CHAPTER I

INTRODUCTION

A. Background of Study

For the moslem, there is something clearly that alquran as great *mu'jizat* to prophet Muhammad has the position as sacred text and guidance of religiousness for moslem. In the practice, alquran need the interpretation or explanation and the most important resources comes from prophet Muhammad at self- known with hadīth or sunnah-. So, hadīth is primary religion resource like alquran and must be obediented and practiced if the transmition continued and truly come from prophet Muhammad –mentioned by *ittishāl* and *shahīh*-.

Be a most important explanation from the quran, hadīth accommodated many problems, like theology, humanity and sociology. The study about humanity problems today like misoginy[1] hadīth, the study about misoginy hadīth is interesting term until now because of two reason[2].

Firstly, to analyze the authenticity of hadith truly came from prophet Muhammad or not and *Second*, to know did the interpretation

---

[1] Misoginy has meaning the hate to woman (look at in the John M Echols and Hassan Shadily in *Kamus Inggris- Indonesia*. Jakarta: PT Gramedia, 1996), 382. This term said firstly by Fatima Mernissi and said that misoginy hadīth is hadīth what impressed by the dislike, hate and make the woman in inferiority places.

[2] Abdul Mustaqim. *Ilmu Ma'ani al-Hadis: Paradigma Interkoneksi.* (Yogyakarta: IDEA Press, 2008), 152

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

of hadīth was exact or must be studied again with the social and cultural side (*sabab al-wurud al-amah*) from the arrival those hadīth.

In the study about contemporary of hadīth, the term of misoginy hadīth was very important cause Islam comes with the spirit of egalitery, equality and to abolish slavery. The history said that prophet Muhammad eliminates the discrimination, domination, and slaving from one person or sex to the others[3].

One of them in the *mahram* term and all of his derivation that mentioned at 83 times in the Quran with the different contexts, but the concept of *mahram* that specific said about relation between man and woman just explain about prohibition to marry woman who was *mahram*, although because of blood relative *(nasab)*, nursing relative *(radā'ah)* or in law relation *(musaharah)*[4]. And hadīth explain more completely than it.

From hadīth, we know many problems have connection with *mahram* term, like hadīth in *kutub al-tis'ah*[5] explain that there is implication of law be a real limitation to woman –in this term say about woman's travelling-, woman can not go for a long time without

---

[3] Like the jahiliyah Arabic tradition who was buried alive their doughter cause of shy, in their thingking the son is so proud and give the prestige not like doughter who gives shame from the fathers. Look at in the QS Al Nahl: 58-59.

[4] Look at in QS al Nisa': 23

[5] That is Shahīh al Bukhāri, Shahīh Muslim, Sunan Abū Dāwud, Sunan al Turmudzi, Sunan An Nasai, Sunan Ibnu Mājah , Sunan Ad Darimi and Muwatta' Imam Malik. All this book study about term of woman's travelling except Sunan Abū Dāwud and Muwattha' Imam Mālik

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

mahram or her husband beside her. For example like hadīth what narrated by Abdullah ibn Umar[6]:

لا تسافر المرأة ثلاثة أيام إلا مع ذي محرم (كتاب الجمعة باب كم يقصر الصلاة, النمرة : 1024)

This hadīth and other wording with the same term interpreted by majority of hadīth scholars with the textual and literal meaning. So, woman must be together with *mahram* or her husband if want to trip that permited –*mubah* or *sunnah* travel-, and if want to did the obligation travelling –like perform *hajj*- there is debated. This travelling must be together with *mahram* according to majority of hadith's scholars, but it is not according to al-Syāfii and Māliki.

From the meaning of this hadīth and other term like the prohibition to woman to marry without *wali*, the prohibition to woman to ask diforce to her husband and the slaving to her husband as her obedient and the other hadīth gives the understanding that the woman as weak person and have potential to be the source of slander. And the woman like the secondary person who has rules just to make completed man because of her less intelligences and logically.

The problems of *mahram* in woman's travelling has the connection with the understanding of woman as suspended person and very depended to man until her activity in the public area was limited. And the result, the woman has the position just stay in her house and do not has the freedom to work and activity in outside.

---

[6] Bukhari, *Shahih al Bukhari* number 1024

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

According to *maqashid al-syariah* we know that those hadith have relation with the guardian and protection to woman who was often be the victim of wickedness, like rapely, robbery and others. But when we look at from the contextuality of hadīth, we know that the social condition, cultural, and the community today was different with the condition in prophet Muhammad's period.

The access of information, instrument of communication, and grade of necessary more flourish than before make the long debated about interpretation from this hadīth. Many person thing that now this hadīth must be reinterpreted cause the *letter lejk* of interpretation known be limitation and imprison to woman activity.

The textual interpretation from this hadīth without study about context of hadīth got many criticism because the obligation to travell with *mahram* for woman has two side. It can be the honor to woman's status or can be the truly limitation and imprisor for her activity in public area. Thus, in the textuality those hadīth must be reinterpreted with study about *ma'anil hadith*, so that the religion –Islam- does not accused to support the subbordinaty of woman by man.

The mean of this thesis criticizes the textual interpretation from this hadīth, so term *The Concept of Mahram, Study About the Companionship for Woman's Travelling in Shahīh Bukhārī* hopefully can be new colour in the study of interpretation hadīth with the

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

egalitery spirit for the all of human, without the border from the sexual.

B. Identification and Limitation of Problem

The problem of misoginy hadīth is interesting problem to studied cause hadīth is second law of resources in islam after holy Quran. Hadīth is representation from the quran with Prophet's statement, action, and decision[7]. So that, in this thesis we want to research about meaning and position of *mahram* in woman's travelling.

Because of many book's hadīth said about this term, so writer make border to study hadīth with this term just from *Shahīh Bukhārī*, the selection of hadīth's book cause of two reason. *Firstly*, *Shahīh Bukhārī* is the great quality of hadīth's book and *Second*, the term about companionship of *mahram* in woman's travelling mentioned completely in this book from four companion (sahabat) with four differences of word.

And because of many theses study about this term that just focus in the authenticity, quality and arguments of implementation from hadīth. So that we concentrate this thesis to study about hadīth from intrinsic side, extrinsic side and study about *ma'anil hadith.*

Like study about *sanad* hadīth with the *ittishāl al-sanad, jarh wa al-ta'dīl, tārīkh al-ruwat* and others. After that, we study about *matan* hadith with *sabab al-wurūd.* And than, we analyze about contextualitation from the

[7] Muhammad Ajjaj al Khotib, *Ushul alHadith; 'Ulumuhu wa Musthalahuhu* (Beirut: Dar alFikr, 2008), 14

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

arrival this hadīth and context of social and historical in this day with the study about *ma'ani al-hadith*.

So that, this theses hopefully can make complete from many theses before and not ended in the conclusion of quality and argument of hadīth. As the result can minimalize the thinking of misoginy hadīth like accused by orientalism because in the fact Islam liberate the woman from the prison and *jahiliyah* culture.

C. Statement of the Problems

Based on the background above the problems that are going to be studied through this study can be stated as follow:

1. How is the quality and argumentation of hadīth about *mahram* in *Shahīh Bukhārī*?
2. What is the meaning of *mahram* in woman's travelling in al-Bukhari' book and the interpretation that compatible with the context in this time?

D. Purposes of the Study

1. To elaborate the quality of this hadīth in *Shahīh Bukhārī* from *sanad* and *matan* side. This study consist of two part: *firstly*, Exploring *sanad* of hadīth from the original resources to know the authenticity of hadīth – mention by *ittishal* and *shahih*-. And *secondly*, aranged on chronology and *sabab al-wurud al-amah* from hadīth.

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

2. To analyze the meaning of *mahram* in woman's travelling and the interpretation that compatible with the context in this time based on study about social and cultural side *(sabab al-wurud al-'ammah)* from the arrival those hadīth.

E. Identification of Key Terms

- *Mahram* : Man or Woman who can not get married with them
- Shahīh Bukhārī : The Hadīth's book of al-Bukhārī as *bayan li al-Quran*, it was relegated to Prophet Muhammad saw
- Study : Interpretation or Understanding
- Woman's Travelling: The trip of woman for two or three or more days in other places, for the obligation travelling –like *hajj*- or others trip that permited –*sunnah* or *mubah* travel-.

F. Objective and Significances of the Study

This study has three significances as follows, those are:

1. For the writer, we hope can enrich our knowledge about the meaning of hadīth, especially about this term
2. For the readers especially students of Ushuluddin Faculty of IAIN Sunan Ampel Surabaya, the study can enlarge the available references. Besides, many theses about this thopic just have conclution in quality of hadīth, not about contextuality those hadīth
3. For general moslems, hopefully the result of this study can give more information and references about this topic

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

KEMENTERIAN AGAMA PERPUSTAKAAN SURABAYA

G. Review of Literature

There were some literatures about term study *mahram* in woman's travelling, but all of these paper explain about hadīth from book's other and focus just on *takhrij* and quality of hadīth. We find at universities library of IAIN Sunan Ampel Surabaya some literature about this topic, wich has been written by some graduated students. They are:

- Siti Khoiriyah, student of Ushuluddin faculty in 1995 with title *Nilai Hadis-Hadis Haji Wanita tanpa Mahram dalam Kitab Sunan Abu Dawud*
- Nanik Shohabatul Wafiroh from Syariah faculty in 1992, study about *Studi Analisa Terhadap Nilai-Nilai Hadis tentang Haji Wanita tanpa Mahram*
- Lailatul Muniroh from Ushuluddin faculty in 2005 with title *Mobilitas Wanita Karier dan Keberadaan Muhrim; Studi Hadis tentang Larangan Wanita Bepergian tanpa Muhrim dalam Sunan al Tirrmidzi*
- Ziyadatun Ni'mah who wrote about *Nilai-Nilai Hadis Abu Hurairah tentang Larangan Wanita Bepergian tanpa Muhrim dalam Musnad Ahmad bin Hambal*

All of these thesis explain about quality, authenticity and argumentation of hadīth from hadīth's book. But no one from these thesis study about hadīth from al-Bukhārī's book that transmitte this topic from many companion (shahābat) more completely than other book. And no one from these thesis study about *ma'ānil hadīth* after get result about the value of hadīth. As the conclution, this hadīth understood just with textual and literal reading and ignore about historical setting of hadīth.

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

So, from this explanation we can get that the study *ma'ānil hadīth* about concept of *mahram* based on hadīth in Shahīh Bukhārī with title The Concept of *Mahram*; Study About the Companionship for Woman's Travelling in Shahīh Bukhārī is original and does not studied yet before.

H. Research Methodology

1. Research Paradigm

The research of this study is library research, which is by researching related literatures, collecting research data, reading, writing, and working over the research sources will be taken from many hadīth's books that has same topic with this term –especially from the *Sahīh Bukhārī* and many *syarah* or book of explanation about Shahīh Bukhārī- with qualitative method.

2. Data Resources

Regarding to the object of this study, the library research is the most suitable method. So, the writer will collect some books related by this study, then reading, writing, mixing, and concluding it. Data sources will be divided into two kinds;

a. Primary data resources

These data is used as main object in this research will often of hadīth about the Concept of *Mahram* especially in woman's travelling in *Shahīh Bukhārī*. So that, this study will use *Shahīh Bukhārī* as kind of hadīth's book and many *syarah* from this book, like *Fathul Bari, Syarah al-Kirmani, Umdatul Qāri*, and etc.

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

b. Secondary data resources

It is data resource used to help studying and collecting data, also as the comparison for primary data resources. It consists of some books of hadīth about *ma'ānil hadīth* and Concept of *Mahram* in Woman's travelling.

3. Step of Research

The research is focused to the study about term *mahram* in woman's travelling, and every study about hadīth must be followed with the *takhrīj al-hadīth*, included this study. Therefore, this study will be started by *takhrīj al hadīth*. *Takhrīj al hadīth* is a method which is done by exploring *sanad* and *riwayah* of hadīth from the original resources, this step must be doing to know authenticity of hadīth, to look for the corroboration of hadīth –with *syahid* and *muttabi'*- from the same book and the quality of hadīth[8]. And then to be arranged on chronology and *sabab al-wurud* al hadith.

The *takhrīj al-hadīth* has purposes to dig up the *ma'ānil al-hadīth*, to know the quality of *rawi* and correlation between *rawi*, the reason and purpose of prophet's statement based on social and history of context, and to compare the problem of meaning of hadīth with the contextuality in this day.

4. Data Analysis

[8] M Syuhudi Ismail, *Metodologi Penelitian Hadith Nabi* (Jakarta: Bulan Bintang, 1992), 44-45. Mahmud al Tahhan, *Ushul al-Takhrij wa Dirasat al-Asanid* (Beirut: Dar al Quran al Karim, 1978), 14

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

The research uses descriptive analysis method, which describes facts and characteristics of the objects systematically.[9] The step is to analyze *sanad* and *matan* hadith, include study about *ittishāl al-sanad*, and *sabab al-wurūd* from this hadīth. It will be understood how the interpretation of this hadīth from the different context between prophet's period and this time.

I. Outline of Writing

This research is written systematically as follow. There are four chapters:

Chapter one: is opening or introduction, which is described about:

- Background of the study
- Identification and Limitation of Problem
- Statement of Problem
- Purpose of the Study
- Identification of Key Terms
- Objective and Significances of the Study
- Review of Literature
- Research Methodology
- Outline of Writing

Chapter two is basic theory, this chapter consist of five part, those are:

- The Meaning of *mahram*

[9]Fadjrul Hakam Chozin, *Cara Mudah Menulis Karya Ilmiah* (Surabaya: Alpha, 1997), 59.

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id

- Research of Hadīth with *Takhrij al-Hadith*
- Methodology of Critic Hadīth include: Critic of *Sanad* and Critic of *Matan*
- Theory of Argumentation of Hadīth
- Theory of Ikhtilāf al-Hadīth
- Theory of Ma'āni al-Hadīth

Chapter three is data and analytical section, will be described about hadīth with this term in Shahīh Bukhārī, there are:

- *Takhrij al-Hadith* especially about anality of transmitter and I'tibar
- Anality of *Sanad* Hadīth
- Anality of *Matan* Hadīth
- Argumentation of Hadīth
- Understanding of Hadīth especially about Languange Term, Reality, Social and History Term, Tematic Comprehensive Term and Confirmation with Quranic Verses and other Hadīth
- Anality of Hadīth

Chapter four described about Closing, there are:

- Conclution
- Suggestion

digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id digilib.uinsby.ac.id