

KHALWAH; ANALYTICAL STUDY OF PROPHET MUHAMMAD'S TRADITION

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Abstrak

The purpose of this study is to understand the interpretation of the ahadith on the prohibition of khalwah. Nowadays, we are facing there are many people do not follow the limitation prescribed by shari'ah during their engagement period and they are still involving in khalwah in the Muslim world. This happens mainly because majority of those are not aware of the ahadith on prohibition of khalwah or they do not have better understanding of the ahadith. Thus, this study to analyze ahadith of the khalwah. The conclusion reached for this research shows that all interpretation of the ahadith agreed on the prohibition of khalwah. Finally, the result indicates that the understanding towards the ahadith on the prohibition of khalwah should be strongly instilled in every moslem. Thus, they will leave khalwah even they are engaged.

Keywords

Hadith, Khalwah, prohibition of khalwah

I. Introduction

Islam as a comprehensive code of conduct enacts a *shari'ah* in order to guide, condition and regulate human life. When it comes to social encounter between members of the opposite sex, the *shari'ah* principle is: not every kind of social

interaction is prohibited nor all forms of mixing are allowed.¹ One of the examples of social interaction between opposite sex prohibited in Islam is *khalwah*.

Islam prohibits *khalwah* between a man and a woman who are outside the degree of a *mahram* relationship because the reason for this is not a lack of trust in one or both of them; it is rather to protect them from wrong thoughts and sexual feelings which naturally arise within a man and a woman when they are alone together without the fear of intrusion by a third person which is *satan*.² Therefore, Being alone (*khalwah*) with non-*mahram* is unlawful (*Haram*) in Islam.

There are ahadith which is emphasized on prohibition of *khalwah*, as one of the ahadith mentioned below:

“Narrated by Jaber, the Prophet Muḥammad (PBUH) said that: “Whoever believes in Allah and the last day do not be alone with a woman who is not accompanied with her mahram except that the third one would be satan.”³

From above hadith, it could be understood that *khalwah* is prohibited in Islam except there is their *mahram*⁴ company both of them during their meeting.

One of the examples on prohibition of *khalwah* is for the people involved in the engagement period because both of

¹ Nurul Izzah binti Yahya, “The Phenomenon of Free Inter-Mingling Among Students of Opposite Sex at IIUM: A Juristic Evaluation” (Master Thesis, University of IIUM, 2010), 1.

² Yusuf al-Qardhawy, *The Lawful and the Prohibited in Islam*, translated from Arabic by Kamal El-Helbawy, M. Moinuddin Siddiqui, and Syed Shukry (New Delhi: Kitab Bhavan, 2007), 150.

³ Ahmad ibn Hanbal, *Musnad Ahmad* (Bayrut: Der al-Fikr, 1987), Vol. III, 447.

⁴ Besides the husband, a mahram is that member of the household with whom a woman is forbidden to marry. Thus, this word includes such as Father, brother, uncle, maternal uncle, son in law, father in law, etc. See Muslim ibn al-Hajjaj al-Qushayry, *Shahih Muslim: Arabic-English*, translated from Arabic by Abdul Hamid Siddiq (India: Adam Publishers & Distributor, 1999), 309. See al-Qur’an Surah al-Nisa: 23-24.

them also remain as non-*mahram* even if they could be on the pretext of subsequently getting married. Some of them think that when they are during the engaged period, they can go outside together without *mahram*, they can talk to each other using romantic conversation, and they can freely do *khalwah* with their fiancées because they think that they would be their husband or their wife in the future. On the other hand, this situation is still against the *shari'ah* of Islam because their fiancées are still not their *mahram* even during the engaged period. This article will study the ahadith and to analyze the interpretation of these ahadith on the prohibition of *khalwah*.

II. Definition of *Khalwah*

According to etymology definition, *khalwah* means privacy or seclusion. Privacy means the state or condition being alone, undisturbed, or free from public attention, as a matter of choice or right; freedom from interference or intrusion.⁵ Moreover, Seclusion is the state of being private or of having little contact with other people⁶.

The terminology angle, *khalwah* means when a man and a woman being alone who are not immediate family (*mahram*)⁷ remain alone in one place and it is not usually accessible to

⁵ J.A. Simpson & E.S.C. Weiner, *The Oxford English Dictionary* (New York: Oxford University, 2nd edn., 1989), 515.

⁶ A.S. Hornby, *Oxford Advanced Learner's Dictionary of Current English* (New York: Oxford University Press, 1948), 1369.

⁷ Mahram denotes a relationship either by marriage or by close blood ties of such degree that marriage is permanently prohibited. With reference to a woman, a mahram is either her husband or any male relative with whom marriage is permanently forbidden, such as her father, grandfather, son, brother, uncle or nephew. See Yusuf Qardhawy, *The Lawful and The Prohibited in Islam*, translated from Arabic by Kamal El-Helbawy, M. Moinuddin Siddiqui, and Syed Shukry (Malaysia: Islamic Book Trust, 1995), 150.

others.⁸ Alone also includes being in the presence of people who would not stop you from committing immorality. In other words, *khalwah* is both an intentional and unintentional act of a woman and a man being alone in an isolated place, which is a place that cannot be entered by other people or a place that conceal them from other people's sight.⁹

Furthermore, according to Yusuf Qardhawy, *khalwah* means privacy or *khalwah* denotes a man and a woman's being alone together in a place in which there is no fear of intrusion by anyone else, so that an opportunity exists for sexual intimacy such as touching, kissing, embracing or even for intercourse.¹⁰

What is meant by the kind of *khalwah* that is *Haram* is not only a man being alone with a non-*mahram* woman in private place such as the house or bedroom in residence building that requires permission for entry. So, no one can see them, rather it includes their being alone in public place where they can converse with one another, even if that is where others can see them but not hear them, and whether that is in the open air, in a car, on the roof of the house, or wherever places.

This could happen in a private place or a public place. In either case *khalwah* is forbidden from Islam, and both man and woman involved are sinful. As Allah mention in the Qur'an:

{وَلَا تَقْرُبُوا الزَّوْجَاتِ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا} 11.

⁸ 'Abdullah ibn Jarullah and Al-Shaykh Muhammad ibn Saleh, *Wanita Wajib Berpurdah*, translated from Malaysia by Mohd. Sofwan Amrullah (Kuala Lumpur: Pustaka Syuhada, 1989), 93.

⁹ 'Abdullah ibn abdu al-Muhsin al-Hariqy, *al-khalwah wa ahkamuhu fi al-fiqh al-Islamy* (p.n.,: *Jami' al-huquq mahfudzah al-īlaba'ah al-ula*, 1997), 7.

¹⁰Yusuf al-Qardhawy, 150.

¹¹ Al-Qur'an Surah al-Isra': 32.

“And do not come near zina; indeed, it is an abomination and an evil way”.

As we know, when Islam prohibits something, it closes all the avenues of approach to it. This is achieved by prohibiting every step and every means leading to the *Haram*. Accordingly, excites passion, opens ways for illicit sexual relations between a man and a woman, and promotes indecency and obscenity, is *Haram*.¹² Therefore, *khalwah* is forbidden because it is the forerunner of *zina* (adultery) and the means lead to *zina*.

There are two types oh *khalwah*:

1. *Khalwah Shahihah*, which is *khalwah* that is allowed by syariat, such as *khalwah* between husband and wife. Meaning that husband and wife are allowed to be together in a place that cannot be seen by anybody else.
2. *Khalwah* with non *mahram* woman, which is forbidden by *shari'ah*. For instance, a man is being alone with a foreign woman (*ajnabi*) in an isolated place. There is no *mahram* accompanying them and therefore they are vulnerable to *fitnah* (defamation). Non- *mahram* woman is all women that are allowed (*Īlāl*) to be married in the present time or in the future after temporary prohibition (related to time) is dated. Thus, non- *mahram* woman includes all women except his *mahram* whom he cannot marry forever (Permanent Prohibition).¹³ As Allah says in the Qur'an:

{ حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأَخْتِ وَأُمَّهَاتُكُمْ اللَّاتِي أَرْضَعْتَكُمْ وَأَخَوَاتُكُمْ مِنَ الرَّضَاعَةِ وَأُمَّهَاتُ نِسَائِكُمْ وَرَبَائِبُكُمْ اللَّاتِي فِي حُجُورِكُمْ مِنْ نِسَائِكُمُ اللَّاتِي دَخَلْتُمْ بِهِنَّ فَإِنْ لَمْ

¹² Yusuf al-Qardhawy, 149.

¹³ 'Abdullah ibn abdu al-Muhsin al-Hariqy, 7.

تَكُونُوا دَخَلْتُمْ بِهِنَّ فَلَا جُنَاحَ عَلَيْكُمْ وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ إِنَّ اللَّهَ كَانَ غَفُورًا رَحِيمًا¹⁴

Forbidden into you are your mothers and your daughters, and your father's sister and your mother's sisters, and your brother's daughters and your sister's daughters, and foster mothers and your foster-sister, and your mother-in-law and your step-daughters who are under your protection (born) of your women into whom you have gone into, but if you have not gone into them, then it is no sin for you (to marry their daughters), and the wife of your sons from your own loins, and you should have two sister together, except what has already happened (of that nature) in the past. Allah is ever for giving, Merciful.

From the above verses, it is clearly mention that all of them are prohibited degrees either of a permanent nature or a temporary nature. On the other hand, other than that mentioned the above verses are outside the degree of a *mahram* or foreign women (*ajnabi*). The scholars are stated that the fiancée of his fiancé also still foreign women (*ajnabi*)¹⁵. Therefore, doing *khalwah* with fiancée is *Haram* during engagement period and Islam totally prohibited.

III. The Jurisprudence of *Khalwah* With Non-*Mahram*

The Islamic scholar agreed that *khalwah* with foreign women (*ajnabi*), either two or more men with one woman or vice versa, is *Haram*. Such *khalwah* is prohibited in all places, including public and private places, regardless of the doer's state (i.e., sitting, standing, or travelling both in short and long distance). It is also prohibited irrespective of whether the

¹⁴Al-Qur'an surah al-Nisa: 23.

¹⁵'Abdullah ibn abdu al-Muhsin al-Hariqy, 7.

situation is susceptible or unsusceptible of *fitnah*. This is because when a man does *khalwah* with a non-*mahram* woman, *satan* will always whisper things to both the man and the woman that they eventually will fall into sin.¹⁶ The Islamic scholars stated that such *khalwah* is *Haram* on the basis of the followings:

The Prohibition of *Khalwah* based on Al-Qur'an

Islam prohibits *khalwah* between a man and a woman who are outside the degree of a *mahram* relationship because the reason for this is not a lack of trust in one or both of them; it is rather to protect them from wrong thoughts and sexual feelings which naturally arise within a man and a woman when they are alone together without the fear of intrusion by a third person which is *satan*.¹⁷ Therefore, Being alone (*khalwah*) with non-*mahram* is unlawful (*Haram*) in Islam. As Allah tells the Companions of the Prophet Muḥammad (PBUH),

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتَ النَّبِيِّ إِلَّا أَنْ يُؤْذَنَ لَكُمْ إِلَى طَعَامٍ غَيْرِ نَاطِرِينَ إِنَاءَهُ وَلَكِنْ إِذَا دُعِيتُمْ فَادْخُلُوا فَإِذَا طَعِمْتُمْ فَانْتَشِرُوا وَلَا مُسْتَأْنِسِينَ لِحَدِيثٍ إِنَّ ذَلِكُمْ كَانَ يُؤْذِي النَّبِيَّ فَيَسْتَحْيِي مِنْكُمْ وَاللَّهُ لَا يَسْتَحْيِي مِنَ الْحَقِّ وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَاسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ وَمَا كَانَ لَكُمْ أَنْ تُؤْذُوا رَسُولَ اللَّهِ وَلَا أَنْ تُنكِحُوا أَزْوَاجَهُ مِنْ بَعْدِهِ أَبَدًا إِنَّ ذَلِكُمْ كَانَ عِنْدَ اللَّهِ عَظِيمًا¹⁸

O you believe! Do not enter the Prophet's house until leave is given you for a meal, (and then) not (surely as) to wait for its preparation; but when you are invited, enter; and when you

¹⁶ Misda Marhumi, "al-Khalwah wa Ahkamuhu Dirasah Fiqhiyyah Mu'asharah" (Master Thesis, University of IIUM, 2004), 25.

¹⁷ Yusuf al-Qardhawy, 150.

¹⁸ Al-Qur'an Surah al-Ahzab: 53.

have taken you meal, disperse, without seeking familiar talk. Such (behavior) annoys the Prophet. He is ashamed to dismiss you, but God is not ashamed (to tell you) the truth. And when you ask his women folk for anything you want, ask them from behind a screen; that makes for greater purity for your hearts and for theirs. Nor it is right for you that you should annoy Allah's Apostle, or that you should marry his widows after him at any time. Truly such a thing is an enormity in Allah's sight.

This verse apparently lays down a code of manners for the believers when entering the house of the Prophet PBUH and taking food there.¹⁹ Furthermore, Imam al-Qurthuby says, "such thoughts as occur to men regarding women and to women regarding men. This will remove any possibility and suspicion and accusation, and will protect (their) honor. This command implies that no one should trust himself to be in privacy with a non-*mahram* woman; the avoidance of such situations is better for one's purity of hearth, strength of soul, and perfection of chastity.²⁰ Therefore, no matter how urgent the need is, no one is allowed to enter anyone else's house without permission.

These restrictions also apply to household servants. Once Bilal or Anas asked Fatimah (the daughter of the Prophet), to hand him her child. She handed it to him by stretching her hand from behind a curtain. It is noteworthy that both these men were the personal attendants of the Prophet PBUH and he used to affectionately address them as "*Ya Bunnayya*" (O my Son).²¹

¹⁹ 'Abdurrahman I. Doi, *Women in shari'ah*, 20.

²⁰ Yusuf al-Qardhawy, 150.

²¹ 'Abdurrahman I. Doi, *Women in Shari'ah*, 21.

The real purpose behind those restrictions is to safeguard men and women against evil inclinations. By keeping a safe distance between them, the *shari'ah* ensures that they do not grow too familiar and free with one another which may make them drift towards sexual intimacy.²²

The illustrious Companions, the right-guided Caliphs, the leading interpreters *رضي الله عنهم* and the learned people of the earlier generations always understood and proclaimed that though these verses are addressed to the illustrious wives of the Messenger of Allah PBUH, yet they are of general application to all Muslim women. The consensus of the Ummat and the *ahadith* of the Messenger of Allah PBUH establish the fact that the order of these verses is general for all mothers, sisters and daughters of the Ummat.²³

The object of the orders given in the above-mentioned verses is to eliminate the means of mischief and it is quite clear that woman other than the Messenger's of Allah family need to be protected more from mischief.²⁴

In addition, lesson from the above prohibition is to prevent non-*mahram* men seeing the Prophet's wives. If *khalwah* is not prohibited, it contradicts the aforementioned verse. Moreover, if *khalwah* is allowed, Allah would also permit non-*mahram* men to enter the Prophet's house without asking permission in advance and allow them to talk with the Prophet's wives without a screen (*Hijab*) separate them. Allah's command of *khalwah* prohibition in the aforementioned verse is directed specifically to the Prophet's wives as a means to protect their nobility. If the Prophet's wives who are noble and

²² 'Abdurrahman I. Doi, *Women in Shari'ah*, 21.

²³ Misda Marhumi, 26.

²⁴ Maulana M. Ashiq Elahi Madani, *A Gift for Muslim Women* (Shakir Rizwani & Riaz Hussain, trans.), (New Delhi: Idara Isha'at-E-Diniyat, 2001), 742-743.
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pious, and have a high degree in terms of faith and *taqwa* still need the protection, then other Muslim women in general need it even more. Therefore, it is reasonable to expect Muslim women to faithfully follow and obey Allah's command of *khalwah* prohibition.²⁵

The aforementioned verse is, in fact, not only directed to the Prophet's wives, but also for all the companions' wives and Muslim women in general. If the Prophet's wives are warned to be very careful about this matter, then an even more caution is needed to be taken by other Muslim women regarding this matter.²⁶

Another verse of Qur'an which emphasizes to avoid *khalwah* is the story of our beloved Prophet of Yusuf with Zulikha is the wife of the Egyptian minister. Islamic Law (*shari'ah*) is based on objectives and the means to achieve them. The means for an objective have the same rulings as the objective itself. Women are the object of desire of men, and Islam blocks the doors leading to members of one sex becoming attached to the members of the opposite sex.²⁷ As Allah mentioned in the Qur'an:

{وَرَاوَدَتْهُ الَّتِي هُوَ فِي بَيْتِهَا عَنْ نَفْسِهِ وَغَلَّقَتِ الْأَبْوَابَ وَقَالَتْ هَيْتَ لَكَ قَالَ
مَعَاذَ اللَّهِ إِنَّهُ رَبِّي أَحْسَنَ مَثْوَايَ إِنَّهُ لَا يُفْلِحُ الظَّالِمُونَ} ²⁸

And she, in whose house he was, sought to seduce him (to do an evil act), she closed the doors and said: "Come on, O you." He said: "I seek refuge in Allah! Truly, he (your husband) is

²⁵ Misda Marhumi, 26.

²⁶ Abdul Halim Syuqqah, *Kebebasan Wanita* (Jakarta: Gema Insani Press, 1997), 110.

²⁷ Abu Muhammad Asyraf ibn Abdil Maqshud, *Fatwa-Fatwa Muslimah* (Muhammad ibn Ibrahim al-Asy Syaikh & Abdurrahman ibn Nashir As-Sa'diy, trns.), (Jakarta Timur: Darul Falah, 2000), 234.

²⁸ Al-Qur'an, Surah Yusuf: 23.

my master! He made my stay agreeable! (I will never betray him). Verily, the Ḍalimun (wrong and evil doers) will never be successful.

This verse proof that free mixing is prohibited because when there was free-mixing between the wife of the Egyptian minister and Prophet Yusuf, she displayed what was hidden (her love for him) and ask him to have illicit sexual relations with her. However, Allah had Mercy on Prophet Yusuf and saved him from her (advances),²⁹ as Allah said:

{فَاسْتَجَابَ لَهُ رَبُّهُ فَصَرَفَ عَنْهُ كَيْدَهُنَّ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ}³⁰

So, his Lord answered his invocation and turned away from him their plot. Verily, He is the All-Hearer, the All-Knower.

Therefore, if being alone with people who are non-*mahram*, members of both genders pick for themselves the one they please from members of the opposite sex and use all means to get that person.

As Allah commanded men and women to lower their gaze and protect their private parts from illegal sexual actions, etc. He said in the Qur'an:

{وَقُلْ لِلْمُؤْمِنَاتِ يَعْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا}³¹

And say to the believing women that they should lower their gaze and guard their modesty, and that they should not display their beauty and ornaments except what (must ordinarily) appear thereof.

²⁹Abu Muhammad Asyraf ibn Abdil Maqshud, 234.

³⁰ Al-Qur'an, surah Yusuf: 34.

³¹ Al-Qur'an, surah al-Nur: 31.

This verse shows that women should lower their gaze and guard their modesty. Moreover, they should not display their beauty and ornaments except what (must ordinarily) appear thereof even though the act of stamping feet itself is permissible, still since Allah forbade women from stamping their feet so that it does not become a reason for men to hear the sound of anklets worn by women. This would arouse men's desire for women, and the same evil consequences result from doing *khalwah*. This is also true when a man is being alone with a non-*mahram* woman. It can cause *fitnah* and they can fall into sin.³²

The Prohibition of *Khalwah* based on *Ijtihad*

From the *ijtihad* perspective, *khalwah* can cause great and unlimited destructions. Destruction of *akhlak* of Muslims, both in the family and the society, can cause God's punishment and wrath. Hence, everything that can cause the destruction must be prohibited.

According to Imam ibn Taimiyah, everything that can lead to *fitnah* is prohibited. Every way that can lead to destruction has to be closed if it is against the *shari'ah* boundaries. This is also in line with the principle of "*Sad al-dzar'i*."³³

IV. Ahadith and The Interpretation of These Ahadith on The Prohibition of *Khalwah*

One of the social restrictions that is forbidden in the Islamic *shari'ah* is that no man and woman is permitted to remain alone (*khalwah*) with a member of the opposite sex except with their *mahram*. There are some ahadith which

³² Abu Muhammad Asyraf ibn Abdil Maqshud, 236.

³³ Misda Marhumi, 28.

emphasize on the prohibition of *khalwah*, the ahadith are mentioned below:

Women Concerning *Khalwah* with Male in-Law

The Prophet PBUH particularly warned women concerning *khalwah* with male in-laws such as the husband's brother or cousin, since people are quite negligent in this regard, and sometimes this is followed by disastrous consequences. It is obvious that compared to a stranger, a relative has easier access to woman's quarters, because something concerning which no one would question him. The same is true of the wife's non-*mahram* relatives and it is prohibited for any of them to be in *khalwah* with her.³⁴ The Prophet PBUH said:

عَنْ عُقْبَةَ بْنِ عَامِرٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: ((إِيَّاكُمْ وَالِدُخُولَ عَلَيَّ النَّسَاءِ)). فَقَالَ رَجُلٌ مِنَ الْأَنْصَارِ: يَا رَسُولَ اللَّهِ أَفَرَأَيْتَ الْحَمْمُ؟ قَالَ: ((الْحَمْمُ الْمَوْتُ)).³⁵

From 'Uqbah bin 'Amir: The Prophet PBUH said: Beware of entering upon the ladies. A man from the Ansar asked: what about al-hammu, the in laws of the wife (the brothers of her husband or his nephews, etc.)? The Prophet PBUH replied: The in-Laws of the wife are death itself.

³⁴ Yusuf al-Qardhawy, *The Lawful and the Prohibited in Islam*, translated from Arabic by Kamal El-Helbawy, M. Moinuddin Siddiqui, and Syed Shukry (New Delhi: Kitab Bhavan, 2007), 151.

³⁵ Al-Bukhari, *Shahih al-Bukhari*, Kitab al-Nikah, Bab La Yakhluwanna Rajulmbi 'Imra'ah illa dhu mahram, wa al-Dukhul 'ala al-mughibah, vol.3, 405. Hadith no. 5232. See also; Muslim, *Shahih Muslim*, Kitab al-Salam, Bab Tahrim al-Khalwah bi al-'Ajnabiyyah wa al-Dukhul 'alaiha, Vol.14, 129. Hadith no. 20-(2172). See also; Tirmidzi, *Sunan al-Tirmidzi*, Kitab Nikah, Bab Maa Ja'a fii Karahiah al-Dukhul 'alaa al-Mughhiibaat, vol.3, 474. Hadith no. 1171. Al-banani says: hadith shohih.

Al-Nawawy explains, “The in-law here means a relative of the husband other than his father and sons (who are *mahram* to his wife), such as his brother, nephew, and cousins, etc., with whom marriage would be permissible for her, if she were to be divorced or widowed.”³⁶

In explaining the meaning of “the in-law is death”, Ibn al-Ather says, “It is an Arabic figure of speech like, ‘The lion is death’ or the king is fire’, which mean that meeting a lion is similar to facing death and a confrontation with a king is like being in the fire. Thus, privacy between an in-law and a woman is far more dangerous than in the case of a stranger because he might persuade her to do things against her husband’s wishes, such as asking him for things he cannot afford, nagging him, and the like.³⁷ Moreover, According Taqiyuddin in his book ‘*Syara’ al-Umdah*’, he said that “the in-law is death” means something will happen and he cannot avoid from his relative’s wife, as someone cannot avoid from death.³⁸

This hadith shows that there are inherent dangers and even destruction in such privacy: religion is destroyed if they commit sin, the wife is ruined if her husband divorces her out of jealousy, and social relationships are torn apart if relatives become suspicious of each other.³⁹ In addition, the most noteworthy point in this tradition is that the Messenger of Allah PBUH has compared the male in-laws to death which implies that a woman should avoid mixing up with their female in-laws, should observe strict veil from them and also refrain from casting glances on them. The reason is that the male in-laws

³⁶ Ahmad ibn Aly ibn hajar al-’Asqalany, *Fath al-Bary Syarah Shahih al-Bukhary* (Beirut: Der al-Kutub al-’Ilmiyah, 2003), Vol 9, 414.

³⁷ Ibid., 415.

³⁸ Ahmad ibn Aly ibn hajar al-’Asqalany, 415.

³⁹ Yusuf al-Qardhawy, 151.

have a free entry into the house. The elder and younger brothers of the husband and husbands of the husband's sister should not visit the house without the permission of the husband.

At times, members of a family mix up easily and often indulge in fun and pleasantries. The husband considers these men as close relations and deems it improper to restrain their activities in his home. So, when there is familiarity, free and frequent mixing up in the absence of the husband many untoward incidents are likely to happen. A neighbor cannot seduce or abduct a woman as easily as can the younger or elder brothers of her husband.⁴⁰ Therefore, it is in view of this situation that the Messenger of Allah PBUH has strictly enjoined to avoid *khalwah* with the company of male in law.

Being Alone (*Khalwah*) with Women who are Outside the Degree of a *Mahram* Relationship and the Third One would be the *Satan*

There is a well-known tradition that the Prophet Muhammad PBUH prohibits *khalwah* with non *maharam*. As Prophet Muhammad PBUH has mentioned in one of his ahadith narrated by 'Abdullah ibn Abbaas:

قال سمعت بن عباس يقول سمعت النبي صلى الله عليه وسلم يخطب يقول: ((لا يخلون رجل بامرأة إلا ومعها ذو محرم ولا تسافر المرأة إلا مع ذي محرم)) فقال رجل فقال يا رسول الله، إن امرأتي خرجت حاجة وأني اكتتبت في غزوة كذا وكذا، قال: ((انطلق فحج مع امرأتك))⁴¹

⁴⁰ Maulana M. Ashiq Elahi Madani, *A Gift for Muslim Women* (Shakir Rizwani & Riaz Hussain, trans.), (New Delhi: Idara Isha'at-E-Diniyat, 2001), 754.

⁴¹ Al-Bukhary, *Shahih al-Bukhary*, Kitab al-Nikah, Bab La Yakhluwanna Rajulum bi 'Imra'ah illa dzu Mahram, wa al-Dukhul 'ala al-mughibah, vol.3, 405. Hadith no. 5233. See also; Muslim, *Shahih Muslim*, Kitab al-Hajj, Bab TAHDIS Volume 10 Nomor 2 Tahun 2019

From ‘Abdullah ibn ‘Abbas that the Prophet PBUH is reported to have said: No man should stay with a lady in seclusion except in the presence of a mahram and no man should travel with a lady except in the presence of a mahram. A man stops up and said: O Messenger of Allah! My wife has gone out intending to perform hajj and I have been enrolled (in the army) for such and such campaign. The Prophet PBUH said: Return and perform hajj with your wife.

Moreover, other hadith which is mentioned by the Prophet Muhammad PBUH said:

عَنْ عُقْبَةَ بْنِ عَامِرٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: ((لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ، فَإِنْ تَالَتْهُمَا الشَّيْطَانُ)).⁴²

From ‘Uqbah bin ‘Amir that the Prophet PBUH is reported to have said: do not sit in privacy with a woman without a mahram being present because satan will be the third (among them).

Another narration of this hadith states:

عن جابر رضي الله تعالى عنه أن النبي صلى الله عليه وسلم قال: ((من كان يؤمن بالله واليوم الآخر فلا يخلون بامرأة ليس معها ذو محرم منها فإن تالتهما الشيطان)).⁴³

From Jabir (Allah be pleased with him) that the Prophet PBUH is reported to have said: whoever believes in Allah and the Last Day must never be in Privacy with woman without

Safar al-Mar’ah ma’a Mahram ila hajj wa Ghairihi, Vol.2, 300. Hadith no. 424- (1341).

⁴² Al-Tirmidzi, *Jami al-Tirmidzy* (Qahirah: Der al-hadith, 1999), Kitab al-Rido’, Bab Ma Ja’a fi Karahiah al-Dukhul ‘ala al-Mughibah, vol 3, 309. Hadith no. 1171.

⁴³ Ahmad ibn Hanbal, *Musnad Ahmad ibn Hanbal*, 329.

there being a mahram (of hers) with her, for otherwise satan will be the third person (with them).

This hadith shows us that *shari'ah* explicitly prohibits *khalwah* between a man and a woman which may involve sitting together, engaging in romantic conversations, casting lustful glances at each other which may even lead to *zina* (fornication) itself.⁴⁴ Moreover, this hadith describes that whoever believes in Allah must never be alone (*khalwah*) with foreign women (*ajnabi*) especially in privacy because the devil (*satan*) will be there in their meeting. This situation does not exist except falling in to *Haram* way. Therefore, being alone between a man and a foreign woman (*ajnabi*) is prohibited in Islam.⁴⁵

According to al-Nawawy said: if a man is alone with a woman who is not his *mahram*, without a third person being present with them, this is *haram* according to scholarly consensus. The same applies if there is with them a person before whom one would not feel embarrassed because of his being very young even their *mahram*, such as a child of the age of two or three years and the like, because his being there is the same as his not being there.⁴⁶

It is well-known that *satan* is the prime mover of sin whenever a man is alone with an unfamiliar woman. *satan* will be a third member of their company, who will arouse their desire for the evil act. This is the reason why the Messenger of

⁴⁴ Nurul Izzah binti Yahya, The Phenomenon of Free Inter-Mingling among Students of Opposite Sex at IIUM: A Juristic Evaluation, (Master Thesis, University of IIUM, 2010), 11-12.

⁴⁵ 'Abdullah ibn abdu al-Mu'asin al-Hariqy, *al-khalwah wa ahkamuhu fi al-fiqh al-Islamy* (p.n.,: *Jami' al-huquq mahfudzah al-ġaba'ah al-ula*, 1997), 15-16.

⁴⁶ Al-Nawawy, *Shahih Muslim bi Syarah al-Nawawy* (Beyrut: Dar al-Kitab al-'Ilmiyah, 2003), 129.

Allah PBUH strictly forbade men and women to stay alone with unfamiliar member of the opposite sex. A strict adherence to this prohibition is absolutely necessary. Mixing up of unfamiliar men and women is a grave sin.⁴⁷

A Man Staying at Night with Any Women who are Outside the Degree of a *Mahram* Relationship

Another warning from the Prophet Muhammad PBUH regarding the prohibition of *khalwah* between man and women is a man staying at night with any women who are outside the degree of a *mahram* relationship (non- *mahram*) without *mahram*. Jabir narrates that the Prophet Muhammad PBUH said:

عن جابر أنه قال: قال رسول الله صلى الله عليه وسلم: ((ألا لا يبيتن رجل عند امرأة ثيب إلا أن يكون ناكحاً أو ذا محرم)).⁴⁸

Jabir reported: "The Messenger of Allah PBUH advised: Be warned. No man should pass the night with a woman who has no husband save the man who has either married her or stands in a familiar degree to her."

This hadith strictly prohibits a man to stay the night with any woman except his wife or a woman who stands in a familiar degree to him. This prohibition is based on a very far-sighted consideration. There is a general prohibition of unfamiliar men and women staying alone at any hour, but it is especially prohibited for them to stay the night together because in the still darkness of the night the commission of a sin becomes easy. This prohibition extends to all unfamiliar

⁴⁷ Maulana M. Ashiq Elahi Madani, 757-758.

⁴⁸ Muslim, *Shahih Muslim*, Kitab al-Salim, Bab Tahrim al-Khalwah bi al-'Ajnabiyyah wa al-dukhul 'alaih, vol. 4, 410. Hadith no. 19 (2171).

males such as the younger and the elder brother of the husband, the husband of the husband's sister, cousins on the paternal and maternal side.

The *shari'ah* severely prohibits such practices when men and women are equally forbidden to stay the night alone with an unfamiliar member of the opposite sex. The hadith particularly addresses the man because he is stronger and a woman is unable to desist from his attack on when they are alone. So, the address is directed to the male that he should not stay the night with an unfamiliar woman. If a man transgresses this order, it is obligatory upon the woman to go away and leave the man alone.⁴⁹

The word *ثيب* 'tsayyab' denotes a widow or a woman who has no husband. So, includes besides the widow, the unmarried women and the divorces. According to al-Nawawy: "The 'Sayyab' has been specially mentioned because considering the widow a defenseless woman the suitors or intending seducers often visit her and dare not go to unmarried woman because she herself protects her and her family too keeps guard over her". Moreover, he said that: "When an unfamiliar male is prohibited to stay the night with a 'Tsayyab', the prohibition to pass the night with an unmarried woman gains greater force."⁵⁰

Man should not Enter the House of Women when her Husband is Absent Except when He is Accompanied by One Person Or Two Persons

This narration prohibits the believers against being alone with a non- *mahram* woman without the company of her *mahram*. 'Abdullah ibn 'Amry reports:

⁴⁹ Maulana M. Ashiq Elahi Madani, 757-758.

⁵⁰ Maulana M. Ashiq Elahi Madani, 758-759.

أنَّ عبد الله ابن عمرو ابن العاص حدثه، أن نفرا من بني هاشم دخلوا على أسماء بنت عميس، فدخل أبو بكر الصديق وهي تحته يومئذ، فأراهم. فكره ذلك، فذكر ذلك لرسول الله صلى الله عليه وسلم وقال: لم أر إلا خيرا، فقال رسول الله صلى الله عليه وسلم: ((إن الله قد برأها من ذلك)). ثم قام رسول الله صلى الله عليه وسلم على المنبر فقال: ((لا يدخلنَّ رجل بعد يومي هذا، على مغيبة، إلا ومعه رجل أو اثنان)).⁵¹

From 'Abdullah bin 'Amry reported that some person from Banu Hisham entered the house of 'Asma' bint 'Umays when Abu Bakr also entered (and she was at that time his wife). He (Abu Bakar) saw it and disapproved of it and he made a mention of that to Allah's Messenger PBUH and said: I did not see but good only (in my wife). Thereupon Allah's Messenger PBUH said: Verily Allah has made her immune to all this. Then Allah's Messenger PBUH stood on the pulpit and said: After this day no man should enter the house of another in his (husband) absence, but only when he is accompanied by one person or two persons.

Another hadith reported by Jabir:

عن جابر بن عبد الله عن النبي صلى الله عليه وسلم قال: ((لا تلجوا على المغيبات فإن الشيطان يجري من أحدكم مجرى الدم)).⁵²

From Jabir ibn 'Abdullah that the Prophet PBUH is reported to have said: Do not go near any woman in the absence of her husband (mahram) because satan is circulating as blood in your veins.

⁵¹ Muslim, *Shahih Muslim*, Kitab al-Salim, Bab Tahrim al-Khalwah bi al-'Ajnabiyah wa al-dukhul 'alaih, vol.3, 416. Hadith no. 22 (2173).

⁵² Al-Tirmidzi, *Jami al-Tirmidhy*, kitab al-Rido', Bab Ma Ja'a fi Karahiah al-Dukhul 'ala al-Mughibah, vol 3, 309. Hadith no. 1172.

These ahadith provides evidences that a man should not enter the homes of or go near any woman in the absence of her *mahram* (husband) since *satan* (man and the woman alone) will circulate as blood in the veins of the men and the women in which we cannot see. Likely, in reality it (whispering of *satan*) has the ability to circulate in human to arouse *waswas* (temptation) and lastly *satan* will lead them into sin.⁵³

A Woman is something to be Concealed

One of the reasons why our beloved Messenger of Allah PBUH strictly prohibits *khalwah* between a man and a woman who are non- *mahram* because a woman is something to be concealed. Therefore, *satan* starts peeping at her. As he PBUH mentioned in the hadith:

عن عبد الله عن النبي صلى الله عليه و سلم قال: ((المرأة عورة فإذا خرجت
استشرفها الشيطان))⁵⁴

'Abdullah ibn Ummar reported: 'the Messenger of Allah PBUH instructed: "woman is something to be concealed. There is no doubt that when she goes out of her home, shaytan starts peeping at her."

Another narration states:

عن عبد الله بن مسعود: عن النبي صلى الله عليه و سلم قال: ((المرأة عورة وإنها
إذا خرجت استشرفها الشيطان وإنها أقرب ما يكون إلى الله وهي في قعر
بيتها))⁵⁵

⁵³ Siti salma Male-Female Intermingling from the Perspective of Sunnah: A Case Study of KUIS Students, (Master Thesis, University of IIUM, 2013), 35-36.

⁵⁴ Al-Tirmidīy, *Jami al-Tirmidīy*, kitab al-Rido', Bab Ma Ja'a fi Karahiah al-Dukhul 'ala al-Mughibah, Vol. 3, 476. Hadith no.1173.

⁵⁵ Al-Thabrany, *Mu'jam al-Kabir At-Thabrany*, V. 10,108. Hadith no. 10115
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'Abdullah ibn Mas'ud reported: 'the Messenger of Allah PBUH instructed: 'woman is something to be concealed. There is no doubt that when she goes out of her home, shaytan starts peeping at her and it is certain that a woman is nearest to Allah when she keeps within the bounds of her home.'

This hadith in the first place defines the position of the woman, that is, she is something to be concealed. It is obvious that the woman who transgresses the bounds of the veil has passed beyond the bounds of womanhoods. Next the PBUH said: when a woman emerges out of her house, *shaytan* begins to glance at her.⁵⁶

The implication is that when a woman goes outside *shaytan* will try to induce people to derive pleasure by looking at her features, beauty, grace, dress and ornaments. Moreover, he PBUH continued: The woman is nearest to Allah when she is inside her home. The women who seek nearness to Allah prefer to stay indoors and avoid going outdoors as far as possible. The permission to go out under some compulsion is subject to several restrictions. For instance, they should not go out (travelling) without *mahram*, further it is ordained that a woman should not be alone with man without *mahram*, and also a woman should not walk in the middle of the road and other restrictions based on *shari'ah* boundaries.

Furthermore, it is enjoined that when the eye of a man falls on an unfamiliar woman or the eye of a woman catches sight of an unfamiliar man, he should turn their glances away immediately. If a woman is constrained to talk to an unfamiliar man, she should not speak in a soft tone. It is also ordained that a woman should not travel without a familiar companion who

⁵⁶ Maulana M. Ashiq Elahi Madani, 733.

is reliable also. All these rules in fact have been laid down to protect the modesty and chastity of a female.⁵⁷

How vividly these ahadith above describe what occurs when a man and women are alone together, when the consciousness of their sexuality creeps in between them, affecting their relationship and making them feel for one another what should not be felt, disturbing their inner equilibrium and purity and leading them toward the possibility of sin.⁵⁸ Moreover, it can be concluded that this prohibition is not only for women who are not married yet and people who are engaged, but women who are getting married are also prohibited from doing *khalwah*. As Yusuf Qardhawy says that the reason of prohibition of *khalwah* is not a lack of trust in one or both of them; it is rather to protect them from wrong thoughts and sexual feelings which naturally arise within a man and a woman when they are alone together without the fear of intrusion by a third person which is *satan*.⁵⁹

V. Conclusion

This study examines the normative understanding towards the *ahadith* on the prohibition of *khalwah*. Consequently, there are ahadith with explanation and interpretation regarding the prohibition of *khalwah* have been presented and discussed. *Khalwah* means when a man being alone with non-mahram woman without mahram in one place will lead to immorality attitudes because *shaytan* will be the third one. The interactions between fiancé and fiancée without *mahram* constitute *khalwah*. The reason is because the fiancée

⁵⁷ Maulana M. Ashiq Elahi Madani, *A Gift for Muslim Women*, 733-734.

⁵⁸ Muhammad Iqbal Siddiqi, *Islam Forbids Free Mixing of Men and Women* (India: Adam Publisher & Distributors, 1986), 120-121.

⁵⁹ Yusuf Qardhawy, 150.

still remains foreign women for his fiancé. Therefore, Islam totally prohibited *khalwah* between fiancé and fiancée during the engagement period. As Allah mentioned in the Qur'an "do not come near zina". *Khalwah* is one of the causes of this issue.

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