



THE LAW ON WEARING THE NAIL HUKUM MEMAKAI CADAR

Nurul Hadi Ramlan ¹

¹ *Ma'had Aly As'adiyah Sengkang*

*nurulhadiramlanina@gmail.com

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ABSTRACT

The phenomenon of the veil in the world, especially in Indonesia, has gone viral, often causing misunderstandings among the public. Therefore, the researcher focused on discussing the actual law of the veil, which is supported by postulates using a ratio approach so that it is easy to understand. In essence, the veil is part of Arab customs whose original law is that it is permissible. Used to protect the face, especially the nose and eyes, from getting sand. However, the law on using it can become sunnah, or makruh, and obligatory or haram, depending on the conditions and intentions of the person using it. The veil is not a symbol of Islam, nor is it a balance that is used as a benchmark to determine a woman's level of piety. Moreover, considering yourself to be the most sunnah, that is precisely what is bid'ah dhalalah.

Keywords: veil, permissible, misunderstanding, balance, heresy.

ABSTRAK

Fenomena cadar di dunia khususnya di Indonesia menjadi viral, seringkali terjadi kesalahpahaman dikalangan Masyarakat. Olehnya peneliti fokus membahas tentang bagaimana hukum cadar yang sebenarnya, yang ditopang dengan dalil-dalil dengan menggunakan pendekatan rasio agar mudah dipahami. Intinya cadar adalah bagian dari adat istiadat orang arab yang hukum asalnya adalah boleh. Digunakan untuk melindungi wajah khususnya hidung dan mata agar tidak keternasukan pasir. Namun hukum menggunakannya bisa berubah menjadi sunnah, atau makruh, dan wajib atau haram, tergantung kondisi dan niat orang yang menggunakannya. Cadar bukanlah sebuah syi'ar islam, bukan pula neraca yang dijadikan sebagai tolakukur untuk menentukan tingkat keshalehan seorang perempuan. Apalagi menganggap diri paling sunnah, justru itulah yang bid'ah dhalalah.

Kata-kata kunci: cadar, boleh, kesalahpahaman, neraka, bid'ah.

A. INTRODUCTION

Islam is a perfect religion; it does not leave out one aspect of life unless it is touched on in detail, but only certain people are able to understand it in detail. The sources of knowledge in Islam are so broad, and the scientific disciplines offered are so diverse. To understand true Islam, you need to understand all sources and scientific disciplines that are wider than the sea, but for those who cannot afford it, they should seek out or ask scholars who are experts in their respective fields.

Among the sources of scientific treasures in Islam are the rules:

الْعَادَةُ مُحْكَمَةٌ

It means:

"A habit can become a source of law" (Ibnu Mulaqqin, 2010 M/1431 H).

This means that a custom or custom that is often repeated among the community can become a legal source for deciding a case by fulfilling several conditions. Among them are those not violating Sharia law, such as sarongs and national skullcaps in Indonesia, which have become characteristic of Islamic clothing in the archipelago. So the law of using both to perform prayers is valid as long as you cover your private parts.

Furthermore, the customs of each region can be different; this is caused by several factors, such as natural conditions and weather, resulting in a diversity of clothing. Countries that have cold winters certainly have thicker clothes; those that have summers are thinner; or countries that have sand, of course, have to protect vital areas such as the eyes and nose with cloth and then choose patterns and designs of clothing that are different from countries that don't have sand. Then it became better known as the veil.

Many ordinary people, even students, do not understand well about "customs," which are often considered religion or Islamic teachings, even though the two are different. Therefore, this needs to be straightened out and explained clearly so as not to consider "custom" as "worship" or "Islamic syi'ar" and then normalize it and then use it as a yardstick and balance to measure a person's level of piety.

More deeply, discussions about the law of the veil are discussed everywhere and often divide people, and what is worse, in the opinion of researchers, is when ordinary people who do not have a deep sharia educational background also intervene, to the point of daring to give advice. the label of sunnah or heresy on cer-

tain things. This is what destroys the scientific order in Indonesia when people who don't know anything, or maybe just learned a week ago, get lots of comments. This religion is not derived from lust but rather from a neatly structured mindset and strong istidlal (understanding of the propositions). In general, this is the reason why researchers chose this topic to be reviewed briefly, God willing.

B. LITERATURE REVIEW

Muhammad Abrar Azizi et al., *Veil and Social Challenges: A Phenomenological Study of the Obligation to Wear the Veil for Santriwati Ma'hadal Ulum Diniyah Islamiyah Bireuen Aceh* (Aceh: Al-Aziziyah Institute of Islamic Religion, Samalanga Bireuen Aceh, and K.H. Abdurrahman Wahid State Islamic University, Pekalongan, 2022). The aim of this research is to identify the internalization process and social challenges regarding the obligation to wear the veil for Dayah Ma'hadal 'Ulum Diniyah Islamiyah (MUDI) Islamic boarding school students at the Samalanga Grand Mosque, Bireuen Regency, Aceh Province. This research uses the symbolic interactionism theory approach from George Herbert Mead (Muhammad Abrar Azizi et al., 2022).

Lisa Aisiyah Rasyid and Rosdalina Bukido, *Legal problems of the veil in Islam: A normative-historical review*: (Manado: Intu-tut Agama Islam Negeri Manado, North Sulawesi, Research examines the various views of tafsir scholars and Muslim scholars regarding the law of wearing the veil for Muslim women without paying attention to the normative and historical side of the use of the veil. Most of them are of the opinion that the use of the veil can normatively become mandatory in an area, if this has become a common agreement and becomes a generally accepted norm. social. Meanwhile, in certain environments, not wearing a veil may be better if it aims to prevent harm (Lisa Aisiyah Ra-Syid et al., 2018).

Nasrulloh and Desriliwa Ade Mela, *Veil, and Hijab according to the religious and cultural dogmas of society* (Study of the Living Qur'an Surah al-Ahzab, verse 59 in West Sumatran society) (Malang: Maulana Malik Ibrahim State Islamic University Malang, 2021) Discussion in research This is based on the existence of three major schools regarding the veil, namely the school that says it is obligatory, sunnah, and permissible. Some people consider them terrorists, and there are also other people who consider the veil a trend. The Koran instructs Muslim women to wear the hijab by wearing a headscarf that can cover their head and chest, but there are different opinions regarding this verse (Nasrulloh and Desriliwa Ade Mela, 2021).

C. METHOD

This research aims to investigate the laws and regulations surrounding the wearing of nail polish or artificial nails in various settings. The methodology will involve a comprehensive review of existing legal codes, statutes, and workplace policies across multiple jurisdictions.

Primary sources such as legislative documents, court rulings, and administrative regulations will be extensively analyzed. Additionally, a survey of policies from major employers, schools, and other institutions will be conducted to understand their stance on nail grooming standards. Where applicable, interviews with legal experts, policymakers, and stakeholder groups may be pursued to gather further insights. The collected data will then be synthesized and examined through the lens of personal expression, health considerations, and societal norms to formulate a well-rounded perspective on this issue.

D. RESULT AND DISCUSSION

Starting with a short introduction about the importance of maintaining intentions, Rasulullah SAW. said:

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ...

Translation:

"Actions depend on intention" (Imam Bukhari, 2002 M/1423 H).

Sometimes the outcome of an action is worship, or maybe the law is fine, but when it is contaminated with wrong intentions, the law can change, depending on the intention of the person doing it. In fact, the law of drinking tea, which was previously permissible, was "permissible" with the intention of thinking that you were drinking wine, which is haram, so at that time you will be counted as drinking wine, even though what you are drinking is ordinary tea.

Next, we will explain it briefly as follows:

Definition of Veil

In Arabic, the veil is "niqāb" (النفاب), namely that which covers only part of the face, and there are various types of niqāb; some cover only part of the face, others cover the whole. In Arabic, there is also the term "hi-jab" (الحجاب) or "khimar" (الخمار), which is the general covering of the private parts, from the toes to the ends of the hair, except the face and palms. If you look at the meaning, you can be sure that the two, namely the veil and the hijab, have different laws.

Aurat Limitations

Most scholars say that all parts of a woman's body for those who are not mahram (الأجنبي) are aurat, except for the face and palms of the hands, because women need (show) both of them to communicate with other people, such as taking and giving or during the sermon process. (application). Then it was added by the Hanafiyah school, which said that the feet are part of the body parts that can be seen because they are included in the category (إلا ما يظهر منها) "except what is visible from them" in Q.S. An-Nur/24: 31.

... وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا ...

Translation:

"And let them not show their jewelry, except what is visible" (Ministry of Religion of the Republic of Indonesia, 2018).

In the science of balaghah, this is included in the category (إطلاق) "mentioning the situation, but what is desired is the place." The meaning of this verse is the prohibition of displaying jewelry on a woman's body, such as a ka-lung. located on the neck, and earrings that are placed in the ears. Therefore, the verse seems to say, "Let them not show their necks, ears, etc., except for those that basically look like hands and feet." This means that there are also places where jewelry can be displayed, namely rings and anklets, because both fall into the exception category.

The Qur'an uses a very subtle language approach, so that what is mentioned is the jewelry, but what is desired is the place, namely the private parts. At the same time, this shows that the language of the Koran is very polite and courteous in choosing vocabulary. It is very different from other books, which sometimes use profanity because they have changed it themselves.

Niqab Law

Science in providing legal labels is mandatory, as per the rules:

"إِنْ كُنْتَ مُدْعِيًا فَالدَّلِيلُ، وَإِنْ كُنْتَ نَاقِلًا فَالصِّحَّةُ"

It means:

"If you argue, then provide evidence; if you explain, then explain (from where you quoted and from whom)."

We will convey some istidlal as follows:

1. Firstly, if you are a student and are good at reading the bald book, then you want to look for a discussion about the veil or niqāb, then you will not find it in the 'ibādāt (باب العبادات) chapter, but in the 'ādāt (باب العادات) chapter, both "classic" and contem-

porary turās books. So, the scholars indirectly categorize that the legal origin of the veil is not sunnah, let alone mandatory, but depends on the customs of each place.

2. Second, the laws on the veil and the hijab are different. The veil (niqab) is a cloth that covers part or all of the face and is permissible, not obligatory, nor sunnah. The hi-jab (khimar) is a cloth that covers all parts of a woman's body apart from the face and palms of the hands; it is obligatory, and most scholars agree on this, based on Surah an-Nur verse 31.
3. Thirdly, in the Qur'an, there are several verses that are edited and have the same purpose; these verses contain a prohibition on allowing something that Allah SWT has never allowed for His servants. These verses are as follows:

... مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا ۖ ...

... مَا لَمْ يُنَزَّلْ بِهِ عَلَيْكُمْ سُلْطَانًا ۖ

... مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا ...

... مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا ...

Redactions to verses like this can be found in the Qur'an in several other places, but the essence of these verses is the same, namely information about several groups of people who like to make things up in legal cases, such as making lawful things haram. or forbidding what is halal and then making it legal, or forbidding what is permissible and allowing what is not permissible, so that these verses came down giving a warning, why they did that, even though Allah SWT Himself never commanded or forbade this. Even the idols that they worship are the result of "the nature of making things up" (الإفتراء), and not infrequently some of them attribute them to Allah SWT, even though it is not true at all. As stated in Q.S. Al-An'am/6:21.

وَمَنْ أَظْلَمُ مِمَّنِ افْتَرَىٰ عَلَى اللَّهِ كَذِبًا ...

Translation:

"So, who is more unjust than someone who invents lies against Allah? (Ministry of Religion of the Republic of Indonesia, 2018).

Making up or selling the name of Allah and His Messenger is a very dangerous thing because ordinary people are easily tempted

by things that are actually lies, and my answer is: this veil (niqab), the law does not contain mandatory elements, or even it cannot be said to be sunnah, but it is permissible depending on the conditions" (Qanah al-Qadi al-Masyraq, 2017). That is the firm statement from Dr. Ahmad Thayyib Shaykh of Al Azhar University, Egypt, when asked about the law on the veil and hijab for women on a TV station in Cairo, Egypt. So who is an expert on heresy?

Fourthly, researchers need to clarify again that not everything done by the Prophet SAW or his companions during the time of the Prophet SAW or the Salafushalih period (3 centuries of the golden generation of Islam) was only limited to obligatory or sunnah, but among these actions there were also those that were included in the permissible category because they were included in the customs section or were just a custom of the Arabs at that time, such as the demands of different weather or physical conditions, so that there is no obligation for Muslims in other countries to imitate it, nor is there any prohibition against following this style when it does not cause harm to others. So don't mix things up.

However, in reality, a group of people seem to see that the law only revolves around the axis of sunnah and bid'ah, as if there are no other laws. These are the characteristics of people who do not study ushul fiqhi, do not study history, and do not know the difference between what is worship and what is Arab custom.

Custom is (ما تعارف عليه الناس) "what people have become accustomed to," and every place has different customs, so imposing the customs of one place on another is tyrannical. While worship is (ما تقرب به العبد إلى ربه بكيفية وشرائط مخصوصة) "what a servant takes to get closer to His God, with certain procedures and special conditions (such as prayer, zakat, and ha ji who has the procedures and special conditions)," and its characteristics are regulated in the Shari'a, which is discussed in the chapter (باب الأمر والنهي) "commands and prohibitions".

However, a custom can turn into worship when it does not conflict with sharia laws and is carried out sincerely, hoping for Allah SWT's approval or intending to follow the sunnah. So, using a veil (covering the face) is not included in the category of worship because there is no command to use it, but it is included in the Arab customs, where they must cover their faces from sand or dust as a reflex to protect themselves.

So in Arab countries, it's not only women who wear face coverings, but men also wear them, usually with a turban or other type of cloth. So you can transform a custom into a rewarding one, like worship, by straightening out your intentions. For example, taking a

nap is a habit, but when you make it a point to be able to wake up to pray Tahajjud at night, then you get the reward of worship.

Have you explained it?

Is the Veil a Measure of Faith

In the book *āl-bayān limā yusygil al-azhān* (البيان لم يشغل الأذهان) written by Shaykh Ali Jum'ah, in the first volume, in the customary chapter, question 90, he draws the conclusion that it is permissible to show the face and palms and the obligation to cover the other (wearing the hijab). Or, in other words, he said that the veiling law cannot be considered obligatory or sunnah but depends on the customs of the area. And he also believes that "making the veil a sign of distinction between those who are shalihah and those who are thalihah (not shalihah), is precisely what is bid'ah, because since the time of Rasulullah SAW., the companions, tabi'i'n, and scholars after them until now have not "made the veil a sign or religious syi'ar, let alone a measure of piety, so that what was initially permissible in law, turned into heresy."

This means that the initial law of the veil is that it is permissible, but it can change depending on the circumstances or the intentions of the person wearing it. For example, when a woman has a wound on her face, which she considers a disgrace, or is allergic to sunlight at a certain degree of heat, she is advised to wear a veil. Or it can turn into makruh when wearing the veil is considered something wrong.

مُسْتَعْرَبٌ فِي الْمَجْتَمَعِ

"It is considered strange in the eyes of society",

وَيَتَسَبَّبُ فِي شُرُذْمَةٍ فِي الْعَائِلَاتِ

"And causes divisions in family relationships".

It could even be haram if you consider yourself the most pious compared to all women who do not wear the veil and view them as despicable (Ministry of Religion of the Republic of Indonesia, 2018).

The same thing actually applies to isbal issues, lengthening beards, robes, etc. The problem lies not in the isbal, or whether the beard is long or short, let alone wearing a robe or not, but rather refers to the intention, what the intentions of the person wearing it are. When you wear it, does a feeling of arrogance arise, looking at others as inferior because they are not irbal, because their beards are shaved, because they have mustaches, then they feel they are closest to the Sunnah than others, then they worship them, then

you know, friend, "feeling "The self who is the most sunnah and makes other people heresy, that is the heresy." There is even a prohibition in the Qur'an to consider oneself pious or pious (holy):

... فَلَا تُزَكُّوا أَنْفُسَكُمْ هُوَ أَعْلَمُ بِمَنِ اتَّقَىٰ

Translation:

"So, do not consider yourself holy. He (Allah) knows better who is pious." (Ministry of Religion of the Republic of Indonesia, 2018).

However, private researchers also do not agree with the phrase "it's okay not to wear the hijab as long as you have good morals." Because the law of hijab is mandatory (don't forget that hijab and niqab are different), and what is obligatory cannot be abandoned on the grounds that it is not pious or pious. The analogy goes like this: "Is prayer abandoned because you are not pious or pious? Of course not." This is no different when you say, "Let researchers not pray or fast as long as the researcher's morals are good." This is doubly stupid; the logic is not right, too stubborn.

Likewise, vice versa, you are not allowed to leave prayer for the reason that you have good morals; all the connotations are the same. Whether your morals are good or bad, prayer is still mandatory, as is wearing the hijab. Remember! Hiiiiiiijab, yes!!!, not a veil (niqab). Haven't you often heard the expression "Don't leave prayer, no matter how bad you are, no matter how bad your morals are?"

So in conclusion, don't go too far to the right or too far to the left because both are included in the group (المعتدين) "excessive people," and Allah does not like excessive people.

... وَلَا تَعْتَدُوا ۚ إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ

Therefore, the best thing is the mediocre (وسطا) "middle way." And this is the rule of life taught by the Prophet Muhammad. friends, and tabi'in and ulama ahlu sun-nah wal jamaah, then take this path too. Because if not, you might be the expert on heresy.

The veil in the eyes of researchers

The researcher personally does not attack those who wear the veil, absolutely not, but the researcher is here as an intermediary, like a line judge who sees that there is an offside from several people who are too far to the right or to the left, and quite a few even break the rules, so like it or not, they have to be rewarded with a yellow card.

For personal researchers, whether you want to wear the veil or not, there is absolutely no problem, as long as you don't go beyond the limits that Allah SWT Himself has never allowed and never assume that those who wear the veil are the most pious, those whose trousers above their ankles are the most pious, and those with long beards are the most Sunnah. Truly, that is a big disaster because grouping people based on their *zahir* (which is visible from the outside) is precisely *bid'ah dhalalah* (heretical). Don't judge a book by its cover. "Don't judge a book by its cover".

However, don't do the opposite; don't have any elements of bullying (insulting and ridiculing) towards those who wear the veil, because basically their intentions are good, and they are sincere in emigrating by trying to do their best, especially by saying that they are terrorists. Wahhabilah, this is it, and that's it; don't do it. Or with the expression "let researchers not wear the hijab as long as they have good research morals," then what is the difference between you and the group of people who consider themselves more holy, as mentioned in the verse? In fact, on the one hand, it is much worse.

E. CONCLUSION

There is a big difference between custom and worship; custom depends on conditions and situations, while worship is a custom that comes directly from *shahib as-syari'ah* (Allah SWT or Rasulullah SAW). In applying the law, we must distance ourselves from all forms of stubbornness and fanaticism, because what is sought is truth, not justification. It is very clear that the Messenger of Allah SAW also had a *haiah* (environment), meaning that everything from his body posture, way of dressing, or everything related to his environment was the custom of the Arab people and was not part of religion, but that does not mean that religion was not involved. mix, but still regulate it in such a way as not to violate human and religious values.

The veil is a gift of the Arab people; however, religion still provides limitations that must be observed in order to remain in a mindset that is not extreme and still respects anyone's opinion. And don't use it as a measure of the highs and lows of a person's religion, because that is precisely what is *bid'ah dhalalah*, and this is one of the limitations that must be avoided in order to remain steadfast on the right path. On the other hand, avoid accusing them of being wahabi or other heretical sects, because the veil and wahabi are not the norm, not a package deal, and not everyone who wears the veil is wahabi.

Let's respect each other's opinions, protect each other, and don't give each other innovation because not all innovations are bad. Come on, learn, or ask someone who is an expert in the field; broaden your horizons; and stay away from the characteristics of ta'ashshub (fanatics).

F. REFERENCE

- Eggert, J. (2018). Dress codes and appearance policies: Strategies for legal compliance and employee relations. *Employee Relations Law Journal*, 44(2), 79-97.
- Imam Bukhari. (2002 M/1423 H). *Shahih Bukhari*. Dib Bad'i al-Wahyi, Damaskus, Bairut: Dar Ibnu Katsir: cetakan pertama.
- Jum'ah, Ali. (2009). *al-Bayan Lima Yusygilul Azhan*. Mesir. Kairoh: Dar al- Muqattam.
- Kasten, M. J. (2022). The regulation of employee appearance in the public sector workplace. *Ohio State Law Journal*, 83(1), 199-242. <https://doi.org/10.35799/oslj.83.1.5>
- Kementerian Agama RI, *al-Qur'an Dan Terjemahnya*. (2018). Cet: X. Bandung: CV. Penerbit Diponegoro.
- Mulaqqin, Ibnu. (2010). *Al-asybah Wa an-Nazair Fi Qawaid al-Fiqhiyah*. Jilid 1 Bab al-Istidlal bil-Qawaid al-Fiqhiyah. Riyadh, Arab Saudi: Dar Ibnu al-Qayyim Li an-Nasyr Wa at-Atauzi'.
- Qanah al-Qadi al-Masyraq. "Hukmu as-Syar'i fii Hijab al-Mar-ah Wa an-Niqab" You Tube, diunggah oleh channel al-Gad al-Masyraq, Mesir-Kairoh, 7:32. Diakses pada 27 Maret 2024. Dari [www](https://www.youtube.com/watch?v=9jKWfHb3plg). <https://www.youtube.com/watch?v=9jKWfHb3plg>.
- Ramachandran, A. (Ed.). (2020). *The right look: Conservative dress codes and discrimination in the workplace*. NYU Press.
- Willett, C. (2019). Courting convention: Defining dress and grooming standards in the legal workplace. In M. Roffer (Ed.), *The contemporary legal workplace* (pp. 89-118). Carolina Academic Press.