



## FIQH AL-HADITH PERSPECTIVES ON HANDSHAKING BETWEEN GENDERS IN SOCIAL

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### Abstract :

*This study examines the phenomenon of handshaking between men and women from the perspective of Fiqh al-Hadith. Handshaking (mushafahah) is widely practiced as a symbol of respect and social harmony, yet Islamic law presents differing views on its permissibility, particularly between individuals who are not mahram. Through a descriptive qualitative method and library research, this study analyzes classical and contemporary Hadith sources to contextualize legal rulings on this matter. The findings reveal that the majority of scholars prohibit such practices, grounding their arguments in Hadith traditions that emphasize safeguarding against temptation (fitnah). However, alternative scholarly opinions allow contextual interpretations, considering handshakes as social necessities in modern settings, including diplomacy and intercultural interaction. The analysis highlights the importance of integrating textual and contextual approaches in Hadith studies to balance religious principles with contemporary social realities. Thus, Fiqh al-Hadith provides not only a normative legal framework but also a methodological basis for reconciling tradition with evolving human interactions in social and state contexts.*

**Keywords :** *Fiqh al-Hadith, gender relations, handshaking, Islamic Studies*

### INTRODUCTION

In the daily life of Muslims, it is well recognized that one of the main guidelines is the history of Islam, particularly the life of Prophet Muhammad in upholding the religion of Islam, beginning in the Middle East and extending to the Nusantara, accompanied by the traditions (Hadith) in its various dimensions. The writing of Islamic legal guidelines by Muslims was preceded by the development of knowledge in Qur'anic exegesis (tafsir) and Hadith, which later gave rise to the application of discipline toward the Sunnah. Historiography the process of writing history in Islam and in Hadith is a parallel tradition that has consistently produced clear and reliable data. (Ramadani & Ubaidillah, 2024).

In Islam, the second source of law after the Qur'an is the Hadith. The development of this discipline has its own underlying reasons, whether contextual or historical. Fiqh al-Hadith is one of the branches of Hadith studies and serves as a science aimed at comprehensively understanding the Hadith. The term Fiqh al-Hadith was not mentioned during the time of Prophet Muhammad (peace be upon him); rather, it emerged in subsequent periods as a scholarly endeavor to deepen the understanding of Hadith.

There are many aspects of daily life that are often considered trivial by most people, one of which is the issue of handshaking between men and women who are not *mahram*, known in Arabic as *al-massu* and *al-lamsu*. This matter is



frequently debated when viewed within social and state contexts. From a religious perspective, such an act is regarded as prohibited (*haram*). However, within the context of the state and social interaction, it is often perceived as a barrier to expressing warmth and familiarity toward others. (Ahmad Hilmi, 2018).

This study seeks to further highlight the relevance of *fiqh al-hadith* in addressing issues that may appear simple in daily life but carry significant implications in the interaction between religion and society. The practice of handshaking between men and women who are not mahram serves as a concrete example of how classical traditions are continuously negotiated within modern contexts. While religious perspectives often consider such actions to be prohibited (*haram*), the realities of social and state interactions demand a more nuanced understanding. This tension reflects the broader challenge faced by Muslims in balancing adherence to the Sunnah with the requirements of contemporary social life. Thus, the central research problem raised in this study is how the discipline of *fiqh al-hadith* interprets this practice and how such interpretations can be applied meaningfully within today's socio-political framework.

The aim of this research is not only to analyze the Hadith-based understanding of the issue but also to explore its applicability and relevance in the Indonesian context, where cultural diversity and religious values intersect in unique ways. The urgency of this research lies in the need to provide scholarly insights that can bridge the gap between Islamic historiography and contemporary life. The novelty of this study rests in offering a fresh perspective that integrates classical Hadith studies with present-day socio-cultural challenges, thereby contributing to the development of Islamic scholarship that is both contextually grounded and forward-looking.

## **RESEARCH METHOD**

The research method employed in this paper is a descriptive qualitative approach by examining the literature related to *fiqh al-hadith*, both from historical and methodological perspectives. Data were collected through library research by reviewing Hadith compilations, works of classical and contemporary scholars, as well as relevant academic journals. The analysis was conducted using content analysis of Hadith texts, followed by a contextualization approach to understand the relevance of Hadith in social and state life. Data validity was maintained through source triangulation, namely by comparing various scholarly views regarding the ruling on handshakes between men and women who are not mahram. Thus, this study emphasizes both textual and contextual interpretations of Hadith to produce a more comprehensive understanding of Islamic legal rulings. (Tasbih & Suryadi, 2009).

## **FINDINGS AND DISCUSSION**

From the perspective of the relationship between Hadith and Fiqh, Fiqh al-Hadith is essentially an effort to integrate the disciplines of Fiqh and Hadith

in order to provide an explanation (sharh) of a particular Hadith. Compared to general Hadith commentary (sharh al-hadith), Fiqh al-Hadith has a more specific scope. The term Fiqh al-Hadith consists of two words: fiqh and al-hadith. The word fiqh is derived from fiqhun, which etymologically means “to understand” or “to comprehend.” (Ahmad Warsono Munawwir, 1997).

Fiqh al-Hadith is also understood as knowledge, comprehension, or understanding. Terminologically, fiqh is defined as the science of practical shar’iyyah rulings derived from detailed evidences. However, the meaning of fiqh intended here refers to its basic sense. The term corresponds to fahm, which also means understanding. Nevertheless, the more popular term used to indicate comprehension of a religious text or a particular branch of religious knowledge is fiqh. This is reasonable, for although both words carry the meaning of “understanding,” fiqh conveys a deeper sense of comprehension. For this reason, Ibn al-Qayyim stated that fiqh is more specific than fahm, as it denotes grasping the intended meaning of the speaker. Thus, fiqh goes beyond merely understanding the literal expression of speech in its linguistic context. (M Yusuf Amru Ghazzaly, 2017).

Etymologically, the term al-hadith means “something new” or “a report.” Terminologically, however, al-hadith refers to anything transmitted after the time of Prophet Muhammad (peace be upon him), whether in the form of his rulings, actions, or sayings. From this understanding, it can be concluded that Fiqh al-Hadith is the discipline concerned with efforts to properly comprehend the Hadith of the Prophet, which then serves as a source of detailed evidences for practical shar’iyyah rulings. (Maizuddin, 2024).

The study of Fiqh al-Hadith in its early stages was still limited, but gradually developed and expanded into a distinct branch of knowledge known as sharh al-hadith and fiqh al-hadith. Its initial growth cannot be separated from the historical process of Hadith transmission. During the era of the Tabi’in, efforts were made to compile works on Hadith sciences and the understanding of Hadith (fiqh al-hadith). Imam Malik, for instance, authored his renowned work al-Muwatta’. According to Ibn Yasir, the state of fiqh al-hadith during the Tabi’in period had already shown considerable development, as evidenced by the scholarly efforts to properly understand Hadith and to determine whether a Hadith carried legal implications or not. (Wahyudi, 2021).

Supporting Factors :

1. The emergence of a strong desire to apply the principles of *Fiqh al-Hadith*.
2. The rise of interpretative issues in understanding Hadith, particularly in relation to differences of opinion (*khilafiyah*).
3. The development of the codification of the Sunnah and Hadith.

Around the 4th century Hijriyah, Fiqh al-Hadith was first applied within the framework of Hadith scholarship. This can be seen in the systematically arranged Hadith work of Imam al-Hakim al-Naisaburi (d. 405 H), entitled Ma’rifah ‘Ulum al-Hadith. (Yusni Amru Ghazzaly, 2017).

In general, the historical development of Fiqh al-Hadith can be divided

into two groups in understanding the Hadith of the Prophet (peace be upon him). The first group focused more on the explicit meaning of the Hadith text, known as ahl al-hadith (textualists). The second group emphasized analyzing the underlying factors behind the Hadith text, referred to as ahl al-ra'y (contextualists). The tendency to understand Hadith through both textual and contextual approaches had already emerged during the era of the Companions and continued to expand further during the period of the Tabi'in and thereafter. (Suryadi, 2008).

#### Metodology *Fiqh al-Hadith*

1. Ensuring the level of authenticity (ṣaḥīḥ) of the Hadith, both in terms of its chain of transmission (sanad) and its content (matn).
2. Understanding the Hadith in relation to the Arabic language as well as its contextual background (asbāb al-wurūd).
3. Confirming that the Hadith under study does not contradict other texts of higher authority, and ensuring that it does not conflict with texts deemed more appropriate in light of the wisdom of tashrī' (legislation) or those considered to have reached the level of qaṭ'i (definitive). (Tasbih, 2009).

#### **Implementation of the Fiqh al-Hadith Method in the Legal Phenomenon of Handshaking with Non-Mahram Individuals**

The application of the Fiqh al-Hadith method can be seen in the phenomenon concerning the ruling on handshakes between men and women who are not mahram, particularly within the social and state context of daily life. In Islam, the ruling on handshaking with non-mahram individuals is considered prohibited (haram), as explained in the Hadith narrated by Ibn Mājah, No. 2865.

حَدَّثَنَا أَبُو بَكْرٍ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ أَنَّهُ سَمِعَ مُحَمَّدَ بْنَ الْمُثَنَّى دَرَّ قَالَ سَمِعْتُ  
أُمِّمَةَ بِنْتُ تَرْفِيقَةَ تَقُولُ جِئْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي نِسْوَةٍ نُبَايَعُهُ  
فَقَالَ لَنَا يَا أَيُّهَا اسْتَطَعْنَ وَأَطَقْنَ إِنْ لَيْسَ أَصَافَ حَالُنَّ سَاءَ

*“Narrated to us by Abu Bakr bin Abi Shaybah: Sufyān ibn ‘Uyaynah reported that he heard from Muhammad ibn al-Munkadir, who said: I heard from Umaymah bint Ruqayyah, who said: “I, along with several other women, came to the Prophet (peace be upon him) to pledge allegiance. The Messenger of Allah (peace be upon him) said to us: ‘[Pledge] according to what you are able to fulfill. Indeed, I do not shake hands with women.”. (Ibnu Majah & Sunan Ibnu Majah, 1952).*

The explanation of the Hadith above indicates that the Prophet (peace be upon him) did not shake hands with women who were not his mahram. This suggests a prohibition against handshaking with non-mahram women. The Hadith narrates that Umaymah bint Ruqayyah came to the Prophet along with the women of the Ansar to pledge allegiance (bay'ah). They declared: “We will not associate anything with Allah, we will not steal, we will not commit adultery, and we will not fabricate lies among one another.” The Messenger of Allah (peace be upon him) replied: “I accept your pledge according to what you are able to fulfill.” This response reflects the compassion of the Prophet toward his community. The women then wished for the Prophet to pledge allegiance to

them in the same manner as he did with men, namely by shaking hands. However, the Prophet responded to their request by saying: "Indeed, I do not shake hands with women who are not mahram to me." Therefore, the Prophet's bay'ah with them was concluded solely through the verbal formula (shighat) without the handshaking ritual.

The majority of scholars (*jumhūr al-'ulamā'*) agree that the ruling on handshaking between men and women who are not *mahram* is that it is prohibited (*haram*). This position is further reinforced by the narration of Ma'qil ibn Yasār, in which the Messenger of Allah (peace be upon him) said:

لَأَنْ يُطْعَنَ فِي رَأْسِ أَحَدِكُمْ بِمَخِيطٍ مِنْ حَدِيدٍ خَيْرٌ لَهُ مِنْ أَنْ يَمَسَّ امْرَأَةً لَا تَحِلُّ لَهُ

"For one of you to be pierced in the head with an iron needle is better for him than to touch a woman who is not lawful for him". (Sulaiman bin Ahmad, 1994).

Shaking hands with women who are not mahram is considered prohibited (*haram*). This ruling is based on the consensus of scholars (*ijmā'*), as it is feared that such an act may lead to fitnah (temptation), even if only on the basis of strong suspicion. The reason is that when a handshake takes place, it is possible for desires to arise, which may lead to unlawful acts. Shaykh al-Albānī, who tends to take a stricter position, regarded the Hadith on this matter as *ṣaḥīḥ*. This Hadith demonstrates the severity of the warning against such an act, although its authenticity has been disputed by other scholars.

#### **A Study of Handshaking in the Context of Society and the State**

Handshaking, or *Mushafahah*, is a tradition taught in religion and has become a common practice in Indonesia. This tradition holds significant meaning in strengthening human relations and fostering a sense of kinship. In addition, *mushafahah* brings various benefits, such as gaining reward (*pahala*) and reinforcing bonds of brotherhood. The primary purpose of *mushafahah* is to follow the Sunnah of Prophet Muhammad and to cultivate a culture of mutual respect. However, from a legal standpoint, *mushafahah* between different genders is deemed unlawful (*haram*), for if merely looking at the opposite gender is already considered prohibited, then touching them is even more so. (Hambali *et al.*, 2021).

As fellow brothers and sisters, we are not only taught to help one another but also to pray for each other, one of which is expressed through greeting (*salam*) and shaking hands upon meeting. However, in Islam, there are certain restrictions regarding handshakes between men and women who are not *mahram*. Although this matter is often considered trivial, in fact, *salam* carries a profound meaning. Through *salam*, bonds of kinship (*silaturahmi*) will be better maintained, and it is even more virtuous when accompanied by a handshake, as it strengthens family ties and creates a harmonious life (Fitriana, 2018). Before proceeding in more detail, the following are the reasons why certain individuals are permanently unlawful (*mahram `ala al-ta'bid*) to marry, which include:

1. Lineage or Descent (*nasab*)
2. Breastfeeding (*Persuan*)

### 3. Marriage Ties (Perkawinan)

Based on the explanation above, it indicates the permissibility of looking at, shaking hands with, and being in seclusion (*khalwah*) with those who are permanently mahram. This is different from individuals who are relatives of one's wife, such as her sisters, uncles, and aunts. They are legally considered *ajnabi* (non-mahram or unrelated persons). (Abd an Nasir bin Khudlar Milad, 1426H).

Sheikh Ali Juma'ah, an ideal Islamic intellectual figure from Egypt, once emphasized that handshaking between men and women is permissible. According to him, there has been a misunderstanding in interpreting the hadith of Ma'qil ibn Yasar. He explained that the word "massun" in the hadith refers to zina (fornication), not to the mere act of shaking hands. In fact, the foundations of the *shari'ah* do not prohibit handshaking, since in Arabic the term for handshake (*mushāfahah*) is expressed with the word "lams" rather than "massun." (Al-Anba, 2014). In the context of social life, handshaking is regarded as an important form of interaction that highlights friendliness and closeness in communication. In reality, shaking hands or exchanging greetings is a means of openness in discussions and conversations. Therefore, restricting handshakes with the opposite gender in social contexts may create barriers to free expression and can lead to feelings of awkwardness in interpersonal interactions.

Similarly, within the context of the state, it is undeniable that every country in the world has leaders, both men and women. At certain times, meetings between states inevitably take place, and handshaking becomes one of the most recognized symbols of cordiality and mutual respect. In fact, avoiding a handshake in such diplomatic settings apart from exceptional circumstances such as during the Covid-19 pandemic may be perceived as arrogance or as an act of creating unnecessary barriers.

## CONCLUSION

Fiqh al-Hadith represents the integration of jurisprudence (*fiqh*) and hadith in the effort to attain a profound understanding of the Prophet's traditions. Etymologically, *fiqh* refers to deep comprehension, while *hadith* refers to the sayings, actions, or approvals of the Prophet Muhammad (peace be upon him). Thus, Fiqh al-Hadith is a field of study that focuses on interpreting hadith comprehensively, with the objective of deriving legal rulings grounded in detailed scriptural evidence. The application of this discipline to the phenomenon of handshaking between men and women who are not mahram leads to the conclusion that such an act is prohibited, as it is considered to potentially cause temptation (*fitnah*) and arousal (*syahwat*), which may lead to forbidden deeds. However, in the contemporary context, if this ruling is understood only textually without considering its broader contextualization then in social and state relations it may create limitations in maintaining social bonds, especially in fostering diplomatic ties and friendship between nations.

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