

The Epistemology of Women's 'Awrah in Tafsir Al-Misbah and the Four Sunni Schools of Islamic Law

Artikel	Abstract
Authors: Eri Nur Shofi'i^{1*}, Antony Octavian² ¹ Universitas Nahdlatul Ulama Al Ghazali Cilacap, Indonesia Al-Azhar University Cairo, Egypt Corresponding Author * Eri Nur Shofi'i erinurshofii@gmail.com Data: Received: May28, 2026; Accepted: Sept 4, 2026; Published: Sept 16, 2026. DOI	This article examines how women's 'awrah is constructed and justified in M. Quraish Shihab's Tafsir Al-Misbah and selected texts from the four Sunni legal schools. It addresses the need to connect comparisons of legal conclusions with their underlying sources, inferential procedures, and contexts of application. Using qualitative library research, the study combines close reading with comparative epistemological analysis informed by al-Jābrī and uṣūl al-fiqh. The corpus includes the interpretation of Qur'an 24:31 and 33:59 and relevant Ḥanafī, Mālikī, Shāfi'ī, and Ḥanbalī passages. The findings show overlapping reliance on scriptural authority alongside different uses of linguistic interpretation, transmitted positions, practical need, and social purpose. They also demonstrate the necessity of distinguishing prayer-related covering, exposure before non-maḥrams, and the regulation of gaze. The article develops a qualified bayānī-burhānī spectrum as an interpretive heuristic rather than a ranking of schools or an equation of contextual reasoning with philosophical demonstration. Engagement with contemporary criticism of Shihab reveals that historical explanation does not independently establish a change in the binding force of a command. The study concludes that responsible comparison requires explicit evidentiary warrants, accurate attribution of disagreement, and attention to human dignity. Its contribution is a contextualized model of legal justification bounded by the selected textual corpus. Keywords: <i>Women's 'awrah; Tafsir Al-Misbah; Sunni legal schools; Islamic epistemology; contextual interpretation.</i>

©2026; This is an Open Acces Research distributed under the term of the Creative Commons Attribution Licencee (<https://creativecommons.org/licenses/by/4.0>), which permits unrestricted use, distribution, and reproduction in any medium, provided the original works is properly cited.

Introduction

Debates about women's 'awrah concern more than the identification of body parts that must be covered. They also concern how scriptural language becomes a legal rule, which authorities validate that rule, and how circumstances affect its application. This article contributes a comparative account of those processes by placing M. Quraish Shihab's *Tafsir Al-Misbah* in dialogue with selected texts from the Ḥanafī, Mālikī, Shāfi'ī, and Ḥanbalī schools. Its central argument is that differences are better explained through the allocation of authority among language, transmitted evidence, juristic reasoning, and context than through a binary opposition between textual fidelity and contextual freedom.

The distinction matters because several questions are frequently collapsed into one. The minimum covering required for valid prayer is not necessarily identical to the regulation of exposure before unrelated men. The classification of a body part as 'awrah is also distinguishable from the permissibility of looking at it, while both differ from the assessment of a particular garment. Consequently, a statement that the face is excluded from prayer-related 'awrah cannot, by itself, establish an unrestricted permission to uncover or gaze in every social setting. A comparison that overlooks these differences risks manufacturing disagreement between texts that answer different questions.

In Indonesian Qur'anic scholarship, Shihab occupies a significant position because he communicates inherited exegetical debates to contemporary readers while attending to linguistic and social context. *Tafsir Al-Misbah* discusses the terminology of clothing, the interpretation of Qur'an 24:31 and 33:59, and the plurality of juristic positions. These discussions make the work suitable for examining how an exegete moves between explanation, evaluation, and practical religious guidance (Shihab, 2002). However, presenting a disputed opinion within a commentary does not necessarily amount to adopting it. The distinction between reported views and the commentator's own conclusion must therefore remain visible throughout the analysis.

Existing research provides several starting points. Abror et al. (2021) compare discussions of face veiling and women's 'awrah in Indonesian Qur'anic literature, demonstrating the importance of interpretive differences within a shared scriptural tradition. Riza and Hidayah (2022) examine the hermeneutical dimension of Shihab's reading of Qur'an 33:59. Rohman et al. (2024) challenge his interpretation of the hijab verse, especially the sufficiency of the argument for departing from the obligatory force of a command. These studies show that the debate concerns both legal conclusions and the procedures through which they are justified. Broader scholarship on Muslim women, veiling, and Qur'anic interpretation also cautions against treating the veil as a single, transhistorical legal object; it situates clothing norms within debates over authority, gender ethics, interpretation, and social practice (Ahmed, 1992; Barlas, 2002; Bullock, 2002; El Guindi, 1999; Wadud, 1999).

A related methodological study by Ishaq et al. (2025) identifies selective and synthetic forms of *ijtihād* in Shihab's interpretation of marriage verses. Its findings illuminate a broader pattern of engagement with inherited opinions, but they cannot automatically establish how every clothing-related passage operates. This distinction is important: an interpretive profile developed from marriage law must be tested against the material on 'awrah. The present article therefore treats such scholarship as a comparative resource rather than as a substitute

for topic-specific analysis. Studies of Islamic family law and gender further show that juristic outcomes should be read together with the methods and institutions through which they are authorized, rather than as isolated rules detached from their legal setting (Mir-Hosseini, 1999; Tucker, 2008; Vogel, 2000; Weiss, 1992).

The gap addressed here is a problem of analytical integration. The studies discussed above do not jointly organize the selected exegetical and four-school materials by source, inferential procedure, legal context, and criterion of justification. This article does not claim that epistemological studies of *ʿawrah* are absent. Rather, it develops a focused comparison in which each legal proposition is attached to the question it answers and the reasoning that supports it. This approach also prevents the four schools from becoming a single supposedly unchanging foil for contemporary interpretation.

The theoretical framework combines al-Jābrī's analysis of knowledge systems with the vocabulary of *uṣūl al-fiqh*. Al-Jābrī distinguishes *bayānī* reasoning grounded in linguistic and transmitted authority, *ʿirfānī* knowledge associated with unveiling and privileged spiritual insight, and *burhānī* reasoning grounded in demonstration (Al-Jābrī, 1990). These categories raise useful questions about justification, but they should not be treated as fixed labels for entire scholars or schools. In particular, rational argument is not absent from *bayānī* reasoning: legal analogy, textual reconciliation, and argument about exceptions all involve structured reasoning (Hallaq, 1997). This methodological combination is consistent with scholarship that treats *uṣūl al-fiqh* as a disciplined account of legal authorization while recognizing the continuing relevance of purpose, context, and interpretive responsibility (Auda, 2008; Kamali, 2008; Opwis, 2010; Saeed, 2006).

Accordingly, the proposed *bayānī*–*burhānī* spectrum is an adaptation for comparative interpretation, not a claim that contextual exegesis reproduces philosophical demonstration in al-Jābrī's strict sense. It identifies variations in the relative weight given to inherited textual authority and explicitly reasoned contextual justification. *Uṣūl al-fiqh* supplies the more precise terms needed to identify actual inferential moves, including *dalālah*, *qiyās*, *istiḥsān*, *maṣlaḥah*, and *sadd al-dharāʾiʿ*. The study asks how the selected materials construct women's *ʿawrah*, how they justify their conclusions, and what the comparison implies for contemporary interpretation and religious instruction.

Method

This study uses qualitative library research with comparative textual and epistemological analysis. Its principal exegetical material is Shihab's discussion of Qur'an 24:31 and 33:59 in *Tafsir Al-Misbah*. The *fiqh* comparison is purposive rather than exhaustive: it examines passages that explicitly formulate covering requirements, discuss exceptions, or distinguish prayer from interpersonal visibility. The object is the reasoning contained in identifiable passages, not the reconstruction of every historical development within each school.

The source-selection criteria are doctrinal relevance, explicit treatment of the problem, visibility of argument, and the possibility of locating the passage by book or chapter. For the Ḥanafī tradition, al-Marghīnānī's *Al-Hidāyah* is read through its embedded text and discussion in Ibn al-Humām's *Fatḥ al-qadīr*, particularly the chapter on conditions preceding prayer. For

the Mālikī tradition, al-Dardīr's *Al-Sharḥ al-kabīr* as reproduced and discussed in al-Dasūqī's gloss provides more direct evidence about covering and looking than a general citation to the clothing chapter of *Al-Muwaṭṭa'*. For the Shāfi'ī tradition, *Al-Umm* supplies an explicit prayer-related formulation, while *Al-Risālah* provides methodological background. Ibn Qudāmah's *Al-Mughnī* supplies the Ḥanbalī discussion and records internal disagreement.

These works are selected as evidence-bearing witnesses to their traditions, not as interchangeable summaries of everything their schools teach. Their genres also differ: a commentary intended for contemporary Qur'anic readers and juristic manuals organized around legal questions cannot be compared as though they had identical purposes. The comparison therefore aligns specific propositions and justificatory moves. It distinguishes direct textual evidence from broader contextualization supplied by histories of legal theory (Hallaq, 1997, 2009). Stable chapter and verse locators are used where edition-dependent pagination would create ambiguity.

The analysis proceeds in three stages. First, close reading separates each proposition into its object, setting, evidence, and stated rationale. The object may be a body part, a garment, or an act of looking; the setting may be prayer or interaction with a non-maḥram. Second, epistemological mapping identifies whether the justification primarily rests on language, transmission, school authority, need, or social purpose. A methodological instrument is attributed to a passage only where its operation can be shown; a school's general association with *istiḥsān* or *maṣlaḥah* is not sufficient evidence that the instrument determines a particular 'awrah ruling. Third, comparison examines convergences and differences within equivalent legal settings.

Al-Jābri's framework is used because it directs attention from a legal result to its mode of authorization. Nevertheless, contextual awareness is not automatically coded as *burhānī*, and ethical vocabulary is not automatically coded as *'irfānī*. The latter designation would require an appeal to spiritual disclosure as a warrant for knowledge; the selected passages do not establish that warrant. The study consequently concentrates on textual and rational-contextual justification while retaining *'irfānī* as a category whose relevance must be demonstrated rather than presumed.

Interpretive credibility is sought through cross-reading, attention to counterexamples, and explicit separation of textual description from this article's normative proposals. The use of prayer passages to explain public dress is treated as a potential category error and checked accordingly. No interviews, observation, quantitative coding, or inter-coder reliability testing are claimed. The results are a bounded textual reconstruction; they do not establish how all adherents dress, how frequently particular opinions are followed, or whether an interpretation produces measurable social benefits.

Results

Distinguishing the objects of legal judgment

The first finding concerns the architecture of the question itself. A legal statement about women's 'awrah is incomplete without specifying the activity, audience, and consequence

under consideration. In prayer, jurists discuss required covering and the implications of exposure for ritual validity. In interpersonal contexts, the questions include what may be exposed and what another person may look at. Clothing terminology introduces a further level: *khimār* and *jilbāb* refer to garments, while *‘awrah* identifies a legally relevant boundary. Treating these terms as synonyms obscures the movement from scriptural description to juristic specification.

This distinction is visible in the arrangement of the selected *fiqh* texts. The Ḥanafī and Shāfi‘ī passages are located in discussions of prayer, while the Mālikī material expressly differentiates relations with different viewers. The Ḥanbalī discussion includes competing reports within its treatment of women’s covering in prayer. The resulting comparison must therefore proceed in two steps: identify the rule within its original setting, then determine whether a separate argument connects it to another setting. The sources do not justify a single undifferentiated chart of what every woman must cover in all circumstances.

Text and context in Tafsir Al-Misbah

In Shihab’s discussion of Qur’an 24:31, lexical interpretation and inherited exegetical disagreement remain central. The verse connects the regulation of gaze and adornment with the instruction concerning *khumur* and *juyūb*. The epistemological issue is how this combination of vocabulary, command, and exception supports a determinate rule. Shihab’s treatment of alternative interpretations makes visible the mediating role of explanation rather than presenting the movement from verse to legal boundary as self-evident (Shihab, 2002, commentary on Qur’an 24:31).

The historical dimension becomes especially relevant in Qur’an 33:59, which links the instruction concerning outer garments to recognition and the avoidance of harassment. *Tafsir Al-Misbah* relates the verse to the social situation addressed by revelation. This establishes that a garment can have a communicative and protective function in addition to its material function of covering. Riza and Hidayah (2022) likewise identify the importance of hermeneutical contextualization in the interpretation of this verse. Yet identifying a historical function does not by itself determine whether the command expires when circumstances change; that requires an additional argument about the relationship between purpose and obligation.

The finding is therefore more limited than the claim that Shihab simply replaces bodily limits with personal modesty. His commentary provides a site in which lexical meaning, transmitted views, social explanation, and ethical orientation interact. The article interprets this interaction as an openness to contextual justification. It does not equate the reporting of permissive views with an unqualified rejection of covering, nor does it derive a complete alternative dress code from the two passages. These restrictions are necessary for a fair comparison with *fiqh* texts that formulate narrower, explicitly legal questions.

The Ḥanafī formulation and the problem of exceptions

The Al-Hidāyah passage reproduced in Fath al-qadīr excludes the face and hands from the general covering rule and records a differing report about the feet. Ibn al-Humām's discussion considers habitual exposure and need alongside textual evidence. Crucially, it also distinguishes the classification of a body part from the permission to look at it: the absence of 'awrah does not automatically authorize a gaze accompanied by desire (Ibn al-Humām, n.d., book of prayer, chapter on preceding conditions).

This provides a concrete reason to avoid describing the Ḥanafī position simply as liberal or rationalist. The reasoning works within transmitted rules and discusses how exceptions are justified. Although istiḥsān and 'urf are important to broader Ḥanafī legal thought, their general presence in the school is not proof that every exception in this passage results from an expressly articulated application of either method. The epistemological finding concerns the visible interaction of textual authority, practical need, and differentiated legal consequences.

The Mālikī distinction between covering and looking

The text of al-Dardīr reproduced in al-Dasūqī's gloss excludes the face and hands in its formulation concerning an unrelated Muslim male viewer, while separately discussing the prohibition of looking with pleasure and the consequences of exposure in prayer. The text also differentiates categories of viewers and degrees of prayer-related exposure (Al-Dasūqī, n.d., section on covering 'awrah). These qualifications show why a bare statement that Mālikīs exempt the face and hands is insufficient unless its legal setting is supplied.

The relevant technical term is sadd al-dharā'ī', the blocking of means to a prohibited outcome. This principle helps explain the broader logic of precaution, but it should not be used as a substitute for evidence about the particular rule. A restriction justified through feared consequences differs analytically from a claim that a body part is intrinsically included in the basic definition of 'awrah. The comparison must preserve that difference and acknowledge disagreement over which person bears the preventive obligation. The existence of precautionary reasoning does not establish a uniform requirement of face covering across the Mālikī tradition.

The Shāfi'ī formulation within its prayer context

Al-Shāfi'ī's Al-Umm explicitly excludes the face and hands while including the tops of the feet in its discussion of clothing during prayer. The passage addresses exposure and the repetition of prayer, making its ritual context unmistakable (Al-Shāfi'ī, 1990, book of prayer, chapter on clothing in prayer). It therefore supports a specific claim about prayer-related covering. It cannot alone settle all later Shāfi'ī discussions of looking, public exposure, or preventive covering.

Al-Risālah is relevant at a different level: it clarifies the concern with authorized inference and the relationship between revelation and legal reasoning (Al-Shāfi'ī, 1940). It should not be

cited as direct evidence for the detailed positions of other schools. The selected materials support a methodological distinction between the textual formulation of a boundary and the wider procedures that authorize legal inference. Calling the school systematic is meaningful only when this distinction is retained; systematicity does not imply the absence of contextual judgment.

Internal plurality in the Ḥanbalī material

Ibn Qudāmah's *Al-Mughnī* presents the issue of women's exposure in prayer through a discussion that excludes the face and records disagreement over the hands. It also considers need and difficulty when discussing exposure of the face and hands. This is more complex than the proposition that Ḥanbalī doctrine uniformly regards every part of a woman's body as 'awrah in every situation (Ibn Qudāmah, n.d., book of prayer, discussion of exposure other than the face).

The epistemological significance lies in the coexistence of strong reliance on transmitted authority with reasoned consideration of exceptions. A school can privilege reports while still distinguishing situations and debating their implications. This case is a counterexample to the assumption that textual orientation necessarily produces a single maximally restrictive result. It also demonstrates why the proposed spectrum must describe arguments rather than rank schools from least to most rational.

Table I summarizes the comparison at the level of reasoning. It does not replace the qualifications attached to individual legal propositions. The central pattern is overlapping use of textual authority combined with differences in the function assigned to context. In the selected fiqh passages, need and circumstances operate within identified legal settings; in the exegetical discussion, social explanation also helps frame what a command is understood to address.

Table I. Epistemological configurations in the selected corpus

Tradition and source	Visible mode of justification	Scope and qualification
Tafsir Al-Misbah	Language, inherited interpretations, historical explanation, and ethical purpose.	Exegesis of Qur'an 24:31 and 33:59; reported opinions must be distinguished from adopted conclusions.
Ḥanafī Al-Hidāyah through Fatḥ al-qadīr	Textual rule with argument about exceptions, need, and habitual exposure.	Prayer context; disagreement concerning the feet; non-'awrah status does not entail unrestricted gaze.
Mālikī Al-Sharḥ al-kabīr with al-Dasūqī	Differentiated rules for viewers, exposure, and prohibited looking.	The legal setting and reason for a restriction must be specified; precaution is distinct from basic classification.
Shāfi'ī Al-Umm	Explicit covering requirements within a legally defined ritual setting.	Face and hands excluded in the selected prayer passage; public visibility requires additional analysis.
Ḥanbalī Al-Mughnī	Transmitted positions, internal disagreement, and consideration of need.	Face excluded in the prayer discussion; differing positions on hands preclude a uniform summary.

Note. Author's comparative synthesis of the passages identified in the Method and Results. The table maps reasoning and does not constitute an exhaustive statement of each school's doctrine.

The table qualifies the initial contrast between contemporary contextualism and classical textualism. Shihab remains engaged with scriptural vocabulary and inherited interpretation, while classical fiqh contains argument about exceptions, need, and the relationship between exposure and gaze. Convergence therefore appears at the level of shared sources and the necessity of interpretation. Divergence concerns the weighting and function of the reasons offered, together with the different tasks undertaken by commentary and legal manuals.

Discussion

A qualified bayānī–burhānī spectrum

The comparative findings support a spectrum only if its limits are stated clearly. Bayānī reasoning is not synonymous with literalism, and burhānī reasoning is not a synonym for every flexible conclusion. In al-Jābrī's philosophical framework, demonstration carries a more specific meaning than attention to modern circumstances. The present model uses the spectrum as a heuristic for examining the relationship between textual authorization and explicit contextual justification; it does not attribute an identical philosophical method to Shihab and to demonstrative traditions (Al-Jābrī, 1990). Scholarship on Islamic legal theory similarly warns that differences in legal conclusions cannot be reduced to a simple opposition between text and reason, because textual interpretation, analogy, custom, and legal purpose are structured within recognized methods of inference (Hallaq, 1997; Kamali, 2008; Weiss, 1992).

A useful way to apply the model is to ask two questions of each argument. First, what authorizes the norm: scriptural wording, a transmitted interpretation, an accepted school position, or another recognized source? Second, what explains its application: linguistic scope, analogy, necessity, habitual practice, or an identified social purpose? These questions should be considered together. An interpretation may be highly dependent on transmitted authority while also making extensive use of practical reasoning. Conversely, an appeal to context may be weakly justified even when it produces a contemporary-sounding conclusion.

This refinement avoids treating legal history as a linear movement from irrational tradition to rational modernity. The Ḥanafī discussion of exceptions and the Ḥanbalī recording of alternative positions show that argument already operates within inherited jurisprudence. Shihab's distinctiveness lies less in introducing reason into an otherwise unreasoning tradition than in the prominence given to explaining the relationship between revelation and contemporary readers. The result is a comparative model of justificatory emphasis rather than a hierarchy of intellectual worth.

Uṣūl al-fiqh also prevents the spectrum from becoming overly abstract. A claim about contextual responsiveness must identify how context enters the inference: does it clarify a word, specify a general statement, explain an exception, identify a purpose, or change an application? These operations have different consequences. Histories of Sunni legal theory show why reasoning should be investigated through such procedures rather than inferred from a school's reputation (Hallaq, 1997, 2009). The contribution of the model is to make

those procedural differences explicit and comparable. Contemporary approaches to maqāṣid and contextual interpretation reinforce this demand for methodological transparency: context can matter, but its legal relevance must be connected to a stated interpretive route and cannot merely be asserted as a preferred result (Auda, 2008; Opwis, 2010; Saeed, 2006).

Contemporary criticism of Shihab and the burden of justification

Rohman et al. (2024) argue that Shihab's treatment does not adequately justify departing from the binding force of the hijab command. The criticism is significant because it challenges the inference, not merely the preferred outcome. In uṣūl terms, the relevant question is what evidence permits an imperative to be understood in a sense other than obligation. Neither the existence of interpretive disagreement nor the cultural history of a garment automatically supplies that evidence. This objection requires a contextual reading to make its justificatory steps explicit.

The present article's assessment is that three propositions need to be separated. A garment may have existed before revelation; a verse may address a historically identifiable practice; and a legal obligation may be limited to that historical setting. The first two propositions do not logically establish the third. An interpreter who moves between them must explain why the historical description limits the normative scope of the command. Otherwise, the argument moves too quickly from contextual explanation to a change in legal force. Comparative studies of gender and Islamic law likewise distinguish historical explanation from normative derivation, and caution that a contextual account of revelation does not by itself determine the continuing scope of a norm (Ali, 2006; Barlas, 2002; Hidayatullah, 2014; Mir-Hosseini, 1999).

At the same time, an obligatory reading does not remove every interpretive question. The object and scope of the command still need specification, as do the exceptions and the relationship between garment terminology and bodily boundaries. Defending obligation therefore cannot consist solely of repeating that an imperative exists. It also requires an account of what is commanded and how related evidence is reconciled. This is the point at which the fiqh comparison is useful: it demonstrates that shared commitment to scriptural authority can coexist with differentiated legal formulations.

Riza and Hidayah's (2022) focus on hermeneutical understanding offers a different emphasis from the critical reading of Rohman et al. (2024). The productive issue between these approaches is whether a proposed contextual inference remains accountable to the language and legal structure of the passage. This article does not resolve that disagreement by assigning one side to reason and the other to tradition. It proposes an evidentiary discipline: identify the command, identify the proposed qualification, and show the warrant connecting the two.

Another boundary concerns the relationship between explanation and endorsement. An exegete may reproduce a minority position to document disagreement, to assess its evidence, or to invite caution in judging others. These acts are distinct from issuing an unrestricted ruling. Consequently, criticism should identify the precise passage and the level of commitment attributed to it. Equally, sympathetic interpretation should not turn the presence of multiple

opinions into proof that all positions are equally established. This symmetrical requirement allows critique without caricature and contextual engagement without unearned permissiveness. This distinction is especially important in scholarship on women and Islam, where the description of legal plurality should not be conflated with either uncritical endorsement or the denial of a tradition's normative claims (Ahmed, 1992; Badran, 2009; Roald, 2001).

Normative implications for interpretation and teaching

The findings have normative implications, but those implications must be distinguished from reported doctrine. First, scholarly and educational explanations should state the legal setting before presenting a rule. A classroom discussion can separately address covering for prayer, exposure before a non-maḥram, regulation of gaze, and customary garment design. This makes disagreement intelligible and prevents a ritual exception from being represented as an unlimited public rule. It also helps readers see where a conclusion is widely maintained and where it depends on disputed qualification.

Second, the moral purpose of protection must not be converted into a judgment that women who experience harassment have failed to deserve safety. This is the article's normative inference from reading clothing-related instruction alongside the regulation of gaze in Qur'an 24:30–31 and the condemnation of undeserved harm in Qur'an 33:58. A discussion of dress can recognize religious obligations while maintaining that responsibility for abusive conduct rests with its perpetrator. The ethical significance of the verses exceeds an exclusive focus on women's clothing. This conclusion accords with ethical readings that reject the displacement of responsibility for harassment onto women's clothing and instead foreground moral agency, social accountability, and the Qur'anic regulation of conduct (Abu-Lughod, 2013; Ali, 2006; Wadud, 1999).

Third, invoking fitnah or harm should require careful explanation of the relevant conduct, context, and proposed preventive measure. Precaution is not a self-explanatory category. Without specifying how a restriction is expected to prevent a prohibited outcome, *sadd al-dharā'ī* risks becoming a label that conceals rather than demonstrates reasoning. Conversely, an appeal to *maṣlaḥah* does not independently validate every relaxation of a rule. Both restrictive and accommodating arguments should explain their textual warrant and the limits of their contextual claim.

Fourth, acknowledging plurality does not make normative judgment impossible. A jurist may defend a preferred interpretation while accurately presenting alternatives and their evidentiary status. Educators can distinguish a school's teaching from a claim of universal consensus. Such distinctions support intellectual honesty without asking believers to treat every disagreement as inconsequential. Abror et al.'s (2021) comparison of Indonesian exegetical positions underscores the relevance of this approach to public discussions of face veiling and religious authority.

Finally, doctrinal evaluation and coercive enforcement are separate questions. This textual study does not establish an institutional authority to compel a particular garment, nor does it evaluate the constitutionality of dress regulations. Moving from a religious

interpretation to an enforceable public rule requires additional legal and empirical inquiry. Keeping that boundary clear protects the article from presenting a limited epistemological comparison as a complete answer to contemporary policy disputes. The distinction is also supported by studies of Islamic law in modern states, which show that the passage from doctrinal reasoning to public enforcement entails institutional, constitutional, and political questions beyond the interpretation of a verse or juristic text (An-Na'im, 2008; Zaman, 2002).

Contribution and limitations

The contribution is a context-sensitive reconstruction of justificatory reasoning. It adds legal setting to the familiar comparison of source and method, distinguishes the classification of 'awrah from rules about gaze, and qualifies the bayānī–burhānī spectrum through specific inferential operations. This produces a more discriminating account than a contrast between a flexible exegete and four uniformly textual schools. It also provides a procedure for evaluating both contextual reinterpretation and its critics without deciding the outcome in advance. By making these distinctions explicit, the article also responds to calls in gender-and-Islam scholarship for analyses that neither flatten juristic diversity nor detach contemporary ethical debate from the textual and methodological bases of legal argument (Badran, 2009; Bullock, 2002; Hidayatullah, 2014; Tucker, 2008).

The limitations follow from the corpus. Selected passages cannot represent every authoritative formulation within four internally diverse schools. Al-Jābrī's categories are used retrospectively and must not be mistaken for the jurists' own self-descriptions. The comparison also spans different genres and historical settings. It does not include a comprehensive assessment of every hadith chain invoked in the wider debate or an empirical investigation of women's experiences. Further research should compare additional commentaries and intra-school texts, examine the evidentiary status of disputed reports, and investigate how interpretive distinctions are communicated in lived religious practice.

Conclusion

Women's 'awrah in Tafsir Al-Misbah and the selected four-school texts is constructed through overlapping sources but differently organized forms of justification. Shihab's commentary gives substantial attention to linguistic and social explanation, while the fiqh passages formulate contextualized legal boundaries and debate exceptions within established procedures. Their differences cannot be reduced to an opposition between reason and revelation. Distinguishing prayer-related covering, public exposure, and gaze is essential to an accurate comparison.

The proposed bayānī–burhānī spectrum is therefore a qualified heuristic, not a ranking of schools or a claim that contextual exegesis is philosophical demonstration. Its contribution is to connect textual authorization with the reasons offered for a rule's application. Contemporary interpretation remains accountable to that connection: historical explanation does not alone remove obligation, and commitment to obligation does not eliminate questions of scope and exception. For religious instruction, the practical implication is precise

attribution, explicit recognition of disagreement, and protection of human dignity. These conclusions remain bounded by the selected textual corpus.

References

- Abror, I., Zuhdi, M. N., Setiawan, I., & Suhendra, A. (2021). Cadar and women's awrat in Indonesian Qur'an literature. *Jurnal Studi Ilmu-Ilmu Al-Qur'an dan Hadis*, 22(2), 449–468. <https://doi.org/10.14421/qh.2021.2202-09>
- Al-Dasūqī, M. ibn A. (n.d.). *Ḥāshiyat al-Dasūqī 'alā al-Sharḥ al-kabīr* (Vol. 1, section on satr al-'awrah). Islamweb digital library. <https://www.islamweb.net/ar/library/content/13/379/>
- Al-Jābrī, M. 'Ā. (1990). Bunyat al-'aql al-'Arabī: *Dirāsah taḥlīliyyah naqdiyyah li-nuẓum al-ma'rifah fī al-thaqāfah al-'Arabiyyah*. Markaz Dirāsāt al-Wiḥdah al-'Arabiyyah.
- Al-Shāfi'ī, M. ibn I. (1940). *Al-Risālah* (A. M. Shākir, Ed.). Maktabat al-Ḥalabī.
- Al-Shāfi'ī, M. ibn I. (1990). *Al-Umm*. Dār al-Ma'rifah.
- Hallaq, W. B. (1997). *A history of Islamic legal theories: An introduction to Sunni uṣūl al-fiqh*. Cambridge University Press.
- Hallaq, W. B. (2009). *An introduction to Islamic law*. Cambridge University Press.
- Ibn al-Humām, K. al-D. M. (n.d.). *Faṭḥ al-qadīr* (Vol. 1, book of prayer, chapter on conditions preceding prayer; incorporating the text of al-Marghīnānī's *Al-Hidāyah*). Islamweb digital library. <https://www.islamweb.net/ar/library/content/23/278/>
- Ibn Qudāmah, 'A. ibn A. (n.d.). *Al-Mughnī* (Vol. 1, book of prayer, discussion of exposure other than the face). Islamweb digital library. <https://www.islamweb.net/ar/library/content/15/685/>
- Ishaq, Z., Idri, Musyafa'ah, S., & Khalqi, A. M. S. (2025). Epistemology of istinbāt in Quraish Shihab's interpretation of marriage verses in Tafsir Al-Misbah. *Ulul Albab: Jurnal Studi Islam*, 26(1), 1–23. <https://doi.org/10.18860/ua.v26i1.29888>
- Riza, M. H., & Hidayah, V. R. (2022). Hermeneutika dalam Tafsir Al-Mishbāh: Studi penafsiran Surah Al-Aḥzāb ayat 59. *Tanzil: Jurnal Studi Al-Quran*, 4(2), 83–94. <https://doi.org/10.20871/tjsq.v4i2.186>
- Rohman, A., Muttaqien, G. A., ALMonawer, F. H., Rumanian, T., & Deik, M. (2024). Challenging the interpretation of the verse on hijab by M. Quraish Shihab: A critical analysis review. *QiST: Journal of Quran and Tafseer Studies*, 3(2), 192–215. <https://doi.org/10.23917/qist.v3i2.4046>
- Shihab, M. Q. (2002). *Tafsir Al-Misbah: Pesan, kesan, dan keserasian Al-Qur'an* (Vols. 9 & 11). Lentera Hati.
- Abu-Lughod, L. (2013). *Do Muslim women need saving?* Harvard University Press.
- Ahmed, L. (1992). *Women and gender in Islam: Historical roots of a modern debate*. Yale University Press.
- Ali, K. (2006). *Sexual ethics and Islam: Feminist reflections on Qur'an, hadith, and jurisprudence*. Oneworld.

Sulis Setiyani, et al.

Procedure and Morality in Hadith-Based Leadership: A Thematic Study on Leader Selection and Ideal Character

An-Na'im, A. A. (2008). *Islam and the secular state: Negotiating the future of Shari'a*. Harvard University Press.

Auda, J. (2008). *Maqasid al-shariah as philosophy of Islamic law: A systems approach*. International Institute of Islamic Thought.

Badran, M. (2009). *Feminism in Islam: Secular and religious convergences*. Oneworld.

Barlas, A. (2002). *Believing women in Islam: Unreading patriarchal interpretations of the Qur'an*. University of Texas Press.

Bullock, K. H. (2002). *Rethinking Muslim women and the veil: Challenging historical and modern stereotypes*. International Institute of Islamic Thought.

El Guindi, F. (1999). *Veil: Modesty, privacy and resistance*. Berg.

Hidayatullah, A. A. (2014). *Feminist edges of the Qur'an*. Oxford University Press.

Kamali, M. H. (2008). *Shari'ah law: An introduction*. Oneworld.

Mernissi, F. (1991). *The veil and the male elite: A feminist interpretation of women's rights in Islam* (M. J. Lakeland, Trans.). Addison-Wesley.

Mir-Hosseini, Z. (1999). *Islam and gender: The religious debate in contemporary Iran*. Princeton University Press.

Opwis, F. (2010). *Maṣlaḥa and the purpose of the law: Islamic discourse on legal change from the 4th/10th to 8th/14th century*. Brill.

Roald, A. S. (2001). *Women in Islam: The Western experience*. Routledge.

Saeed, A. (2006). *Interpreting the Qur'an: Towards a contemporary approach*. Routledge.

Tucker, J. E. (2008). *Women, family, and gender in Islamic law*. Cambridge University Press.

Vogel, F. E. (2000). *Islamic law and legal system: Studies of Saudi Arabia*. Brill.

Wadud, A. (1999). *Qur'an and woman: Rereading the sacred text from a woman's perspective*. Oxford University Press.

Weiss, B. G. (1992). *The search for God's law: Islamic jurisprudence in the writings of Sayf al-Dīn al-Āmidī*. University of Utah Press.

Zaman, M. Q. (2002). *The ulama in contemporary Islam: Custodians of change*. Princeton University Press.