

Hajj and Umrah Travel for Women Without Mahram

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ABSTRACT

This paper aims to determine the law of travelling for Hajj and Umrah without a mahram for women. This research is a library research conducted by examining various literatures related to the topic under study. The data sources used are secondary data sources, which consist of fiqh books and journals related to the problem written. The data collection technique used is a literature study by reading books and articles. After conducting research on women's Hajj and Umrah travel without a mahram, the author can conclude several things: first, the issue of women's travel to perform the pilgrimage to the Holy Land without being accompanied by a mahram or husband is a matter of ikhtilaf (difference of opinion), both among classical scholars and contemporary scholars. Secondly, from the perspective of classical scholars, the Hanafi Mazhab and the Hambali Mazhab are of the opinion that a woman may not travel for Hajj without being accompanied by her husband or mahram. Meanwhile, the Maliki Mazhab and the Hambali Mazhab are of the opinion that a woman may travel for Hajj unaccompanied by her husband and mahram. On condition that there is a trusted person to accompany her, so that her safety during the journey can be maintained. Thirdly, from the perspective of contemporary scholars, Muhammad bin Shalih al-'Uthaimin argues that it is not permissible for a woman to travel for Hajj without being accompanied by her husband or mahram. Meanwhile, Yusuf al-Qardhawi is of the opinion that it is permissible for a woman to travel for Hajj without being accompanied by her husband or mahram, provided that there is a trustworthy person to accompany her, so that her safety during the journey can be maintained.

KEYWORDS Hajj, Umrah, Female Mahram

INTRODUCTION

Islam has various types of worship, including Hajj and Umrah. (Santoso, 2019). Carrying out the Hajj and Umrah pilgrimages is a desire that every Muslim aspires to. Hajj is obligatory for Muslims who have reached puberty, have the right mind, and are able to perform it. (Hamdani, 2022). Ability is seen from the financial and physical aspects, as well as safety during the trip. (Muslim, 2020). In addition, being able also means having enough provisions to go on the pilgrimage and provide for the family left behind. (Noor, 2018).

The Hajj pilgrimage is held annually between the 8th and 13th of Dhul Hijjah, the 12th and final month of the Islamic calendar (Hoang et al., 2020). It is one of the largest mass gatherings in the world, attended by more than 2.5 million pilgrims from over 180 countries. (Hashim et al., 2021). Hajj in Islam is very important as it is one of the five pillars of Islam. (Herningrum & Alfian, 2021)..

Meanwhile, the Umrah pilgrimage is also known as the "small Hajj" because the requirements are almost the same as the Hajj pilgrimage, except that it does not include wukuf in Arafat and stoning the jumroh. Umrah requirements include the intention, wearing ihram clothes, performing tawaf, sa'i, and then exiting ihram. (Muhit, 2023). Umrah in Arabic is defined as pilgrimage or visit. In Sharia, Umrah is a pilgrimage to the House of Allah by performing tawaf seven times around the Kaaba, performing sa'i between the hills of Shafa and Marwah, and shaving or shortening the head of hair. (Fuad & Yacob, 2022).

The purpose of performing Hajj and Umrah is to increase piety and spiritual values. (Vina et al., 2023). Hajj and Umrah are not just a journey to the Temple, but also an economic activity that involves various sectors (Malik et al., 2022). (Malik et al., 2022).

Hajj is one of the five pillars of Islam and is required for those who have the financial means to

perform it. (Ekbisi & Widyarini, 2013).. While Umrah is a pilgrimage to the Kaaba, tawaf around the Kaaba, and running between Shafa and Marwah in sa'i, and shaving the hair (tahallul), without involving wukuf in Arafat as in the Hajj. (Arif, 2019).

The main difference between Hajj and Umrah is that Hajj must be performed by those who are financially capable and performed at a specified time, while Umrah is a sunnah option that can be performed at any time without specific time restrictions (Sarwet, 2019). Although the Umrah pilgrimage is sunnah, it is highly recommended to be performed. (Al-Tawfiq et al., 2016).

A man who wants to travel for Hajj and Umrah can do so without facing the constraints of travelling alone. Hajj and Umrah can be performed by men without the need to be accompanied by a mahram, but women must be accompanied by a mahram to perform Hajj and Umrah. Men can travel for Hajj and Umrah alone without the need for special requirements that apply to women. (Ulya & Maulana, 2016).

In contrast, women going on Hajj must be accompanied by a mahram, as there is a difference of opinion among Islamic jurisprudence schools regarding the requirement of a mahram for women going on Hajj or Umrah. (Rahmi, 2023). The Hanafi and Hambali madhhabs state that women who go on Hajj or Umrah must be accompanied by their husbands or mahrams, based on the Prophet Muhammad's hadith which says, "A woman should not travel for three days except with her mahram". The Maliki and Shafi'i schools of thought state that women can perform Hajj without a mahram, and the requirement to travel with a mahram for female pilgrims for Umrah is no longer valid. ("Yas'alunaka," t.t.).

Regarding women who perform Hajj or Umrah must be accompanied by a mahram is based on the hadith of the Prophet SAW, which means: "Abu Nu'man has narrated to us Hammad bin Zaid from 'Amr bin Abi ma'bad the slave of Ibn 'Abbas from Ibn 'Abbas the Apostle SAW, said: "Let no woman travel except with her mahram and let no man meet her unless he (the woman) is with her mahram." Someone asked the Apostle SAW: "O Messenger of Allah I want to go out to fight, but my wife wants to go on Hajj, so the Messenger of Allah replied: "go with her (your wife)" (Narrated by Bukhari, from Ibn Abbas r.a)".

With regard to mahrams for women travelling for Hajj and Umrah, scholars of Islamic law have expressed various opinions that can be divided into three main groups. The three groups are:

The first group consisted of scholars who remained steadfast in following the hadith that prohibited women from travelling without a mahram absolutely. This group was represented by Imam Ahmad ibn Hanbal and Imam Abu Hanifah, both of whom took a firm stand on the prohibition of women travelling without a mahram in the context of Hajj and Umrah. (Kodir, 2012).

The second group consists of scholars who study hadith based on the underlying 'illat' and apply the hadith according to the 'illat' they find. This group is represented by Imam Malik and Imam Shafi'i. The third group consists of scholars who absolutely allow women to travel without a mahram, citing the Qur'anic injunction in general and as a means of jihad for women. This group is represented by Ibn Hazm of the Zahiri school. Ibn Hazm even stated that mahram is an obligation for men to facilitate, not for women. If a woman performs Hajj without a mahram, the sin is not on the woman, but on the man who did not provide a mahram for her. (Kodir, 2012). Based on this background, the author is interested in conducting in-depth research on how the implementation of Hajj and Umrah for women who do not have a mahram companion.

Based on the reference search, several previous writings were found that are relevant to the author's writing, namely regarding the opinion of the scholars on the law of travelling women without a mahram. (Nazahah & Sahidin, 2021). Then writing about the law of travelling for women without a mahram according to the Shafi'i and Hambali schools of thought. (Mahmuddin et al., 2021). Then the article on the implementation of mahrams in the implementation of Hajj for women from a maslahah perspective (case study on the implementation of Hajj at the Ministry of Religion of Makassar City). (Bobihu, 2023).

Furthermore, the article on mahram *for women hajj pilgrims: analysis of 'illat and development of mahram meaning* (mahram for women hajj pilgrims: analysis of 'illat and development of mahram meaning) (Busyro et al., 2020). A paper on mahram *for women in the implementation of the hajj according to classical and contemporary scholars*. (Hamdani, 2022). An article about *mahram implications in women's travel*. (Utami, 2019). Writing about the inclusion of mahrams in the implementation of Hajj and Umrah (Ulya & Maulana, 2016). A paper on the hermeneutical reasoning of hadith scholars: the prohibition of women travelling without a mahram in the historical space of understanding. (Miski, 2020). A paper on shifting *the meaning of mahram for women*

in the implementation of hajj and umrah. (Rahmi, 2023).

A paper on tracing the hadith of women travelling without a mahram. A paper on the proportional understanding of the mahram as a companion in women's travelling. (Handayana & Budiman, 2020). Thoughts on mahrams in the Hajj pilgrimage (a comparative study of classical fiqh with contemporary fiqh) (Vina et al., 2023). A paper on the reactualisation of the concept of mahram in the hadith about women's travel from the perspective of maqasid al-shariah. (Rohman, 2018). A paper on the reinterpretation of the concept of mahram in women's travel from the perspective of Fazlur Rahman's hermeneutics. (Rohman, 2017). Furthermore, an article about *responding to women's travelling without a mahram in the era of social transformation: an analysis of mukhtalif al-hadith*. (Wulandari, n.d.)

METHODS

This research is a *library research* conducted by examining various literatures related to the topic under study. The data in this study were obtained from various sources of information, such as research abstracts, indexes, reviews, journals, and reference books. The data that has been collected is then processed through the stages of editing, organising, and analysing to produce relevant conclusions related to the topic of this research.

The data sources used in this research are secondary data sources, which consist of fiqh books and journals related to the problem written. This secondary data is obtained from various sources, including the Qur'an, books, articles, online journals, and others. In this research, secondary data is used as a support for primary data obtained from direct research subjects.

The data collection method used in this research is literature study. The literature study was conducted by reading books, articles, and other data sources available in the library. In the context of this research, data is collected by examining various literatures relevant to the topic under study, such as books, journals, and other sources related to the problem being studied.

FINDINGS AND DISCUSSION

Mahram Perspective of Islamic Law

In general, in Islamic law, mahram is to protect and benefit women when they are travelling, with the aim of preventing any harm from occurring. (Chaliddin, 2019). Etymologically, mahram comes

from the root "harama-yahrumu," which means something forbidden, and is a maf'ul isim that refers to people who are forbidden to marry someone because of blood relations or certain marital relationships. (Busyro et al., 2020).

According to Muhammad Rawas Qal'ahji, a mahram is anything that is forbidden by Allah SWT. Thus, all things that are expressly forbidden in Islam are considered haram. Haram is an action that is rewarded if left undone and sinned if done. However, the mahram referred to here is not in the terminology above, but rather mahram is related to whether or not a person can marry another person and other legal consequences. (Busyro et al., 2020).

Mahram in Arabic comes from the word al-mahramu which means "one who is forbidden" or "one who cannot be married". The word mahram has a different meaning from the word muhram, which means "one who is in ihram" for Hajj or Umrah. In the Islamic context, mahram refers to people who are forbidden to marry because of descent, breastfeeding, or marriage. Ibn Manzhur explains the word mahram as someone who has a family relationship that cannot be married. (Hamdani, 2022).

Mahrams are all people who cannot be married forever according to Islamic law, whether by descent, breastfeeding, or marriage. (Mahmuddin et al., 2021). Mahram etymologically comes from the word isim maf'ul from the root "harama-yahrumu", which in noun form becomes "haraman mahramun", which means something that is prohibited. According to Muhammad Rawas Qal'ahji, mahram does not only refer to things that are forbidden by Allah SWT. In the context of Islamic law, mahram also includes everything that is forbidden both by Allah SWT and by Islamic law, such as marriage with close relatives such as mothers, mothers-in-law, siblings, and others.

According to Hasanain Muhammad al Ma'luf in Islamic legal terms, a mahram is someone who is prohibited from marrying a woman for a long period of time because of a relationship of descent, marriage, or brotherhood. Ibn Qudamah states that there are two definitions of mahram. Firstly, someone who is already the husband of a woman. Second, someone who is not allowed to marry a woman for a long period of time because of a relationship of nasab (descent) or other reasons, such as father, son, brother, sister, and others. (Busyro et al., 2020).

The existence of mahrams is expected to provide protection for women from various disturbances, both from humans and from other sources. However, in the Qur'an there is actually no specific explanation of who can be considered as a mahram for women (Rohman, 2018). Hadiths on

mahrams can be understood as an expression of Islamic teachings' concern for women's security. However, some traditions also refer to specific conditions that must be fulfilled by women who wish to perform Hajj or Umrah. Even if financially capable, some scholars still argue that women should not undertake these religious journeys without a mahram. (Ikhlās & Hifni, 2022)..

The concept of mahram needs to be updated and reinterpreted in accordance with contemporary needs, while still considering the urgency of women's safety. In remote areas such as the mountains of Papua, where means of transport are very limited, the presence of a mahram when women are travelling is an inevitable necessity. (Ikhlās & Hifni, 2022).

A Mahram is someone who is permanently forbidden to marry a woman, whether by blood relationship, breastfeeding, or marriage. Mahram for a woman is someone who is permanently forbidden to marry her, either because of kinship, breastfeeding, or marriage. (Nazahah & Sahidin, 2021).

In general, many people often equate mahram and muhriim. Muhriim is the isim fa'il of the root *ahrama yuhrimu* (haram). In addition, the term "muhriim" can also refer to someone who is in a state of ihram, which is a requirement for performing Hajj or Umrah. According to Qal'ahji, a muhriim is also someone who makes it forbidden for a woman to marry someone else and is responsible for looking after her.

Based on the discussion, muhriim refers to someone who is directly related to the issue of marriage, specifically the husband. Muhriim does not include anyone other than the husband in this context. Muhriim focuses on the husband-wife relationship and the husband's role in determining the forbidden status of being married to someone else while still in the marriage bond. Thus, muhriim does not include anyone other than the husband in this definition.

Therefore, it is not appropriate for someone such as a son, brother or father to declare a woman a mahram, because they do not prevent her from marrying someone else. When a husband accompanies his wife on a journey, he acts as a mahram who protects and guards her. However, when he acts as an obstacle for his wife to marry someone else, he is called a muhriim. (Busyro et al., 2020).

Shaykh Shalih bin Fauzan al-Fauzan hafizhullah said that the mahram for a woman is her husband and all those who are forbidden to marry her forever because of bloodline, such as

father, son, and brother, or for other reasons such as brother, father, or stepson. (Utami, 2019).

Based on the definition of mahram that has been stated above, in general mahram is divided into three types, namely; first, mahram nasab (descent) is a person who is forbidden to marry because of hereditary relationships. For example, siblings, children, grandchildren, and so on. Second, mahram *mushaharah* (because of marriage) is a person who is forbidden to marry because of marriage. For example, other people's wives, ex-wives, and so on. Thirdly, mahram *radha'ah* (because of breastfeeding) is a person who is forbidden to marry because of breastfeeding. For example, breastfeeding mothers, who are forbidden to marry because of the breastfeeding relationship between mother and child.

Mahram muaqqot is a group of mahrams who cannot be married under certain conditions. Examples of muaqqot mahrams include: brother or sister-in-law (sister of the wife or wife of the brother), aunt (father or mother-in-law) of the wife, married wife and wife of a non-Muslim if she converts to Islam, a woman who has been divorced three times, so she cannot be married by her former husband until she becomes the wife of another man, a polytheist woman until she converts to Islam, an adulteress until she repents and performs *istibro'* (proof of the empty womb), a woman is allowed a fifth marriage while still having a fourth wife.

Mahrams can also be classified into temporary mahrams (*muaqqat*) and permanent mahrams (*muabbad*). Mahram muabbad is a group of mahrams who cannot be married forever. Examples of muabbad mahrams include: first, mahrams because of nasab. Men who are included in mahrams because of this nasab are men who are mentioned by Allah in Surah al-Nur verse 31 which means Allah SWT, says "say to the women who believe, let them keep their eyes, keep their genitals, and do not reveal their adornment (body parts), except what is (usually) seen. And let them draw their veils over their chests. Nor should they show their adornment except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers, their brothers' sons, their sisters' sons, (fellow Muslim) women, their slave slaves, (old) male servants who have no desire (for women), or children who do not yet understand the female form. Nor should they move their feet so as to make known the adornment which they conceal. Repent ye all to Allah, O ye who believe, that ye may prosper." (*Qur'an Ministry of Religious Affairs*, t.t). Ibn Kathir explains that the men who are mahrams to women because of kinship in

this verse are father, son, brother, son of a brother, son of a sister.

Second, mahram because of breastfeeding. Women who are forbidden to be married by men, Allah explains in the Qur'an Surah An-Nisa verse 23 which means "it is forbidden for you (to marry) your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, the daughters of your brothers, the daughters of your sisters, the mothers who breastfed you, your sisters in law, the mothers of your wives (in-laws), the daughters of your wives (stepdaughters) under your care from wives with whom you have had sexual relations, but if you have not mixed with them (and have divorced them), there is no sin on you (in marrying them), (and forbidden to you) the wives of your natural children (sons-in-law), and (also forbidden) the joining together (in marriage) of two women who are sisters, except (in the past). Verily, Allah is the Most Forgiving, the Most Merciful." (*Qur'an Ministry of Religious Affairs*, t.t).

Third, mahram because of marriage. The verse that proves this mahram *mushaharah* is Surah al-Nur verse 31, which means: "Say to the believing women, let them guard their eyes, and keep their private parts, and let them not show their adornments (parts of their bodies), except what is (usually) seen. And let them draw their veils over their chests. Nor should they show their adornment, except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers, their brothers' sons, their sisters' sons, (fellow Muslim) women, the slaves they own, (old) male servants who have no desire (for women), or children who do not yet understand the female form. Nor should they move their feet so as to make known the adornment which they conceal. Repent ye all to Allah, O ye who believe, that ye may prosper." (*Qur'an Ministry of Religious Affairs*, t.t).

Then Surah al-Nisa verse 22 which means: "You shall not marry women whom your fathers have married, except in the past. Verily, that is abominable and hateful (to Allah) and the worst of paths". (*Qur'an Ministry of Religious Affairs*, t.t).

Hajj and Umrah Journeys Without Mahram for Women

Islam honours women by recognising them as beings of high dignity and infinite dimensions. (Suhaili, 2019). Women in Islam are also regarded as individuals who, just like men, have humanitarian obligations, personal and social responsibilities. Therefore, there is no difference in their rights in education, social and other fields in the Qur'an. (Hamdani, 2022).

Women are highly respected in Islam, with the religion setting many rules specifically to honour them. (Utami, 2019). Women are given special treatment in Islam, where they are not allowed to travel for a day and night alone without being accompanied by a husband or mahram, for their own safety and well-being. (Hamdani, 2022).

In some traditions, the Prophet Muhammad forbade women to travel alone (Hamdani, 2022), namely: The hadith narrated from Ibn Umar, the Messenger of Allah SAW, said which means "a woman should not travel for three days except with her mahram" (HR Bukhari and Muslim). Then the hadith narrated from Abu Hurairah, the Messenger of Allah SAW said which means "it is not lawful for a woman who believes in Allah and the last day to travel (travel) within one day's journey except with a mahram" (HR Tirmidzi). Then Hadith Abi Hurairah: The Messenger of Allah (SAW) said, "A woman should not travel a day's journey except with her mahram" (HR Tirmidzi).

Some narrations on mahram show differences in the time limit. In the first tradition, the limit is three days, in the second one day and one night, in another two days, and there are also traditions that prohibit absolutely without time limit. (Hamdani, 2022).

Imam Nawawi, as quoted by Atiyatul Ulya in his article, commented on the difference in the number of days in some of the hadith reports by stating that the issue does not lie in the number of days travelled. Rather, the point is that the Prophet forbade any travelling by a woman without a mahram, regardless of whether the journey took three days, two days, or one day. In Islam, a woman travelling without a mahram (someone who has the right to protect and look after a woman) is considered an impermissible behaviour and can be considered a violation of the Shari'ah. (Ulya, 2013).

Scholars of hadith have varying views on the meaning of the term al-mar'ah or imra'ah in the hadith. The term is often associated with women and can also mean wife. However, according to Imam Nawawi, the term al-mar'ah or imra'ah has a broader meaning and includes all categories, including teenagers (shababah). (Handayana & Budiman, 2020). The prohibition for women to travel alone is not because they are prejudiced against them, as many people often think. This prohibition aims to preserve her honour and protect her from people who have bad intentions towards her. (B & Fahnum, 2017).

The fuqaha' have discussed the issue of women's specificity in the performance of Hajj,

including the obligation of Hajj for women, despite the Prophet's prohibition on women travelling alone without a mahram. Some of them adhered to the letter of the hadeeth, so they prohibited women from travelling without a mahram, even for Hajj, without making any exceptions. Some exempted women who are old and have no sexual desire, as quoted from al-Qadhi Abu al-Walid al-Yaji of the Maliki school.

Some of them make an exception if the woman is travelling with another trustworthy woman. In fact, some considered it sufficient if the woman was accompanied by a trustworthy Muslim woman. Others were of the view that what is important is that the journey is safe, and this is the view of Shaykh al-Islam Ibn Taymiyyah.

There are two directions in understanding the text of the hadith, namely interpretation based on the words listed and interpretation that considers the context. Based on the understanding of the hadith text, it can be concluded that women are not allowed to go out of the house without being accompanied by a mahram. Therefore, based on the interpretation of the hadith text, many scholars argue that women should not leave the house, including to perform the Hajj, unless they are accompanied by a mahram. (Hamdani, 2022).

However, in a contextual understanding, the interpretation of the legal purpose of the prohibition of women travelling alone in the historical context of the hadith is to maintain security and maintain order. Thus, in today's modern context, if the safety of women travelling alone is guaranteed and women are considered appropriate and no longer considered taboo to travel alone, then there is no problem if the woman travels without a mahram. (Mansyuroh, 2020).

In such situations, there is a variation of opinion among scholars. Some scholars are of the opinion that if a woman is financially sufficient and has the physical strength to travel alone or in a safe group of women, then she may perform Hajj or Umrah. This opinion is based on the understanding that the purpose of prohibiting women from travelling without a mahram is to protect them from any harm or hardship that may occur on the journey.

However, there are also scholars who maintain the opinion that women should still be accompanied by their mahrams to maintain safety and order on the journey, especially since there are still risks or challenges in travelling long distances. Therefore, in this case, women in this situation are advised to consult with scholars or religious authorities whom they trust, for advice that is appropriate to their

circumstances and in the context of current safety and propriety.

Although there is official permission from the Saudi Arabian government, on the other hand, there is a prohibition for women to travel alone. After using some of the available takhrij methods, with reference to al-Kutub al-Tis'ah (the nine major books of hadith), 12 traditions were found that confirm that a wife should go on Hajj with her mahram. All of these traditions come from 'Abdullah ibn 'Abbas and are narrated by four different narrators, namely Bukhari (four traditions), Muslim (four traditions), Ahmad (three traditions) and Ibn Majah (one tradition). (Najwah, 2008).

The scholars of the Hanafi school have expressed their opinion on this matter. According to the Hanafis, it is not permissible for a woman to perform Hajj alone without her husband or mahram accompanying her, especially if the distance between her residence and Makkah is more than three miles. This is because they fear that she may be subjected to temptation. The Hanafis base their opinion on the Prophetic hadeeth which states that "A woman is not permitted to perform Hajj unless accompanied by her mahram".

Imam Malik explained that if a woman does not have a husband or mahram who can accompany her on the Hajj journey, the obligation of Hajj still applies to her. If there are other female pilgrims performing Hajj, then she can join them without having to be accompanied by a husband or mahram. Imam Malik was of the opinion that the obligation of Hajj applies generally to all able-bodied men and women, whether they have a husband or mahram or not. Therefore, the verse that makes Hajj obligatory is general and includes all those who are able to perform it, regardless of the status of the presence of a husband or mahram on the woman's Hajj journey. (Hamdani, 2022).

The Shafi'i school of thought allows women to perform Hajj in the company of trusted women. They consider that travelling alone for women is not permissible according to sharee'ah. Therefore, in the context of Hajj, women can make the journey with the assistance of several trusted women, as a substitute for the presence of a husband or mahram. (Hamdani, 2022).

The Shafi'i school of thought relies on a hadith narrated by Bukhari and Muslim which states that "A woman should not undertake a journey that takes two days unless accompanied by her husband or a mahram." Imam Shafi'i explains in his work, al-Umm, that despite this, Hajj is still obligatory for a woman, even if she is not accompanied by her husband or

mahram. Imam Syafi'i interpreted that in the context of Hajj, the obligation still applies and can be carried out as long as it is ensured by ensuring the safety and reasonableness of the journey, for example by being accompanied by trustworthy women. (Hamdani, 2022).

The Shafi'i school of thought believes that women can perform Hajj without a husband or mahram. It is of the opinion that the protection expected from a husband or mahram when travelling is to safeguard a woman's safety. Therefore, if there is another person who is believed to be able to provide the same protection for her safety, the Shafi'i Mazhab allows women to travel for Hajj. (Hamdani, 2022).

Ibn Qudamah, a great scholar of the Hanbali Mazhab, in his work "al-Mughni", explains that Hajj is not obligatory for women who do not have a mahram. In the Hanbali Mazhab, a mahram is a person who should not be regarded as a husband or father, and the presence of a mahram is respected as a mandatory requirement for women who wish to perform Hajj. Ibn Qudamah understood the presence of a mahram as a compulsory condition of Hajj based on a hadith of the Prophet Muhammad which says that women cannot perform Hajj without being accompanied by a mahram.

Ibn Qudamah referred to Abu Daud in his question to Ahmad ibn Hanbal about a woman who has wealth but no mahram to accompany her, whether Hajj is obligatory for her. Ahmad ibn Hanbal replied that it is not obligatory for her. Imam Ahmad was of the view that a woman who does not have a mahram to accompany her for Hajj is not allowed to perform Hajj alone, whether she is young or old. This prohibition applies in general.

Imam Ahmad used the evidence from the hadith narrated by Imam Bukhari from Ibn Abbas, which reads that the Messenger of Allah (SAW) said, "Let not a woman travel except with her mahram, and let not a man meet her unless she is with her mahram." When someone asked the Messenger of Allah (SAW) that he wanted to go to war while his wife wanted to go on Hajj, the Messenger of Allah (SAW) replied, "Go with her (your wife)." This hadith was narrated by Imam Bukhari from Ibn Abbas.

After considering the opinions of scholars from the four popular madhhabs, it can be concluded that the Hanafi and Hanbali madhhabs have a very strict approach to this issue. These two madhhabs ruled that women who do not have a mahram should not travel alone to the holy land. In contrast, the Maliki and Shafi'i madhhabs show a more tolerant approach in this regard. They argue that a woman may perform Hajj alone without the company of her mahram,

provided the journey is safe and does not pose a risk to her safety or morals. (Hamdani, 2022).

In addition to the classical scholars mentioned earlier, contemporary scholars have also addressed the issue of Hajj for women travelling unaccompanied by a mahram. One of them is Shaykh Muhammad bin Shalih al-Uthaimin, a scholar who follows the Hanbali school of thought. In his fatwa, he stated that the Hajj of a woman travelling alone without her mahram is valid in terms of worship. However, he emphasised that such a journey is not advisable and violates the Prophet's advice, which states that "A woman should not travel unless accompanied by her mahram." (Herianto & Susilawati, 2020).

Yusuf al-Qardhawi argues that the purpose of not allowing a woman to walk alone without a mahram is to protect and safeguard her. This purpose is achieved by safe passage and the presence of a trusted woman or a trusted man. In his view, security and protection are the main factors that influence the ruling on women travelling without a mahram. He emphasises that security must be guaranteed before a woman can travel alone, and if security is not guaranteed, then the woman must be monitored by some trusted men or some trusted women. (Hamdani, 2022).

If this goal has been achieved, then a woman's travel to the holy land without her husband or mahram is permitted. The evidence supporting the permission for a woman to travel alone without her mahram, as long as she is safe or under the supervision of a trusted person, can be found in the hadith mentioned by Imam Bukhari in his Sahih. It states that Umar bin Khattab allowed the wives of the Prophet to perform their last Hajj. Umar then sent Uthman bin Affan and Abdurrahman bin Auf to accompany them on the journey.

So 'Umar, 'Uthman, 'Abdur-Rahman and the Prophet's wives agreed to do it without any of the companions opposing it. This is then considered ijma' (agreement of the scholars). Yusuf al-Qardhawi, who once served as Chairman of al-Ittihad al-'Alamy li Ulama al Muslimin (International Union of Muslim Scholars), examined the hadith about the Prophet's prohibition of women travelling alone without their husbands or mahrams in context. In Yusuf al-Qardhawi's view, what is emphasised is the main purpose of the Hadith, not just the text of the Hadith. (Hamdani, 2022).

CONCLUSION

Conclusion

After conducting research on Hajj and Umrah travel for women who are not accompanied by a

mahram, the author can conclude several things: Firstly, the issue of women travelling for Hajj to the Holy Land without a mahram or husband is a matter of debate among scholars, both classical and contemporary. Secondly, according to the views of classical scholars, the Hanafi Mazhab and Hanbali Mazhab view that a woman may not travel for Hajj without being accompanied by her husband or mahram. On the other hand, the Maliki Mazhab and Hanbali Mazhab argue that a woman can travel for Hajj without a mahram if there is a trusted person to accompany her, so that her safety during the journey is maintained. Third, from the perspective of contemporary scholars, Muhammad bin Shalih al-'Uthaimin said that women are not allowed to travel for Hajj without being accompanied by their husbands or mahrams. However, according to Yusuf al-Qardhawi, it is permissible for a woman to travel for Hajj without a mahram on condition that she has a trusted companion to keep her safe during the journey.

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