MAZAHIBUNA: Jurnal Perbandingan Mazhab Volume 6 Number 1 June 2024; 1-16 P-ISSN: 2685-6905; E-ISSN: 2685-7812 DOI: 10.24252/mazahibuna.vi.41323 http://journal.uin-alauddin.ac.id/index.php/mjpm



# Exploring Diverse Madhhabs' Perspectives on Wearing a Veil among Female Students

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[Received: September 16, 2023] [Reviewed: November 17, 2023] [Revised: December 01, 2023] [Accepted: February 15, 2024] [March 13, 2024]

#### How to Cite:

Nurdin, R., Dahlan, M.A.b.D.D., Rajab., Kamal, L., Thalhah. (2024). Exploring Diverse Madhhabs' Perspectives on Wearing a Veil among Female Students. Mazahibuna: Jurnal Perbandingan Mazhab, 01-16, 6 (1), June. https://doi.org/10.24252/mazahibuna.vi.41323.

#### Abstract

The increasing prevalence of veiling among female students is requiring urgent examination. Therefore, this study analyzes veiling during prayer, emphasizing four madhhabs to show varying perspectives and implications for student populations in Ambon State Islamic Institute. A comparative analysis of legal principles is adopted to integrate sociological perspectives using an interdisciplinary approach. Data collection includes interviews, documentation, and bibliographic studies, with emphasis on the influential novel turas (classic book). The results show that there are three main issues, namely concerns regarding prostration perfection in hadith, debates on mouth and nose closure during prayer, and discussions on intimate body part boundaries for women. In addition, Jumhūr Ulamā (the Majority of Scholars) from al-Shāfi'ī, Hanafī, and Mālikī madhhab concur on visibility necessities in specific situations. Veiling is recommended during prayer unless there is concern for slander. In this context, students' awareness of feminist jurisprudence is stated, advocating for a nuanced understanding beyond a singular perspective. Veiling practices should also be comprehended during prayer among Muslims to urge respect for diverse Islamic opinions. This study reports the urgency of addressing the multifaceted issue and advocates for a comprehensive perspective.

Keywords: Veil; Student Fashion; Comparative Madhhab; Islamic Law.

#### Abstrak

Meningkatnya prevalensi cadar di kalangan mahasiswi membutuhkan pemeriksaan yang mendesak. Oleh karena itu, penelitian ini menganalisis cadar selama salat, dengan menekankan pada empat mazhab untuk menunjukkan berbagai perspektif dan implikasi

> bagi populasi mahasiswa di Institut Agama Islam Negeri Ambon. Analisis komparatif prinsip-prinsip hukum diadopsi untuk mengintegrasikan perspektif sosiologis dengan menggunakan pendekatan interdisipliner. Pengumpulan data meliputi wawancara, dokumentasi, dan studi bibliografi, dengan penekanan pada novel *turāś* (buku klasik) yang berpengaruh. Hasil penelitian menunjukkan bahwa ada tiga isu utama, yaitu kekhawatiran mengenai kesempurnaan sujud dalam hadis, perdebatan mengenai penutupan mulut dan hidung selama salat, dan diskusi mengenai batas-batas bagian tubuh yang intim bagi perempuan. Selain itu, Jumhur Ulama dari mazhab al-Syāfi'ī, Hanafī, dan Mālikī sepakat tentang perlunya cadar dalam situasi tertentu. Bercadar dianjurkan selama salat kecuali jika ada kekhawatiran akan terjadinya fitnah. Dalam konteks ini, kesadaran siswa akan fikih feminis dinyatakan, mengadvokasi pemahaman yang bernuansa di luar perspektif tunggal. Praktik-praktik cadar juga harus dipahami selama salat di kalangan umat Islam untuk mendorong penghormatan terhadap pendapat Islam yang beragam. Studi ini melaporkan urgensi untuk menangani masalah yang memiliki banyak sisi ini dan mengadvokasi perspektif yang komprehensif.

Kata Kunci: Cadar; Busana Mahasiswi; Perbandingan Mazhab; Hukum Islam.

#### Introduction

The growing prominence of veil is a testament to the integration into the culture of Indonesia, particularly within the field of Muslim fashion (Hafid et al., 2023). This trend reflects the evolving social dynamics and greater acceptance of varied lifestyles within society (Bhowon & Bundhoo, 2016). In addition, the veil has become a readily available accessory among several demographics, including young women, teenagers, college students, adults, and middle-aged individuals (Ni'mah, 2021). The reasons for women using veils are diverse, comprising both fashion and adherence to Sharia law (Suhendi & Wahyudi, 2023). The evolution of fashion and cultural trends typically explains the dynamic social events within society (Wagner et al., 2012). In this context, the adoption shows the combination of religious principles with contemporary fashion trends (Ray & Nayak, 2023). Prayer holds a prominent position in Islam as a primary form of worship practiced by Muslims (Sayeed & Prakash, 2013). During the act of prayer, some specific obligatory regulations and protocols must be adhered to under religious doctrines. An ongoing discussion often centers around the issue of Muslim women wearing veils or covering faces during prayers.

For certain Muslim women, wearing a veil is a compulsory religious practice, hence the use appears to be more prevalent (Humaidi et al., 2022). The laypeople and highly educated individuals from Islamic universities (Kistoro et al., 2020), including IAIN Ambon, are present in society. Several students engage in academic activities while wearing veils. Some opt to wear a lengthy *hijāb* that extends down to the calves, covering the entire body except the eyes. A temporary user veil is specifically designed to cover only the forehead and eyebrows. This type is worn with a long hijab that extends from the waist to the knees. Despite the presence of women, the individual hesitates to remove the veil even

during prayer. Islamic high schools, such as IAIN Ambon, may have social standards strongly favoring the use of veils. Moreover, the social milieu within a reception can impact a student's decision to continue using a veil in various situations.

The al-Shāfi'ī madhhab is the predominant and actively practiced madhhab of thought in Indonesia's religious daily life (Karimullah, 2022). According to the al-Shāfi'ī madhhab, the use of a veil during prayer is forbidden and may invalidate the prayers (Inayah, 2023). Among the major madhhab in tolerant Islam, there are differing opinions regarding the use. Even though the general Indonesian Muslims are predominantly followers of the al-Shāfi'ī madhhab (Najib, 2020), the practices, and opinions of three other madhhabs are also acknowledged, namely the Maliki madhhab, the Hanafi madhhab, and the Hanbali madhhab (Daud, 2021).

Several studies have been conducted on the topic previously mentioned, specifically with the concept of the veil. Wearing a veil is a fashionable practice considered a religious obligation for Muslim women. The trend serves three functions, namely worship, social, and health (Asmara et al., 2023). Female students in Jambi are motivated to wear veils due to theological, psychological, and intrinsic factors. The theological factor is from religious commands, worship, and the sunnah of the prophet. Meanwhile, the psychological factor is driven by a sense of comfort. The intrinsic factors include guarding oneself, maintaining morals, and being more obedient (Januri & Ismail, 2021). In contrast, understanding Islamophobia, particularly concerning the perception of the veil, is crucial for educational institutions to develop policies and inform the public. This information serves as a valuable resource in addressing the phenomenon (Kistoro et al., 2020). The Muslim female students who wear the veil adhere to religious beliefs on campus but with some restrictions (Seggie & Sanford, 2010). Several nations with Muslim minority populations, such as Germany (Braun, 2019), France, Belgium (Vries, 2023), and England (Llorent-Bedmar et al., 2023) have implemented bans on the usage of the burga (veil) in schools.

In this context, further study is important to analyze the perspectives of four religious madhhabs about the use of a veil during prayer. The item is crucial for comprehending the numerous extant ideas and arguments in relation to Islamic law issues. Veiled Muslim students must obtain a full and thoughtful knowledge of the diverse perspectives regarding religious practices. A deeper understanding of the diverse aspects of Islamic law can be gained by studying the four sects and the use of the veil. Therefore, this study aimed to enhance the comprehension of Muslims in making decisions and performing prayers accurately by using method comparison and analysis of many perspectives.

# **Methods**

The study was conducted at the Ambon State Islamic Institute campus using a comparison between legal and societal norms. Extensive discussions, written materials, and research were used to compile the information for the bibliography, with particular emphasis on the work named *Turāś*. Subsequently, the conversation occurred among the five pupils who were wearing veils, as well as the instructor from the circles. These statistics were examined comprehensively, and a covering was used while engaging in successive prayers to ascertain the perspective of the fourth madhhabs.

# **Results and Discussion**

# Factors that Impact the Veiled Student Movement on Campus

In higher education institutions with a religious background, certain students opt to wear a reflecting veil as a symbol of religious beliefs (McKenna & Francis, 2019). The decision to wear a veil can be affected by a variety of reasons, including religious views, cultural norms, and personal identity (Marshall, 2014). Some students perceive veils as a manifestation of principles, while others view the concept as a representation of religious identity. Several factors influence the decision at IAIN Ambon, with Islamic religious views being a significant component. For many students, wearing the veil is considered a fundamental aspect of adherence to Islamic teachings. The Islamic teachings advocate the usage as a way of expressing piety and loyalty to religious ideals.

In an interview, a student explained:

"For instance, there is a specific paragraph in the Qur'an that instructs individuals to dress modestly and cover their private parts. This instruction may be found in Surah An-Nur (24:31). In addition, the hadiths of the Prophet Muhammad SAW also offer guidance regarding the necessity of concealing one's private parts with clothing." (N, 2023)

Cultural influences can also have a significant effect on the adoption of veils. In certain public or communal ethnicities, the practice is seen as a mandatory ritual. Several students in the family inherit the tradition of wearing a veil. The use has become an integral element of family identity and is regarded as an essential cultural inheritance. The concept is particularly protected, specifically after the Covid-19 pandemic (Asmara et al., 2023). The use can serve to preserve the identity and cultural heritage of individuals. Some ethnic or communal groups may use the veil as a method of preserving the cultural heritage in the face of increasing globalization. The subject was reinforced through an interview with a student who explained:

"I began wearing a veil in early 2020, about the time when Covid-19 emerged. We have high expectations for mask usage. Since the point when the use of veils as a means of protection and preventing the transmission of the virus began." (L, 2023)

The concept of identity had a significant role in motivating the students to wear the veil (Hanafiah et al., 2019). This preserved and articulated religious identity authentically. The student exercises a unique right to express and show confidence by using a veil, which is a factor contributing to personal freedom (Syahrivar, 2021). This problem can be viewed as pertaining to the freedom of religion and individual rights. Environmental factors on campuses can also influence student decision-making. Considering the multitude of potential reasons that impact the decision to wear a veil, educational institutions must comprehend and appreciate the diversity of values and views among students. Meanwhile, an inclusive and friendly atmosphere is crucial for enhancing a healthy and supportive campus climate to ensure freedom of expression.

# Underlying Cause Legal Controversy Surrounding the Use of the Veil During Prayer

The issue of using a veil during prayer can be divided into three aspects (Asmara et al., 2023). Firstly, the concept concerns the perfection of prostration according to a hadith. Secondly, it relates to a hadith that prohibits closing the mouth and nose during prayer. Lastly, the issue includes the limitations on covering the intimate parts of a woman within and outside of prayer.

The debate is centered on the conditions for prostration in the existence of Hadith. According to Fiqh experts from different madhhab, the ideal form of prostration in prayer includes placing all seven parts of the body on the ground, as stated in the hadith of Prophet PBUH:

# Translation:

"According to Ibn Abbas, who heard it from the Prophet PBUH, I was commanded to do prostration using seven parts of my body. These parts include the forehead (as shown by pointing to the nose), both palms, both knees and the tips of both toes. These body parts must not be covered by clothing or hair. (Al-Bukhārī, 2012)

A veil is used to impede the execution of the directive to bow down, placing the forehead and nose on the ground in a gesture of prostration. Prophet did not give any instructions regarding the method of prostration for a carryout order. In an alternate historical account, Khabbāb bin Al-Arat recounts that many companions of the Prophet expressed discomfort with the scorching ground during midday prayers. The difficulty in placing the foreheads and palms on the hot surface is reported. However, the individuals do not accept the complaints due to the continuation of facing down with the foreheads and palms on the ground, without covering with any cloth. This subject pertains to the appearance of lines on the forehead and palms of the hand. Moreover, concealing the fabric that adheres to the body when praying is impossible, and the Imam stated:

"Khabbāb expressed his complaint to the Prophet about the difficulty of praying on scorching hot gravel. However, Prophet listened attentively. We expressed our dissatisfaction by lamenting, "Please pay attention." (Muslim, 2000)

The second point of contention arises from the Prohibition Hadith, which advises individuals to keep the mouths closed during prayer. There are two editorial (*matan*) hadiths that ban closing the mouth during prayer. According to Ibn Majah's narration from Abu Hurairah ra, the sole prohibition is when praying. This includes either gathering cloth material or folding it while maintaining silence and the action shows a similar meaning. Perseverance is crucial and similar to the consistent practice of wearing a mask. Presently, it is essential to ensure the mouth remains covered and this can be achieved by using cloth affixed to the body, such as a folded shirt or headscarf, or by pulling a garment up to cover the lips. Specialized masks and veils should not be used to cover the mouth and face completely.

The third point is related to the topic of women's body parts during prayer. Etymologically, the term "intimate parts" refers to a lack or something regarded as negative, while "*aurah*" describes negativity or undesirable. The phrase "*shara*" defines "*aurah*" as something forbidden to be viewed. In Islam, women are expected to be covered in a way that obstructs visibility to those who lack permission. Allah commands all His people to maintain modesty and refrain from exposing private parts, regardless of gender. The verse that follows in Surah Al-A'raf is verse 26:

Translation:

"Oh human, we have provided you with garments to cover your private parts and adorn yourself with gorgeous clothing and jewelry. Clothing that demonstrates religious devotion is considered the most excellent. That is a manifestation of God's power, and I desire that they will always remember it." (Kementerian Agama RI, 2019)

Then in QS. Al-Ahzab: 59

Translation:

"O Prophet! Say to your wives, children your women, and the wives of believers: "Let it be they stretched out the hijab to all over body they." (Kementerian Agama RI, 2019)

Qur'an Surah An-Nur verse 31:

Translation:

"Communicate this message to the ladies who have faith, urging them to protect their beliefs, preserve their modesty, and refrain from displaying their intimate adornments, except those that are typically visible. Let's securely fasten the linen veil to the chest." (Kementerian Agama RI, 2019)

In verse al-Nur, the phrase "*illā mā zahara minhā*" is read by Ibn Abbas to mean only the face and palms of the hand are intended. Therefore, the woman's intimate parts are present on the entire body, excluding the face and the back of the hand. This is further reinforced by the hadith of the Prophet PBUH:

Translation:

"Asma' bint Abū Bakar once encountered Prophet PBUH. while wearing lightweight garments. Prophet averted his gaze and stated, 'O Asma, a woman who has reached puberty and is menstruating cannot reveal any part of her body save for her face and hands,' while pointing to his face and the palms of his hands. The source of this information is the book "Abu Dawud" in the field of Hadith (sayings and actions of the Prophet Muhammad). (Al-Sijistānī, 2012)

The hadith explains that adult women who are menstruating are only allowed to show the faces and palms while covering the rest of the body. This is simply an isolated occurrence of slapping the face and placing hand on intimate body areas. Clerics commonly assert that exceptions are seen on the face and palms of the hand. The occurrences only take place when a woman is engaged in prayer and is currently in a state of *ihram*. Outside of prayer and ihram, a woman must cover all the body, including intimate areas. According to most academics, appropriate attire during prayer consists of garments, brackets, presumably referring to sleeves or cuffs, and headscarves. This conclusion is based on historical accounts from Ummu Salamah, who asked the Prophet about the right apparel when performing prayers. The Prophet stated that the veil and clothing should be of sufficient length to cover the entirety of a person's body, including the feet.

# View Four Madhhabs Related Use of the Veil

# Utilize of Veil beyond the Realm of Prayer

Considering the arguments, scholars from the four main madhhabs of thought in Islam, namely the Hanafi madhhab, Malik madhhab, al-Shāfi'ī madhhab, and Hanbali madhhab (Burhanuddin et al., 2023), have expressed views on the requirement for women to wear a veil during prayer. The majority of the fourth madhhabs tends to assert that the fundamental principle of law is the confrontation between the face and the palm (Badawi, 2020). Covering intimate portions is also necessary and this subject pertains to the rigorous guidelines on the *aurah*, as mentioned in the hadiths of the Prophet Muhammad (Mat, 2022). The concept excludes the exposure of the face and the soles of the hands as part of the *aurah*, which is prohibited by the Prophet.

Scholars have varying interpretations of the postulates related to private parts found in verses of the Koran and hadith. There exists a hadith narrated by the Prophet Muhammad related to the distinct differences and subjective perspectives on the necessary benefits derived from the inclusion of women's intimate parts, and the resulting causes. The varying opinions regarding the need for women to cover intimate parts and the legality of wearing a veil are stated. However, these opinions differ among different religious or cultural groups.

Hanafi madhhab stated the requirement for women to cover the faces and private parts (Zulfikar et al., 2022), unlike Al-Syurunbulālī. The entire body is considered, except for the face and the palms. This is a widely accepted and authoritative perspective within the madhhab. According to Al-Marginānī (Yelek, 2020), who belongs to the Hanafi madhhab, a woman's body is considered private, except for the face and the inner part of the hand. Hanafi madhhab reported that no recommendation was provided to cover the face with a veil or any other object, except during prayer. However, there are also concealed prohibitions present in the issue. Besides religious worship, women have the option to wear a veil according to the Hanafi school of thought in jurisprudence. The level of convenience can be altered based on the specific circumstances and factors. According to scholars from The Hanafi madhhab, it is desirable, and even necessary to hide the faces in preventing internal defamation within society and reducing the occurrence of crimes. Ibn Ābidīn (Ergin, 2022) stated that women were prohibited from showing the face. According to Ibn Najim, women are prohibited from showing the faces to males to prevent lust and this is due to the concern caused by defamation.

The Maliki madhhab also asserts that a woman's face and the back of the hand are not considered personal parts. Ibn Khaldun, a prominent scholar reports that the entirety of the body, except the face and the palms, is considered private. According to Al-Zarqānī, the *aurat* of a woman in front of a Muslim *ajnabī* man includes the entire body except for the face and palms. Even though men have observed the face as well as the inner and outer sides of the palms, women have also been able to witness these features. However, this observation is purely for the sake of objective analysis and treatment. The second sect has a distinct perspective regarding the legal usage of a veil outside of prayer. The Maliki school of thought tends to consider *makrūh* when the Hanafi school of thought deems something permissible. According to these scholars, women are not allowed to cover the faces or wear veils. Therefore, an individual should cover the face up to the eyes during or outside of prayer. This covering of faces is considered as makrūh (discouraged) for women and men. However, the concept is not prohibited during prayer as a customary practice in a certain location. Al-Bananī reiterated the statements made by al-Zarqānī and this was a widely held opinion within the Maliki madhhab.

According to al-Dasūqī, wearing a *niqab* temporarily is considered *makrūh* (discouraged) in both prayer and non-prayer situations. However, it is permissible and beneficial for performing prayers or other personal reasons (Ahmad et al., 2021). Tolerance permits the exclusive use of a veil and when the usage is a customary practice, then there is no problem outside of prayer. However, this is considered *makrūh* during regular prayer.

The Maliki madhhab of thinking is consistent with the Hanafi madhhab regarding the requirement to wear a veil in situations of concern. Al-Hatab stated that when a woman is concerned about being slandered, the face should be covered while holding the hands together (Hasmad & Alosman, 2021). The statement was originally made by Al-Adi Abd al-Wahhāb and repeated by Shekh Ahmad Zarrūq in *Sharh al-Risālah*. al-Qurtubī cites Ibn Juwaīz Mandad, a renowned philosopher of the Maliki madhhab, stating that when a woman is exceptionally attractive and an anxious expression leads to defamation, the face should be covered. In this context, when the woman is old or unattractive, then showing the face is acceptable.

Ibn al-'Arabi differs from other Maliki madhhab clerics stating that women are entirely private, both in terms of physical bodies and voices. The face of a woman should only be seen in emergencies or when there is a pressing necessity, such as for testifying or medical care.

In the al-Shāfi'ī madhhab, a woman's parts are covered by clothing, except for the face and palms as stated by Imam al-Shāfi'ī in his work, *al-Umm*. Al-Shirazi, a prominent figure in the al-Shāfi'ī madhhab, further supported the notion that a woman's entire body is considered private except the face and palms (Soufi, 2017). Al-Shirāzī reported the discussion about Ibn Abbas's interpretation of the phrase "*illā mā zahara minhā*". Another fundamental aspect is the prohibition, as stated by the Prophet PBUH, for women to wear sarongs, cover the hands, and wear veils when in *ihram*. Prophet PBUH did not prohibit the close contact of the face and palms as intimate body parts. Another explanation is the existence of demanding desires for a woman to present the face when engaging in buying and selling, as well as showing the palm while getting something. Therefore, facial expressions or hand gestures should not be used as a substitute for private body parts. According to Imam al-Nawawī, autonomous women should cover the entire body except for the faces and the palms, which are considered private parts.

Some al-Shāfi'ī scholars argue that the face and the back of the hand are not considered intimate parts during prayer (Andiko et al., 2023). According to al-Subkī, the al-Shāfi'ī scholars believe that a woman's face and the back of the hand are intimate and should be closed during prayer. Meanwhile, al-Syarwānī reports that the private parts of women should be considered in three instances. The first is during prayer, where the entire body should be covered except for the face and palms. The second instance is when a woman is in the presence of a non-mahram man, where the entire body including the face and palms should be covered and this is the commonly accepted opinion. The third instance occurs in the presence of her mahram, where the definition of private parts is consistent with men, including the area between the navel and thighs. Abū Bakr al-Dimyatī

states that a woman's body should be covered (1) when she is with foreign men, (2) when with a *mahram* (a close male relative) in a private setting, (3) when she is with non-Muslim women, and (4) when she is engaged in private prayer except for the face and palms. This phrase refers to the act of covering the face with hands in a gesture of frustration, disbelief, or embarrassment. According to some sectarian scholars, no intimate parts should be covered with a veil or similar item.

Al-Shāfi'ī madhhab has different perspectives regarding the law to cover the face and palms outside prayer. According to the first perspective, the usage of a veil for women is mandatory. The second opinion considers the concept as a sunnah, while the third, categorizes the perspective as *khilāf al-aulā* (Alimuddin & Maulidah, 2021), breaching the major principle. Imam al-Nawāwī al-Bantanī, who is a prominent al-Shāfi'ī scholar from Indonesia forbids women from exposing any part of the body, including the nails, to a man who is not a close male relative.

Individuals who referred to the law of Sunnah were attributed to Qadi Iyad and women were not allowed to cover the face while on the road since the law was a reflection of the concept. Additionally, gaze should be averted from others, not due to a mandatory requirement but to prevent the occurrence of slander.

According to the description, al-Shāfi'ī's perspective on the law of wearing a veil is that the concept is optional, and this is founded on the rationale of preventing slander. In this context, two schools of thought said that slander was developed due to the concerns shown. Therefore, a reserved demeanor should be maintained to avoid discussing personal matters related to female intimate body parts.

The Hanbali madhhab contains various statements against the exposure of women's private parts outside of prayer. According to some experts, the entire body should be covered, with no exceptions. Other schools of thought simply exclude the face and the palms of the hands.

Imam Ahmad proclaimed that all matters related to women were prohibited or classified under the category of personal affairs as shown in specific. In a more distant context, the term "*al-zīnah al-zāhirah*" in QS. Al-Nur verse 31 refers to clothing (Zaenudin, 2017), including all portions of a woman's body considered private, such as the nails. Therefore, when a woman goes out, the entire body should be properly covered, including the hands, feet, and footwear (*khuf*).

Ibn Abbas argues that the phrase "*illā mā zahara minhā*" in the verse of al-Nur refers to the face and the back of the hand. According to Hanbali madhhab, a woman's private parts, which are not shown during prayer, include the entire body. Meanwhile, Al-Bahūtī reports that the hands, face, and two palms are considered "*aurat*" (private parts) outside

of prayer since the parts can attract people's attention. Al-Anqarī, a scholar from the Hanbali madhhab, states that every part of a teenage girl's body is considered intimate, including the corners of the head, except the face. This exception is because the face is not considered an intimate portion during prayer. Regarding praying in public, the portions of the body viewed to be private should be covered, including the face, specifically in the presence of unfamiliar men or women. The personal areas of a woman are located between the navel and the thigh. Muhammad Salil al-Usaimin, who is the leading authority among Salafis argues that this issue is quite significant. Women must cover the faces more than men, specifically in the presence of strangers.

Ibn Qudāmah expressed divergent viewpoints that the entirety of a woman's body is considered private, except for the face. Even though there are references regarding the exposure of the back of the hand, historical accounts provide conflicting perspectives. The cited reasons correspond to Ibn Abbas' interpretation of QS al-Nur verse 31 regarding the positioning of the face and the placement of the second palm. Women are prohibited from exposing the body parts and are required to cover the faces and hands during the periods of ihram. Furthermore, the faces or hands are also forbidden to be touched by shirt sleeves. According to Ibn Qudāmah (Al-Maqdisī, 1995), individuals in an intimate act should not have the private parts covered.

The description shows the differing opinions among the four major madhhabs in Islam regarding the requirement to wear a veil outside of prayer. According to the Hanafi madhhab, the face and the soles of the hands are considered separate from the personal portions of women and should not be covered. However, some arguments firmly condemn the practice of covering the face. The Maliki school of thought considers the usage of a veil outside of prayer to be makrūh. Maliki Maddhab states that wearing a veil is considered excessive because there is no definite recommendation, specifically in situations where women are in a state of ihram. The al-Shāfi'ī madhhab prohibits the exposure of the private parts of women, including the face and the soles of the hands, during prayer. However, an emphasis is placed on avoiding any form of defamation when a woman's face is left uncovered in a free manner. In this context, the face and palms are not considered intimate parts only but must be covered with a veil or other clothing outside of prayer. This requirement is not solely for women but is also intended to prevent slander. In the al-Shāfi'ī madhhab, wearing a veil outside of prayer is considered a recommended and obligatory practice (sunnah) (Al-Jazīrī, 2015). The Hanbali madhhab states that the entire body should be covered with a veil outside of private prayer. Therefore, the exclusion of the face from the intimate parts of a woman must be strictly followed. The perspectives offered by the four madhhabs of thinking regarding nature are varied. Essentially, there is a prevailing

trend, where each sect may hold varying beliefs with a common inclination, and the proposition advanced by religious experts is specific.

### **Utilize of Veil During Prayer**

The Hanafi madhhab contends that the usage of a veil during prayer is considered *makrūh* according to Islamic law. Hanafiyah argues against wearing a veil since the concept resembles the practice of the Magi, who would cover the faces when worshipping fire. The prosperity referred to as Hanafiyah is considered *makrūh tahrīm*. In the Hanafi school of thinking, the phrase "*makrūh tahrīm*" is similar to "*haram*" in other sects. This pertains to actions that can lead an individual to sin. An example of *makrūh tahrīm* is performing absolute sunnah prayers and praying without a specific reason.

The Maliki madhhab views wearing a veil as *makrūh* during or outside of prayer. Al-Dardirī from the Maliki school of thought regarded *makrūh* (disliked) for a woman to cover the face with a *niqab* while performing prayers. This is because the entire process is excessive (*gulū*), specifically for men. According to Ibn Abd al-Barr al-Maliki, women are not allowed to worship without wearing a veil. Ibn Abd al-Barr argues that a closely veiled face may impede the ability to touch the forehead and nose to the site of prostration, as well as conceal the mouth. The Prophet once prohibited the companion from covering the mouth while praying.

The Maliki madhhab considers two women praying together in a state of ihram to be in a comparable situation. The hadith narrated by the Prophet PBUH prohibited a woman in ihram from wearing a veil. The Prophet's statement can be translated as follows: "A woman who is in ihram is not permitted to wear a veil or a shirt that covers the hands."

Ibn al-Munzir (Malek et al., 2023), a prominent figure in the al-Shāfi'i madhhab, states that scholars hold varying opinions regarding the requirement to cover private parts during prayer. According to a group of experts, women should cover the entire body except for the palms of the hands and faces. This statement represents the viewpoint of al-Auzā'ī, al-Shāfi'i, and Abū Śūr. The part of the body considered private should be covered to invalidate the act. For instance, the window should be closed when left open due to wind or forgetfulness to validate prayer. Women wear a *niqab*, or veil when praying unless in a mosque with a high possibility of being seen by unfamiliar men (Wood, 2012). The *niqab* should not be removed when a woman feels uncomfortable being stared at by unfamiliar men.

The Hanbali madhhab cites Ibn Qudāmah al-Maqdisī (Noor, 2020), negating the statement. There is a disagreement of view within the thought over whether a woman can uncover the face when praying. According to al-Āmidī, for a prayer to be flawless, the face should be uncovered and there is no difference of opinion among Muslims about this

matter. The concealment of the face during prayer is considered *makrūh* for both genders since the act can hinder proper prostration and potentially disrupt the accurate recitation of prayers. Within the legal doctrine, there are four distinct schools of thought, where wearing a veil while praying is considered *makrūh* in Islamic law. In this context, *Makrūh* refers to an action that is disliked, discouraged, or forbidden. The term refers to actions or behaviors considered as sin in Islamic teachings. Engaging in this particular action does not lead to sin but neglect results in a reward.

The Hanafi madhhab of thinking categorizes the law as *makrūh tahrīm*, while the other three schools of thought consider the concept exclusively as *makrūh*. In this jurisprudence, *makrūh* is classified into *makrūh tahrīm*, which is close to haram. The concept of 'draft *makrūh tahrīm*' refers to actions that are strongly discouraged and considered sinful. Even though the term is supported by specific verses of the Qur'an or hadith of the Prophet, the concept is still considered *haram*. *Makrūh tanzīh* refers to actions that are not necessarily sinful but are discouraged according to the Shari'a. However, there is no definitive prohibition, such as drinking water while standing. According to the Hanafi madhhab, wearing a veil during obligatory prayers is considered *makrūh tahrīm* (forbidden), but regarded as *makrūh* (discouraged) in other sects. Wearing a veil during prayer is allowed (*makrūh* or *haram*) but there are specific conditions or circumstances to obtain this permission.

Despite the existence of four main madhhabs, covering the face or parts of the face, such as the mouth and nose during prayer is considered *makrūh* (discouraged). Veils, masks, and analogous items conceal the physical features of an individual, potentially contributing to a sense of disorder. There is a need for closure and the presence of necessary conditions (*al-hājah*), as well as emergencies (*al-darūrah*) when confronted with three situations, namely the necessity to prevent potential defamation.

# Conclusion

In conclusion, the existence of differing opinions among Fiqh academics was reported as an inevitable reality, resulting in differences of opinion in matters of law. Meanwhile, the use of the veil prayer time was a customary and commonplace practice. In this context, the correct interpretation of the Qur'an and the Sunnah was a crucial factor. There was a distinction between finding roots and identifying causes. The act of accepting and assessing the Hadith showed the significance of context, which played a crucial part in understanding the meaning. The context included the usage of a veil, the hadith related to the perfection of prostration, as well as prohibiting the closing of the mouth and nose during prayer. These references led to differing opinions and the concept of awrah-

imposed restrictions on women. There was an ongoing controversy regarding the permission to wear a veil during or outside prayer. This dispute led to several legal decisions regarding the usage of veils during prayer. Imam Hanafi, Imam Maliki, and Imam al-Shāfi'ī agreed that wearing a veil was mandatory when defamation occurred, and evading the need was difficult. These conditions and events were crucial factors considered while modifying Islamic law.

#### References

- Ahmad, M., Muniroh, S. M., & Nurani, S. (2021). Niqab, Protest Movement, and the Salafization of Indonesian Islam. Qudus International Journal of Islamic Studies, 9(2), 423–462. https://doi.org/10.21043/qijis.v9i2.8195
- Al-Bukhārī, M. bin I. (2012). *Ṣaḥīḥ* Al-Bukhārī (I). Dar al-Thuq al-Najah.
- Al-Jazīrī, A. (2015). al-Fiqh 'alā al-Mazāhib al-Arba'ah. Dār al-Ḫadīs.
- Al-Maqdisī, I. Q. (1995). al-Sharḥ al-Kabīr (VI). Hajr.
- Al-Sijistānī, A. D. (2012). Sunan Abī Dāwūd. al-Maktabat al-Aşriyyah.
- Alimuddin, H., & Maulidah, T. A. (2021). Implication of Local Wisdom in Islamic Law Compilation Legislation. *Mazahibuna: Jurnal Perbandingan Mazhab*, 3(2), 143–158. https://doi.org/10.24252/mh.v3i2.24982
- Andiko, T., Nurdin, Z., & Malik, A. A. (2023). Reactualization of Wali Mujbir in the Modern Era: Maqasid Sharia Analysis of Imam Shafi'i's Concept Regarding Wali's Ijbar Right. Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan, 23(2), 274–291. https://doi.org/10.30631/alrisalah.v23i2.1403
- Asmara, M., Kurniawan, R., Jafar, W. A., & Sugeng, A. (2023). Trendy Veil: Law, Function, and Its Stigma on Muslim Society. JURIS (Jurnal Ilmiah Syariah), 22(2), 245–257. https://doi.org/10.31958/juris.v22i2.8609
- Badawi, N. (2020). Mainstream Narratives. In Islamic Jurisprudence on the Regulation of Armed Conflict (pp. 134–182). Brill. https://doi.org/10.1163/9789004410626\_005
- Bhowon, U., & Bundhoo, H. (2016). Perceptions and Reasons for Veiling: A Qualitative Study. Psychology and Developing Societies, 28(1). https://doi.org/10.1177/0971333615622894
- Braun, K. (2019). How Much Veil Is Too Much Veil: On the Constitutionality and Advisability of Face Veil Bans for German Public School Students. *German Law Journal*, 18(6), 1331–1358. https://doi.org/10.1017/s2071832200022367
- Burhanuddin, H., Salam, A., Shukri, M., Bakri, M., Bakar, A., Shahid, M. M., Aman, K. D., Gombak, J., Lumpur, K., Selangor, U., Campus, B. J., Tambahan, J. T., Ehsan, S. D., Sains, U., Sembilan, N., & Office, H. H. (2023). Cultured meat: an appraisal from the fiqh and sufi views of muslim scholars. *Malaysian Journal of Syariah and Law*, 11(1), 14–30. https://doi.org/10.33102/mjsl.vol11no1.373
- Daud, Z. F. M. (2021). Fiqh Across Madhhabs : An Alternative to Pesantren Students ' School of Thought Exclusivism in the Post- Truth Era. *Mazahib: Jurnal Pemikiran Hukum Islam*, 20(1), 143–168. https://doi.org/10.21093/mj.v20i1.3081
- Ergin, B. (2022). A New Method of Legal Reasoning in the Ḥanafī School: Intra Madhhab Talfīq. İslam Tetkikleri Dergisi, 12(2). https://doi.org/10.26650/iuitd.2022.1109679
- Hafid, E., Mahmuddin, Kamal, S. I. M., Jakfar, T. M., & Syahabuddin. (2023). Knowledge on the

Validity of the Hadith on Veil, the Obligation to Wear and Its Application in Social Life: A Case Study at UIN Alauddin Makassar. *Samarah*, 7(1), 479–498. https://doi.org/10.22373/sjhk.v7i1.14850

- Hanafiah, M., Hafidzi, A., Nadhiroh, W., Assyauqi, M. I., Abidin, M. Z., Kurdi, M. S., & Andini, Y. (2019). Islamic Perspective on Students Wearing a Burqa at Universities in Indonesia: Results From a Survey at Three Universities. *Asian Journal for Public Opinion Research*, 7(4), 251–260. https://doi.org/10.15206/ajpor.2019.7.4.251
- Hasmad, N., & Alosman, A. (2021). Aurah Covering Parameters: A Study on Muslim Women's Level of Understanding. Jurnal Islam Dan Masyarakat Kontemporari, 22(1), 237–255. https://doi.org/10.37231/jimk.2021.22.1.557
- Humaidi, Z., Najib, A. M., & Muzammil, S. (2022). The Polemic of Veil Restriction at UIN Sunan Kalijaga (Identity, Discourse Contest, and Struggle for Authority). *Fikrah*, 10(2), 377. https://doi.org/10.21043/fikrah.v10i2.16614
- Inayah, M. (2023). Al-Shāfi'ī's Perspective about the Eclipse Prayer at Forbidden Times for Praying. Al-Hilal: Journal of Islamic Astronomy, 5(2), 207–222. https://doi.org/10.21580/alhilal.2023.5.2.18497
- Januri, & Ismail, M. S. (2021). Students' Motivation to Wear the Veil in Yasni Bungo Jambi Islamic Institute. Islamuna: Jurnal Studi Islam, 8(2), 179–196. https://doi.org/10.19105/islamuna.v8i2.5126
- Karimullah, S. S. (2022). Shāfi'ī Literature in Indonesia: A Historical Account. ISLAMICA: Jurnal Studi Keislaman, 17(1), 1–19. https://doi.org/10.15642/islamica.2022.17.1.1-19
- Kementerian Agama RI. (2019). Al-Qur'an dan Terjemahannya. Lajnah Pentashihan Mushaf Al-Qur'an Badan Litbang dan Diklat Kementerian Agama RI. https://lajnah.kemenag.go.id/unduhan/category/3-terjemah-al-qur-an-tahun-2019
- Kistoro, H. C. A., Kartowagiran, B., Naim, N., Latipah, E., Putranta, H., & Minggele, D. (2020). Islamophobia in education: perceptions on the wear of veil/ niqab in higher education. Indonesian Journal of Islam and Muslim Societies, 10(2), 227–246. https://doi.org/10.18326/IJIMS.V1012.227-246
- Llorent-Bedmar, V., Torres-Zaragoza, L., & Sánchez-Lissen, E. (2023). The Use of Religious Signs in Schools in Germany, France, England and Spain: The Islamic Veil. *Religions*, 14(1). https://doi.org/10.3390/rel14010101
- Malek, M. A.-G. A., Samuri, M. A. A., & Alias, M. N. (2023). Child Marriage in Malaysia: Reforming Law through the Siyasa al Shar'iyya Framework. Samarah, 7(1), 58–83. https://doi.org/10.22373/sjhk.v7i1.16011
- Marshall, J. (2014). The legal recognition of personality: full-face veils and permissible choices. International Journal of Law in Context, 10(1), 64–80. https://doi.org/10.1017/S1744552313000372
- Mat, M. Z. A. (2022). Strategies for Increasing Awareness Of Covering Aurat to Form Religious Character Education among Elementary School Students. *Al Ulya*, 7(2), 191–199. https://journal.unugiri.ac.id/index.php/al-ulya/article/view/1452/938x.php/alulya/article/view/759
- McKenna, U., & Francis, L. J. (2019). Growing up female and Muslim in the UK: an empirical enquiry into the distinctive religious and social values of young Muslims. *British Journal of Religious Education*, 41(4), 388–401. https://doi.org/10.1080/01416200.2018.1437393

Muslim, M. bin al-Ḥajjāj A.-N. (2000). Ṣaḥīḥ Muslim. Dār Ihyā al-Turāth al-Arabī.

Najib, A. M. (2020). Reestablishing Indonesia Madhhab: 'Urf and the Contribution of

Intellectualism. Al-Jāmi'ah: Journal of Islamic Studies, 58(1), 171–208. https://doi.org/10.14421/ajis.2020.581.171-208

- Ni'mah, Z. (2021). The Political Meaning of the Hijab Style of Women Candidates. Journal of Current Southeast Asian Affairs, 40(1), 174–197. https://doi.org/10.1177/1868103421989071
- Noor, U. M. (2020). Traditionist Internal Reform: Motives Behind The Birth Of The First Manual Of <sup>°</sup>ulūm Al-Ḥadīth. *Ilahiyat* Studies, 11(2), 295–316. https://doi.org/10.12730/13091719.2020.112.211
- Ray, S., & Nayak, L. (2023). Marketing Sustainable Fashion: Trends and Future Directions. Sustainability (Switzerland), 15(7). https://doi.org/10.3390/su15076202
- Sayeed, S. A., & Prakash, A. (2013). The Islamic prayer (Salah/Namaaz) and yoga togetherness in mental health. *Indian J Psychiatry*, 55(2), 224–230. https://doi.org/10.4103/0019-5545.105537
- Seggie, F. N., & Sanford, G. (2010). Perceptions of female Muslim students who veil: campus religious climate. *Race* Ethnicity and Education, 13(1), 59-82 |. https://doi.org/10.1080/13613320903549701
- Soufi, Y. (2017). Pious Critique: Abū Ishāq al-Shīrāzī and the 11 th Century Practice of Juristic Disputation (Munāzara) [University of Toronto]. http://hdl.handle.net/1807/80644
- Suhendi, H., & Wahyudi, I. (2023). The Social Lives of Veiled Women: Exploring Religious Identity and Modern Society's Reactions. International Journal of Nusantara Islam, 11(2), 219–232. https://doi.org/10.15575/ijni.v11i2.24375
- Syahrivar, J. (2021). Hijab No More: A Phenomenological Study. Journal of Religion and Health, 60(3), 1969–1991. https://doi.org/10.1007/s10943-020-01068-7
- Vries, B. de. (2023). The Sociability Argument for the Burqa Ban: A Qualified Defence. Crim Law Philos, 17(2), 317–337. https://doi.org/10.1007/s11572-021-09622-4
- Wagner, W., Sen, R., Permanadeli, R., & Howarth, C. S. (2012). The veil and Muslim women's identity: Cultural pressures and resistance to stereotyping. *Culture & Psychology*, 18(2). https://doi.org/10.1177/1354067X12456713
- Wood, A. J. (2012). The Position of the Niqab (the Face Veil) in Australia under Australian and Islamic Laws. American Journal of Islamic Social Sciences, 29(3), 106–151. https://doi.org/10.35632/ajiss.v29i3.321
- Yelek, K. (2020). The Place of Fuḍayl Chalābī's ad-Damānāt fī al-furūʿ al-Ḥanafīyyah in Compensation Literature. Cumhuriyet İlahiyat Dergisi, 24(1), 297–320. https://doi.org/10.18505/cuid.696332
- Zaenudin. (2017). Jilbab: Menutup Aurat Perempuan Analisis Surat an Nur Ayat 31. Wahana Akademika: Jurnal Studi Islam Dan Sosial, 4(2), 172. https://journal.walisongo.ac.id/index.php/wahana/article/view/347
- Zulfikar, E., Rosyad, A., & Afiyah, N. (2022). Women's Aurat in the Qur'an Surah Al-Ahzab Verse 59 : Discourse Relevance of the Veil in the Indonesian Context. Jurnal Studi Al-Qur'an, 18(2), 283–298. https://doi.org/10.21009/JSQ.018.2.06

Interviews

L, S. (2023). Interview with student.

N, M. (2023). Interview with student.