

## The Legal Controversy of Handshaking Between Male and Female Teachers and Students: A Comparative Analysis of the Hanafi and Hanbali Schools

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**Abstract:** This study examines Islamic legal perspectives on the practice of handshaking between teachers and students of the opposite sex, based on the views of the Hanafi and Hanbali schools of thought. Physical interaction between male and female teachers and students—particularly in the form of handshaking—has become a significant issue in contemporary fiqh discourse, as it closely relates to educational ethics, social interaction boundaries, and the normative framework of Islamic law. This study adopts a normative—theological legal approach by analyzing classical fiqh literature from both schools. Data were collected through library research and analyzed using a comparative method. The findings indicate that the Hanafi school generally allows handshaking between opposite sexes as long as it does not lead to temptation or moral suspicion (*fitnah*). Conversely, the Hanbali school predominantly prohibits such practice, even in the absence of sexual desire, as a preventive measure to safeguard dignity and avoid potential violations of Islamic legal principles. This study highlights the plurality of opinions within classical fiqh scholarship and provides normative contributions for the formulation of ethical guidelines and policy frameworks regulating teacher–student interactions in Islamic educational institutions.

**Keywords:**  
Hanafi School;  
Hanbali School;  
Legal  
controversy;  
Ruling on  
handshaking.

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## INTRODUCTION

Interaction between teachers and students constitutes an integral part of the educational process. In the context of modern education, this relationship sometimes includes forms of physical interaction such as handshaking, which is often perceived as a gesture of courtesy and respect. However, the phenomenon of handshaking between male and female teachers and students within Islamic educational institutions frequently generates debate at both normative and practical levels. On one hand, handshaking is regarded as a positive and polite social gesture. On the other hand, this practice is viewed as conflicting with Islamic legal principles and boundaries governing interactions between members of the opposite sex.<sup>1</sup>

Teachers are often described as the “second parents” of their students. This notion is reflected in classical Islamic educational literature, such as in *Ihya ‘Ulum al-Din*, which states that “A teacher to his students is like a father to his children.”<sup>2</sup> Within the educational sphere, teachers and students are frequently engaged in close and continuous interaction. This situation creates a legal necessity to clarify the boundaries established by Islamic law regarding such relationships. In relation to the topic of this study, an important question emerges: may teachers and students of the opposite sex freely engage in physical interaction such as handshaking on the basis that the teacher is considered a

<sup>1</sup>Doni Ekasaputra, ‘Guru cowok salaman dengan murid cewek’, Ma’had Aly Safiyyah, <https://maalysitubondo.ac.id/guru-cowok-salam-dengan-murid-cewek>.

<sup>2</sup> Lasmi Rambe, ‘Etika Murid dan Guru Menurut Imam Al-Ghazali dalam kitab *Ihya Ulumuddin*’, *Hijaz: Jurnal Ilmu-ilmu keislaman*, Vol.1 No. 1, (2021), p. 32.

second parent? In reality, although teachers are often perceived as second parents in Islamic education, this status does not justify physical interactions that contravene the limits prescribed by Islamic law. The teacher-student relationship cannot be equated fully with that of a biological parent and child. The term “second parent” applies primarily in the pedagogical and mentoring sense, not in terms of permitting physical interaction similar to that within a family context.<sup>3</sup>

A review of previous literature reveals several relevant studies. For instance, a study entitled “*Hukum Perempuan Sholat Berjama’ah di Masjid*” examined the ruling on women performing congregational prayers in mosques. The study concluded that the prohibition is not absolute but is instead contingent upon concerns regarding potential moral risk or negative implications. When such risks are absent, women are permitted to attend congregational prayers in mosques.<sup>4</sup>

Another relevant study titled “*Perbandingan Ijtihad Mazhab Maliki dan Mazhab Syafi’i tentang Hukum Jabat Tangan dengan Wanita Ajnabiyyah*” demonstrated that the Maliki and Shafi’i schools adopt different approaches. The Maliki school generally prohibits handshaking with a non-mahram woman (*ajnabiyyah*), although some Maliki scholars permit it with the condition of using a barrier such as cloth. Meanwhile, the Shafi’i school strictly prohibits the practice as a preventive measure to avoid possible violations of Islamic legal boundaries.<sup>5</sup> A further study titled “*Telaah Penggunaan Media Virtual Online pada Perilaku Remaja Perspektif Hukum Keluarga Islam*,” produced as an undergraduate thesis at UIN Raden Fatah Palembang in 2021, explored the influence of virtual online media on adolescent behavior.<sup>6</sup>

However, the existing studies have not yet addressed the legal status of handshaking between male and female teachers and students from the perspectives of the Hanafi and Hanbali schools. To provide direction for this research, the core issues formulated are as follows: how do the Hanafi and Hanbali schools view the ruling on handshaking between teachers and students of the opposite sex, and what factors contribute to the differences in their opinions? The findings of this study are expected to enrich understanding and provide constructive insight regarding appropriate responses to potential interactions between members of the opposite sex within Islamic educational contexts.

## METHOD

This study employs legal research with a normative-theological approach that is grounded in Islamic teachings contained in the *Qur'an*, *Hadith*, and the consensus (*ijma'*) of scholars. The research utilizes secondary data, which is divided into two categories: primary legal sources and secondary legal sources. The primary legal sources used in this study include *Hidayah Sharh al-Bidayah al-Mubtadi* by Imam Burhanuddin al-Marghinani, representing the Hanafi school, and *Al-Inshaf* by Imam al-Mardawi

<sup>3</sup> Ibn Jama’ah, ‘*Tadhkirah al-Sami’ wa al-Mutakallim fi Adab al ‘Alim wa al-Muta’allim*’, [Riyad: Ramadi lil Nasrh, 1994]

<sup>4</sup> Cholidi dan Zuraidah, ‘*Hukum Perempuan sholat berjama’ah di Masjid*’ Jurnal Muqarannah, Vol. 7, No. 1 (2023), 10.19109/muqarana.h.v%vi%oi.18221

<sup>5</sup> Mas Agung Firdaus, *Perbandingan Ijtihad Mazhab Maliki dan Mazhab Syafi’i tentang Hukum Bersalaman dengan Wanita Ajnabiyyah* (Skripsi, UIN Sunan Kalijaga Yogyakarta, 2023).

<sup>6</sup> Wulan Oktarina, ‘*Skripsi UIN Raden Fatah Palembang*’, Telaah penggunaan media virtual online pada perilaku pacarana remaja dalam Hukum Keluarga Islam, 2021

representing the Hanbali school. Meanwhile, the secondary legal sources consist of books, academic journals, and other classical works written by scholars of both schools. Data collection was carried out through an extensive literature review, while data analysis was conducted using a comparative analytical method.

## RESULTS AND DISCUSSION

### Biography of the Schools of Thought

#### 1. The Hanafi School

Nu'man ibn Thabit ibn Zutha, widely known as Imam Hanafi, is the founder of the Hanafi school. He was born in Kufa, Iraq, in 80 H / 659 CE and passed away in 150 H / 767 CE.<sup>7</sup> The Hanafi methodology of legal reasoning (*istinbat al-ahkam*) is based on the *Qur'an*, *Sunnah*, *Ijma'*, and *Qiyas*, supplemented by *Istihsan* and '*Urf*.<sup>8</sup> *Istihsan* is a distinctive feature of the Hanafi school, allowing preference in legal judgment based on stronger considerations of public benefit. Furthermore, its rational and logical approach enables the Hanafi school to address emerging legal issues not explicitly mentioned in scriptural texts. The Hanafi tradition is also known for giving a substantial role to reasoned opinion (*ra'yu*) in legal interpretation, which contributes to its flexibility in establishing legal rulings.<sup>9</sup>

#### 2. The Hanbali School

Ahmad ibn Hanbal ibn Asad Idrīs ibn 'Abdullāh ibn Hasan al-Shaybānī, better known as Imam Ahmad ibn Hanbal or Imam Hanbali, was born in Baghdad in 164 H / 780 CE and passed away in 241 H / 885 CE at the age of 77. The Hanbali methodology of legal reasoning is primarily based on the *Qur'an*, the *Sunnah*, and the legal opinions of the Companions. It also recognizes weak hadith (*hadīth da'īf*), *hadīth mursal*, analogy (*qiyās*), and *maṣlaḥah mursalah* in certain cases, particularly in matters related to governance and public interest.<sup>10</sup>

### The Ruling on Handshaking Between Teachers and Students of the Opposite Sex According to the Hanafi School

Burhanuddin al-Marghinani explains in *Hidayah Syarh Al-Bidayah* as follows:

مَنْ مَسَّ كَفَّ امْرَأَةً لَيْسَ مِنْهَا بِسَبِيلٍ وُضِعَ عَلَى كَفِهِ جَمْرَةٌ يَوْمَ الْقِيَامَةِ، وَهَذَا إِذَا كَانَتْ شَابَةً تُشْتَهِي، أَمَّا إِذَا كَانَتْ عَجُورًا لَا تُشْتَهِي فَلَا بَأْسَ بِمُصَافَحَتِهَا وَمَسِّ يَدِهَا لِأَنْعِدَامِ خَوْفِ الْفِتْنَةِ

*"Whoever touches the hand of a woman who is not his mahram in any manner, a burning coal from Hellfire will be placed on his hand on the Day of Judgment.*

<sup>7</sup> Ulfatussyarifah dkk, 'Konsep Wudhu Dalam Perspektif Empat Mazhab: Hanafi, Maliki, Syafi'i, dan Hambali', Pendas: Jurnal Ilmiah Pendidikan Dasar, Vol. 10 No. 02, 2025, p. 242.

<sup>8</sup> Gibtiah, 'Fiqih Kontemporer', [Prenadamedia Group, 2016], Cet-1, 42.

<sup>9</sup> Syifa Hanifah dan Hendri Sayuti, 'Sejarah pemikiran Empat Ulama mazhab', Mauriduna: Jurnal of Islamic Studies, Vo. 6 No. 1 (2025), p. 468.

<sup>10</sup> Jidan Ahmad Fadilah dkk, 'Mazhab dan Istinbath Hukum', Al-Hikmah: Jurnal Studi Agama-Agama, Vol. 7 No. 2 (2021), 253, doi:10.30651/ah.v7i2.8087

*This applies when the woman touched is young and capable of arousing desire. However, if the woman is elderly and no longer elicits desire, then there is no problem in shaking hands with her, provided the act does not lead to temptation or moral suspicion.”*

He further states:

وَكَذَا إِذَا كَانَ شَيْخًا يَأْمُنُ عَلَى نَفْسِهِ وَعَلَيْهَا لِمَا فُلِنَّا، فَإِنْ كَانَ لَا يَأْمُنُ عَلَيْهَا لَا تَحِلُّ مُصَافَحَتُهَا لِمَا فِيهِ مِنَ التَّعْرِيضِ لِلْفُتْنَةِ وَالصَّغِيرَةِ إِذَا كَانَتْ لَا تُشْهَدُ يُبَاحُ مَسْهَا وَالنَّظَرُ إِلَيْهَا لِعَدَمِ حُوْفِ الْفُتْنَةِ

*“The same ruling applies between elderly men and elderly women. If there is security from sexual desire, then handshaking is permissible. However, if there is fear that it may lead to desire, then it becomes prohibited. This also applies to young children. If touching or seeing them does not lead to temptation, then it is permissible”<sup>11</sup>*

Regarding the ruling on handshaking with younger women, scholars of the four major Sunni schools, including Ibn Taymiyyah, generally consider it prohibited. Nonetheless, the Hanafi school provides a particular nuance, as illustrated in the following statement:

وَأَمَّا مُصَافَحَةُ الرَّجُلِ لِلْمُرْأَةِ الْأَجْنَبِيَّةِ الشَّابَّةِ، فَقَدْ ذَهَبَ الْحَنَفِيَّةُ، وَالْمَالِكِيَّةُ، وَالشَّافِعِيَّةُ، وَالْخَانِلِيَّةُ فِي الرَّوَايَةِ الْمُخْتَارَةِ، وَإِنْ تَبَيَّنَ إِلَى تَحْرِيمِهَا، وَقَيْدَ الْحَنَفِيَّةِ الْحَرْبِيِّ بِأَنْ تَكُونُ

*“It is not permissible for a man to touch the face or hands of a non-mahram woman, even if he feels safe from sexual desire, because such an act is prohibited unless there is a legitimate and urgent necessity recognized by Islamic law.”<sup>12</sup>*

Imam al-Zayla'i, in his work *Tabyin al-Haqaiq*, explains:

وَلَا يَجُوزُ لِلرَّجُلِ أَنْ يَمْسَسَ وَجْهَ الْأَجْنَبِيَّةِ وَكَفَهَا، وَإِنْ أَمِنَ الشَّهْوَةُ، لِأَنَّهُ مَحْظُورٌ لِعَدَمِ الْحَاجَةِ

*“It is not permissible for a man to touch the face or the palms of a non-mahram woman, even if he believes himself safe from sexual desire, because such an act is prohibited unless there exists a legitimate necessity recognized by Islamic law.”<sup>13</sup>*

This opinion appears to contrast with the view of Burhanuddin al-Marghinani mentioned earlier, which allowed handshaking with elderly women. The cited hadith explicitly prohibits handshaking with non-mahram women, whether elderly or young, due to the stronger potential risk of temptation in the latter case. However, upon deeper

<sup>11</sup> Burhanuddin Al-Marghinani, 'Al Hidayah Syrh Al-Bidayah al-Mubtadi', [Beirut: Dar al-Kutub al- Ilmiyyah, 2000], Juz 4, p. 367.

<sup>12</sup> Wizaratul Awqaf was Syu'nul Islamiyyah, 'Mausuatal Fiqhiyyah Al-Kuaitiyyah, [Kuwait: Darus Safwah, 1997], Cet-1, Juz 37, p. 359.

<sup>13</sup> Az-Zayla'i 'Tabyin al-Haqaiq Sharh Kanz al-Daqaiq', [Beirut: Dar al-Kutub al- Ilmiyyah, 1985], p. 344.

examination, the statement also implies an exception. The phrase “prohibited without a legitimate necessity” suggests that under compelling circumstances recognized by Islamic law, limited tolerance may be granted.

Ibn Abidin further clarifies in *Radd Al-Mukhtar*:

مَسْنُ الْمَرْأَةِ الْأَجْنَبِيَّةِ بِغَيْرِ شَهْوَةٍ مَكْرُوْهٌ، وَقَدْ يَصِيرُ حَرَامًا إِذَا وُجِدَتْ مَحَافَةُ الْفُتْنَةِ

*“Touching a non-mahram woman (ajnabiyyah) without sexual desire is considered disliked (makruh), and it may even become prohibited if there is a likelihood of temptation arising from it.”*<sup>14</sup>

This explanation reinforces earlier scholarly opinions (such as those of Imam al-Zayla'i). In *Radd al-Mukhtar*, Ibn Abidin emphasizes the importance of caution in the practice of handshaking between the opposite sexes, without imposing an absolute prohibition. He rules that handshaking with the opposite sex is makruh if it takes place without desire. However, when desire or potential social harm emerges as a result of such interaction, its prohibition becomes unquestionable.<sup>15</sup>

With reference to the focus of this study, the author did not find explicit textual evidence or direct opinions from Hanafi scholars that specifically address the ruling on handshaking between teachers and students of the opposite sex. From this, the author understands that the determining factor in the permissibility or prohibition of handshaking is not the teacher-student relationship itself, but rather the element of interaction between opposite sexes. The reason this study still highlights the particular relationship between teachers and students has been explained in previous sections, namely that teachers are often regarded as “second parents” for students. By discussing this issue, the author intends to clarify that even teachers, who are often perceived as second parents, must continue to uphold proper ethics and decorum when interacting with the opposite sex. Likewise, students who respect their teachers as parental figures must still maintain appropriate boundaries in their interactions.

### **The Ruling on Handshaking Between Teachers and Students of the Opposite Sex According to the Hanbali School**

Imam al-Mardawi explains in *Al-Inshaf*:

فِي كِتَابِ الْإِنْصَافِ لِإِلَمَامِ الْمَرْذَوِيِّ، وَرَدَ أَنَّ الْإِلَمَامَ أَحْمَدَ بْنَ حَنْبَلَ كَرِهَ مُصَافَحَةُ النِّسَاءِ، وَشَدَّدَ فِي ذَلِكَ حَتَّىٰ مَعَ الْمُخَارِمِ، لِكَلَّهُ أَجَازَ ذَلِكَ لِلْوَالِدِ

*“In Al-Inshaf Imam Murdawi, Imam Ahmad was reported to consider handshaking with women as makruh. In another narration, he strongly prohibited it, even with female relatives, although parents are allowed to touch their children.”*

<sup>14</sup> Ibn Abidin, ‘Radd Al-Mukhtar ‘ala Durr Al-Mukhtar’, [Beirut: Dar Al-Fikr, 1988], p. 371.

<sup>15</sup> Abdullah bin Mahmud bin Mawdud Al-Mawsili Al-Hanafi, ‘Al-Ikhtiyar li Ta’lil al-Mukhtar’, [Beirut: Dar al-Kutub al-Ilmiyya, 1997], Juz 4, p. 156.

ذَكَرَهُ ابْنُ عَقِيلٍ، وَابْنُ الْجَوْزِيِّ، وَالشَّيْخُ تَقَوْيُ الدِّينِ رَحْمَهُمُ الْهَمَّالُوا: "مُصَافَحَةُ الْمَرْأَةِ الْأَجْنبِيَّةِ وَلَوْ بِعِنْدِ شَهْوَةٍ وَبِأَدَبٍ حَسَنٍ مَكْرُوْهَةٌ. وَلَوْ كَانَتْ لِمَصْلَحةٍ تَعْلِيمٍ وَتَأْدِيبٍ، فَهِيَ لَا تَجُوزُ. وَمَنْ عَرَفَ مِنْهُمْ أَوْ مُعَاشِرَهُمْ، مُنْعَ مِنْ تَعْلِيمِهِمْ"

*"Ibn Aqil, Ibn Al-Jawzi, and Syaikh Taqiy Al-Din held that handshaking with a foreign woman (non-mahram), even without sexual desire, remains makruh. Even if it is claimed to serve a beneficial purpose, such as education or etiquette training, it is still prohibited unless there is a compelling necessity. Anyone who knows that such an act may lead to temptation is obliged to avoid it.".<sup>16</sup>*

The Hanbali school strongly emphasizes refraining from handshaking with the opposite sex who are not mahram. The statements of Ibn Aqil, Ibn al-Jawzi, and Shaykh Taqi al-Din, including the phrase "even in the context of teaching etiquette or manners," demonstrate a clear warning that interaction between the opposite sexes, particularly through handshaking, should be avoided as much as possible. Almost all Hanbali scholars agree that touching or shaking hands with non-mahram women, whether elderly or young, is prohibited, regardless of whether it is done directly or with a barrier.

وَيُسْنَ عَلَى الْمُصَافَحَةِ الْمُحرَّمَةِ، فَإِنَّ الْأَصْلَ الْمُنْعَنُ لِلَّنْظَرِ وَاللَّمْسِ، فَجَبَثُ أَبْيَحَ النَّظَرُ لِذَلِيلِهِ، بَقِيَ مَا غَادَ عَلَى الْأَصْلِ

*"It is recommended to avoid unlawful handshaking, because the original legal ruling in Islamic law regarding looking at and touching is prohibition. If looking becomes permissible due to specific evidence, then touching remains under its original ruling, which is prohibition."*

Al-Buhuti affirms that handshaking with non-mahram women is categorically prohibited without exception, consistent with the views of other Hanbali scholars.<sup>17</sup>

He also cites the following hadith:

عَنْ أُمَّيَّمَةَ بِنْتِ رُقَيْقَةَ، قَالَتْ: أَتَيْتُ رَسُولَ اللَّهِ ﷺ فِي نِسْوَةٍ نُبَاهِعُهُ، فَقَالَ لَنَا: "فِيمَا اسْتَطَعْنَا وَأَطَقْنَا"، قُلْنَا: أَرْحَمُ بِنَا مِنْ أَنفُسِنَا، قَالَتْ: فَقُلْنَا: يَا رَسُولَ اللَّهِ أَلَا تُبَاهِعُنَا؟ فَقَالَ: "إِنِّي لَا أَصَافِحُ النِّسَاءَ اللَّهُ وَرَسُولُهُ

*"Ummaymah bint Ruqayqah narrated: I came to the Messenger of Allah ﷺ with several women to pledge allegiance. The Prophet said: 'In matters that you are capable of fulfilling.' We said: 'The Messenger of Allah and Allah are more merciful to us than ourselves.' Then we asked: 'O Messenger of Allah, will you not shake hands with us?' He replied: 'Indeed, I do not shake hands with women.'"<sup>18</sup>*

<sup>16</sup> Imam Al-Murdawi, 'Al-Inshaf Ma'rifat al-Rajih min al-Khilaf 'ala Madhhab al-Imam Ahmad bin Hanbal', [Beirut: Dar al-Kutub al-'Ilmiyyah, 1998], Juz 8, p. 32.

<sup>17</sup> Mansur bin Yunus al-Buhuti, "Kashhaf al-Qina", [Beirut: Dar al-Kutun al- 'Ilmiyyah, 1997], Juz 1, p. 420.

<sup>18</sup> Imam Ahmad ibn Hambal, 'Musnad Imam Ahmad bin Hambal', [Arab Saudi: Darussalam, 2012], Cet-1, p. 1961.

Another statement reads:

وَيَحْرُمُ النَّظَرُ بِشَهْوَةٍ إِلَى النِّسَاءِ وَالْمُرْدَانِ، وَمَنْ اسْتَحْلَمَ كَفَرَ إِجْمَاعًا، وَيَحْرُمُ النَّظَرُ مَعَ وُجُودِ تُورَانٍ مَّنْصُوصٌ لِإِمَامِ أَحْمَدَ وَالشَّافِعِيِّ. وَكُلُّ قُسْمٍ مُتَّبَّعٍ كَانَ حَرَامًا بِلَا رَيْبٍ، سَوَاءً شَهْوَةٌ، وَهُوَ كَانَتْ شَهْوَةً تَمْتَعُ النَّظَرُ، أَوْ كَانَتْ شَهْوَةً الْوَطْءُ، وَاللَّمْسُ كَالنَّظَرِ، وَأَوْلَى

*"It is prohibited to look at women or young boys with sexual desire. Whoever deems this lawful has committed disbelief according to the consensus of scholars. It is also prohibited to look if it arouses desire, as clearly stated by Imam Ahmad and Imam al-Shafi'i. Any gaze accompanied by desire is unquestionably forbidden, whether due to pleasure of looking or sexual inclination. Touching holds the same ruling as looking, and in fact its prohibition is even stronger."*<sup>19</sup>

### Factors Underlying the Differences Between the Hanafi and Hanbali Schools Regarding Handshaking Between Teachers and Students of the Opposite Sex

The differences between the two schools are influenced by several key factors, including:

1. Variations in understanding and interpretation of textual evidence
2. Differences in methodological principles of ijтиhad
3. Divergent positions concerning secondary sources of Islamic law.<sup>20</sup>

These may be explained as follows:

1. Both schools base their opinions on the hadith of the Prophet Muhammad (peace be upon him), which states: "Indeed, I do not shake hands with women" (narrated by al-Bukhari in al-Adab al-Mufrad).<sup>21</sup> The Hanafi school interprets this narration as a prohibition when there is a likelihood of temptation or sexual desire. However, when there is reasonable assurance that such risks are absent, the Hanafi school allows the practice.<sup>22</sup> Conversely, the Hanbali school understands the hadith as an absolute prohibition, even in situations free from desire or temptation. This position is closely related to the Hanbali principle of *sadd adz-zdzari'ah* (blocking the means to potential wrongdoing).<sup>23</sup>
2. The Hanafi school prioritizes the methods *istihsan* and *urf* (customary practice) in determining legal rulings. Within the context of teacher-student interaction, when handshaking has become a cultural norm, this factor may serve as a consideration that leads to a more lenient ruling.<sup>24</sup> By contrast, the Hanbali school emphasizes literal adherence to scriptural texts and the principle of caution

<sup>19</sup> Ibnu Muflīh, 'Al-Adab Al-Shar'iyyah wa Al-Minh al-Mar'iyyah', [Dar Al-Kutub al-Islamiyyah, 1996, Jilid 2, p. 257-258].

<sup>20</sup> Ikhwan Fikri, "Peran Dan Pendekatan Madzahib Fiqhiyyah Dalam Mengukuhkan Persatuan Umat," *Muqaranah* 5, no. 1 (2021): 19–30, <https://doi.org/10.19109/muqaranah.v5i1.9207>.

<sup>21</sup> Muhammad ibn Isma'il al-Bukhari, *al-Adab al-Mufrad*, tahqiq: Muhammad Fu'ad 'Abd al-Baqi (Beirut: Dar al-Basha'ir al-Islamiyyah, 1989), no. hadis 969

<sup>22</sup> Al-Kasani, *Bada'i' al-Sana'i' fi Tartib al-Shara'i'*, Juz 5 (Beirut: Dar al-Kutub al-'Ilmiyyah, 1986), p. 124.

<sup>23</sup> Ibn Qudamah, *al-Mughni*, Juz 7 (Riyadh: Dar 'Alam al-Kutub, 1997), p. 459.

<sup>24</sup> Mohammad Yasir Fauzi et al., "Metode Ijtihad Dan Dinamika Persoalan Di Kalangan Imam Madzhab," *At-Tahdzib: Jurnal Studi Islam Dan Muamalah* 10, no. 1 (2022): p. 67–79.

(*ikhtiyath*). For the Hanbalis, even widespread custom does not justify practice when explicit textual evidence indicates prohibition.<sup>25</sup>

3. The Hanafi school recognizes the Al-Qur'an, Sunnah, Ijma and Qiyas as primary legal sources while also acknowledging Istihsan and 'Urf as secondary considerations that may influence legal applications. This approach allows for socio-cultural dynamics to be taken into account in formulating rulings on handshaking. Meanwhile, the Hanbali school prioritizes the Al-Qur'an, Sunnah, Ijma and Qiyas, but does not regard 'Urf as a legitimate basis to alter a legal ruling when it conflicts with explicit textual evidence.<sup>26</sup>

## CONCLUSION

The Hanafi school views handshaking between teachers and students of the opposite sex in line with its broader ruling on interaction between non-mahram men and women. For the Hanafis, prohibition or permissibility is conditional, meaning that the legal status may vary depending on contextual factors, particularly the absence of sexual desire and the potential for moral suspicion. In contrast, the Hanbali school firmly prohibits such practice, based on the principle of precaution (*ihtiyat*), with the objective of safeguarding dignity and preventing forms of physical interaction that may lead to violations of Islamic moral values.

In practical terms, these divergent perspectives reflect the flexibility and richness of Islamic jurisprudence, offering Islamic educational institutions a range of legitimate references for formulating policies and ethical guidelines governing teacher-student interactions in accordance with their respective social, cultural, and institutional contexts. Academically, this study contributes to the discourse of Islamic educational jurisprudence by presenting a comparative analysis between different schools, thereby highlighting the importance of contextual approaches in applying Islamic law while maintaining precaution and the protection of moral integrity.

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<sup>25</sup> Fauzi et al. p. 74

<sup>26</sup> Agus Moh Najib, "Reestablishing Indonesian Madhab 'Urf and the Contribution of Intellectualism1," *Al-Jami'ah* 58, no. 1 (2020): 171–208, <https://doi.org/10.14421/ajis.2020.581.171-208>.

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