



The Main Prayer Place for Women According to Hadith: Method Analysis *al-Jam'u wa al-Tawfiq* with Islamic Family Law Approach

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Abstract: The position of women in the hadith has a dignified and equal position among men in worship, social and various other activities. This study aims to discuss the main place of prayer for women according to the hadiths of the Prophet Muhammad PBUH. There are two different hadith narrations about the main place of prayer for women, in the mosque or at home. The research method used is qualitative-normative which is analyzed by the method of *al-jam'u wa at-tawfiq*, which harmonizes different hadiths then studies with the Islamic family law approach. The results showed that there are differences in the history of hadith regarding the main place of prayer for women, the hadith derived from the narration of Aisha allows women in mosques while the hadith narrated by Ibn Umar explains that women are more important at home. As a result, hadith scholars also differ on the main place of prayer, whether in the mosque or at home. If using the method of *al-jam'u wa at-tawfiq* then this hadith can be compromised, Aisha's narration of allowing women to pray in mosques is when it is safe and does not cause slander. While the narration of Ibn Umar which explains that women are more important to pray at home if there is a concern of interference such as harassment or something dangerous. Some clerics allow prayers in mosques on the condition that women do not use fragrances, are not adorned, and must obtain permission from their husbands and guardians. In the perspective of Islamic family law, the prohibition of prayer in the mosque is not absolute, but conditional, women should be protected and treated with dignity and respect, therefore she is protected from slander and all forms of abuse.

Keywords: Women's prayer place, *al-jam'u wa at-tawfiq*, Islamic law, Islamic family law

Abstrak: *Kedudukan perempuan dalam hadis memiliki posisi yang bermartabat dan setara antara laki-laki dalam ibadah, sosial dan berbagai aktivitas lainnya. Kajian ini bertujuan untuk membahas tentang tempat shalat yang utama bagi perempuan menurut hadis-hadis Nabi Muhammad SAW. Terdapat dua riwayat hadis yang berbedanya mengenai tempat shalat yang utama bagi perempuan, di masjid atau di rumah. Metode penelitian yang digunakan adalah kualitatif-normatif yang dianalisis dengan metode al-jam'u wa at-tawfiq yaitu menyelaraskan hadis yang berbeda kemudian telaah dengan pendekatan hukum keluarga Islam. Hasil penelitian menunjukkan bahwa terdapat perbedaan riwayat hadis mengenai tempat shalat yang utama bagi perempuan, hadis yang berasal dari Riwayat Aisyah membolehkan perempuan di masjid sedangkan hadis yang diriwayatkan oleh Ibnu Umar menjelaskan bahwa lebih utama perempuan di rumah. Akibatnya para ulama hadis juga berbeda pendapat tentang tempat shalat yang utama, apakah di masjid atau di rumah. Jika menggunakan metode al-jam'u wa at-tawfiq maka hadis ini dapat dikompromikan, Riwayat Aisyah yang membolehkan perempuan shalat di masjid adalah ketika dalam kondisi aman dan tidak menimbulkan fitnah. Sedangkan riwayat Ibnu Umar yang menjelaskan bahwa perempuan lebih utama shalat di rumah adalah jika ada kekhawatiran gangguan seperti pelecehan atau sesuatu yang berbahaya. Beberapa ulama membolehkan shalat di masjid dengan syarat, perempuan tidak menggunakan wewangian, tidak berhias, dan harus mendapat izin dari suami serta walinya. Dalam perspektif hukum keluarga Islam, larangan shalat di Masjid tersebut tidak bersifat mutlak, tetapi bersifat kondisional, tetapi perempuan harus dilindungi dan diperlakukan secara bermartabat dan terhormat, karena itu ia dilindungi dari fitnah dan segala bentuk pelecehan.*

Kata Kunci: *Tempat shalat perempuan, al-jam'u wa at-tawfiq, hukum Islam, hukum keluarga Islam*

Introduction

Islamic law bases its principles on equality and justice between women and men, as found in the Qur'an and Hadith, as well as laws established by the state.¹ The full rights of women are fulfilled, because they are noble beings so that they are treated with dignity and honor. This is evident through the role assumed by the wives of the Prophet and the *sahabat* women in the early period of Islam.

¹Khaled Abu The Fadl, "Tensions in Tradition: Hadith, Gender, and Reasonable Interpretation," *UCLA Journal of Islamic and Near Eastern Law* 19, No. 2 (2021). Euis Nurlaelawati and Arskal Salim, "Gendering the Islamic Judiciary: Female Judges in the Religious Courts of Indonesia," *Al-Jamiah: Journal of Islamic Studies* 15, No. 2 (2013). Busran Qadri and Ihsan Mulia Siregar, "Islamic Renewal in the Field of Family Law: A Historical Analysis of Gender Equality," *El-Ussrah: Jurnal Hukum Keluarga* 6, No. 2 (2023).

In fact, in some contexts, such as filial duty to both parents, Islamic law places women on a higher level compared to men.²

In fact, during the *Jahiliyah* (period of ignorance) before the advent of Islam, women experienced unfair treatment and were oppressed to the extreme. Society at that time looked down on women, even to the point of carrying out the practice of killing female babies or treating them as slaves. Allah in the Qur'an condemns the ill-treatment of the birth of girls.³ *Jahiliyah* society was patriarchal, where the role of men was considered dominant and war was considered the principle of life.⁴ Women also find it difficult to obtain the right to education and are often perceived as objects to fulfill men's desires and satisfaction. Women's social place is lower, there are no privileges in property matters, and unlimited polygamy is allowed.⁵ Moreover, during the *Jahiliyah* era, women had no civil rights, inheritance rights, or financial freedom without their husband's permission.⁶

After the arrival of Islam in Arabia, there was a major transformation of women's dignity and rights.⁷ Islam emerged as a religion of mercy to (*rahmatan lil alamin*) cleanse bad morals during the time of *Jahiliyah*, such as polytheism, oppression, power fanaticism, prostitution, and adultery. Prophet Muhammad PBUH, by migrating to Medina fought for women's rights and changed the culture of treatment of them.

Women have complete freedom of property regulated according to Islamic law. They also have the right to express their opinion when necessary and have the right to assert their rights if they are ignored or revoked. This means that Islam guarantees women's rights as well as men's rights without any distinction between them.⁸ In Islamic family law such as marriage, inheritance, divorce, women still get their rights as wives.⁹

²Abi Na'im Ahmad Ashfahani, *Hilyah Al Auliya*, vol. juz II (Beirut: Dar al kutub al Alamiyah, n.d.).

³ Abdul Karim, *Sejarah Pemikiran dan Peradaban Islam* (Jakarta: Book Publisher, 2007), p. 60.

⁴ Abu Bakr Rahmatullah, "Makanah Al-Mar'ah Wa Waqi'uha Qabla Islam," *Journal of Al-Muktamar Al-Duwal Al-Awwal Li Al-Sirah Al-Nabawiyyah*, 2013, p. 141.

⁵ Muhammad bin Ismail Abu Abdullah Al-Bukhari, *Al-Jami' Al-Shahih Al-Mukhtashar* (Beirut: Dar al-Fikr, 1987), p. 1670.

⁶ Sayyid Muhammad Husain, *Dunia Wanita Dalam Islam* (Jakarta: Lenter, 2000) p. 145.

⁷ Let Dust Muhammad, *Bukan Wanita Biasa* (Jakarta: Cahaya, 2005), p. 77.

⁸ Mursyid Djawas, et.al., "The Construction of Islamic Inheritance Law: A Comparative Study of The Islamic Jurisprudence and The Compilation of Islamic Law," *Juris: Jurnal Ilmiah Syari'ah* 21, No. 1 (2022). Abidin Nurdin, "Mut'ah and Iddah: Post-divorce Payment Practices in Aceh," in John R. Bowen and Arskal Salim, *Women and Property Rights in Indonesian Islamic Legal Contexts*, (2018) p. 107–126.

⁹ Ali Sa'id Al-Ghamidi, *Fiqh Wanita* (Jakarta: Bestm Prophetic Media, 2013), p. 25–26. Abd. Rouf, et.al., "Joint Property Division in Indonesia: A Gender Equality Viewpoint," *De Jure: Jurnal Hukum dan Syariah* 15, No. 2 (2023).

Women and men receive equal treatment in Islam, both when doing good deeds and when committing mistakes or violations of Islamic law. Likewise, in the matter of worship (prayer) to get closer to Allah Almighty, women have the same rights and obligations. Yusuf Qaradhawi said that some of us men are too excessive in applying the law to women so as to narrow their space in the mosque, in modern life we cannot deny that the times have opened many doors of opportunity for women in every way, they can leave the house to public places such as schools, market, and more. But why should they be prevented from a glorious place, the house of Allah Almighty, the mosque.¹⁰

In prospering mosques, there is also no difference between men and women, all have an obligation to prosper them. As the word of Allah SWT explains that truly those who prosper the mosques of Allah are only those who believe in Allah and the last day, establish prayers, perform zakat, and do not fear except Allah and will get Guidance (QS. At-Tawbah: 18).¹¹

The Holy Prophetsa also gave news of the great reward of praying in congregation, in a hadith from Abdullah bin Umar the Prophet said that from Ibn Umar of the Prophet Muhammad said: "The degree of congregational prayer is twenty-seven times greater than praying alone". (Narrated by Muslim).¹² The Holy Prophet PBUH also forbade and warned husbands not to hinder and make it difficult for women to pray in mosques. Especially if they want to do useful things in the mosque, such as wanting to attend recitations, study religion, fiqh, and others. The hadith of Salim bin Abdullah explains that the Holy Prophetsa said: From Ibn Salim bin Abdullah, from the Prophet Muhammad PBUH said "If the wife of one of you asks permission (to go to the mosque) her husband should not forbid it" (Narrated by Al-Bukhari).¹³

The Prophet PBUH also said about not forbidding / preventing women from going to Allah's house i.e. the mosque: It is from Ibn Umar that the Prophet (peace be upon him) said; "Do not forbid (prevent) the female servants of Allah from the mosques of Allah." (Narrated by Muslim).¹⁴ Then the hadith which explains that women believers once attended congregational prayers with the Prophet (saw), which this hadith was narrated directly by Aisha the wife of the Prophet PBUH: From Aisha said; "Indeed, the Prophet (peace be upon him) established the dawn prayer (shubuh), and the women of faith attended the prayer

¹⁰ Yusuf Qardhawi, *Fatwa-Fatwa Kontemporer* (Jakarta: Gema Insani Press, 1995), p. 414-15.

¹¹ Abdullah bin Muhammad bin Abdurahman bin Ishaq Al-Sheikh, *Tafsir Ibnu Katsir Jilid 5* (Jakarta: Pustaka Imam Syafi'i, 2008), p. 134.

¹² Abu al-Hasan Muslim bin al-Hajjaj al-Qusyairi al-Naisaburi, *Shahih Muslim* (Beirut: Dar al-Fikr, 1334), p. 122.

¹³ Abdullah Muhammad bin Ismail Al-Bukhari, *Shahih Al-Bukhari* (Beirut: Dar Al-Kutub Al-'Ilmiyyah, 1992).

¹⁴ Abu Za'ad al-Nawawi *Syarah Shahih Muslim* (Jakarta, Pustaka Azzam, 2010), p. 509.

with the Prophet PBUH with their heads covered and they returned to their homes without anyone seeing him." (Narrated by al-Bukhari).¹⁵

In addition, there is a hadith that explains the permissibility of women to go to Mesjid to perform congregational shalat and activities that are beneficial to themselves, such as religious study, listening to lectures, and studies. It is undeniable that there is a hadith of the Holy Prophetsa which explains that women are better at home (Narrated by Abu Dawud).¹⁶

Al-Haq al-Azim A lbady syarah sunan Abi Dawud explains that what is meant by the sentence *صَلَاةُ الْمَرْأَةِ فِي بَيْتِهَا* is the women's prayer in her home. Because the perfection of hijab / more closed and more protected from slander. And the meaning of the phrase *أَفْضَلُ مِنْ صَلَاتِهَا فِي حُجْرَتِهَا* is more important than the prayer performed in the room in the house. While the meaning of the phrase *وَصَلَاتُهَا فِي مَخْدَعِهَا* is a woman's prayer performed in a small room in her large house and is useful for guarding valuables.¹⁷

In line with that, in modern era this proves that women have a lot of role in everything that is done in public places such as work, education, politics, business and others. Women are no longer just in their homes and are only housewives but women today have an important role in the things and fields they are running. What about the hadith of the Holy Prophetsa which states that women's prayers are better in their homes and also the hadith that allows women to pray in congregation in mosques. From the difference in the meaning of the hadith that states that women's prayers are better in their homes and the hadith that allows women to pray in congregation in mosques, the author is interested in discussing it further and deeply.¹⁸

The research method used is qualitative-normative using the *method of al-jam'u wa at-tawfiq*, which harmonizes different hadiths with the Islamic family law approach.¹⁹ The method of *al-jam'u wa at-tawfiq* is one part of the way of solving hadiths that seem contradictory in the study of science *ikhhtilaf al-Hadith*.²⁰ The *al-jam'u* method is used to compile hadiths that seem to contradict meaningfully, while Islamic family law is used as an analytical tool for

¹⁵ Abdullah Muhammad bin Ismail Al-Bukhari, *Shahih Al-Bukhari* (Beirut: Dar Al-Kutub Al-'Ilmiyyah, 1992).

¹⁶ Abu Dawud, *Sunan Abu Dawud*. (Jakarta: Pustaka Azzam, 2006), p. 167.

¹⁷ Abu Thayyib Muhammad Syams al-Haq al-Azim Al-Bady, *Aunul ma'bud Syarh Sunan help dawud*. Madinah: Al-Maktabatus Salafiyah, 1968.

¹⁸ Tarmizi M. Jafar and Arifah is a Celebrity, "Understanding Multiple Interpretations on the Hadith that Husbands Allow Wives to have Outdoor Activities: A Study of Islamic Law Perspectives," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 5, No. 1 (2021).

¹⁹ Daniel Juned, *Paradigma Baru dan Rekonstruksi Ilmu Hdis*, Jakarta: Erlangga, 2010. M. Syuhudi Ismail, *Metodologi Penelitian Hadis Nabi*, Jakarta: Bulan Bintang, 2005.

²⁰ A. Amrulloh, "Hadis Sebagai Sumber Hukum Islam (Metode Komparasi-Konfrontatif Hadis-Al-Quran Perspektif Muhammad Al-Ghazali dan Yusuf Al-Qaradawi)," *Ahkam: Jurnal HJukum Islam* 3, no. 2 (2015). Amir Syarifuddin, *Ushul Fiqih* (Jakarta: Kencana, 2014).

substance and content these hadiths. Because the problem of women going out of the home to do something is part of the issue of Islamic family law.

Women's Responsibilities in the Implementation of Shalat Worship

The performance of prayer is a fundamental obligation in Islam, applicable equally to both Muslims and Muslims, which must be performed five times a day and a night. This principle is based on the teachings of the Qur'an and Hadith. In the performance of prayer, there is no difference in obligations between men and women. Both have the same responsibility in carrying out prayers. However, there are some differences in the manner of prayer commanded for women, such as closing together during bowing and prostration, and sitting with your legs crossed or placing your feet on your right side. The importance of maintaining aurat for women is reflected in the recommendation to close the body during prayer. As stated by Ali ibn Abi Talib (r), "When Muslim women perform prayers, then they should sit on their knees and close together. Thus, although the obligation to pray remains the same for women and men, there is an emphasis on procedures that take into account the specificity of women in maintaining aurat and closing the body when performing prayers."²¹ Some of the obligations of women in worship can be seen from the following examples:

a. A Woman's Aurat in prayer

A woman's aurat when performing prayers is a part of the body that must be kept from being seen by people who are not *muhrim*. Hadith from Aisha (ra). states that the Prophet Muhammad PBUH said, "*Allah does not accept the prayer of an adult woman unless she wears a head covering*" (Narrated by Tarmidhi). In this case, the Hanafi madhhab considers a woman's aurat in prayer to cover the entire body, except the face, two palms, abdomen, and back. While the Shafi'i madhhab holds that the limit of a woman's aurat in prayer is the whole body, except for the face and two palms. The Hambali madhhab holds that a woman's entire body, except the face, is aurat in prayer. Furthermore, the Maliki madhhab divides the female aurat in prayer into two: *Mughallazah* (heavy aurat) which covers the entire body except the edges and chest, and *Mukhaffafah* which covers the face, two palms, abdomen, and back.²²

b. Best Shaf Women in Nature Performing Prayers

In performing congregational prayers, women should occupy the front shaf if the prayer is separate from men, based on the words of the Prophet Muhammad (peace be upon him). Allah and the angels pronounce shalawat to

²¹ M.Sayyid Ahmad Al-Musayyar, *Fiqih Cinta Kasih* (Jakarta: Erlangga, 2008), p. 67.

²² Ibrahim Muhammad Al-Jamal, *Fiqih Wanita* (Strike: CV. Asy-Syifa, 2008), p. 125–26.

those who occupy the first shafs (Narrated by Ibn Majah).²³ If in congregation with men, the best shaf for women is the backmost, while the worst is the front (Narrated by Muslim, Abu Dawud, Tirmidhi, and Nasai).²⁴ In female prayers, the imam should be the one who knows the Qur'an best or has more memorization. If equal, the one who knows the Hadith best among them can become an imam (Narrated by Muslim). When praying in the house of a woman, the host becomes the imam, unless he gives permission to another woman (Narrated by Muslim).²⁵

c. Law for Women to Leave Prayer

Muslim women who leave prayers are considered by scholars *ijma'* as *kafir* if it is caused by disobedience. If you leave the prayer because you are lazy or busy without an acceptable reason, many hadiths state serious consequences, even to the point of requiring murder. One of the hadiths states that the one who keeps the prayer will have light, evidence, and salvation in the Day of Judgment, while the one who leaves it will be with the group of the lost (Ahmad and Ibn Hibban).²⁶ In another hadith, the Holy Prophet PBUH commanded to fight people until they testified that there is no God but Allah, Muhammad was the messenger of Allah, and they established prayers and performed zakat. Thereafter, their blood and property were protected except in the context of Islamic rights (Narrated by Al-Bukhari and Muslim).²⁷

Scholars' perspectives on women leaving prayers vary. Imam Malik and Imam Shafi'i regarded him as wicked who could still repent, while Imam Abu Hanifah stated that they did not need to be killed, but must be chastened and imprisoned until they wanted to pray. Interpretations of common hadiths and *nash-nash* (source of Islamic law), such as QS. An-Nisa (4: 116), affirm that Allah does not forgive the sins of shirk and those who go astray by fellowshiping Allah. Another hadith states that one who recites *Laa Ilaaha Illallah* sincerely will achieve happiness in the Day of Judgment (Narrated by Bukhari).²⁸

Hadith of the Priority of Shalat Places between Men and Women

Prayer is one of the foundations of religion that has a second order after shahada. Performing prayers at the beginning of time is the best practice before Allah Almighty, but if you leave it intentionally or underestimate the prayer, then the act is *kufr*. In performing prayers it is not only obligatory for men but Muslim

²³ I have Ibn Mayah, *Sunan Ibnu Majah* (Jakarta: Pustaka Azzam, 2007), p. 414.

²⁴ Imam al-Turmizi, *Sunan Tirdmidzi* (Jakarta: Pustaka Azzam, 2007).

²⁵ An-Nawawi, *Syarah Shahih Muslim*, p. 123.

²⁶ Kamil Muhammad Uwaidah, *Fiqih Wanita* (Jakarta: Pustaka Al-Kautsar, 2008), p. 117.

²⁷ Al-Bukhari, *Shahih Al-Bukhari*.

²⁸ Al-Bukhari, *Shahih Al-Bukhari*.

women will also be asked about this prayer before Allah Almighty on the Day of Judgment, as He said:²⁹

فَإِذَا فَضَيْتُمْ الصَّلَاةَ فَادْكُرُوا اللَّهَ قِيَمًا وَقُعودًا وَعَلَىٰ جُنُوبِكُمْ ۚ فَإِذَا اطْمَأْنَنْتُمْ فَأَقِيمُوا الصَّلَاةَ ۗ إِنَّ الصَّلَاةَ كَانَتْ عَلَى الْمُؤْمِنِينَ كِتَابًا مَّوْفُوتًا

Meaning: "So when you have finished your prayer, remember Allah when standing, sitting and lying down. Then when you feel safe, then make the prayer (as usual). Indeed, the prayer is a timed fardhu for the believers." (QS. An-Nisa: 103).

And the Holy Prophet PBUH also said:

إن ما بين الرجل وبين الشرك والكفر ترك الصلاة (رواه مسلم)

Meaning: "Indeed, the signs that exist between a servant and shirk or kufr are the act of forsaking prayer." (Narrated by Muslim)³⁰

In addition to the obligation to pray, both men and women, Islam also speaks of the most important places to perform it. For men, there is a distinction between compulsory prayers and circumcison prayers, for compulsory prayers are mainly performed in mosques, while for circumcison prayers are mainly carried out at home. Based on the hadith of the Holy Prophetsa as follows:

عن زيد بن ثابت، عن النبي صلى الله عليه وسلم قال: أفضل صلاتكم في بيوتكم إلا المكتوبة. (رواه البخاري)

Meaning: "From Zaid bin Thabit from the Prophet PBUH said, 'The most important prayer is in your house except the maktubah prayer (fardhu prayer)" (Narrated by Bukhari).³¹

The Holy Prophet(saw) also warned Muslims not to make their homes like graves that were never used for prayer. This is mentioned in the hadith narrated by Aisha in *Musnad Ahmad*:

عَنْ ابْنِ عُمَرَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ اجْعَلُوا مِنْ صَلَاتِكُمْ فِي بُيُوتِكُمْ وَلَا تَتَّخِذُوهَا قُبُورًا (رواه أحمد)

²⁹ Uwaidah, *Fiqh Wanita*, p. 119.

³⁰ Muslim, *Shahih Muslim* (Beirut: Dar-jil, 1334), p. 110.

³¹ Al-Bukhari, *Al-Jami' Al-Shahih Al-Mukhtashar*, p. 172.

Meaning: From Ibn Umar, from the Prophet Shalallahu 'alaihi wa sallam said "Do prayers in your homes, do not make them like graves" (Narrated by Ahmad bin Hanbal).³²

Al-Azhim Abadi found that circumcision is more important at home because it distances from the nature of *riya* and draws closer to sincerity to Allah Almighty. In addition, circumcision prayers at home can also provide prosperity from the blessings of daily food."However, not all circumcision prayers are recommended to³³ be performed at home, there are several circumcision prayers that are recommended to perform it in mosques as Islamic *syiar*, namely Eid al-Fitr prayers, Eid al-Adha, eclipse prayers, and *istisqa* prayers. Circumcision prayers at home are common, both *nawafil* (rawatib prayers) and other sunnah prayers, except for some circumcision prayers that are useful for Islamic *shiar*, such as *id* prayers, eclipses, and *istisqa*.³⁴

As for women, the most important place to pray is at home, both for circumcision and for compulsory prayers. Imam al-Nawawi said that men are more important in mosques than women. The congregation of women and transgender people at home is more important to her than in the mosque, even in the presence of non-parent girls in the mosque in the male congregation.³⁵ Then Shaykh Abu Bakr bin Muhammad Ad-Dimatyi also explained that the congregational *fardhu* prayer in the mosque is more important for men, it is based on the hadith: pray in your houses because the most important prayer is the prayer of someone in his house except the *fardhu* prayer. But here there are exceptions for women. For women, congregational prayers are mainly performed in their homes rather than in mosques.³⁶

Then the Holy Prophetsa also explained in the hadith narrated by Ibn Umar about the most important place to pray for women.

عن ابن عمر، قال: قال رسول الله صلى الله عليه وسلم: لا تمنعوا نساءكم المساجد، ويوتهن خير لهن. (رواه أبو داود)

Meaning: From Ibn Umar said, that the Holy Prophetsa said: "Do not forbid your wives to go to the mosque and their homes are more important to them". (Narrated by Abu Dawud).³⁷

³² Ahmad Hambal, *Musnad Ahmad Ibnu Hambal* (Dar al Ihya', 1993), p. 99.

³³ Al-Azhim, *Aunul Ma'bud Syarh Sunan Dawud* (Madinah: Al-Maktabatus Salafiyah, 1968), p. 184.

³⁴ Abu al-Ala' al-Mubarkfuri, *Tuhfatul Ahwadzi Fi Syarhi Sunan At-Tirmidzi* (Dar Al-Fikr, 2002), p. 222.

³⁵ Muhammad Nawawi bin Umar Jawi As-Syafi'i, *Tausyeh Ala Ibnu Qasim* (Beirut: Dar al Kutub al Islamiyah, 2002), p. 145.

³⁶ Abu Bakar Usman bin Muhammad ASatha ad Dimyaty al Bakry, *I'anat Al-Thalibin*, vol. 1 (Beirut: Darul Kitab Alamiyah, 2008), p. 3-4.

³⁷ Abu Dawud, *Sunan Abi Dawud* (Suriah: Dâr al-Hadîs, 1974), p. 195.

One of the Hanafi scholars, Al Kasani (d. 587 AH) explained that congregational prayer is compulsory for men who are intelligent, independent, able to do so without hindrance, and not obligatory for women.³⁸ Similarly, a Shafi'iyah scholar named Al-Mawardi explained that it is recommended for women to pray in their homes, not in mosques.³⁹ Al-Ramli explained that it is immature for a woman who is *musytahah* (attractive) to join congregational prayers in the mosque even though she wears ugly clothes, or she is not an attractive woman who can cause martyrdom, but wears jewelry or fragrances.⁴⁰

Then Imam Al-Nawawi also noted that the women perform congregational prayers in their homes more *afdhal*. As narrated by Ibn Umar, the Prophet (peace be upon him) said: "Do not forbid your wives to go to the mosque, and their homes are better for them". But if a woman wants to attend congregational prayers in the mosque with men, and a woman who is young, or old but still attractive, then *makruh* for her to attend congregational prayers in the mosque. But, if the woman is old, no longer attractive, then it is not *makruh* for her to attend the mosque.⁴¹

Al-Hathab Ar-Ru'ani also explains that Imam Malik appointed young women (attending congregational prayers in mosques), because according to the deeds of the Companions, at that time it was not known that their women who were girls or young people came out to the mosque. If these women go to the mosque, then the mosque is filled with them and exceeds the men. As for the hadith narrated by Abu Daud from Ibn Umar: "Do not forbid your women to go to the mosque, and their homes are better for them", it means that their exit to the mosque is permissible, but abandoning the act is preferable as Imam Malik said in Al-Mukhtashar.⁴²

Interpretation of the Hadith of the Priority of Shalat Place for Women

The discussion of prayer places for women is one of the main discussions presented by scholars. This is because the place of prayer becomes the beginning of an important action that displays virtue and deep existence in an action. Nevertheless, there is much disagreement among the general public as to the primacy of prayer places for women. This happened because of their differences

³⁸ 'Alauddin Abu Bakr bin Mas'ud al-Kasani, *Badai Ash-Shanai Fi Tartib Asy-Syarai* (Dar al-Kitab, 1996), p.155.

³⁹ Abu Al-Hasan Ali bin Muhammad Al-Mawardi, *Al-Hawi Al-Kabir* (Dar al Kutub al Ilmiyah, 1994), p.163.

⁴⁰ Sihabuddin Muhammad ar-Ramli, *The story of Al-Muhtaj* (Mesir: Al-Maktabah Salaiyah, 1938), p. 140.

⁴¹ Abu Zakaria Muhyiddin bin Syarif al-Nawawi, *Al-Majmu' Sydirection of Al-Muhadzab* (Jakarta: Pustaka Azzam, 1994), p. 197.

⁴² Al-Hathab Ar-Rua'aini, *Mawahib Al-Jalil* (Beirut: Dar al Kutub al Ilmiyah, 2005), p. 117.

of opinion in understanding hadith, including the hadith narrated by Aisha which explains that women are actually allowed to pray in mosques and the hadith narrated by Abdullah Ibn Mas'ud which explains that women are better off praying in their homes than in mosques.

The first hadith narrated by Aisha is as follows:

حَدَّثَنَا أَبُو الْيَمَانِ قَالَ أَخْبَرَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ أَخْبَرَنِي عُزْرَةَ أَنَّ عَائِشَةَ قَالَتْ لَقَدْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُصَلِّي الْفَجْرَ فَيَشْهَدُ مَعَهُ نِسَاءً مِنَ الْمُؤْمِنَاتِ مُتَلَفِعَاتٍ فِي مُرْطِهِنَّ ثُمَّ يَرْجِعْنَ إِلَى بُيُوتِهِنَّ مَا يَعْرِفُهُنَّ (رواه البخاري)

Meaning: "Abul Yaman has said: has told us Shu'aib from Zuhri, has said: 'Urwah ibn al-Zubayr told me that 'Aisha said: 'The Holy Prophetsa prayed at dawn followed by your women's, these women are women who wear veils with their heads tied and then they go back to their homes, no one knows them because it is still dark at dawn" (Narrated by Bukhari).⁴³

The second hadith is the hadith narrated by Abdullah Ibn Mas'ud as follows:

The Prophet (S) said: "I am the Messenger of Allah PBUH".

حَدَّثَنَا ابْنُ الْمُثَنَّى أَنَّ عَمْرَو بْنَ عَاصِمٍ حَدَّثَهُمْ قَالَ حَدَّثَنَا هَمَامٌ عَنْ قَتَادَةَ عَنْ مُورِقٍ عَنْ أَبِي الْأَخْوَصِ عَنْ عَبْدِ اللَّهِ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ صَلَاةُ الْمَرْأَةِ فِي بَيْتِهَا أَفْضَلُ مِنْ صَلَاتِهَا فِي حُجْرَتِهَا وَصَلَاتِهَا فِي مَخْدَعِهَا أَفْضَلُ مِنْ صَلَاتِهَا فِي بَيْتِهَا (رواه ابو داود)

Meaning: "Has narrated to us Abu al-Mutsanna from "Umar bin 'Asim, has narrated to them, said Humam from Qatadah from Muraqi from Abu Ahwash from Abdullah of the Holy Prophet PBUH, said: "Shalat a woman in his house takes precedence to him than his prayers at the doors of his house, and the prayer of a woman in a small room dedicated to him is more important to him than in any other part of his house". (Narrated by Abu Dawud).⁴⁴

Women's prayer at home is the practice of Allah's command that women stay at home. The generality of the pronunciation is "and their houses are better for them" (*wa buyutuhunna khair lahunna*). Praying at home in a congregation or praying alone, is more important than praying in a mosque. Imam Nawawi also argues in his book. "As for women, their congregation's prayers at home take precedence (than those in mosques)".⁴⁵

⁴³ Al-Bukhari, *Shahih Al-Bukhari*, p. 115.

⁴⁴ David, *Sunan Abi Daud*, p. 93.

⁴⁵ An-Nawawi, *Al-Majmu' Syarah Al-Muhadzab*, p. 197–98.

The word *المُرْت* plural of *مرط* means robe of silk, wool or other. Narrated from Nadlr ibn Shumail: The appropriate meaning is special clothing for women. Nadlr opposes the author's use of the hadith as a proposition that it is permissible for women to pray in one garment, as covering the body mentioned above may be done by wearing another garment. The answer is that because he adheres to the law of origin which states there is no addition to what is mentioned (additional clothing), that he only explains his selection based on existing tradition.⁴⁶

Asbabub Wurud this hadith, as seen from the context of the hadith, in the time of the Prophet there were several women who followed the Prophet to go to the mosque and perform isya prayers in congregation. um Salamah (r.a) relates that in the time of the Holy Prophetsa, women were present in congregational prayers, after greeting they immediately got up from the mosque and went back to their homes. While the Prophet and the male worshippers remained in their places only the time that Allah wanted. And when the Prophet rose so did the men." Abu Qatadah al-Anshari (r) said: "The Holy Prophetsa said: "I stood up to perform the isha prayer and I had intended to prolong it, but then I heard the cry of the baby, so I shortened my prayer because I did not like to incriminate the mother."⁴⁷This information from Abu Qatadah reinforces that at the time of the Prophet among the worshippers who participated in praying with him there were female worshippers.

While the explanation of the second hadith narrated by Ibn Mas'ud contained in Sunan Abu Dawud is as follows: In the book '*Aun al-Ma'bud* it is stated: "A woman's prayer in the innermost part of the house is better because it is completely closed than praying in her guest room, which is the terrace of the house. According to Ibn Malik: What is meant by *حجرة* in the hadith is the place where the door of the house is located which is the innermost part of the house. "And pray in his bedroom": that is, a small place in his house where valuables are stored is more important than praying in the open space of his house because what is desired is for him to be closed from view. *Asbabul wurud* hadith, when the rampant harassment faced by Muslims from infidels, at that time it was not uncommon for Muslims to get harassment and blasphemy in public places, of course this vulnerable security condition was very dangerous for women who were physically weak.⁴⁸

According to scholars, among them Hasbi ash-Shiddieqy, the hadith "*buyutuhunna khairul lahunna*" (their houses), is better for them. Because it is better for women to pray in their homes than in congregation in mosques because of the fear that it will cause slander. If it is absolutely better for women to pray in the mosque, then women should try to keep away anything that can arouse a man's

⁴⁶ Abu al-Fadl Ahmad bin 'Ali Ibn Hajar al-Asqallani, *Fathul Bari* (Beirut: Dar al-Fikr, 1994), p. 280.

⁴⁷ Al-Bukhari, *Shahih Al-Bukhari*, p. 189.

⁴⁸ Al-Azhim, *Aunul ma'bud syarh sunan help dawud*, p. 130.

arousal to her, both regarding the clothes and perfume she uses. Then according to the classical scholar Shaykh Muhammad bin ⁴⁹Amr an-Nawawi that women prefer to pray in their homes, in accordance with the hadiths of the Prophet that he quoted in his book. He said: "(Chapter three: in the chapter that explains the virtues of the place of prayer for women and that the prayer of a woman in her house is better than her prayer with the Prophet PBUH. A woman is closer to her god when she prays in a small or hidden place in her house, and her prayer on the edge of her house takes precedence over her prayer in the mosque and her prayer in the innermost part of her house takes precedence over her prayer in an open room and her prayer in her bedroom takes precedence over prayer in her house. The phrase explains that women prefer to pray in their homes even when compared to praying in congregation with the Prophet Muhammad in mosques.⁵⁰

Furthermore, Al-Nawawi al-Bantani quoted the words of the Prophet From the wife of Hamid Assa'idi, she came to the Prophet Sallallahu 'alahi wa sallam and said "O Messenger of Allah like to pray in congregation with you" and the Prophet said "I know that you like to pray with me, but your prayer in the room in your room is better than your prayer in your room. Your prayer in that room is better than your prayer in the living room of your house. Your prayers in your home are better than your prayers in your village mosque. And your prayer in your village mosque is better than your prayer in my mosque" so a prayer place was built in his innermost/hidden and darkest house and he prayed in that place until he died. (HR. Ahmad).⁵¹

The meaning of the above hadith is that the prayer of the woman in her house that is occupied to sleep takes precedence over her prayer in the room of her house, and the prayer of the woman in the room of her house is better than her prayer in the yard of the house, and the prayer in the yard of the house is better than her prayer in the mosque of the Prophet, because she seeks more protection of her rights. It is also narrated from Abu Muhammad al-Shaibani that he saw Abdullah bin al-Shayab removing the women from the mosque ⁵²on Friday saying, "Get out of this mosque and go back to your houses. Because this is better for all of you." (Narrated by Sulayman Al-Lakhami, At-Thabrani in Al-Kabir, a book compiled containing the names of the Companions). Imam Nawawi allowed women to go to the mosque, when they fulfilled the conditions laid down by the scholars based on the hadith of the Holy Prophet.⁵³

⁴⁹ Hasbi Ash-Shiddieqie, *Pedoman Shalat* (Semarang: PT. Pustaka Rizki Putra, 2002).

⁵⁰ Muhammad Bin 'Amr An-Nawawi, *Uqud Al-Lujain*, (Semarang: Toha Putra, 2004), p. 60.

⁵¹ On the tooth, *Musnad Imam Ahmad Ibnu Hambal*, p. 37.

⁵² An-Nawawi, *Uqud Al-Lujain*, p. 62.

⁵³ Muhammad Athiyah Khumais, *Fiqh Perempuan* (Jakarta: Media Da'wah, 1985), p. 186.

a. Can't wear Perfume

Based on the hadith that tells that a woman passed before Abu Hurayrah (r.a) with a sweet fragrance. Abu Hurayrah asked, "Where are you going?" The answer, "to the mosque. He replied, "right". Abu Hurayrah said, "Go home and take a bath! Because I heard the Holy Prophetsa say:

لا يقبل الله من امرأة صلاة خرجت الى المسجد وريحها يعصف حتى ترجع فتغتسل

Meaning: "Allah will not accept the prayer of a woman who goes to the mosque when it smells good and she then goes to bathe" (Narrated by *Ibnu Khuzaimah*).⁵⁴

b. Inconspicuous Clothes and No Jewelry

A hadith narrated by Aisyah ra one day the Prophet PBUH sat in the mosque, suddenly a woman from the Muzainah hamlet entered the mosque by extending her clothes and revealing her jewelry.

أيها الناس انھوا نساءكم عن لبس الزينة والتبختر في المسجد فإن بني إسرائيل لم يلعنوا حتى لبس نساءهم الزينة وتبخترن في المساجد (رواه ابن ماجه

Meaning: "O men, forbid your women to be decorated and stylized in the mosque, for the Children of Israel are not cursed but they adorn their women and walk in style in the mosque." (Narrated by Ibn Majah)⁵⁵

c. Get permission from Their Husband or Guardian

According to Imam Ghazali that there was a man traveling long distances and told his wife not to go down from top to bottom. While the father of his wife was downstairs and sick. Then he sent a woman to the Holy Prophet (peace be upon him). To ask his permission, if he would go down to visit his father. So the Holy Prophetsa said, "*Obey your husband and do not come down.*" Finally his father died and asked permission again to the Holy Prophetsa to be allowed to come down to witness his father's body. The Prophet said, "*Obey your husband and do not come down.* Then his father was buried. Then the Prophet sent to the woman to say that Allah the Almighty had forgiven her father because of her obedience to her husband.⁵⁶

Then The Prophet PBUH said from Ibn 'Umar that the Holy Prophetsa said: "If your wives ask permission to go to the mosque at night, then give their permission." This narration was followed (*mutaba'ah*) by Shu'bah from al-A'masy

⁵⁴ Abu Bakr son of Isaac, *Shahih Ibnu Khuzaimah* (Al-Maktabah Islami, 2003), p. 812.

⁵⁵ Abu 'Abdillah, Muhammad bin Yazid al-Qazawaini Ibnu Majah, *Sunan Ibnu Majah* (Give Ar-Risalah, 2009), p. 137.

⁵⁶ Abi Hamid Muhammad Ibnu Muhammad Al-Ghazali, *Ihya' 'Ulumuddin* (Beirut: Dar al-Fikr, 1989), p. 57.

from Mujahid from Ibn 'Umar from the Prophet (peace be upon him)" (H.R Bukhari).⁵⁷ This hadith postulates that a woman is not allowed to leave her husband's house except after obtaining his permission, because it must have the permission of the husbands. It is seen from the hadith sarah and some opinions of scholars that the famous prayer of a woman at home is generally better than her prayer in the mosque, but if a woman asks permission to pray in the mosque, husbands should not forbid it.

Hadith The Ultimate Place of Prayer for Women: The Method of *Al-Jam'u wa at-Tawfiq* Islamic Family Law Perspective

Based on the previous explanation, when viewed in terms of *matan*, the two hadiths seem to contradict because the hadith that allows women to pray in mosques is worth the shahih hadith narrated by Imam Bukhari. This hadith is acceptable because it has perfected the conditions of its acceptance relating to its continuous sanad, rawi who narrates *justice* and *dhabit* and *matan* who are not *shadz* and there is no *illat*. The scholars in interpreting these two hadiths by the method of *al-Jam'uwa al-tawfiq* i.e. by combining and compromising two hadiths that seem to contradict each other and both hadiths must be equally shahih.⁵⁸

According to Hasbi ash-Shiddieqy stated that the ikhtilaf hadith is the arrival of two hadiths that have opposite meanings at birth, *tawfiq* (collected) between the two or tarnished one of them. When there is a conflict between two hadiths, then try to collect between them, which is called *tawfiq*.⁵⁹ Some scholars call it *talfiqul* hadith. If the two opposing hadiths can betawfiqin meaning, then it is not permissible to practice only one of them, while the other is abandoned.

The methods of *tawfiq* are sometimes by ending the general hadith, aqididing the absolute hadith and sometimes by choosing the stronger sanad or the one with more ways to come. And if the hadith is hypothetical then it is conquered. And the scholars all agree with this method in resolving the seemingly contradictory hadiths, there is only a difference in the method of the order in which they are resolved.⁶⁰

⁵⁷ Al-Bukhari, *Al-Jami' Al-Shahih Al-Mukhtashar*, 2005.

⁵⁸ Muhammad bin Ali bin muhammad as-Syaukani, *Nailul Awthar*, 1255, p. 160.

⁵⁹ Hasbi ash-Shiddieqy, *Trees of Science Dirayah Hadits, Jld. 2* (Jakarta: Bulan Bintang, 1994), p. 274–275.

⁶⁰ Fatchur Rahman, *Overview of Musthalahul Hadith* (Bandung: Al-Ma'arif, 1995), p. 295.

a. Hadith Allows Women to Shalat in Mosques

حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ قَالَ أَخْبَرَنَا اللَّيْثُ عَنْ عُقَيْلٍ عَنْ ابْنِ شِهَابٍ قَالَ أَخْبَرَنِي عُزُورَةُ بِنْتُ الزُّبَيْرِ أَنَّ عَائِشَةَ أَخْبَرَتْهُ قَالَتْ كُنَّ نِسَاءُ الْمُؤْمِنَاتِ يَشْهَدْنَ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَاةَ الْفَجْرِ مُتَلَفِّعَاتٍ بِمُرُوطِهِنَّ ثُمَّ يَنْقَلِبْنَ إِلَى بُيُوتِهِنَّ حِينَ يَفْضِيْنَ الصَّلَاةَ لَا يَعْرِفُهُنَّ أَحَدٌ مِنَ الْعَلَسِ

Meaning: "Yahya bin Bukair told us, he said: al-Laits reported to us from 'Uqail of Ibn Shihab, he said: 'Urwah bin al-Zubayr told me that 'Aisha once told him, he said: There are some of your women/min who participated in the dawn prayer with the Prophet while covering their whole bodies with their clothes. Then the women returned to their homes when they finished praying, no one recognized them because it was dark late at dawn." (Narrated by Bukhari).⁶¹

There is no contradiction between this hadith and the previous hadith narrated by Barzah, that the women left the place of prayer after the man could recognize the person beside him. Because this is a news about seeing a woman who covers the whole body from a distance. After that it preached about the man who could see the person sitting nearby.⁶²

This hadith contains an exhortation to immediately perform the dawn prayer at the beginning of time and women are allowed to go to the mosque to perform prayers at night. This shows that for women praying in mosques during the day is certainly more permissible because night is more a time of doubt than day. Such provisions apply if there is no fear of slander against or from them. Some scholars make the hadith as a postulate for allowing women to pray by covering their nose and mouth. Covering the body here is considered to be a trait in performing prayers. 'Iyadh added that he was only reporting about the situation of leaving the place of prayer.

Then a hadith that describes the woman asking her husband for permission to leave the house to perform the *shalat jama'ah*:

حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى عَنْ حَنْظَلَةَ عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِذَا اسْتَأْذَنْكُمْ نِسَاؤُكُمْ بِاللَّيْلِ إِلَى الْمَسْجِدِ فَأَدْذِنُوا لَهُنَّ تَابَعَهُ شُعْبَةُ عَنْ الْأَعْمَشِ عَنْ مُجَاهِدٍ عَنْ ابْنِ عُمَرَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

Meaning: "Abdullah bin Musa narrated from Handzalah from Salim from Abdullah from Ibn 'Umar from the Prophet (peace be upon him), he said: "If your wives ask permission to go to the mosque at night, then give their permission. This narration was followed (mutaba'ah) by Shu'bah from al-

⁶¹ Al-Bukhari, *Al-Jami' Al-Shahih Al-Mukhtashar*, p. 423.

⁶² al-Asqallnor *Fathul Bari*, p. 75.

A'masy from Mujahid from Ibn 'Umar from the Prophet (peace be upon him)." (Narrated by Bukhari).⁶³

The hadith is disputed about its narration from al-Zuhriy of Salim. The author published the hadith after the narration of Ma'mar and Muslim from the narration of Yunus ibn Yazid, Ahmad from the narration of 'Aqil, al-Sarraj from the narration of al-Auza'iy, all narrated from al-Zuhriy without limitation. The author also issued the hadith in the chapter Nikah from the narration of 'Ali bin al-Madaniydari Sufyan bin 'Utaibah from al-Zuhry without limitation. Abu 'Awanah in the book also contains such a hadith with the narration of Yunus ibn Abdul A'la from Ibn 'Uyainah, but at the end he mentions *يعني بالليل* (i.e. at night).

Ibn Khuzaimah of Abdul Jabbar bin Ala' explains that Sufyan bin 'Uyainah was the one who said *يعني*. Ibn Khuzaimah also narrated from Sa'id ibn Abdurrahman from Ibn 'Uyainah, he said: Nafi' said: (at night). Ibn Khuzaimah also narrated from Yahya ibn Hakim from Ibn 'Uyainah, he said: A man came to us, then he narrated (the hadith) from Nafi', he said: It was only at night.

Al-Nawawi says: The hadith postulates that women are not allowed to leave their husbands' homes except after obtaining their permission, because it must have the permission of the husbands. Ibn Daqiqul'id adds that if taken from mafhum (which is understood), it is considered to include *mafhum laqab* (epithet). However, this opinion is weak. This opinion is strengthened by his statement: Indeed, men's prohibition against their wives is prescribed. The permissible law is related to mosques, so for other than mosques it remains prohibited. This shows that the permission is not for obligation. Because if it is mandatory, then the request for permission will no longer be meaningful. This is because permission requests can only occur if the person being asked for permission can choose between granting or denying.⁶⁴

Then, the word *تَابَعَهُ شُعْبَةُ عَنِ الْأَعْمَشِ عَنْ مُجَاهِدٍ عَنِ ابْنِ عُمر* Al-Mizzy in *Kitab al-Athraf* by following Khalaf and Abu Mas'ud, mentions that this *mutaba'ah* occurred after the narration of Warqa' from 'Amr ibn Dinar from Mujahid of Ibn 'Umar about this hadith. I have not found a single history connected to us from Bukhari related to this theme. The *mutaba'ah* took place after the narration of Handzalah from Salim, and Ahmad has connected it, saying: Muhammad bin Ja'far narrated to us, he said: Shu'bah narrated to us, then he mentioned the hadith by giving an addition which I will mention in a moment. Indeed, Bukhari has removed the hadith from the narration of Warqa' at the beginning of the Jumu'ah chapter with the editorial: Give the women permission to go to the mosque at night. But he did not mention *mutaba'ah* or anything else.

Imam Muslim also issued the hadith through this sanad, adding: Then his son called Waqid said to him: If so, they (women) make it a moment to commit

⁶³ Al-Bukhari, *Al-Jami' Al-Shahih Al-Mukhtashar*, p. 205.

⁶⁴ Al-Asqallnor *Fathul Bari*, p. 75.

crimes. He said: Then he beat his chest and said: Do you want me to narrate your words from the Messenger of Allah? He replied: No. Regarding this story, I did not find a single narration line issued by Bukhari for this hadith.

Al-Asqallani explained that there are several hadiths relating to women going out to pray in congregation in mosques. (1) the hadith narrated by 'Aisha about ending the isha prayer until 'Umar cried out "The women and children have slept". (2) the hadith narrated by Ibn Umar about the prohibition against forbidding women to go to mosques. (3) the hadith narrated by um Salamah about the imam who did not leave the imam after the salutation until the women left the place of prayer. (4) The hadith narrated by 'Aisha about the dawn prayer at dawn at dawn and the return of the women who covered their whole bodies. (5) Abu Qatadah's narrated hadith about praying when a baby cries, because it weighs the baby's mother. This has been explained in the chapter *al-Imamah*.⁶⁵

All these hadiths are closely related to the explanation that women can pray in congregation in the mosque and it is not related to the time, whenever a woman will pray in the mosque is very permissible but must ask permission first from her husband.⁶⁶

b. Hadith of Women Is More Important to Perform Shalat at Home

حَدَّثَنَا عُثْمَانُ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ أَخْبَرَنَا الْعَوَّامُ بْنُ حَوْشَبٍ حَدَّثَنِي حَبِيبُ بْنُ أَبِي ثَابِتٍ عَنْ ابْنِ عُمَرَ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَا تَمْنَعُوا نِسَاءَكُمْ الْمَسَاجِدَ وَبُيُوتَهُنَّ خَيْرٌ لَهُنَّ

Meaning: "Uthman ibn Abi Shaiba told us; Yazid ibn Harun told us; al-Awwam ibn Hushab informed us; Habib ibn Abi Thabit told me from Ibn 'Umar, he said: Do not forbid your wives to go to the mosque, but their homes are better for them." (Narrated by Abu Dawud).⁶⁷

The author of the book 'Aun al-Ma'bud says: "*Do not forbid your wives to go to the mosque*": Forbidding women to go to the mosque either absolutely without being bound by time, as in this narration and in the hadith narrated by Abu Hurayrah, or limited by the night time, as in later hadiths, or limited by the darkness of dawn, as in some other hadiths, is haram to do for husbands. Imam Nawawi said that this ban is only a ban on tanzih. "But their home is *better for them*": That is, they pray in their own home better for them than praying in the mosque, if they knew it, but they did not know it, so they asked to be allowed to

⁶⁵ al-Asqallani, *Fathul Bari*, p. 75.

⁶⁶ al-Asqallani, *Fathul Bari*, p. 79.

⁶⁷ Dawud, *Sunan Abi Daud*, p. 373.

go to the mosque because they believed that the reward of praying in the mosque was more.⁶⁸

The reason praying at home is better for them is because of their safety from slander. It was strengthened after they appeared and adorned themselves. Therefore, the Prophet PBUH said:

أيها الناس انموا عن نسائكم عن لبس الزينة والتبختر في المسجد فأن بني اسرائيل لم يلعنوا حتى لبس نساءهم الزينة و تبخترن في المساجد (رواه ابن ماجه)

Meaning: "O men, forbid your women to be decorated and stylized in the mosque, for the Children of Israel are not cursed but they adorn their women and walk in style in the mosque." (Narrated by Ibn Majah).⁶⁹

Then there is a similar hadith also said.

حَدَّثَنَا أَحْمَدُ بْنُ صَالِحٍ حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ أَخْبَرَنِي سُلَيْمَانُ بْنُ بِلَالٍ عَنْ إِبْرَاهِيمَ بْنِ أَبِي النَّضْرِ عَنْ أَبِيهِ عَنْ بُسْرِ بْنِ سَعِيدٍ عَنْ زَيْدِ بْنِ ثَابِتٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ صَلَاةُ الْمَرْءِ فِي بَيْتِهِ أَفْضَلُ مِنْ صَلَاتِهِ فِي مَسْجِدِي هَذَا إِلَّا الْمَكْتُوبَةَ

Meaning: "Ahmad bin Salih told us; Abdullah bin Wahb told us; Sulayman bin Bilal told us from Ibrahim bin Abul Nadlr from his father from Busr bin Sa'id from Zaid bin Thabit: Indeed, the Messenger of Allah once said: A person's prayer in his house is better than his prayer in my mosque, except for the fardlu prayer." (Narrated by Abu Dawud).⁷⁰

The above hadith shows that the sunnah of performing sunnah prayers in the house and performing sunnah prayers at home is more important than doing it in a mosque, even though the main mosques, such as the Grand Mosque, the Prophet's Mosque, or Baitul Muqaddas. An explanation of this has been mentioned while delivering this hadith, in which it is stated: "*A person's prayer in his house is better than his prayer in this mosque of mine, except for the fardlu prayer.*"

Al-Iraqy mentions that sanad is shahih, therefore, if a person performs sunnah prayers in the mosque of Medina a thousand times, according to the opinion that all sunnah prayers are included in this common hadith, then if he performs one prayer in his house, it will be better than a thousand prayers there. Such is the case with the Grand Mosque and Baitul Muqaddas. Some followers of the Shafi'i madhhab exclude some sunnah prayers from the generality of the hadith. According to them, the primacy of Sunnah prayers in the house does not apply to prayers prescribed for congregations, such as the 'id prayer, *kusuf*, *istisqa*,

⁶⁸ Al-Azhim, *Aunul Ma'bud syarh Sunan Abu Dawud*, p. 131.

⁶⁹ Majah, *Sunan Ibnu Majah*, p. 137.

⁷⁰ Dawud, *Sunan Abi Daud*, p. 201.

tahiyatul masjid, two rakaat thawaf, and two rakaat ihram. This is al-Shaukany's statement.

The phrase "except for fardlu prayer": According to al-Iraqy it applies only to men, not women. Because Sunnah prayers for women are better done at home, although they are allowed to participate in some congregational prayers. The Prophet in a shahih hadith once said: *If your wife asks permission to go to the mosque at night, then allow it. But their prayers inside the house are better for them.* What is meant is the sunnah prayer required by the origin of sharia 'as well as the five fardlu prayers, not the dinazar prayer. Al-Nawawi also stated that the recommendation to perform sunnah prayers in the house because it is more closed and far from riya and awake from things that thwart the practice of worship. In addition, for the house to be a blessing because of the prayer, for mercy and angels to descend on the house and for Satan to leave the house, as mentioned in the hadith.

If using the method of *al-jam'u wa al-tawfiq* by compromising the two hadiths, then it can be understood that both hadiths can be used according to their conditions or times, because the hadith narrated by Aisha tells that there were some women who participated in congregational prayers with the Prophet at night with conditions that were safe for them, supported by the darkness of the night and clothing which so covered their whole bodies that no one could recognize them, and after they finished praying they immediately got up and went home while the male worshippers did not rise from their places of prayer until the women had actually left the mosque. While the narration of Ibn Umar appeared when the rampant harassment of Muslims, especially to women from infidels, such as harassment in public places, blasphemy and so on. So, the Holy Prophetsa said that women's prayers are better than their prayers in mosques to keep women from things that harm and harm them.

From the above information it can also be concluded that the most important place for women to pray is their home but if women want to pray in the Mosque then there is no prohibition for her if conditions are safe for them and do not cause slander when they come to the mosque by fulfilling the conditions developed. An by scholars based on the hadiths of the Holy Prophetsa described above. From the explanation above, it can also be concluded that both histories can be used and used as arguments. From the compromise of the two hadiths the author also finds that women may perform congregational prayers in mosques on the condition that a woman cannot attract the attention of others and wear fragrances.⁷¹

Correspondingly, from the perspective of Islamic family law, women should be protected and treated with dignity and respect, therefore she should be protected from slander and all forms of abuse. In Islamic law there is a term called

⁷¹ Al-Azhim, *Aunul Ma'bud Syarh Sunan Dawud*, p. 131.

sadd al-ẓarī'ah which is to prevent *mafsadah* or possibility from occurring.⁷² *Sadd al-ẓarī'ah* as a rule of law is forbidden to use something as a means or intermediary for fear of causing harm or *mafsadat*.⁷³

In this context in Islamic family law, the protection of women is prominent as part of an effort to position women in a place of dignity and respect. The prevention of harm, slander, harassment and other forms of harm is the goal of Islamic law. But it is also worth considering that in the current conditions where there is no danger and threat to women there is no prohibition for women to pray in mosques.

Conclusion

In accordance with the above problem, here the author can conclude that the most important place of prayer for women is found a number of hadiths that seem different from one another by birth. Most of these hadiths mention the place where the most important place is at home. But there are also several hadiths that outwardly explain the Prophet forbade husbands or saints to forbid women from praying in mosques, which is why signaling prayer in mosques is also better for women. However, the majority of scholars still prefer the opinion that the main place for women is home, even at home, better in the most closed place. In the face of these seemingly contradictory hadiths, scholars use the method of *al-jam'u wa al-tawfiq* with a compromising approach. So that both versions of the hadiths are still used. Prayer at home is more important for women than in mosques. However, prayer in mosques is still permissible for women who meet the following conditions: do not wear fragrances, do not wear jewelry and clothing that is too flashy, and must ask permission from their husbands and guardians. The study of hadith is still very much needed in this increasingly complex era, especially on the matan and understanding of the content of hadith in a contextual direction. Therefore, the author suggests to the next researcher to conduct a study of hadith in the field and its understanding. In the perspective of Islamic family law, the prohibition of prayer in such mosques is not absolute, but conditional, but women should be protected and treated with dignity and respect, therefore women are protected from slander and all forms of harassment. The prevention of this form of *mafsadat* and possibility in Islamic law is called *sadd al-ẓarī'ah* or preventing something before it happens.

⁷²Wahbah Al-Zuhailī, *Uṣūl Al-Fiḥ Al-Islāmī* (Beirut: Dar al-Fikr al-Mu'āṣir, 2013).

⁷³Yuhasnibar Yuhasnibar and Risna Wati, "The Law on the Tripple Talaq at Once in the View of Yusuf Al Qaradawi's in Contemporary Context: Analysis of Sadd Al-Ẓarī'ah Theory," *El-Usrah: Journal of Family Law* 6, No. 2 (2023). Royan Utsany, et.al., "Women's Rights and Gender Equality: An Analysis of Jasser Auda's Thoughts and His Contribution to Renewal of Islamic Family Law in Indonesia," *Journal of Islamic Law* 3, No. 1 (2022).

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