn Abi Umar narrated to us, he said: "Has narrated to us Sufyan from Abi Nadhr the freed slave of Umar bin Ubaidillah, from Zur'ah bin Muslim from Jarhad, he said: One day the Prophet passed by a mosque and met Jarhad al-Aslami (one of the Companions), while Jarhad's thigh was exposed, then the Prophet said, "Verily the thigh is an awrah" (Tirmidzi, 2000).*

The author conducted *takhrij* of the hadith through *Mu'jam Mufahras li Alfazh al-Hadis* using the keyword *fakhidz* and *Maktabah Syamilah* Application with the keyword *awrah*, the above hadith is not only sourced from Imam al-Tirmidzi in *Kitab al-Adab*, but also found in *Sunan Abi Dawud* in *Kitab al-Hammam*, *Sunan ad-Darimi* in Chapter *fi Anna al-Fakidz Awrah*, and *Musnad Ahmad bin Hanbal*.

All the narrators in this sanad are *tsiqah* (trustworthy) and are connected from the source of the hadith, namely the Prophet Muhammad. to the last narrator, Imam al-Tirmidzi who is the *mukharrij al-hadis*. The quality of the *sanad* of the hadith in *Sunan al-Tirmidzi* is *hasan 'ala syarth Tirmidzi*.

As for the *matan*, to determine the criteria for the validity of the *matan*, the following methods are used: First, it does not contradict the Qur'an. Although the Qur'an does not explicitly explain the limits of the male *awrah*, but in general the Qur'an commands Muslims to cover the *awrah*.

Second, it does not contradict other hadith. This issue will be the point of discussion here because in another tradition it is mentioned that the Prophet Muhammad showed his thigh during the battle of Khaibar.

Third, it does not contradict reason, the senses, and history. Although the Qur'an does not explicitly explain the limits of the male *awrah*, the hadith or *sunnah* can also be a second reference after the Qur'an in the establishment of Sharia. The above hadith does not contradict the five senses, because this guidance is a reasonable guidance and is a historical fact. Fourth, the hadith is in accordance with the prophetic word and is not fabricated.

Based on all the above requirements or criteria for the validity of the quality of the matan, it can be concluded that the matan of the hadith is *sahih al-matn* because it conforms to the criteria that have been determined by the *muhaddisin* as a condition for assessing the validity of a hadith's *matan*.

### *Hadith Analysis of the Male Thigh is Not an Awrah*

Hadiths that mention that the Prophet once showed his thigh, in addition to those mentioned above, namely in *Shahih al-Bukhari*, are also found in *Shahih Muslim*, *Sunan al-Nasa'i* and *Musnad Ahmad bin Hanbal*. The following redaction is in the book of *Musnad Ahmad*:

حدثنا إسماعيل، حدثنا عبد العزيز، عن أنس، أن رسول الله صلى الله عليه وسلم غزا خيبر فصلينا عندها صلاة الغداة بغلس، فركب رسول الله صلى الله عليه وسلم، وركب أبو طلحة، وأنا رديف أبي طلحة، فأجرى نبي الله صلى الله عليه وسلم في زقاق خيبر، وإن ركبتني لتمس فخذ نبي الله صلى الله عليه وسلم، وانحسر الإزار عن فخذ نبي الله صلى الله عليه وسلم، فإني لأرى بياض فخذ نبي الله صلى الله عليه وسلم

*Ya'qub bin Ibrahim told us, Ismail bin Ulayyah told us, Abdul Aziz bin Shuhaib told us from Anas, that the Messenger of Allah fought the people of Khaibar, so we prayed the morning prayer near there while it was still dark. Then the Prophet and Abu Talhah mounted their respective camels, while I rode behind Abu Talhah. Then the Prophet walked through the narrow streets to*



*Khaibar, then my knee touched the Prophet's thigh. Then the Prophet removed his sarong from his thigh until I saw his white thigh (Ibn Hanbal, 2009).*

Based on the analysis of the *sanad*, similar to the previous tradition, this tradition also has a valid *sanad* because all the narrators in Ahmad ibn Hanbal's *sanad* are *tsiqah* and are connected from the Prophet to Ahmad ibn Hanbal as the *mukharrij al-hadis*. This means that the quality of the *sanad* surrounding the Prophet appears to be sound.

In order to find out whether the text of the above hadith is authentic or not, it is necessary to examine the text of the hadith. Firstly, the text of the hadith does not contradict the Qur'an; in fact, there is no explicit mention of the *awrah* of men in the Qur'an.

Secondly, the above hadith appears to contradict the hadith which explains that the thigh is an *awrah*. This will be the main discussion in this study. In general there is no other tradition that contradicts this tradition. When viewed from another perspective, the above hadith has supporters, namely the hadith narrated by Aisha and Hafshah. In a narration it is explained that the Prophet once opened his thigh while at home with his wife. Then Abu Bakr and Umar came to visit in turn, while the Prophet was still in a state of opening his thighs. Then came Utsman bin Affan and the Prophet closed his open thigh. After Utsman left the Prophet's house, the Prophet's wife asked him why he did this, then the Prophet replied, "By Allah, the angels are ashamed of Utsman, am I not ashamed of the one whom the angels of Allah are ashamed of".

Third, the hadith does not contradict reason, the senses, and history. It does not contradict the five senses because it is a historically proven guidance. Fourthly, the above tradition is in accordance with the prophetic sayings so it is not a fabricated tradition.

Through all the above criteria of the authenticity of the *matan*,

it can be concluded that the *matan* of the above tradition is authentic because it conforms to the criteria determined as a condition for assessing the authenticity of the *matan* of the hadith.

### *Reconciliation is Prioritized over Other Methods in Dealing with Mukhtalif al-Hadits*

In the basic principles of sharia, it is said that the *nushush al-syari'ah* (religious texts) cannot be contradictory, especially since the *nushush al-syari'ah* comes from one source, namely the Prophet Muhammad. If there is a contradiction, it is impossible to happen in essence, it happens only from the outside. But if you find a *nushush al-syari'ah* that appears contradictory, it is appropriate to study, analyze and get a solution.

After analyzing the two seemingly contradictory traditions above, the author concludes that their status is *maqbul* (accepted). The first hadith states that the thigh is *awrah* as narrated by Jarhad, while the second hadith explains that the Prophet opened his thigh during the battle of Khaibar as narrated by Anas.

Imam Bukhari in his *al-Jami' al-Shahih* said, "The hadith of Anas (which explains that the Prophet's thigh was seen) is stronger in terms of *sanad*, while the hadith of Jarhad is more cautious". This statement is intended to be *al-khuruj min al-khilaf* (out of disagreement). It is also as if Imam Bukhari is saying: "Although Jarhad's hadith is *shahih*, it is still below the hadith of Anas in strength". While Jarhad was more cautious in religion (Bukhari, 2009). Imam al-Nawawi in his commentary on the hadith says that the meaning of caution here is obligatory, and it is possible that it means to be cautious". However, the latter possibility is stronger based on the following words, "in order to get out of their dispute" (Muslim, 2000).

Ibn Qutaibah in his book *Takwil Mukhtalifal-Hadits* says: "The two seemingly contradictory traditions about the opening of the Prophet's thighs can actually be reconciled. Regarding the hadith narrated by Jarhad, the Messenger of Allah met him when he opened his thighs on the road and in front of the public. Therefore, the Prophet called out to him, "Cover your thighs, for they are *awrah* in such a position/condition". He did not say "The thigh is *awrah*" because the *awrah* does not lie on the thigh alone (Qutaibah, 2010).

When the Prophet was alone in his house, he opened his thighs in front of his wives, then a person who was familiar with him entered, and when there were three of them, he made it *makruh* to open his thighs because there were many people, like what happened to Jarhad, who opened his thighs in public. Then the Prophet closed his thigh.

The author, referring to Yusuf Qardhawi's opinion, prefers the method of *al-jam'u* (reconciliation) in resolving the *mukhtalif al-hadits* because one of the important things to understand the *sunnah* properly is to adjust the sahih traditions that appear contradictory, whose content seems to be different at first glance, and reconcile one tradition with another, putting each tradition in its place so that they become a single unit, not different, complementary, and not contradictory (Qaradhawi, 2009).

This is the reason reconciliation is prioritized in dealing with contradictions in the hadith because there is no possibility of an ultimate contradiction (*ta'arudh haqiqi*), only *ta'arudh zhanni*. This method is the first choice that must be made in resolving it according to the rule of *i'mal al-kalam aula min ihmalih*. If a hadith cannot be resolved by *al-jam'* then it is resolved by the next method.

The implementation of the use of the *al-jam'u*/reconciliation method is that the thigh is a maleurat that must be covered so that it is

not seen by others. Unless it is unintentionally exposed, whether by the wind or otherwise and not for a long time

### *Scholars' Istidlal of Mukhtalif al-Hadits*

The first hadith that states that the thighs are aurat is agreed upon by Imam Syafi'i and Imam Hanafi. However, according to Imam Ahmad and Imam Malik, the limits of the *awrah* are the front and back genitals, as was the opinion of Dawud ad-Dzahiri and Ibn Jarir al-Ushtukhri. The basis of the argument used by those who say that the thigh is not an *awrah* is the words of Anas in the second hadith above, where it is said, "My knee touched the Prophet's thigh", because outwardly touching is certainly without anything hindering. But touching the *awrah* without any obstruction is not permissible.

Ibn Hajar said: The statement that Ibn Jarir was of this opinion needs to be revisited. This is because he mentioned this issue in *al-Tahdzib*, and he refuted those who thought that the thighs were not *awrah*."

Imam Muslim's narration that the garment was not uncovered because of the Prophet's deliberate action can be used as evidence that the thighs are not *awrah* because they were uncovered for a long time. Had it not been intentional and the thighs were an *awrah*, the Prophet would not have left them uncovered because he is protected from sin (*ma'shum*). If it is said that the opening of the Prophet's thigh for a long time aims to explain the permissibility in urgent conditions, then this statement is still possible. But there is still a side that needs to be criticized, because if it is true, it will undoubtedly be a necessity to explain afterwards, as with the problem of forgetting during prayer. While the context of this second hadith in the narration of Abu Awanah and al-Jauzaqi through the route of Abdul Warits from Abdul Azis clearly

states that the incident took place over a long period of time, "So the Messenger of Allah was walking in the streets of Khaybar, and my knee touched his thigh, and indeed I saw his white thigh" (Asqalani, 2000).

In the narration Imam Bukhari uses the wording "then the Prophet uncovered", with the wording *hasara* (*muta'addi*, needing an object). This is supported by the narration that he mentioned without a sanad in *al-Jami' al-Shahih* before the second tradition, where he said, "Anas said, "The Prophet revealed."

Some other narrators used the word *inhasara* (*lazim*, no object needed), which means uncovered - possibly unintentionally. However, their reasoning is not based on sound evidence, because it is not a requirement that the word in the Muslim narration cannot be different from the word in the al-Bukhari narration. It is sufficient to prove that the word in the narration of al-Bukhari reads *hasara* as mentioned (Bukhari, 2009).

The word *inhasara* is not only narrated by Muslim but also by Ahmad from Abu Aliyah. Likewise narrated by al-Thabrani from Ya'qub (one of Imam Bukhari's teachers), al-Isma'ili from al-Qasim bin Zakariya from Ya'qub who has been mentioned with the words "So the Prophet Muhammad was walking in the streets of Khaibar, suddenly his sarong fell off". Then al-Isma'ili said, "This is what is narrated in my report, with the word *kharr* (falling). If this narration is correct, then there is no evidence to suggest that the thigh is not *awrah*. But if Imam Bukhari's narration is correct, then it indicates that the thigh is not an *awrah*. This is based on the view that Imam al-Bukhari's narration is that "the Prophet removed the sarong from his thighs when he was about to get on a vehicle to make things easier."

If you list the words *hasara* and *inhasara*, you will get the following conclusions:

No	Words <i>hasara</i>	Words <i>inhasara</i>
1	Shahih Bukhari	Musnad Ahmad
2	Sunan Kubra al-Baihaqi	Shahih Muslim
3		Mu'jam al-Kabir at-Thabarani

Table 1. Words *hasara* and *inhasara* in the book of hadith

Related to the limits of *awrah*, *madzhab al-arba'ah* have opinions as follows. The Hanafi *madzhab* is of the opinion that a man's *awrah* starts from the navel to the knee. The navel is *awrah* but the knee is not *awrah*. The Syafi'i and Hambali *madzhabs* are of the opinion that the male *awrah* is the limbs between the navel and the knees. Both are not aurat but must be covered. The Maliki school is of the opinion that there are two types of *awrah* for men: *mughalladzah* (heavy, not to be shown to others), which includes the front and back genitals, and *mukhaffafah* (light, may be seen under certain conditions, although it is better to cover it), which includes the limbs between the navel and knees in addition to the two genitals (Jaziri, 2010).

Imam Nawawi in *Syarh Shahih Muslim* said: The Maliki *madzhab* is of the opinion that the thigh is not *awrah*. While the Syafi'i *madzhab* says that the thighs are *awrah*. *Ashhab Syafi'iyah* considered the uncovering of the Prophet Muhammad's sarong to be unintentional because the conditions at that time were crowded and the Prophet Muhammad was on a vehicle. While Anas bin Malik who saw the Prophet's thigh spontaneously was not intentional. Likewise, the contact between Anas' knee and the Prophet's thigh was not intentional. This is what the Syafi'i *Madzhab* chooses, the permissibility of exposing the *awrah* if it is done unintentionally and under certain conditions. In addition, many hadith wording reads *inhasara al-izaru* (the Prophet's sarong was revealed)

not *hasara al-izara* (the Prophet revealed his sarong) (Muslim, 2000).

In more detail, the limits of the *awrah* according to the Syafi'i *madzhab*, which is the *madzhab al-fiqh* followed by the majority of Indonesian Muslims, as said by Imam Nawawi, are divided into five opinions. First, the *awrah* of men is between the navel and knees, both of which are not included in the *awrah*. Second, the navel and knees are *awrah*. Third, the navel is aurat while the knees are not. Fourth, the knees are *awrah* and the navel is not. Fifth, the *awrah* of men is only the genitals. This is a weak opinion (Nawawi, 2000).

To facilitate the opinion of the scholars regarding the limits of the *awrah* of men who derive from the two traditions above, the author presents them in the following table:

No	Madzhab	Limits of Awrah
1	Hanafi	From the navel to the knees (both are awrah)
2	Maliki	Between the navel and the knees (both are not aurah)
3	Syafi'i	Between the navel and the knees. Both are not awrah but must be covered, based on the principle that <i>ma la yatimmu al-wajib illa bihi fahuwa wajib</i> .
4	Hambali	Between the navel and the knees. (Both are not awrah)
5	Dzahiri	Front and back pubes
6	Al-Ustukhri	Front and back pubes

Table 2. Limitations of *awrah* from the perspective of *madzahib arba'ah*

After looking at the discourse related to the *istidlal* of the *madzahib arba'ah* addressing the *mukhtalif al-hadith*, we can take a lesson that not all traditions that are seen from the *sanad* aspect are stronger are chosen as the basis of law by the *madzahib arba'ah*. The hadith that is stronger in terms of its *sanad*, namely the one narrated by

Anas bin Malik regarding the Prophet Muhammad exposing his thigh, is not used as a ruling that the thigh is not an *awrah*. On the other hand, a hadith with a less strong chain of transmission about the thigh being an *awrah* was chosen as the basis for the ruling.

Based on this explanation, all *madzhab* scholars agree that the thighs are *awrah*. The difference is related to the navel and knees. Some scholars consider them aurat while others say they are not. With this explanation, it means that there is room for tolerance for men whose knees are visible, such as soccer players or others.

## Conclusion

Based on the above discussion, there are two traditions that contradict each other on the surface regarding the male genitals. The first hadith comes from the Companion Jarhad who says that the thigh is an *awrah* for men. While the second tradition comes from Anas ibn Malik who said that the Prophet's thigh was seen during the Khaibar war. To resolve these two conflicting traditions the method of *al-jam'u* (reconciliation) is used. The implementation of the *al-jam'* (reconciliation) method in resolving the *mukhtalif al-hadits* is that the thigh is a male *awrah* that must be covered and not shown to others in all conditions unless it is accidentally exposed and for a short time. As for the *istidlal* taken by the scholars especially the *madzahib arba'ah*, it is by choosing the tradition that comes from Jarhad. All *madzahib arba'ah* agree that the thigh is included in the *awrah*. As for the scholars who consider the thigh is not *awrah* are Dawud Zhahiri and Ustukhri.

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