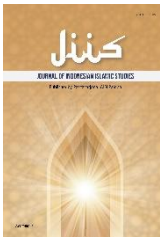
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# A Comparative Study of the Methods of Yūsuf al-Qaraḍāwī and Muḥammad Saʿīd al-ʿAshmāwī in Understanding Hadith Regarding the Hijab

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**Abstract**

Divergent understandings of hadith regarding the hijab in the thought of Yūsuf al-Qaraḍāwī and Muḥammad Saʿīd al-ʿAshmāwī reveal methodological issues in the relationship between hadith authority, Qur'anic interpretation, socio-historical context, legal reasoning, and determining the scope of dress norms for women. It is insufficient to characterize the difference between them merely as an ideological conflict, as each scholar's argument involves choices about sources, normative assumptions, and procedures for linking texts to legal rulings. This study aims to analyze the methods of hadith understanding employed by both figures, identify their similarities and differences, and explain the sources of their divergent arguments regarding the hijab. Using a comparative-qualitative design, this library-based research applies textual-hermeneutic analysis to the relevant works of both figures, with the hadith as the basis for their arguments, alongside pertinent Qur'anic verses and verifiable academic literature. The analysis reveals similarities in using Qur'anic verses as a foundation for discussion and in the attention paid to the relationship between text, meaning, and context. Key differences lie in the weight accorded to hadith authority, the function of historical reconstruction, and the basis for generalizing norms. Al-Qaraḍāwī integrates hadith with the Qur'an, synthesizes relevant narrations, and considers scholarly explanations to distinguish the obligation to cover the hair from the obligation to cover the face. Al-ʿAshmāwī places greater emphasis on the historical context of verses and hadith, while criticizing the establishment of universal obligations based on *āḥād* (solitary) narrations. This comparison highlights divergent conclusions rooted in differing approaches to evaluating evidence and linking context to norms, without demonstrating the absolute superiority of either approach.

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## Introduction

Debates regarding the hijab in contemporary Islamic thought are closely linked to the relationship between religious texts, methods of interpretation, and the formulation of legal norms (Munirah et al., 2026; Zain et al., 2023). Hadith holds a pivotal position in this discourse because its interpretation can influence the definition of *ʿawrah* (intimate parts of the body that must be covered), the form of women's attire, and the obligatory status of such dress under Sharia (Chaniago, 2025). The issue extends beyond accepting or rejecting the hijab obligation; it also concerns how a narration is evaluated as valid proof (*hujjah*), understood in context, and correlated with other scriptural evidence to derive normative conclusions. Divergent interpretations must be examined through their underlying argumentative processes rather than by comparing legal outcomes alone. Yūsuf al-Qaraḍāwī proposes principles for understanding the Sunnah that link Hadith texts with the Qur'an, thematically related narrations, the context of their emergence, and their normative objectives (Harahap et al., 2026). Meanwhile, Muḥammad Saʿīd al-ʿAshmāwī addresses the hijab issue by critiquing the textual and historical foundations of regulations concerning women's attire—including the evidentiary validity of Hadith—in his work *Ḥaqīqat al-Ḥijāb wa-Ḥujjiyyat al-Ḥadīth* (Rahmi et al., 2023). The differing orientations of these two thinkers provide an opportunity to examine how standards for source acceptance, interpretive procedures, and legal assumptions shape views on the hijab.

Divergent views on the hijab reveal issues more fundamental than a simple conflict between obligation and non-obligation. Legal determinations can be influenced by varying usages of the terms *jilbāb*, *ḥijāb*, and *khimār*; the selection of specific narrations as evidentiary bases; assessments of hadith quality; and the methods used to link texts to social and historical contexts (Rahmawati et al., 2026). Tensions also arise when critiques of the historical construction of a ruling are treated as tantamount to rejecting religious sources, or when accepting a hadith is assumed to automatically dictate a specific form of attire (Pratiwi et al., 2026). Marfuah (2019), for instance, directly compares the understanding of hadith concerning the hijab as presented by al-Qaraḍāwī in *al-Ḥalāl wa-al-Ḥarām fī al-Islām* and by al-ʿAshmāwī in *Ḥaqīqat al-Ḥijāb wa-Ḥujjiyyat al-Ḥadīth*. That study addresses the evidentiary status of the hadith and the divergent conclusions reached by the two figures; consequently, it must be acknowledged as a direct precursor to the present study. This fact requires any new comparative research to clearly articulate its own analytical distinctions, rather than claiming to be the first to bring these two thinkers into dialogue. An issue requiring further examination is the extent to which differing legal outcomes can be explained by methodological differences, rather than merely by differences in final positions.

Existing literature reveals several relevant trends as well as limitations that warrant attention. Ramadana (2022) examines hadith regarding the hijab through *takhrīj* (tracing of sources) and *sharḥ* (commentary) using a contemporary approach—including the usage of the term hijab and its evolution in modern understanding; while this study provides a foundation for analyzing hadith texts, it does not focus on a systematic comparison of the methodologies employed by al-Qaraḍāwī and al-ʿAshmāwī. Yaqin (2021) examines al-Qaraḍāwī's methodology as an approach that seeks to transcend the dichotomy between textualism and contextualism; his contribution lies in mapping principles for understanding the Sunnah, whereas the study does not primarily apply these principles to the debate with

al-ʿAshmāwī regarding the hijab. Siregar et al. (2026) analyze al-ʿAshmāwī's thought on hijab law, focusing particularly on linguistic issues, the history of interpretation, and social context; while this study clarifies the basis of al-ʿAshmāwī's reasoning, it does not compare his interpretive procedures with al-Qaraḍāwī's methods. Sabrifha et al. (2022) discuss al-Qaraḍāwī's method of understanding the Sunnah, specifically the relationship between the internal aspects of hadith and the comprehension of the *matn* (text), as well as the principles of reconciling narrations and considering context; this research helps elucidate al-Qaraḍāwī's methodological framework but does not test the framework's robustness when confronted with al-ʿAshmāwī's critique regarding the evidentiary authority of hadith concerning the hijab.

Yusroh and Rahman (2018) compared the views of al-ʿAshmāwī and Muḥammad Shahrūr regarding the hijab through the lens of the tension between normativity and historicity, thereby demonstrating the relevance of a comparative approach that traces the formation of legal conclusions; however, the specific figures and analytical orientation differ from the focus of the present study. Rasak and Latreche (2025) also identify the integration of texts, *maqāṣid al-sharīʿah*, and social reality as crucial elements in al-Qaraḍāwī's methodology. Yet, their work focuses on al-Qaraḍāwī's thought in general rather than a direct comparison with al-ʿAshmāwī concerning the issue of the hijab. Existing literature provides a foundation regarding methods of hadith comprehension, historical critique of hijab laws, and comparisons of contemporary thought. This study addresses the gap by explaining, through a direct comparison of the two figures, how source evaluation, interpretive procedures, legal premises, and conclusion-forming relate.

Based on this issue, the study poses four questions: how can the intellectual contexts of both figures and the relevant hadith corpus regarding the hijab be established; how does al-Qaraḍāwī understand the hadith concerning the hijab; how does al-ʿAshmāwī construct his arguments regarding the hadith and hijab rulings; and in what aspects can the similarities, differences, and limits of their arguments be explained through a methodological comparison? This study aims to identify relevant primary sources, analyze each figure's interpretive procedures, and examine the relationship between textual evidence, the use of context, legal premises, and normative conclusions. The study's initial argument is that differing understandings of the hijab must be explained through the reasoning processes that lead to conclusions, rather than merely through differences in final positions or ideological labels. This argument remains open to scrutiny through an examination of primary sources—specifically, to verify whether both figures discuss the same hadith and whether their differing views can be traced to their respective methods of understanding hadith. The study aims to provide an evidence-based comparison of how each figure utilizes religious sources, connects text to context, and defines the scope of dress norms. In doing so, the research seeks to clarify the origins of these interpretive differences and delineate the limits of comparability between the two perspectives, without presupposing the superiority of either approach before testing the arguments.

## Method

This study uses a qualitative, library-based research method with a comparative-interpretative design to examine al-Qaraḍāwī's and al-ʿAshmāwī's approaches to interpreting hadith on the hijab. Primary data sources include al-Qaraḍāwī's *Fatāwā al-*

*Muʿāṣirah* and al-ʿAshmāwī's *Ḥaqīqat al-Ḥijāb wa Ḥujjiyyat al-Ḥadīth*, specifically the sections addressing hadith, source authority, and hijab regulations. Secondary data include relevant hadith collections and commentaries (*sharḥ*), works on hadith interpretation methodology, scholarly journal articles, and prior research on both figures' thought. Data collection involved bibliographic searches, identifying relevant texts, recording arguments, and categorizing data by theme and argumentative function. The analysis proceeded in four stages: mapping each figure's interpretive principles; examining their use of hadith, historical contexts, supporting evidence, and linguistic considerations; systematically comparing their reasoning procedures and legal constructions; and critically evaluating their similarities, differences, and methodological implications. To ensure interpretive accuracy, the analysis distinguishes the figures' explicit statements from the researcher's inferences and verifies that their arguments align with the cited sources. The comparison uses consistent analytical categories without assuming equivalent approaches a priori, ensuring conclusions rest on traceable textual evidence.

# Results

## *Biography of Yūsuf al-Qaraḍāwī and Muḥammad Saʿīd al-ʿAshmāwī*

Yūsuf al-Qaraḍāwī was born on September 9, 1926, in Saft Turab, Gharbia Province, in Egypt's Nile Delta. He received his early education at Al-Azhar institutions, after memorizing the Qur'an before age ten. This experience laid the foundation for his mastery of Arabic and Islamic scholarly traditions—assets that would become central to his academic, literary, and *daʿwah* (preaching) activities (Al-Qaraḍāwī, 2002b). Al-Qaraḍāwī pursued higher education at Al-Azhar University, specifically within the Faculty of *Uṣūl al-Dīn* (Fundamentals of Religion), before broadening his expertise through studies in Arabic language and literature. He completed his higher education in the early 1950s and obtained an advanced diploma in Arabic language and literature in 1958. In 1960, he completed postgraduate studies in the sciences of the Qur'an and Sunnah and earned his doctorate in 1973, researching *zakāt* (almsgiving) and its contribution to resolving social issues (Al-Qaraḍāwī, 2002b).

The Al-Azhar educational tradition placed al-Qaraḍāwī in a learning environment that linked mastery of religious sources with the discipline of *fiqh* (Islamic jurisprudence) and traditions of legal reasoning. His intellectual development also unfolded amid Egypt's political dynamics, including tensions between state leadership and Islamic movements in the mid-20th century. His involvement with the Muslim Brotherhood and his detention under the Egyptian government are part of his life story. However, these political experiences alone cannot fully explain the evolution of his thought (Skovgaard-Petersen, 2009). Since 1961, al-Qaraḍāwī has spent the majority of his academic and *daʿwah* career in Qatar. He helped develop Islamic education and founded the Faculty of Sharia and Islamic Studies at Qatar University in 1973, where he served as dean until 1990. He also helped develop the study of hadith and the history of the Prophet within the university setting. This shift in his base of operations from Egypt to Qatar expanded his institutional reach and brought him into contact with issues facing the Muslim community within a transnational context (Tammam, 2009).

Al-Qaraḍāwī's intellectual productivity is reflected in works covering *fiqh*, acts of worship, Islamic economics, social thought, and contemporary legal issues. *Fiqh al-Zakāh*

is one of his major works, developed from doctoral research on *zakāt*'s role in addressing social issues. The book gained international recognition through the King Faisal Prize in Islamic Studies in 1994, particularly for the breadth of its discussion and its analytical approach to *zakāt* jurisprudence (Al-Qaraḍāwī, 1973). Among al-Qaraḍāwī's other works are *al-Ḥalāl wa-al-Ḥarām fī al-Islām*, which discusses the concepts of the lawful (*ḥalāl*) and the forbidden (*ḥarām*); *Fi Fiqh al-Awlawiyyāt*, which outlines the principles of setting priorities in Islamic thought; *al-Ijtihād fī al-Sharīʿah al-Islāmiyyah*, which examines *ijtihād* (independent legal reasoning) in Islamic law; and *Fatāwā Muʿāṣirah*, a collection of *fatwā*s (religious rulings) addressing contemporary issues facing the Muslim community (Al-Qaraḍāwī, 1996).

Muḥammad Saʿīd al-ʿAshmāwī was born in Egypt in 1932 and passed away on November 7, 2013. Unlike al-Qaraḍāwī, who pursued a systematic religious education at al-Azhar, al-ʿAshmāwī received his formal education at Cairo University's Faculty of Law and graduated in 1954. He subsequently entered the judicial sphere, beginning his career as a prosecutor before being appointed as a judge in 1961. His professional experience expanded to include presiding over various high-level judicial bodies, including criminal courts and state security courts. In 1978, he broadened his academic background by pursuing further legal studies in the United States, including at Harvard Law School. He retired from the judiciary in 1993 (Al-ʿAshmāwī, 1994).

Al-ʿAshmāwī's experience as a legal practitioner was intertwined with intellectual debates in Egypt regarding the status of Sharia and the relationship between religion and the state. These debates unfolded against the backdrop of a rising Islamist movement advocating for the implementation of Sharia as the foundation for governing public life. In this context, al-ʿAshmāwī critiqued the politicization of religion in writings on the relationship between Islam and governance, the formation of Islamic legal thought, and the application of Sharia within modern legal systems (Fluehr-Lobban, 1998). His thought cannot be adequately explained through labels such as "liberal" or "secular," as such categorizations risk oversimplifying his arguments about the relationship between divine revelation, legal interpretation, and state authority. William E. Shepard (1996) specifically identifies al-ʿAshmāwī as an Egyptian judge who responded to the Islamist movement by mounting an argumentative defense of the fundamental elements of the prevailing legal system, articulating a rationale grounded in an Islamic perspective.

Al-ʿAshmāwī's works consistently focus on the relationship between Islamic normative sources and legal construction throughout history. *Uṣūl al-Sharīʿah*, first published in 1979, addresses the foundations of Sharia and stands as a key work for understanding his scholarly orientation. Other works include a*l-Sharīʿah al-Islāmiyyah wa al-Qānūn al-Miṣrī: Dirāsah Muqāranah* (1986), *al-Ribā wa al-Fāʾidah fī al-Islām* (1988), *Maʿālim al-Islām* (1989), *al-Khilāfah al-Islāmiyyah* (1990), and *al-Islām al-Siyāsī* (1986) (Shepard, 1996). This body of work illustrates the breadth of al-ʿAshmāwī's engagement with Islamic law, legal practice in Egypt, economic issues, and the relationship between religion and politics. Among these works, *Ḥaqīqat al-Ḥijāb wa Ḥujjiyyat al-Ḥadīth* is directly relevant to research on the hijab. Its title establishes the hijab and the authority of hadith as the central subjects of study, making it a vital primary source for examining al-ʿAshmāwī's arguments regarding the issue at hand.

### *Al-Qaraḍāwī's Method in Understanding the Hadith about the Hijab*

The primary text al-Qaraḍāwī uses to establish the obligation for women to cover their hair is the word of Allah in Surah al-Nūr [24]: 31: "Let them not display their adornment except that which is apparent of it, and let them draw their headscarves over their bosoms." Al-Qaraḍāwī advances two arguments to support this obligation. First, hair is not among the body parts exempted by the phrase *illā mā ẓahara minhā* (except that which is apparent of it). Second, the command *wa-l-yaḍribna bi-khumurihinna ʿalā juyūbihinna* is understood as an instruction to use a *khimār*—a woman's head covering—and to extend it to cover the chest area (Al-Qaraḍāwī, 2002a, vol. 5, p. 117). Al-Qaraḍāwī's interpretation aligns with al-Qurṭubī's explanation (1999, vol. 12, p. 230), who noted that women at that time customarily draped their headscarves backward, leaving the neck and chest exposed; the verse commands that the headscarf be directed toward the garment opening to cover it. Al-Qaraḍāwī further reinforces his argument by citing the opinion of Ibn Ḥajar al-ʿAsqalānī, who equates the function of the *khimār* for women with that of the turban for men, and by referencing lexicographical sources that define the *khimār* as a head covering (Al-'Asqalānī, 1961, Volume 8, p. 490).

The specific hadith corpus that al-Qaraḍāwī explicitly examines in his discussion regarding the limits of face covering is the narration concerning Asmāʾ bint Abī Bakr. The editorial he quoted read:

**حَدَّثَنَا يَعْقُوبُ بْنُ كَعْبٍ الأَنْطَاكِيُّ، وَمُؤَمَّلُ بْنُ الْفَضْلِ الْحَرَّانِيُّ، قَالاَ حَدَّثَنَا الْوَلِيدُ، عَنْ سَعِيدِ بْنِ بَشِيرٍ، عَنْ قَتَادَةَ، عَنْ خَالِدٍ، - قَالَ يَعْقُوبُ ابْنُ دُرَيْكٍ - عَنْ عَائِشَةَ، رضى الله عنها أَنَّ أَسْمَاءَ بِنْتَ أَبِي بَكْرٍ، دَخَلَتْ عَلَى رَسُولِ اللَّهِ ﷺ وَعَلَيْهَا ثِيَابٌ رِقَاقٌ فَأَعْرَضَ عَنْهَا رَسُولُ اللَّهِ ﷺ وَقَالَ: يَا أَسْمَاءُ إِنَّ الْمَرْأَةَ إِذَا بَلَغَتِ الْمَحِيضَ لَمْ تَصْلُحْ أَنْ يُرَى مِنْهَا إِلاَّ هَذَا وَهَذَا. وَأَشَارَ إِلَى وَجْهِهِ وَكَفَّيْهِ. قَالَ أَبُو دَاوُدَ هَذَا مُرْسَلٌ خَالِدُ بْنُ دُرَيْكٍ لَمْ يُدْرِكْ عَائِشَةَ رضى الله عنها.**

Meaning: *"Has told us Yaʿqūb ibn Kaʿb al-Anṭākī and Mu'ammal ibn al-Faḍl al-Ḥarrānī, both of them said: Has told us al-Walīd, from Saʿīd ibn Bashīr, from Qatādah, from Khālid, - Yaʿqūb ibn Durayk said - from ʿĀisha, may Allah be pleased with her, that Asmā' bint Abū Bakr entered to meet the Messenger of Allah wearing thin clothes. So the Messenger of Allah turned away from him and said: O Asmā', indeed, when her menstruation period has come, it is not appropriate for her to show off her body except this and this, while pointing to her face and hands. Abū Dāwud said: This is a mursal hadith; Khālid ibn Durayk never met her ʿĀisha"* (Abū Dāwūd, 1993, no. 4104).

The report states that the Prophet pointed to the face and the palms of the hands. Abū Dāwūd himself explains that the chain of transmission (*sanad*) for this report is mursal—meaning the chain is interrupted—because Khālid ibn Durayk never met ʿĀisha, and the chain also includes Saʿīd ibn Bashīr. Al-Qaraḍāwī (2016) assesses that the hadith is not strong enough to serve as an independent basis for a ruling (*ḥujjah*). Still, he notes corroborating evidence in the report of Asmāʾ binti ʿUmays and in the practices of women during the time of the Prophet and the Companions. He also refers to al-Albānī's assessment, which classifies the report as *ḥasan* (sound/acceptable) in *Ṣaḥīḥ Sunan Abī Dāwūd* (Al-Albānī, 2002).

Al-Qaraḍāwī's approach to evaluating the Asmāʾ hadith distinguishes between a report's strength as independent evidence and its strength after gaining external support. The first premise is that a weakness in the chain of transmission should not be disregarded simply because the text (*matn*) appears to align with a particular *fiqh* opinion. The second premise is that such weakness must be evaluated alongside corroborating chains and relevant practices from the early generations. The third premise concerns the limits of the conclusion: accepting the hadith after corroboration does not mean that every body part mentioned—or not mentioned—in the text automatically carries the same legal status. The Asmāʾ report is used to support the view that exposing the face and palms is permissible, not to establish an obligation to cover the hair. This distinction in evidentiary function is significant because, in al-Qaraḍāwī's writings, the obligation to cover the hair rests on Surah al-Nūr, verse 31, and the interpretation of the term *khimār*. In other words, the standing of the hadith within his argumentative framework depends on the specific legal question being addressed (Al-Qaraḍāwī, 2002a).

The methodological basis explaining this pattern of argumentation can be found in his work titled *Kayfa Nataʿāmal maʿa al-Sunnah al-Nabawiyyah* (Al-Qaraḍāwī, 1993). According to Suryadi (2008), this book formulates several principles for understanding the Sunnah, including interpreting hadith in light of the Qur'an, gathering narrations that address the same issue, harmonizing or weighing (*tarjīh*) apparently contradictory hadiths, considering the causes and contexts of a hadith's emergence, distinguishing between mutable means and immutable objectives, differentiating between literal and metaphorical meanings, and ensuring an accurate understanding of hadith terminology. However, the mere presence of principles in a methodological work does not automatically prove that they are applied in every fatwa. The relationship between theory and practice must be established by presenting relevant textual evidence. Regarding the issue of hijab, the most clearly observable principles are interpreting the Qur'an within its linguistic context, using earlier exegeses, and evaluating the strength of relevant narrations.

The principle of understanding the Sunnah in light of the Qur'an is evident when Al-Qaraḍāwī distinguishes between the function of the narration concerning Asmāʾ and that of Surah al-Nūr, verse 31. The verse serves as the basis for explaining the obligation to cover the hair, neck, and chest. In contrast, the narration concerning Asmāʾ is examined to determine whether the face and hands are among the parts that must be covered. This interpretation draws on Tafsir al-Qurṭubī on the meaning of *mā ẓahara minhā* (what is apparent of it) and on explanations from the Companions—including the views of Ibn ʿAbbās, ʿĀisha, and Anas—about the adornments that may remain visible. Al-Qaraḍāwī favors the interpretation that identifies the excluded areas as the face and hands, while rejecting interpretations that include the hair within this exception. His reasoning moves from the verse to linguistic analysis, then examines the views of early generations to determine the scope of the exception (Al-Qaraḍāwī, 2002a). Under this approach, the legal ruling rests not on a single isolated hadith but on the interplay of evidence serving diverse argumentative functions.

Al-Qaraḍāwī's approach to gathering evidence and examining linguistic meaning becomes particularly clear in his discussion of the word *khimār*. He distinguishes its general usage—referring to something that covers—from its specific meaning within the context of women's attire. He points out, for instance, that the same root word in the hadith

*khammirū al-āniyah* (meaning "cover the vessels") cannot justify disregarding *khimār*'s specific meaning in the verse concerning clothing. The meaning of a word must be determined by sentence context, linguistic usage, and its syntactic relationships with other words. In the verse under discussion, the phrase *bi-khumurihinna* refers to a head covering directed *ʿalā juyūbihinna*—that is, toward the opening of the garment at the chest. Al-Qaraḍāwī reinforces this explanation by citing al-Qurṭubī's account of Muslim women's practices in the early period after the verse's revelation, including ʿĀisha's narration—recorded by al-Bukhārī—about *Muḥājirūn* women who used fabric to cover themselves (Al-Qaraḍāwī, 2002a). This context of usage and early practice supports the linguistic interpretation rather than replacing the verse text itself.

The principle of textual precision is directly linked to the distinction between *ḥijāb*, *khimār*, *jilbāb*, and *niqāb*. These terms cannot be used interchangeably without regard for their specific contexts. Al-Qaraḍāwī uses the term *khimār* to describe the head covering mentioned in Surah al-Nūr, verse 31, whereas debates about the niqāb concern covering the face. Surah al-Aḥzāb, verse 59—which instructs women to draw their *jalābīb* (plural of jilbāb) close—is also addressed in his arguments regarding the limits of face covering. He holds that the command to draw the hijab close does not linguistically necessitate covering the face; this is because the interpretation mandating face-covering competes with another interpretation that does not, and the former lacks explicit textual evidence to resolve this divergence (Al-Qaraḍāwī, 1998). By distinguishing lexical meaning from jurisprudential conclusions, al-Qaraḍāwī avoids the assumption that if a specific garment is mandated by the text, then every manner of wearing it that has evolved within social tradition automatically carries the same legal status.

The relationship between evidence and normative conclusions in al-Qaraḍāwī's thought can be examined through the sequence of his argumentation: the Qur'anic verse establishes the normative basis, linguistic analysis defines the object of the command, exegesis and early-generation accounts help identify practices of usage, while the scrutiny of chains of transmission (*sanad*) and the corroboration of reports constrain the use of hadith as evidence. Based on this process, he concludes that covering the hair and body parts associated with adornment—which must not be exposed to men who are not *maḥrām* (unmarriageable kin)—is obligatory, while noting that covering the face is not a requirement agreed upon by all schools of jurisprudence. These two conclusions do not conflict, as they pertain to distinct legal subjects. Consequently, the consistency of al-Qaraḍāwī's argument must be assessed by examining the alignment between textual premises and the scope of the derived ruling, rather than by treating all forms of body covering as a single, uniform category.

## *Al-ʿAshmāwī's Method in Understanding the Hadith about the Hijab*

Al-ʿAshmāwī's argument about women's attire rests on three Qur'anic verses: Surah al-Aḥzāb [33]: 53 on the *ḥijāb*, Surah al-Nūr [24]: 31 on the *khimār*, and Surah al-Aḥzāb [33]: 59 on *jalābīb*. These three are discussed separately in *Ḥaqīqat al-Ḥijāb wa-Ḥujjiyyat al-Ḥadīth*, a work comprising two main topics: the definition of hijab and the status of hadith as a source of law.

The first verse subject to semantic clarification is the word of God in Surah al-Aḥzāb [33]: 53: "And when you ask [his wives] for something, ask them from behind a partition.

That is purer for your hearts and their hearts." Al-ʿAshmāwī (1995) interprets the hijab in this verse as a physical partition separating men from the Prophet's wives, rather than as a term for the headscarf Muslim women generally wear. He links this provision to the verse's context, which governs the etiquette of entering the Prophet's home, his interactions with his wives, and the prohibition against marrying them after his death. The verse's structure serves as the basis for distinguishing the specific rules applicable to the Prophet's family from the dress codes for all believing women. His interpretive premise is that the unity of the conversational context and the distinction between legal subjects must be considered before broadening a provision's scope. On this basis, the word hijab in verse 53 cannot serve as direct evidence of a universal obligation for all women to wear a headscarf.

The discussion of Surah al-Nūr [24]: 31 shows how al-ʿAshmāwī connects the command's meaning to the clothing practices of Arab society at the time of revelation. The verse central to his argument reads: "Let them draw their headscarves over their chests." Al-ʿAshmāwī (1995) cites al-Qurṭubī's explanation regarding the customs of women at that time, who wore head coverings but draped the fabric toward the back, leaving the chest and neck exposed. According to him, the verse's command directs the use of that familiar cloth to cover the chest, rather than mandating a new type of garment or adding a separate requirement to wear a head covering. He interprets the phrase *bi-khumurihinna ʿalā juyūbihinna* as an instruction for covering a part of the body that was previously exposed. This interpretation rests on assumptions regarding pre-revelation clothing practices and the corrective function of the Qur'anic command in relation to those practices.

The subsequent verse, Surah al-Aḥzāb [33]: 59, serves as the primary basis for al-ʿAshmāwī's link between the hijab requirement and the social structure of early Arab society. The text of the verse reads: "O Prophet, tell your wives, your daughters, and the believing women to draw their hijab over their bodies. That makes it easier for them to be recognized so that they are not molested." Al-ʿAshmāwī (1995) connects this verse to accounts of women going out at night to attend to biological needs outside their settlements, when in-home sanitation facilities were not yet widely available. According to him, some men harassed women because they could not distinguish free women from enslaved women or from those they deemed lacking in modesty. The command to wear the hijab served as a social marker that enabled this distinction to be made. He quotes al-Qurṭubī's explanation of the reasons for the verse's revelation, as well as a report attributed to Ibn Taymiyyah about ʿUmar ibn al-Khaṭṭāb's actions toward female slaves who wore clothes resembling those of free women.

The connecting premise in al-ʿAshmāwī's interpretation is the relationship between the ruling and the social rationale perceived to underlie it. He asserts that the purpose of wearing the hijab was to distinguish free women from slave women and to prevent harassment arising from the ambiguity of their social status. Since the institution of slavery is no longer part of the contemporary social structure, he argues that the rationale for this distinction has vanished, and the hijab ruling is no longer mandatory in its historical form (Al-ʿAshmāwī, 1995). This reasoning employs the *uṣūl al-fiqh* (principles of Islamic jurisprudence) maxim *al-ḥukm yadūru maʿa al-ʿillah wujūdan wa-ʿadaman*—meaning that the existence of a legal ruling is contingent upon the existence of its underlying cause (*ʿillah*) (Al-Dimasyqī, 1991). However, applying this maxim depends on accurately

identifying the *ʿillah*. Al-ʿAshmāwī treats the distinction between free women and slave women as the decisive legal rationale, even though the phrase *dhālika adnā an yuʿrafna fa-lā yuʾdhayna* textually identifies recognition and the prevention of harassment as the command's objectives. His reasoning thus entails two levels of claims: a historical account of the social situation and the designation of that objective as the legal basis determining the norm's continued validity.

The distinction between social objectives and normative rulings is also evident in al-ʿAshmāwī's conclusion regarding the *khimār*. He posits that Surah al-Nūr [24]:31 addresses the practice of leaving the chest exposed, whereas Surah al-Aḥzāb [33]:59 regulates the use of the hijab within the context of harassment against women. According to him, these two verses serve distinct purposes and cannot simply be conflated into a single, universal command to wear a specific type of clothing. He maintains normative values such as modesty, honor, and avoiding behavior that causes disturbance, while rejecting the notion that one model of clothing is the only way to fulfill religious obligations for the entire society and era (Al-ʿAshmāwī, 1995). However, changing the form of clothing and changing the status of obligations are two different issues. The first conclusion can be supported by the diversity of meanings of terms and clothing practices. In contrast, the second conclusion requires an explanation of why the goals mentioned in the verse no longer require applying the prescribed legal form. Al-ʿAshmāwī attempts to answer the second problem by interpreting the disappearance of the structure of slavery. Still, its relationship to the obligation to cover the body and hair depends on how one interprets the scope of each verse.

The position of hadith in al-ʿAshmāwī's argumentation is discussed directly in the second part of his book, namely *Ḥujjiyyat al-Ḥadīth*. He highlights two narrations used in the debate over covering the head and the limits of what parts of the body may be seen. The first narration is attributed to ʿĀisha with the editorial "It is not lawful for a woman who believes in Allah and the Last Day, when she has reached the age of menstruation, to show anything other than her face and hands up to this part" (Al-Ṭabarī, 2001, Volume 4, p. 307). The second narration reads, "O Asmāʾ, if a woman has reached the age of menstruation, it is not appropriate to see her except this and this part" (Abū Dāwūd, 1993, no. 4104). Al-ʿAshmāwī (1995) relates the second narration to *Sunan Abī Dāwūd*, *Kitāb al-Libās*, hadith number 31 according to the reference system he uses. He classifies both narrations as *āḥād* hadiths and deems their status insufficient to establish or abrogate definitive religious laws.

The classification of *āḥād* hadiths is pivotal to the relationship between hadith criticism and al-ʿAshmāwī's legal argumentation. He distinguishes between knowledge that yields certainty and knowledge based on strong conjecture, placing *āḥād* hadiths in the latter category. Consequently, he views such narrations as valid for consideration but insufficient to establish an obligation claimed to be certain, universal, and applicable for all time. This position is linked to his central thesis regarding the hijab: according to al-ʿAshmāwī, the Qur'an does not explicitly mandate a specific model of women's attire for all circumstances, while the hadiths cited to substantiate the obligation of head-covering fail to meet the requisite level of certainty (Al-ʿAshmāwī, 1995). Nevertheless, classifying a hadith as *āḥād* is not tantamount to rejecting the authority of hadith altogether. The methodological issue lies in the interplay between the degree of certainty of a narration,

the type of legal ruling being established, and the epistemic requirements for instituting an obligation. Al-ʿAshmāwī connects these elements through an assessment of source authority. However, the criteria he employs to distinguish between rulings requiring certainty and practical rulings based on strong conjecture still require more detailed formulation.

Evaluating al-ʿAshmāwī's reasoning must account for distinctions among the text's meaning, the circumstances of its emergence, and the legal rationale that determines its applicability. His historical reading rests on a traceable foundation, drawing on al-Qurṭubī's exegesis and accounts of social relations between free women and enslaved women in early Islam. Difficulties arise, however, when that context is used to argue that the obligation to wear the hijab ceased once slavery was abolished. Verse al-Aḥzāb [33]:59 explicitly identifies the Prophet's wives, his daughters, and believing women as those commanded to wear the hijab. The phrase about preventing harassment can be interpreted as explaining the purpose of the command. Yet, it does not explicitly restrict the ruling's applicability based on the presence of slave women. Al-ʿAshmāwī establishes this connection through historical reconstruction and the principle that legal rulings change alongside their underlying causes; however, the validity of his conclusion hinges on the accuracy with which the legal cause is identified and its consistency with the verse's linguistic structure.

## Discussion

A comparison of the corpora reveals both points of convergence and imbalances that influence the analytical outcomes. Both figures discuss Surah al-Nūr (24:31) and Surah al-Aḥzāb (33:59), but they assign different functions to these verses. Al-Qaraḍāwī uses the command to draw the *khimār* over the chest as the basis for the obligation to cover the hair and related body parts. In contrast, he discusses the hijab verse in the context of limits on facial coverage and interpretations that mandate the niqab. Al-ʿAshmāwī focuses on the meaning of the command, clothing practices during the era of revelation, and the social objectives linked to recognizing women and preventing harassment. These differences demonstrate that the two figures do not entirely rely on distinct corpora; rather, some differences arise when the same text is assigned a different evidentiary function. Nevertheless, the lack of direct comparability remains significant, as al-Qaraḍāwī's writings on hair and the niqab maintain a more compartmentalized legal focus. In contrast, al-ʿAshmāwī's work links clothing to a critique of hadith authority and the scope of norms.

Disparities regarding source authority become more pronounced when the two figures evaluate the hadith used to determine which body parts may remain uncovered. Al-Qaraḍāwī acknowledges issues concerning the chain of transmission in the narration attributed to Asmāʾ bint Abī Bakr. Yet, he considers corroborating chains and the assessments of hadith scholars who classify the report as *ḥasan*. Acceptance of the narration is limited to its evidentiary value regarding the face and hands; the obligation to cover the hair rests primarily on the Qur'anic verses and their interpretation. In contrast, al-ʿAshmāwī situates the relevant hadith within an epistemological discussion regarding āḥād reports, questioning whether their evidentiary weight suffices to establish an obligation claimed to be definitive and universal. The fundamental difference lies not merely

in assessing a specific chain of transmission, but in the criteria used to link the degree of certainty in a narration to the nature of the resulting norm. Al-Qaraḍāwī evaluates narrations through *sanad* criticism and cross-verification across transmission lines, whereas al-ʿAshmāwī emphasizes the hadith's epistemic status within the hierarchy of legal sources.

Their divergence in textual interpretation stems from how they determine the relationship between lexical meaning and the command's scope. Al-Qaraḍāwī interprets the term *khimār* as a head covering, noting that its usage in Surah al-Nūr (24:31) is directed toward covering the chest; he links the verse's linguistic structure with exegetical explanations and the practices of early Muslim women to affirm the obligation to cover one's hair. Al-ʿAshmāwī focuses on the grammatical object of the command—specifically, the covering of the chest area—and rejects the notion that the mere mention of *khimār* automatically creates a distinct obligation to wear a specific style of garment. While both consider linguistic meaning, they differ in how they derive normative implications from the relationship between the covering garment and the body part required to be covered. Al-Qaraḍāwī's argument draws support from the conventional meaning of *khimār* and its historical use as a head covering. In contrast, al-ʿAshmāwī's argument emphasizes the command's direct target.

This semantic divergence extends to the interpretation of Surah al-Aḥzāb 33:59. Al-Qaraḍāwī does not view the command to draw the *jilbāb* close as definitive proof that it mandates covering the face; consequently, he distinguishes the requirement of hijab from the obligation of the niqab. Al-ʿAshmāwī, conversely, links this same command to the social conditions of women at the time of revelation and to the function of the hijab as a marker of social identity intended to prevent harassment. The difference between them lies in the function assigned to that context. For al-ʿAshmāwī, reconstructing the context helps determine whether the social rationale behind a ruling remains valid. For al-Qaraḍāwī, context aids in explaining the text, yet conclusions regarding obligation are ultimately determined through the interrelationship of verses, linguistic meaning, and relevant religious evidence. Nevertheless, it would be inaccurate to conclude that al-Qaraḍāwī disregards history or that al-ʿAshmāwī disregards the text; the distinction lies in the inferential weight accorded to context when establishing the scope of a norm's applicability.

The most fundamental issue arises from the normative premises linking evidence to conclusions. Al-Qaraḍāwī proceeds from an acceptance of the obligation to cover the hair, then examines the limits of which body parts may be exposed through interpreting verses and evaluating hadith. Al-ʿAshmāwī questions whether the sources employed truly establish a universal obligation, then examines the relationship between the text, social causes, and hadith authority. This divergence in reasoning does not automatically imply an absolute difference in methodology, as both scholars use textual argumentation and legal considerations. However, al-Qaraḍāwī's premise regarding the obligation to cover the hair hinges on the interplay between the meaning of *khimār*, the structure of the command, and the interpretations of early generations. This relationship must be distinguished from evidence explicitly identifying the hair as the object of the command. Conversely, al-ʿAshmāwī's conclusion regarding the cessation of the hijab obligation hinges on identifying the distinction between free women and female slaves as the legal basis. Historical context

can clarify a ruling's purpose, but it does not automatically prove that purpose is the sole legal cause determining the ruling's applicability.

The norm's generalization reveals the most tangible consequence of these differing premises. Al-Qaraḍāwī establishes the obligation to cover one's hair as a rule applicable to all Muslim women, whereas he categorizes covering the face as a matter still open to differing opinions; this distinction leads to conclusions that are not uniform across all elements of attire. Al-ʿAshmāwī limits the binding nature of the specific form of dress under discussion by explaining the social conditions that formed the verse's backdrop—specifically, the hijab's function in distinguishing women's status during the era of slavery. While he upholds the objectives of modesty and the prevention of harassment, he does not regard the historical form of dress as the only way to fulfill the norm in every era. This divergence stems from how each scholar determines the relationship between the text and legal universality. Al-Qaraḍāwī grounds general rulings in textual meaning and interpretive tradition, whereas al-ʿAshmāwī requires examining the continued relevance of the underlying social rationale. Both scholars ultimately confront the same issue: the extent to which a ruling's purpose can limit the scope of its wording, and when changes in social conditions become significant enough to alter the normative status itself, rather than merely the manner of its implementation.

The consistency of both figures' arguments must be evaluated using the same criteria: evidentiary sufficiency, clarity of premises, consideration of alternative interpretations, and the alignment of the conclusion's scope with the source material. Al-Qaraḍāwī's reasoning is relatively compartmentalized, as he distinguishes the scriptural basis for the obligation to cover the hair from the narrations discussing the face and hands. Nevertheless, corroborating a hadith does not automatically obviate the need to explain how the matn aligns with the Qur'anic verse and the limits of the conclusion justified by the narration. Al-ʿAshmāwī's reasoning demonstrates a clear link between contextual reconstruction, the identification of social objectives, and a critique of normative generalizations. His limitation arises when he uses the disappearance of specific historical conditions to infer the cessation of an obligation, without adequate proof that those conditions were the legal *ʿillah* (effective cause). For both figures, the point of evaluation is not whether the conclusion aligns with the researcher's preferences, but rather the soundness of the relationship between evidence and inference.

Four potential sources of divergence can be identified based on these findings. First, differences in the source corpus explain only part of the issue. At the same time, both figures discuss the same verse, the focus of their works and the function of hadith within their arguments are not entirely comparable. Second, differences in textual interpretation are evident in the implications drawn from the terms *khimār* and *jilbāb*, particularly when lexical meanings are linked to the command's object. Third, differences in normative premises appear in assessing the sufficiency of *āḥād* narrations and in the relationship between social causes and the applicability of the law. Fourth, differences in generalization procedures appear in how al-Qaraḍāwī upholds the obligation to cover the hair through textual interpretation. In contrast, al-ʿAshmāwī examines the continued validity of that ruling through historical reconstruction.

## Conclusion

Divergent interpretations of hadith regarding the hijab show that dress codes are shaped not only by textual reading but also by source selection, historical context, and the normative premises guiding legal reasoning. A comparative analysis reveals similarities between al-Qaraḍāwī and al-ʿAshmāwī in emphasizing contextual reading, alongside differences in the weight they assign to their respective arguments. Al-Qaraḍāwī draws on the Qur'an, hadith, scholarly commentary, and the practices of early generations to establish the obligation to cover the hair, without mandating covering the face. In contrast, al-ʿAshmāwī emphasizes socio-historical context, the function of restrictions, and the limitations of *āḥād* hadith as a basis for establishing universal obligations. Thus, the differences between the two stem from the interplay among source authority, contextual reconstruction, and assumptions about a norm's scope of applicability, rather than solely from ideological conflicts or legal disagreements. These findings indicate that the methodology used to understand hadith influences the process of norm generalization. At the same time, an argument's strength depends on the soundness of the link between evidence and inference. This analysis underscores the need to examine the consistency of reasoning without equating a contextual approach with disregarding the text. Limitations in access and disparities in the primary corpora constrain how certain we can be about which methodologies apply. Further research should examine the original works of both figures, expand the corpus of hadith under study, and test the consistency with which interpretive principles are applied to similar legal issues.

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