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TEXT ANALYSIS AND CONTEXT OF MUSLIM WOMEN'S AURAT ACCORDING TO FOUR SECTS

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ABSTRACT

Objectives: This study aims to identify the laws and restrictions of the Aurat of Muslim women according to the opinion of the four sects in dealing with Mahrams, foreign men, other Muslim women, and non-Muslim women.

Methods: This study uses a qualitative method through a textual and contextual content analysis approach. This analysis uses the books of muktabar from the four sects. The data obtained was then deductively and comparatively analyzed to create a law based on the views of the four sects.

Results: The results of the study show that the scholars of the four sects are unanimous and unequivocal in their view that women are obligated to cover their aurats during socializing. However, the study also found that there is disagreement among them regarding the restriction of women's aurat in front of mahrams, foreign men, fellow Muslim women, and non-Muslim women.

Conclusion: Each sect adheres to its opinion based on the evidence, reasons and methods it uses in determining the right and restriction of aurat of Muslim women in public.

Keywords: Aurat, Four Sects, Muslim Women, Religion.

ANÁLISE DE TEXTO E CONTEXTO DO AURAT DAS MULHERES MUÇULMANAS DE ACORDO COM QUATRO SEÇÕES

RESUMO

Objetivos: Este estudo visa identificar as leis e restrições do Aurat das mulheres muçulmanas de acordo com a opinião das quatro seitas no trato com Mahrams, homens estrangeiros, outras mulheres muçulmanas e mulheres não-muçulmanas.

Métodos: Este estudo utiliza método qualitativo por meio de abordagem de análise de conteúdo textual e contextual. Esta análise utiliza os livros de muktabar das quatro seitas. Os dados obtidos foram então analisados dedutivamente e comparativamente para criar uma lei baseada nas opiniões das quatro seitas.

Resultados: Os resultados do estudo mostram que os estudiosos das quatro seitas são unânimes e inequívocos na sua opinião de que as mulheres são obrigadas a cobrir os seus aurats durante a socialização. No entanto, o estudo também descobriu que há desacordo entre eles em relação à restrição do aurat das mulheres na frente de mahrams, homens estrangeiros, mulheres muçulmanas e mulheres não-muçulmanas.

Conclusão: Cada seita adere à sua opinião com base nas evidências, razões e métodos que utiliza para determinar o direito e a restrição do aurat das mulheres muçulmanas em público.

Palavras-chave: Aurat, Quatro Seitas, Mulheres Muçulmanas, Religião.

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ANÁLISIS DEL TEXTO Y CONTEXTO DEL AURAT DE LAS MUJERES MUSULMÁN SEGÚN CUATRO SECTAS

RESUMEN

Objetivos: Este estudio tiene como objetivo identificar las leyes y restricciones del Aurat de las mujeres musulmanas según la opinión de las cuatro sectas al tratar con Mahrams, hombres extranjeros, otras mujeres musulmanas y mujeres no musulmanas.

Métodos: Este estudio utiliza un método cualitativo a través de un enfoque de análisis de contenido textual y contextual. Este análisis utiliza los libros de muktabar de las cuatro sectas. Luego, los datos obtenidos se analizaron deductivamente y comparativamente para crear una ley basada en las opiniones de las cuatro sectas.

Resultados: Los resultados del estudio muestran que los estudiosos de las cuatro sectas son unánimes e inequívocos en su opinión de que las mujeres están obligadas a cubrir sus auras durante la socialización. Sin embargo, el estudio también encontró que hay desacuerdo entre ellos con respecto a la restricción del aurat de las mujeres frente a mahrams, hombres extranjeros, mujeres musulmanas y mujeres no musulmanas.

Conclusión: Cada secta se adhiere a su opinión basándose en la evidencia, las razones y los métodos que utiliza para determinar el derecho y la restricción del aurat de las mujeres musulmanas en público.

Palabras clave: Aurat, Cuatro Sectas, Mujeres Musulmanas, Religión.

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1 INTRODUCTION

In recent years, Muslim women fashion has become increasingly popular with various styles of hijab. Models such as blouses, culottes, tutu skirts, bella square hijabs, and others are highly sought after. This Muslim fashion is easily matched for various occasions. The increase in public preferences has led to a variety of products to meet demand, while Muslim communities are also becoming more aware of choosing products that comply with Islamic law (Nur Fitri Rahmawati, Iwan Sukoco, Bambang Hermanto, Arianis Chan, 2023).

The syariah has prescribed an act of worship for women to be followed and performed, especially about the covering of the aurat. Women are only allowed to show parts of themselves in certain areas and in front of certain permissible people. The legal provisions regarding the covering of the aurat have been explained by Allah SAW in the Qur'an.

Verse 33 in Surah al-Ahzāb explains that women must know the foundation regarding the aurat covering and the obligation of taking care of their aurat in order to create a high value social interaction that pleases Allah (al-Qurṭūbī, t.t). The purpose of covering the aurat is to enhance and preserve the dignity of Muslim women. Covering the aurat is a requirement for

humanity because it is a natural characteristic that exists in every Muslim woman (Akmal Mohd Zaid, 2003).

The Prophet (peace and blessings of Allah be upon him) also warned that there are two groups of whom will inhibit the Hell, one of whom would be dressed but appear to be naked. Their heads would be like the humps of the bukht camel inclined to one side. They will not enter Paradise and they would not smell its odour whereas its odour would be smelt from such and such distance. (HR. Muslim No. 2128).

2 THE CONCEPT OF AURAT

Covering the aurat means not exposing the aurat, parts of a woman's body which exposed is haram, or a part of bodythat is obligatory to be covered and concealed and it is haram for the non-mahrams to see them (Lūīs Ma'lūf, 2002 and Zaidān, 1993). In addition, aurat is also known by the term jilbab (Arabic: *jilbāb*). The word *jalābīb* is the plural of jilbāb and means Qamīs (a kind of clothing covering the whole body, *khimār* (veil), outer garment like a blanket (Lūīs Ma'lūf, 2002 and Harun, t.t.).

From an Islamic perspective, thejilbab is a garment (long *baju kurung*, a type of robe) that covers the entire body, including the jilbab and the cloth covering the outside of the shirt, like a blanket or raincoat (al-Munawwir, 1997 and Harun, t.t.). Ibn Hajar al-Athqalānī (d. 852 H) said that the jilbab is *muqanna'at,* i.e. a hijab or wider than it, a garment whose width is smaller than the covering cloth, the shawl, the cloth covering the neck and the *baju kurung* (al-Athqalāni, tt).

Ibn al-Athīr (d. 630 H) said that the hijab is a cloak with which women cover the whole body (Ibn al-Athīr, t.t.). Al-Syibawī argues that thejilbab is a garment that covers the whole body, and every woman is more aware of the garment that covers her whole body without having to learn the procedure of wearing it (Al-Atharī, 2007).

Al-Qurṭubī (1367) said in his tafsir that the jilbab means a cloth that is larger than the *khimār* (veil), while the true hijab, in his opinion, is a cloth that covers the whole body (Al-Qurṭubī, 1367). Ibn Kathīr (d. 774 H) cited the jilbab as a kind of shawl worn over the *khimār* and now having the same function as the *izār* (Ibn Katsir, 1999 and al-Albānī, 2002).

According to Bin Bāz (2010), the jilbab is a fabric worn as an outer layer on the head and body after wearing the inner layer of the fabric. The jilbab is thus a cloth worn by women to cover the head, face, and the whole body. The cloth used as a head covering is called *khimār*. Women cover the head, face, and all parts of the body with the jilbab. (Bin Bāz, 2010). He

also said that the jilbab is a *ridā'* worn over a *khimār* (veil), like the dress of Saudi women, which is *abāya* (Bin Bāz, 2010).

Al-Albānī (2002) considers any jilbab to be a *ḥijāb*, but not all hijabs are jilbab, it seems, so the word *ḥijāb* is sometimes meant as jilbab. The other meaning of *ḥijāb* is something that covers you or keeps you from something, either in the form of a wall or something else (Al-Albānī, 2002).

Anwār al-Qasymirī (2007) said that the jilbab is a robe that covers from the tip of the head to the feet (Al-Atharī, 2007). Al-Khallāf (died 474 H) describes the jilbab as not limited to aname, a type, or a color, but the hijab is any garment worn by women to cover parts of their jewelry, whether the jewelry is permanent or removable (Al -Atharī, 2007).

2.1 TEXT AND CONTEXT

Scholars differ in their understanding of the Qur'anic text and the hadiths about the aurat of Muslim women. Moreover, the scholars of each sect also have their fiqh method of arriving at a law. The Hanafi school, for example, uses the Qur'an, the Sunnah, the *Qiyās* and the *Istiḥsān* as sources of law (Zaidān, 1976). The Maliki school uses al-Quran, al-Sunnah, Ijmak, *Qiyās*, Practiceof the People of Madinah the words of the Companions, *Istiḥsān, Saddu al-Zarāi'*, *Murātu al-Khilāf, Istisḥāb, Maslaḥaṯ Mursalaṯ, and Syar'u Man Qablanā* (the law of the former Prophet) in concluding a law (Zaidān, 1976 and Abu Zahrah, 1982).

Mazhab al-Syafi'iyah uses al-Quran, al-Sunnah, Ijmak and *Qiyās* as a legal source to conclude a law in matters of fiqh (Zaidān, 1976; Ibn Hazam, t.t and al-Khallāf, 1984). The Hanābilah school uses al-Quran, al-Sunnah, Ijmak of the companions, Fatwa sahabi, *Qiyās, Istisḥāb, Maslaḥaṯ Murṣalaṯ* and *Saddu Zarā'i* as sources of law in matters of fiqh (Ibn Hazam, tt; Zaidān, 1976; Khalil, 2004; al-Qarāfī, 1972; al-Ghazālī, 1997 and Hasbī al-Ṣiddīqqī, 1997).

However, are the differences in the views of the scholars of the sect from the point of view of the text or the context of the of the surrounding society? The method of fiqh mentions *taghyīru al-fatwa bihasbi taghyīru al-azminaṯ was al-Amkinawasa al-Ahwāluwasa al-Niyawaswa al-'Awā, d*" i.e. change of fatwa due to change of time, place, situation, intention and habit (A. Djazuli, 2006). Also the method of *al-hukmu yadūru ma'a al-'illaṯ wujūdā aw 'adamā* i.e. a law is subject to the existence or absence of its' *illaṭ* (Jaih Mubarak, 2002). This means that a law can change due to a change of reason *(al-'illaṯ).*

Based on this discussion, the scholars have their definition and method of fiqh in concluding a law. Therefore, this paper examines the views of four schools related to the aurat

of Muslim women in association with mahrams, foreign men, fellow Muslim women and non -Muslim women according to the text and context of society at that time.

3 LITERATURE REVIEW

Books that discuss the aurat of Muslim women, such as *Fiqh 'alā Mazāhibi al-Arba'aṭ* by Abdul Rahman bin Audh al-Jazīrī (tt). Book entitled Jilbāb al-Mar'aṯ al-Muslimaṯ fi al-Kitāb wa al-Sunnaṯ was written by Muhammad Nasiruddin al-Albānī (2002) and a book titled Hijāb al-Mar'aṯ Muslimaṯ wa Libāsuhā fi al-Ṣalaṯ was written by Ibn Taimiyah (1985). Scholarly studies disputing the obligation to cover the head (hair) and hands including the aurat is a dissertation entitled "The Limits of Women's Aurat in "*Tafsīr al-Misbāḥ"* by Saifullah Ali, S.Th.I (2008) and the study of Muhammad Quraish Syihāb's "Thoughts on Limits Aurat Wanita" by Yusuf Abdul Rahman (2017). M. Quraisy Syihāb is the author of the book "Tafsīr al-Misbāh" and "Earthing the Qur'an", which has his own view on the law of women's aurat, that women can expose the head, hands, and feet (M. Quraisy Syihāb, 2002). This is also can be seen in Muhammad Sa'īd al-Asymawī's (2003) book entitled "Criticism of the Hijab".

There are also differing views on the meaning of Muslim women's aurat. The word aurat comes from the Arabic word al-'auraṭ and means shame, blesmish, fault or something to be ashamed of (Al-Munawwir, 1997 and Lūīs Ma'lūf, 2002). Covering the aurat, on the other hand, means using something to conceal a fault or blemish from being seen by others (Lūīs Ma'lūf, 2002; Zaidān, 1993; Ibn al-Athīr, t.t. and Al-Abādī, 2005).

4 METHODOLOGY

This paper uses a library method to analyze data, which is an objective description of a printed, broadcasted or illustrated message. In other words, this part of the message can be retrieved and viewed by referring to the content of the text for the word, meaning, the thematic idea for whatever the message communicates (Sabitha Marican, 2005 and Babbie, 2010).

According to Fraenkel and Wallen's (1993) definition, document analysis is similar to written content analysis, and almost all types of written communication content can be analyzed in different ways. The beliefs, attitudes, values and, ideas of a person or group are often expressed in the documents they produce (Fraenkel & Wallen, 1993).

Referenced materials include the books turāth the scholars of the four sects namely the sect Mālikiyaṭ such as *al-Syarḥu al-Kabīr 'ala Mukhtasar Khalil, Ḥāsyiaṯ al-Dusūqī 'ala Syarḥi*

al-Kabīr, Syarḥu al-Kitāb Sir al-Kabīr, Mawāhibu al-Jalīl Syarḥu Mukhtasar Khalil, al-Taj wa al-Iklī li Mukhtasar Khalīl.

The books of the Hanafiyyaṭ sect are al-Mabsūṭ, *Badā'i al-Ṣanā'i fī Tartīb al-Syarā'i, al-Hidāyaṭ Syarḥu Bidāyaṯ al-Mubtadī, Fathu al-Qadīr, al-'Ināyaṯ Syarḥu al-Hidāyaṯ, al-Hidāyaṯ Syarhu al-Bidāyaṯ, Raddu al-Muḥtār 'ala al-Dar al-Mukhtār, al-Dar al-Mukhtār Syarḥu Tanwīru al-Abṣār, Tibyīn al-Ḥaqā'iq Syarḥu Kanzu al-Daqā'iq wa Bihāmisyīhi Ḥāsyiah Syiblī, Majmū' al-Anhar fi Syarḥi Multaqa al-Abḥār, Jāmi' Ahkām al-Ṣighār.*

The books of the Syāfi'iyaṭ sect are *al-Umm li Syafi'i bi Riwāyaṭ al-Rabī' Sulaimān al-Maradī Kitāb Mukhtaṣar al-Muzanī, Nihāyaṯ al-Muḥtāj ila Syarḥi al-Minhāj, al-Majmū' Syaraṯ al-Muhadhab.* While the books of the Hanbaliyaṭ sect are *Kasyāf al-Qinā' al-Matan al-Iqnā', Syarḥu Muntahā al-Idāraṯ (Syarḥu Muntahā), al-Mughnī, al-Mustaqni', al-Muqni' li Ibnī Qudāmaṯ*. Apart from these, the study of tafsir books, hadiths, *uṣūl fiqh, maqāsid*, and the works of contemporary scholars, as well as other books such as journals and conference papers used as references for collecting data and information.

Next, all the general data and information on the topic are collected, then a specific statement is made (Mohd Michael, 1995 and Barnadib, 1982) and the content analysis method is used to make a comparison of the laws and restrictions on the aurat of Muslim women in the public based on the views of the four sects. The method of analyzing legal texts, analytical approach, and comparative approach used will be more suitable and relevant to the current context (Thamir Salih Hamad, Tayma Mahmoud Fawzi al-Sarraf, 2023).

5 ANALYSIS OF THE LAW OF THE FOUR SECTS

The results of the content analysis of the views of the scholars of four sects about the text and context of the aurat of Muslim Women in public are as follows:

5.1 LAWS AND LIMITATIONS OF MUSLIM WOMEN'S AURAT IN THE PRESENCE OF

5.1.1 Mahram Men

Generally, the syariah law has mentioned the need for Muslim women to cover their aurat. As for specifically in the presence of mahram men, the syariah laws and limitations have been prescribed in order to ease women to socialize and at the same time to be able to carry out

religious demands, which is to protect and cover their aurat. The scholars when discussing the matter refer to Surah al-Nūr verse 31. The verse is about how the Muslim women are allowed to expose parts of her aurat according to certain limits that have been set. However, the scholars among the four sects differed on the specific limitations in determining the law and the limitations.

According to scholars, such as al-Jaṣṣaṣ (died in 370 H) in the Hanafi school, a Muslim woman can expose in front of a mahram man are the face, head, hair, ears, neck, chest, breasts, both palms, both elbows, both calves and both toes. This is because, all the parts are counted including the outer adornment. This opinion, is based on surah al-Nūr verses 30 and 31. Al-Rāzī understands the word "adornment" in the verse with two (2) meanings. First, the external adornment is like the female parts of body mentioned above. Second, hidden adornment, meaning the back parts of the body such as the abdomen, back, genitals, both thighs and knees (Al-Rāzī, 1357; Al-Jaṣṣaṣ, 1335; Al-Sarkhasī al-Ḥanafī, 1324; Al-Kasānī, 132 and Zaidān, 1993). In short, it can be concluded that according to Hanafiyah, the external body parts can be exposed in front of the mahram, while the other body parts cannot be exposed.

According to Maliki scholars, such as Muhammad al-'Adawī al-Malikī al-Dardir (died in 1201 H), the law and limitations of the aurat of a Muslim woman with her mahram is the whole body except the face, hair, neck, hands and feet. Although the body part can be exposed, it is required that the mahram man who sees it does not arouse physical desire. If otherwise, then the part of the body is forbidden to be exposed (Al-Dardir, t.t.). This prohibition is not because it includes the restriction of aurat but because of looking with arousing physical desire. As for parts of body other than those mentioned above, such as the chest, breasts, back of the body, and calves, it is haram to expose them, even in the presence of the father himself because those parts include the aurat (Al-Dusūkī, tt; Al-Hitham, 1328 and Zaidān, 1993). In addition to the above opinion, Abdurrahman al-Haitham (died in 1039 M), a Maliki scholar argued that a mahram man should not look at his teenage mahram aurat except the face repeatedly (Al-Hithab, 1328). This opinion suggests that women should not expose between the navel and breasts (chest). As for other parts of body, women can expose them provided they do not cause a sexual desire.

Syihabuddin al- Ramli (died in 757 H) Syafi'iyah scholars also think that the aurat of a Muslim woman in front of a mahram man is in the part that is usually exposed when wearing clothes at home or when doing chores in the house. For example, face, head, neck, both hands to elbows and feet to knees. While other than those parts can not be disclosed. In addition, there are views that the aurat of a Muslim woman in front of her mahram is between the navel and

the knee. While other parts of body from the mentioned above, the law says it is permissible (harus) as long as it does not lead to sexual desire. This is because other the parts mentioned are not considered as the aurat with mahram men (Al-Ramlī, 1357; Ibn Qudāmaṯ, 1367 and Zaidān, 1993). The above opinion can be concluded that a woman should not expose her parts of body to the mahram except for the normally exposed parts of the body which are the face up to the neck, both hands up to the elbows and both feet up to the knees.

According to Hanābilah scholars, such as Ibn Qudāmaṯ al-Maqdisī (died in 629 H), a woman in front of her mahram is obliged to cover all parts of body except the face, knees, head, hands, toes and calves. The other parts of body than those mentioned above cannot be exposed, for example the parts of body below the naval. This is because, there is no reason to reveal it unless such disclosure can lead to sexual desire as well as slander (Ibn Qudāmaṯ, 1367 and Zaidān, 1993). This opinion is the same as the opinion of the Syafi'iyah school above which forbids the exposure of the whole body except those that are usually exposed when doing housework.

The above opinion is also supported by the explanation of al-Buḥūtī (died in 1051 H), for Muslim woman to reveal to a mahram man only the face, knees, head, both hands, both feet, calves and the like (Al-Buḥūtī, 1319 and Zaidān, 1993).

Based on all the above opinions, it can be concluded, it is not permissible for a pubescent woman to expose her parts of body except the face and both arms. This aims to prevent everything that can lead to something that is forbidden, whether something destructive or harmful and to maintain manners and customs of dressing according to the suitability of the views of the society or a race.

All the opinions of the scholars of the above sects related to the law and limitations of the aurat of Muslim women in front of mahram men can be summarized as in Table 1.1.

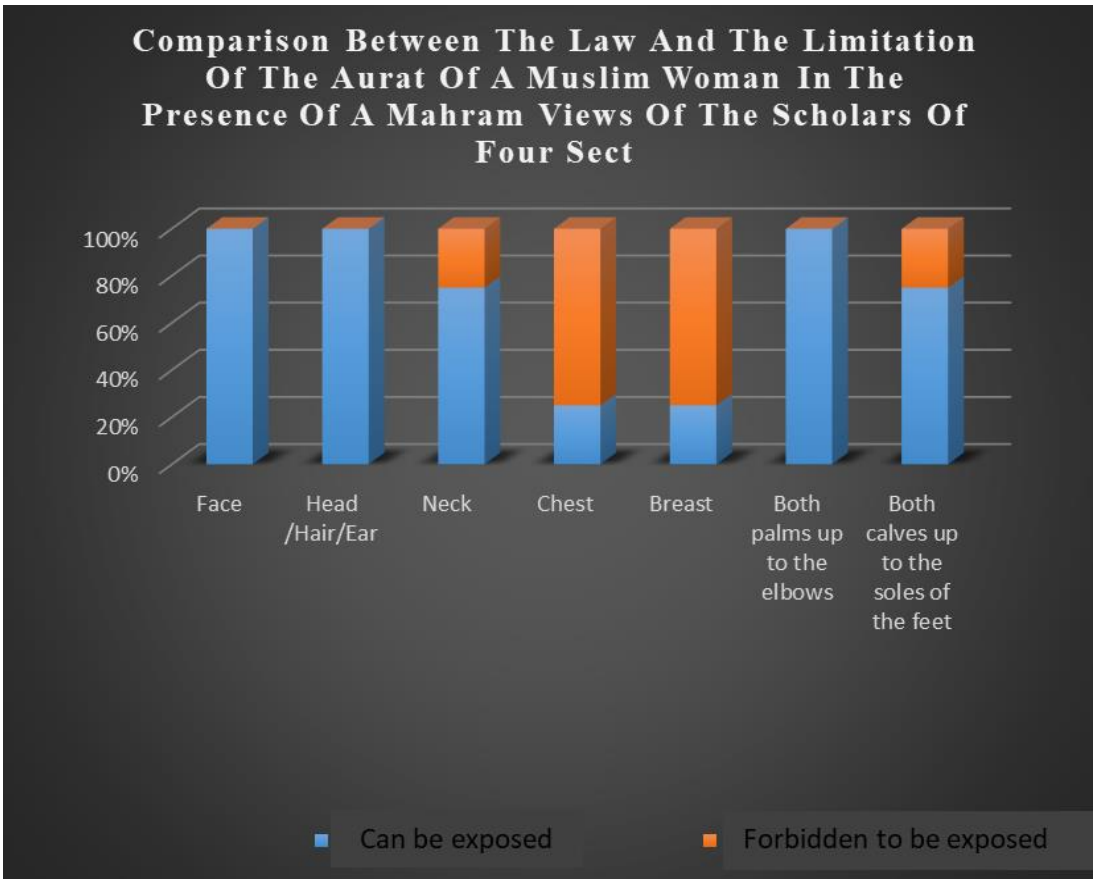
Table 1

Comparison between the law and the limitation of the aurat of a Muslim woman in the presence of a mahram

Aspect Comparison / Sect	Hanafiyah	Malikiyah	Syafi'iyah	Hanābilah
Face	Can be exposed	Can be exposed	Can be exposed	Can be exposed
Head /Hair/Ear	Can be exposed	Can be exposed	Can be exposed	Can be exposed
Neck	Can be exposed	Can be exposed	Can be exposed	Forbidden To be exposed
Chest	Can be exposed	Forbidden to be exposed	Forbidden to be exposed	Forbidden To be exposed
Breast	Can be exposed	Forbidden to be exposed	Forbidden to be exposed	Forbidden to be exposed
Both palms up to the elbows	Can be exposed	Can be exposed	Can be exposed	Can be exposed
Both calves up to the soles of the feet	Can be exposed	Forbidden to be exposed	Can be exposed	Can be exposed

Figure 1

Comparison Between the Law and the Limitation of the Aurat of a Muslim Woman in the Presence of a Mahram Views of the Scholars of Four Sect



5.1.2 Laws and Limitations of Women's Aurat in the Presence of Foreign Men (Ajnabī)

The above discussion explains that the syariah has given certain degree of flexibility for women in covering their aurat in front of mahram men. While the aurat of women in front of foreign men *(ajnabī)* is tighter and firmer. The scholars differ in determining the limits of the aurat.

5.1.2.1 Whole Body of a Woman is Aurat

According to the scholars of the Hanafiyah school, al-Sarkhasī al-Hanafī (died in 490 H) the whole body of a woman is aurat. Therefore, women are forbidden to expose their parts of body in front of foreign men *(ajnabī)*, including the face. His reason is that if a man looks at a woman's face then it can still cause attraction and lead to sexual desire and this will cause *fitnah*. However, if there is a specific need, such as receiving and giving an item then the face can be exposed. However this opinion is agreed upon by a small number of Hanafi scholars only (Al-Sarkhasī, 1324; al-Kasānī, 1327 and Ibn ‘Abidin, 1386). This opinion is also agreed upon by some scholars from the Hanābilah (Ibn Qudāmaṯ, 1367) and Malikiyah (Al-Dusūkī, tt; Al-Mawāq, 1328 and Al-Dardir, tt) as well as other scholars (Ibn Hazam, tt; Ibn Taymiyyah, 1381 and Zaidān, 1993).

5.1.2.2 Whole Body of a Woman is Aurat except Face and Both Palms

According to Muhammad ‘Arafaṯ al-Dusūkī (died 1230 H), one of the Maliki scholars, states that the entire body of a woman is aurat except the face and both palms. However, if it is feared that it may cause *fitnah*, then both must also be covered and it is considered to include as aurat (Al-Hitham, 1328 and Zaidān, 1993). In addition, there are some scholars believe it is obligatory to cover, even if both parts do not include as the aurat (al-Dusūkī, t.t; al-Hitham, 1328 and Zaidān, 1993).

Nevertheless, the majority of Maliki scholars agree that a woman's aurat in front of a foreign man *(ajnabī)* is the whole body except the face and both palms. But if it is feared that the situation may give rise to *fitnah*, both must be covered and it is considered aurat (al-Dusūkī, t.t; Al-Mawāq, 1328; Al-Dardir, t.t; Ibn Hazam, t.t and Zaidān, 1993).

As for the opinion of the Syafi'iyah school, as Imam al-Syafi'i stated that the limitation of a woman's aurat is the whole body except the face and both palms (al-Muzanī, 1381 and Zaidān, 1993).

The scholars of the Hanbali sect also mention that the entire body of a woman must be covered, except the face and both palms (Ibn Qudāmaṯ, 1367). However, for him, revealing the two parts of the body is considered makruh (Ibn Qudāmaṯ, 1367 and Zaidan, 1993).

5.1.2.3 The Whole Body of a Woman is Aurat Except the Face, Both Palms and Feet

Al-Mawāq one of the scholars among the Malikiyah argued that the entire body of a woman is aurat except for the face, palms and feet (Al-awāq, 1328 Zaidān, 1993). Based on the opinion of the Maliki scholars above, they have a different opinion that women are prohibited from exposing their aurat except the face, both palms and feet. Even so, if the exposure can provoke sexual desire of others then that parts of body must be covered.

Similarly with the Shafi'i school, in addition to the opinion as mentioned above, there are also the opinion of other Shafi'i scholars, such as Sulaiman al-Marādī (370 H) said that all female parts of body are aurat except the face, two palms and both soles of the feet. top (Al-Marādī, 1381). This opinion is also mentioned by al-Nawawi who quotes that there is the opinion of scholars among the Syafi'iyah who say that the upper sole of the foot does not include the aurat (Al-Nawawī, t.t)

It can be concluded from the above opinions; women are prohibited from exposing their aurat in front of foreign men except the face and both palms only. However, the opinion that says covering the face is circumcision is more appropriate. This is for certain reasons such as, *maslahaṭ mursalaṭ* which is to preserve the purpose of the law by rejecting disasters, damage and things that harm human beings due to needs and desires. For example, in bermuamalah, that is giving, receiving something, buying and selling, as a witness in court and so on and also this opinion is the opinion of the majority of scholars.

All the opinions of the scholars of the above sects related to the law and limitations of the aurat of Muslim women in front of foreign men (ajnabī) can be summarized based on table 1.2.

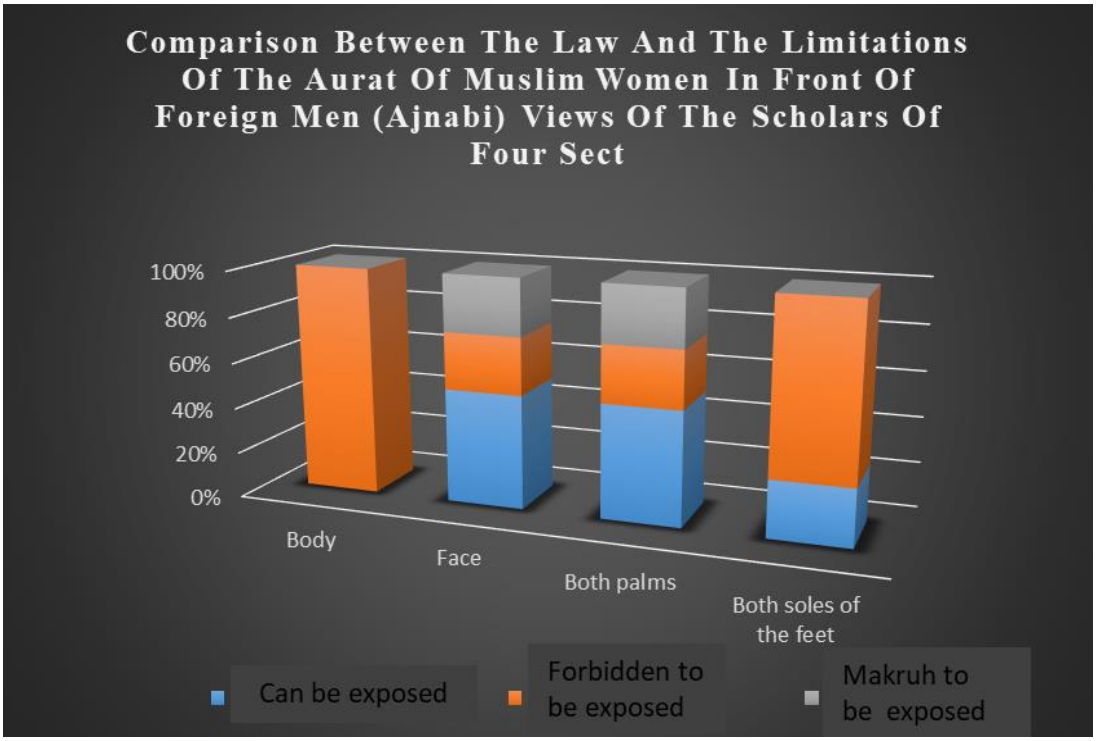
Table 2

Comparison between the law and the limitations of the aurat of Muslim women in front of foreign men (ajnabi)

Aspect Comparison / Sect	Hanafiyah	Malikiyah	Syafi'iyah	Hanābilah
Body	Forbidden to be exposed	Forbidden to be exposed	Forbidden to be exposed	Forbidden to be exposed
Face	Forbidden to be exposed	Can be exposed	Can be exposed	Makruh to be exposed
Both palms	Forbidden to be exposed	Can be exposed	Can be exposed	Makruh to be exposed
Both soles of the feet	Forbidden to be exposed	Can be exposed	Forbidden to be exposed	Forbidden to be exposed

Figure 2

Comparison between the law and the limitations of the aurat of Muslim women in front of foreign men (ajnabi)



5.1.3 Laws and Limitations of Aurat in the Presence of Fellow Muslim Women

The shari'ah gives flexibility to women by allowing Muslim women to expose parts of their aurat in front of other Muslim women. The majority of scholars among the Hanafiyah, Malikiyah and Hanābilah sects agree that it is permissible for a woman to expose her entire body in front of other Muslim women except the part between the navel to the level of the knee.

This means that both parts are absolutely forbidden to be disclosed (Al-Kasānī al-Hanafī, 1327; Al-Hitham, 1328; Al-Ramlī, 1357; Al-Sarkhasī al-Hanafī, 1324; Ibn Qudāmaṯ, 1367; Al-Buhūtī, 1319 and Zaidān, 1993). However, the scholars differ in determining the limits of the law of women's aurat when looking at other Muslim women, whether the law prohibits absolutely or with certain conditions. The different views of the scholars in this matter can be divided as follows:

5.1.3.1 Can be revealed absolutely, whether it arouses sexual desire or not

According to the scholars of the Hanafiyah, Malikiyah, and Hanābilah sects, a Muslim woman can expose her entire body in front of other Muslim women except the part between the navel to the knee. This, whether it arouses sexual desire or not, is absolute (Al-Kasānī al-Hanafī, 1327; Al-Hitham, 1328; Al-Ramlī, 1357; Al-Sarkhasī al-Hanafī, 1324; Ibn Qudāmaṯ, 1367 and Al- Buḥūtī, 1319). The above is the opinion of the majority of scholarswho represent their respective sects.

5.1.3.2 Can be expose, if does not arouse sexual desire

According to the Syafi'iyah school of thought, a woman can expose her entire body except for the part between the navel to the knee provided it does not cause arousal and *fitnah*. If it provokes sexual desire and *fitnah* then the parts of body should be covered (Al-Ramlī, 1357 and Zaidān, 1993).

Ibn Taymiyyah (died in 728 H) also said that if the revelation can cause sexual arousal and *fitnah*then it is obligatory for Muslim women to lower their gaze, as well as to restrain and keep themselves from sexual desire (Ibn Taymiyyah, 1328).

The conclusion from the above discussion is the opinion of the majority of scholars that allows Muslim women to see other Muslim women all over the body except the part between the navel to the knees provided it does not causearousal of sexual desire and *fitnah*. If one is afraid of causing arousal and *fitnah* then it is haram to disclose (Zaidān, 1993). Both opinions are based on the basis of the syari'ah which requires an evaluation of the moral principles in the method of fiqh, *saddu zarā'i* which is to prevent everything that can lead to something that is forbidden, includes something that is harmfuland which is the basis of the syari'ah and *'urf* which is a practice based on the soul (feeling) by the testimony of the intellect acceptedby the human natural habits. Therefore, in order to prevent the moral and ethical collapse that may

occur and to prevent impious women who are shameless, immoral and uncivilized, therefore women can only expose their hair, neck, both arms and knee level down.

All the opinions of the scholars of the above sects related to the law and limitations of the aurat of Muslim women in front of other Muslim women can be summarized based on Table 1.3.

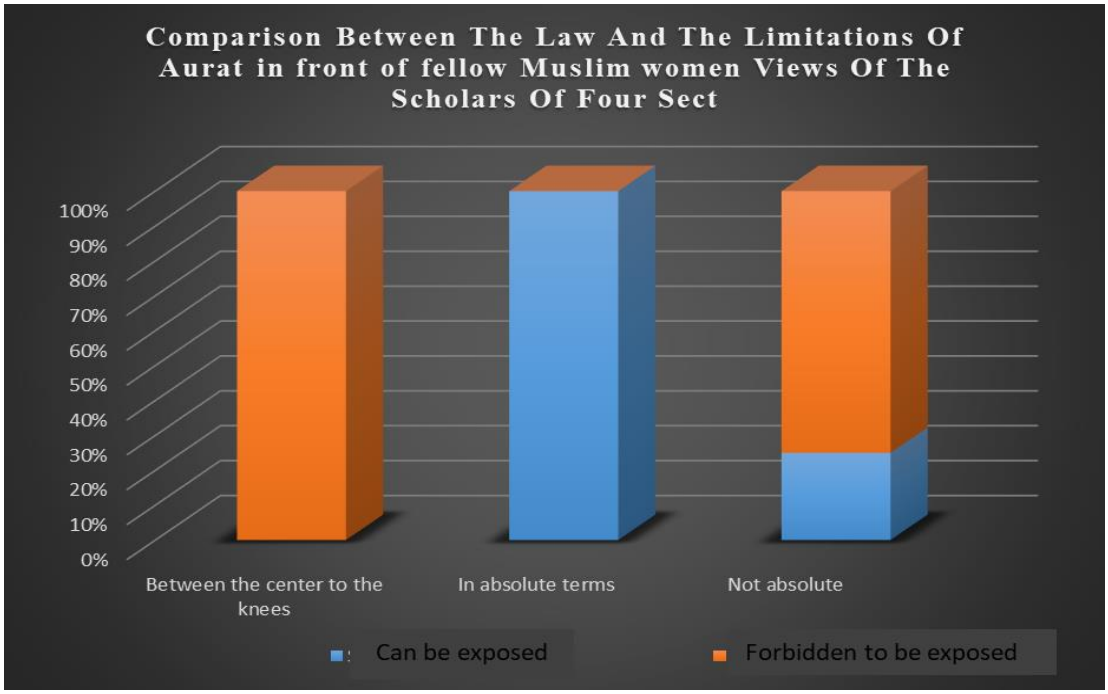
Table 3

Comparison between the law and the limitations of aurat in front of fellow Muslim women.

Sect / Aspect Comparison	Hanafiyah	Malikiyah	Syafi'iyah	Nasiriyahh
Between the center to the knees	Forbidden to be exposed	Forbidden to be exposed	Forbidden to be exposed	Forbidden to be exposed
In absolute terms	Can be exposed	Can be exposed	Can be exposed	Can be exposed
Not absolute			Can be exposed	

Figura 3

Comparison between the law and the limitations of aurat in front of fellow Muslim women



5.1.4 Laws and Limitations of Muslim Women's Aurat in the Presence of Non-muslim Women

The scholars differed when explaining the aurat of a Muslim woman in front of the Non-muslim women. Each scholar among the sects has its own reasons. The disputed matter is whether Muslim women are allowed to expose the entire body except for the navel to the level of the knee only or include the face, both palms, and feet. The opinions of these scholars can be detailed as follows:

5.1.4.1 Whole Body Except the Navelto Knee Level

As mentioned, the Hanafi scholar, Abu Bakr al-Marghinānī (died in 593 H) allowed non-Muslim women to see the aurat of Muslim women just as men were allowed to see the aurat of other men (Al-Marghinānī, 1315). This opinion is also agreed upon by Muhammad al-Sarkhasī al-Hanafī (died in 490 H) who said that the aurat of a woman with another woman is the same as a man looking at the aurat of a man (Al Sarkhasī al-Hanafī, 1324). This shows that a Muslim woman can expose her aurat in front of a non-Muslimwoman except between the navel to the level of the knee.

> Maliki scholars also state the same thing. Abdurrahman al-Hitham (died in 1039 M) said: “The law and the limitation of the aurat of Muslim women in front of another women, according to the most famous opinion is the same as the the aurat of men and men. That is between the navel to the knee only. This opinion is also mentioned in the book of al Madkhal, which is the law and limitations of the aurat of women with women as well as men with men, that is, the whole body can be exposed except between the navel to the knees”. (Al-Hithām, 1328, 1: 498-499 and Zaidān, 1993, 3: 258) This opinion was also agreed upon by Yusuf al-Mawāq (died in 646 H).
> This opinion was also agreed upon by Yusuf al-Mawāq (died in 646 H). He said:
> "According to the appearance of our school, the limits of aurat between women and women that can be exposed are all the parts that can be exposed by men with men" (Al-Mawāq, 1328, 1: 498-499).

Mazhab Syafi’iyah also says the same thing that a Muslim woman can expose all her parts of body except the part between the navel to the knees provided that it does not cause arousaland *fitnah*. The general opinion of Syafi’iyah’s scholars is based on qiyās between the aurat of men and men (Zaidān, 1993).

Based on all the above opinions, it can be concluded that a Muslim woman can expose her entire body to a non-Muslim infidel woman except the part between the navel to the level of the knee. However, Shafi'i scholars give conditions it should not cause arousal.

5.1.4.1 The Whole Body Except the Face, Both Palms and Feet

Muhammad Amin Ibn ‘Abidin (died in 1252 H), one of the scholars of the Hanafiyah school, argued that the aurat of a Muslim woman in front of a non-Muslim woman cannot be compared to the aurat of a Muslim woman with a Muslim woman. Therefore, according to him, the aurat of a Muslim woman in front of a non-Muslim woman should be compared between a Muslim woman and a foreign man *(ajnabī)*. This is because, according to him, non-Muslim women are forbidden to look at the aurat of Muslim women (Ibn Abidin, 1386). The opinion of the Hanafi school is detailed in the book of al-*Fatāwā Hindiyyaṯ,* which is haram for a Muslim woman to expose her aurat in front of a non-Muslim woman or a woman of the Book unless the woman is a slave (Muhyuddin Muhammad, 1310). Therefore, for him women are forbidden to expose their aurat in front of non-Muslim women except the face, both palms and feet.

This opinion is also agreed by the scholars of the Maliki, such as Muhammad al-‘Adawī al-Malikī al-Dardir (died 1201 H). He said, the aurat between Muslim women in front of non-Muslom women is the whole body except the face and both palms. Other than those two parts, it is unlawfull to disclose others. Thisis not because it is a restriction of aurat. This is to prevent the non-Muslim woman from telling the aurat of a Muslim woman to her non-Muslim husband. Therefore, the aurat of a Muslim woman is not only between the navel to the level of the knee, but also covers the face and both palms (Al-Dardir, t.t). This opinion is also agreed by Abdul Baqi al-Zarqaniī and Ibrahim al-Syabarkhitī who are also scholars of the Malikiyah, apart from the face and both palms other parts should not be exposed. Yet Ibrahim al-Syabarkhitī argues, the prohibition includes part of the aurat (Al-Dardir, t.t and al-Dusūkī, t.t).

In addition to the above opinion, there is also one of the scholars of the Syafi'iyah, al-Baqini who issued the same opinion. However, he gave a different reason that between the limits of the aurat of Muslim women in front of non-Muslim women, can not be compared (qias) with the aurat of men in front of other men. Although it is the same gender, according to him there is a difference in terms of religion that is between Muslims and non-Muslim. Therefore, Muslim women are allowed to expose their aurat in front of non-Muslim women, only the normal part are exposed, when doing housework, namely the face and both hands (Zaidān, 1993).

This opinion is agreed upon by the Hanābilah School, i.e. it can only expose the face and both palms. However, they provide an exception, which can be exposed in addition to the aurat mentioned above when in an emergency such as when a Muslim woman gives birth to a child (Zaidān, 1993).

Based on the above opinions, it can be concluded that a Muslim woman should not expose her aurat in front of non-Muslim woman except for the parts of body that are normally exposed when doing housework, namely the face, palms and, feet only. This is to maintain dignity and prevent anything that can lead to something that is forbidden, including something destructive or harmful. Therefore to protect the dignity of Muslim women from being talked about by non-Muslim women and to prevent the possibility of being influenced by the bad habits of non-Muslim women who are immoral and impolite.

All the opinions of the scholars of the above sects related to the law and limitations of the aurat of Muslim women in front of non-Muslim women can be summarized based on table 1.4.

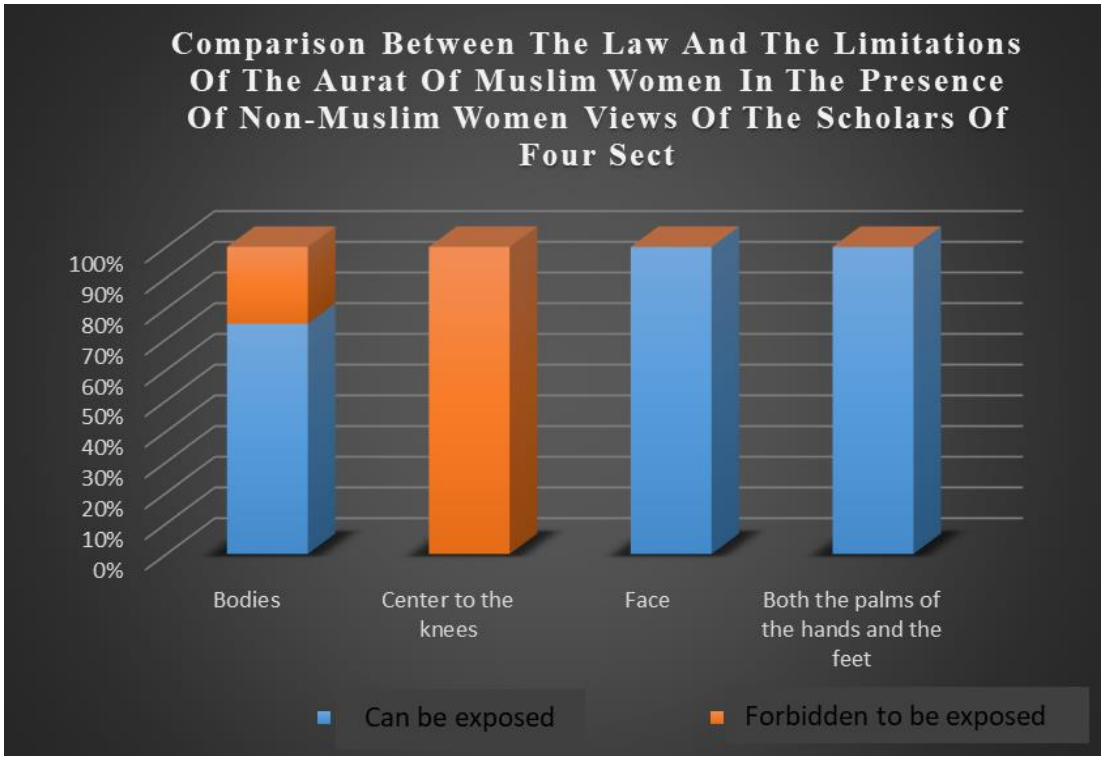
Table 4

Comparison between the law and the limitations of the aurat of Muslim women in the presence of non-Muslim women.

Aspect Comparison / **Sect**	**Hanafiyah**	**Malikiyah**	**Syafi'iyah**	**Hanābilah**
Bodies	Can be exposed	Canbe exposed	Canbe exposed	Forbidden to be exposed
Center to the knees	Forbidden to be exposed	Forbidden to be exposed	Forbidden to be exposed	Forbidden to be exposed
Face	Canbe exposed	Canbe exposed	Canbe exposed	Canbe exposed
Both the palms of the hands and the feet	Canbe exposed	Canbe exposed	Canbe exposed	Canbe exposed

Figure 4

Comparison between the law and the limitations of the aurat of Muslim women in the presence of non-Muslim women



6 RESULTS AND DISCUSSION

In general, the scholars do not have much difference in understanding the *zawāhir*[4] of the text of surah al-Ahzāb verse 59, surah al-Ahzāb verses 32-33, surah al-Nūr verses 31 and 60. Similarly, hadiths related to the aurat of Muslim women such as the hadith of Abdullah Ibn Mas'ud RA (HR. Tirmizī No. 1173 and Ibn Qattān No. 137), Ibn Umar RA (HR. Bukhārī No. 1838 and Haiṣamī No. 222), Ibn Umar RA (HR. Nasā'ī No. 5336; Ahmad No. 5173 and Tirmizī No. 1731), Ikrimah RA (HR. Baihaqī), Aisyah RA (HR. Bukhārī No. 3529 and Muslim No. 892), Anas Ibn Malik RA (HR. Bukhārī No. 4213; Ibn Hibbān No. 7213 and Nasā'ī No.3382), 'Urwah RA (HR. Bukhārī No. 4758), Aisyah RA (HR. Abu Dāwūd No. 1833; Ibn Qattān No. 149 and Dāruqutnī No.2762), Fatimah bint al-Munzir RA (HR. Hākim No. 1668 and Ibn Khuzaimaṭ No. 2690), Muhammad Ibn Maslamah RA (HR. Ibn Mājaṭ No. 1522; Ibn Hibbān 4042 and Ibn Qattān No. 390). Mughirah Ibn Syu'bah RA (HR. Tirmizī No. 1087; Ibn Hibbān

[4] The meaning and comprehension of the meaning of a sentence according to the apparent meaning without looking at the essence and purpose hidden behind it, or the meaning textually (Al-Qaradāwī, 1996).

No. 4043; Ibn Majah No. 1524), Musa Ibn Yazid al-Anṣārī RA (HR. Abu Dāud No. 2082 and Ṭabrānī No. 228), Abdullah Ibn Mas'ūd RA (HR. Bukharī No. 5241; Ibn Hibbān No. 4161 and Abu Dawud No. 2150), Jarīr Ibn Abdillah RA (HR. Abu Dawud No. 2148 and Tirmizī No. 2776).

In terms of context, the scholars of the sect differ in understanding the *maqāsid*[5] behind the verses of the Qur'an and hadith related to women's aurat. Either differences within the same sect or between different sects. For example, in the Syāfi'iyaṭ school of thought, some scholars view women's feet as aurat. However, Imam Ramlī is of the opposite view, which isthat women's feetdo not include aurat.

This difference occurs due to taking into account the context involving the situation and role of women in society at that time. For example, in the time of Rasulullah, the situation and role of women were in the family and home institutions. However, when the situation and the role of women evolved and changed in society, there are women who work as farmers, then the scholars also take into account the change in terms of the context of aurat law by providing flexibility when working as farmers, feet are not obligatory to cover.

Similarly, the limitations of women's aurat in socializing, between Muslim women and non-Muslim women. There are scholars of the sect who view the aurat of Muslim women in front of non-Muslim woman is the same as in front of foreign men (ajnabi). Some other scholars view the aurat of Muslim women as the same as the limitation of the aurat withfellow Muslim women. This difference must certainly take into account the differences in culture and social relations among the community at that time. When the culture of Muslim women began to live and socialize together in society then the scholars also consider the culture as one of the legal contexts in determining the limitations of women's aurat. So that the sharia law is always relevant and runs in accordance with the maqāsid of sharia.

The conclusion of the law occurs either in the form of *tarjīh (tarjīh intiqā'i)* and the conclusion of a new law *(tarjīh ibdā'i insyā'i)* (Al-Qardāwī, 1994). Hence, there are scholars who interpret existing opinions by evaluating and selecting the most appropriate views according to the current situation and changes. There are also scholars who conclude a new law to evaluate new things by studying, researching, debating, considering in detail based on text and context, subsequently formulating a view of the new law that coincides with current realities.

[5] The real purpose and essence of a verse that comes from Allah swt, or contextual meaning (Al-Qaradāwī, 1996).

7 CONCLUSION

In conclusion, the laws and limitations of women's aurat in socializing according to the four sects are found to have things agreed upon between one sect and another sect and also there are things that are disputed. Each sect adheres to its opinion based on the evidence, reasons and methods used in concluding the law and limitations of the aurat of Muslim women in socializing Apart from the textual proposition, the context of the society's environment at that particular time was also taken into consideration in determining the law of women's aurat.

All the opinions of each of the scholars fromthe four sects whether agreed or disagreed were elaborated. Then all the descriptions of the opinion are discussed based on the opinion of the majority in the scholars of each sect as well as the opinion of the majority in various sects. Based on the discussion and description, summaries have been made in the form of tables to facilitate in seeing the overall conclusion of the law between the four sects, both agreed and disagreed.

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