

CHAPTER IV

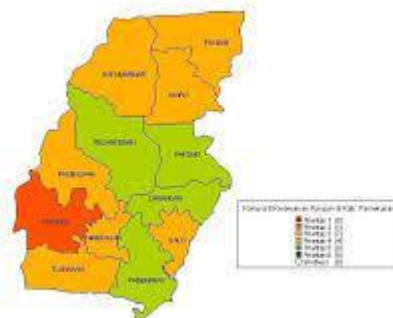
DATA AND RESEARCH RESULT

A. General Description of The Research Location

1. Geography Of Pamekasan Regency

Pamekasan Regency is one of the regencies on the Madura Island and is the third Regency from Surabaya. Geographically Pamekasan Regency is located in the position of 6°51'-7°31' south latitude and 113°19'- 113°58' east longitude. Pamekasan Regency is located between two regencies namely between sampang Regency and sumenep Regency with Pamekasan being the center of its government. Pamekasan Regency has an area of 792.30 Ha or about 1.71% of the entire area in the province of East Java. Among several Regencys in Madura island Pamekasan is the smallest Regency. The lowlands are positioned in the South and North while the location of the plateau is in the center of Pamekasan Regency. Here's a picture of the map below:

Map of Pamekasan Regency



- a. Area of Pamekasan Regency: 792.30 Ha
- b. Area boundary:

North : Java Sea

South : Madura Strait

West : Sampang Regency

East : Sumenep Regency

Pamekasan Regency has a total of 13 districts with 189 villages with the following table:

Table 4.1
Number Of Districts and Villages in Pamekasan Regency

No.	District	Number of Villages
1.	Tlanakan	17 Villages
2.	Pademawu	20 Villages
3.	Galis	10 Villages
4.	Larangan	14 Villages
5.	Pamekasan	9 Villages
6.	Proppo	27 Villages
7.	Palengaan	12 Villages
8.	Pegantenan	13 Villages
9.	Kadur	12 Villages
10.	Pakong	10 Villages
11.	Waru	12 Villages
12.	Barumarmar	9 Villages
13.	Pasean	13 Villages

It can be seen from the table above that the number of districts and the number of villages are in accordance with statistical data in Pamekasan Regency.

Ihdad as one of the obligations that must be carried out by women whose husbands die (widows of death divorce) still does not receive great attention from related government parties, such as the religious affairs office (KUA). The evidence is that none of the KUA that researchers have interviewed have provided exact data related to

widows of death divorce in the district. The data provided by the Religious Court is also not related to the number of divorce widows in Pamekasan. From the civil registry service office (Disdukcapil) there is also no data on these widows.

As said by Mr. Hendrik, one of the Secretary of the Court as follows:

“Kalau di pengadilan agama tidak mencatat cerai mati, disini yang dicatat hanya cerai hidup saja. Ketika seseorang berkeluarga, kemudian salah satu suami atau istri meninggal dunia, maka secara otomatis akan berubah menjadi janda mati atau duda mati. Kalau di Pengadilan Agama perkaranya harus sama-sama hidup karena suami dan istri akan dipanggil untuk melakukan sidang, kemudian dicari permasalahannya baru Hakim akan memutus apakah mereka harus bercerai atau tidak. Maka kemudian keputusan itu akan dikeluarkan oleh Pengadilan Agama”⁶⁶

(In the Religious Court, dead divorce is not recorded, only judicial divorce is recorded here. When someone is married, then one of the husbands or wives dies, it will automatically turn into a widow or widower. If in the Religious Court the case must be both alive because the husband and wife will be summoned for do a conclave, then look for the problem and then the Judge will decide whether they should divorce or not. Then the decision will be issued by the Religious Court)

From his opinion, we know that the Religious Court does not have data related to divorce widows in Pamekasan district, because it is not the domain of the Religious Court. The religious court only has data on divorces filed and finalized at the Religious Court. Then after the researcher conducted an interview at the Religious Court,

⁶⁶ Mr. Hendrik, Secretary of the Court in Pamekasan's Religious Court, *Direct Interview* (04 June 2024)

the researcher continued to Civil Registry Service Office (Disdukcapil) to obtain further information related to data on the number of widows in Pamekasan, especially widows caused by death divorce. Some of the information that the researcher got was the opinion of Mr. Ubaidillah as staff at Civil Registry Service Office (Disdukcapil) as the staff in Disdukcapil on 04 June 2024 is as follows:

“memang dari proses terkait kematian suami atau istri ini, dukcapil mencatatkan terkait cerai mati itu berdasarkan laporan, baik suami atau istri. Namun tugas kami hanya mencatat dan merekab bukan focus pada janda cerai mati yang melaksanakan *iḥdad* atau tidak”⁶⁷

(Indeed, from the process related to the death of a husband or wife, the Civil Registry Service Office (Disdukcapil) records related to the death divorce based on reports, either the husband or wife. However, our job is only to record and reconcile, not to focus on whether or not the widow of a death divorce is carrying out *iḥdad*)

Then continued with his opinion stating that in Civil Registry Service Office (Disdukcapil) there is data on the number of death divorces in the entire Pamekasan area, but the data is not given to other parties unless it is needed by providing a cover letter such as a student research letter who really wants to get the data, either to the KUA or other parties.

“Data yang kami miliki lengkap dari seluruh wilayah Pamekasan terkait cerai mati, namun data ini kami keep sendiri. Kecuali kepada mereka yang memang membutuhkan data

⁶⁷ Mr. Ubaidillah, staff in Civil Registry Service Office (Disdukcapil) Pamekasan, *Direct Interview* (04 June 2024)

tersebut seperti untuk penelitian dengan menyertakan surat pengantar dari instansi.”⁶⁸

(We have complete data from all areas of Pamekasan related to death divorce, but we keep this data ourselves. Except for those who really need the data such as for research by including a cover letter from the agency)

From this opinion, we can conclude that the dead divorce data is in Civil Registry Service Office (Disdukcapil). The data is obtained based on reports from people who have an interest in the population section such as wanting to change and correct their population data.

Departing from this data, the researcher sees that the absence of definite data on widows has an impact on the lack of socialisation or counselling given to widows whose husbands died regarding *iḥdad* as form of obligation that must be carried out when undergoing the *'iddah* period.

Then the researcher found a case related to *iḥdad* in the Religious Court. Namely related to the settlement of Mafqud cases that have an impact on marriage, especially on the implementation of *'iddah* and *iḥdad*. Mafqud is a missing person.

According to Hamda Sulfinadia, fiqh scholars agree that the judge has the right to determine the status of a missing person whether he is alive or dead. If the judge has determined that Mahfud is dead,

⁶⁸ Mr. Ubaidillah, staff in Civil Registry Service Office (Disdukcapil) Pamekasan, *Direct Interview* (04 June 2024)

then after that the property can be distributed to the heirs who are entitled to receive it and a wife may remarry after serving the *'iddah* period.⁶⁹

Sulfinadia also mention the opinion of Umar *Ibn* Khattab regarding the law related to the marriage with a *Mafqud* husband. That is , after a waiting period of 4 years, the judge has the right to summon the *Mafqud's* guardian to divorce the woman and the *Mafqud*. Then the woman undergoes an *'iddah* period of 4 months and 10 days like the *'iddah* period of a woman whose husband dies in general.⁷⁰

If the wife remarries and the dead husband is returns, then the judge is to choose between the wife or the dowry that he has paid. If he chooses the dowry that he has paid, then the wife is for the second husband. However, if the returned *Mafqud* chooses to return to his wife, then the wife must undergoing an *'iddah* period, then he may have intercourse with his wife, while the wife still gets the mahar that she received from the second husband in exchange for the pleasure she once felt with her husband.⁷¹

⁶⁹ Hamda Sulfinadia, JUrna Petri Roszi “Penyelesaian Kasus Mafqud (Studi Atas Kelanjutan Perkawinan Dan Kewarisan)”, *Sakena: Jurnal Hukum Keluarga*, Vol, 7 no. 1 (2022), 19

⁷⁰ Sulfanadia, “Penyelesaian Kasus Mafqud”, 21

⁷¹ Sulfanadia, “Penyelesaian Kasus Mafqud”, 18-28

B. Data Exposure

1. The reality of Pamekasan society regarding *iḥdad*

The fact that there is in Pamekasan Regency shows that the existing reality has been done for a long time, namely it has become a habit that has been done before. Further discussion related to the reality of *iḥdad* in Pamekasan district will be described in terms for the level of understanding of the society about *iḥdad* then how the practice or the implementation of *iḥdad* in Pamekasan district is carried out.

a. The Understanding of *Iḥdad* by Pamekasan Society

The results of observations found in the field show that the majority of people in the Pamekasan Regency area are Muslims, but this data does not guarantee how the level of understanding of the society is related to Islamic law and Islamic sharia, especially about '*iddah* and *iḥdad* , in accordance with the themes raised by the researcher. Of the many people, only a small proportion understand *iḥdad* , although there are also many people who understand '*iddah* and its provisions, although there are some who do not understand that it is '*iddah*. Many people regard *iḥdad* as a habit that can also be referred to as a tradition, where the custom was carried out by previous people and still exists today and is still carried out from generation to generation, whether the implementation is from notification or from self-awareness.

Their incomprehensibility regarding *'iddah* and *iḥḍad* is caused by several factors, including low education, a less supportive environment, and economic factors that also have an impact on the implementation of *iḥḍad* .

Based on research and interviews conducted by the researcher, there are several factors and reasons conveyed by the society regarding their understanding of *iḥḍad* .

1) Women who don't understand about *Iḥḍad*

Women whose husbands die or can be referred to as widows in Pamekasan Regency generally understand the beautiful as a period in which the woman waits for a certain time after her husband dies. They aren't allowed to marry another man for a period of 4 months and 10 days.

But there are still many of them who do not understand *Iḥḍad* , how it is stipulated, how it is implemented, and how it is ruled.

Most of the people who do not understand the provisions of *iḥḍad* are non-academics with low levels of education, so they do not know much about *iḥḍad* . However, there are also academics who do not understand and are not familiar with *iḥḍad* , as evidenced by the number of academics who say that they have never heard of *iḥḍad* but know about *'iddah*.

“Saya tidak tahu tentang ketentuan namun saya tahu tentang 'iddah tapi keluarga saya mengingatkan dan

*memberikan beberapa penjelasan tentang apa saja yang boleh dilakukan dan yang tidak boleh dilakukan oleh perempuan yang ditinggal mati suaminya ketika masa 'iddah"*⁷²

(actually I don't know about *iḥḍad* and 'iddah, but my family reminded me and gave me some explanations about what a woman who has lost her husband can and cannot do during 'iddah)

From the opinion of Mrs. Rus above, it can be concluded that she did not know about *iḥḍad* , but her family played a big role in her understanding of *iḥḍad* . Likewise, the opinion of Mrs. Halimah who mentioned that she did not know because of the education factor.

*“Engkok tak taoh nak Mun engak jiyah jhek engkok tak a sekolah lambek, engkok taonah ghun Mun Reng Ibnik SE edinah mateh lakenah tak olle pas langsung alakeh. Mun engak se tak kelowar Roma jiyah jhet la biasah. Masak Se kepatean pas tadek e e romanah”*⁷³

(I don't know about that, because I didn't go to school, so I don't know about *iḥḍad* and what it entails. I only know that after a husband dies a woman cannot immediately marry someone else. As for not leaving the house, that is common practice. Imagine if his wife was not at home, who would the people who came to mourn meet?)

From the above opinion, we can know that there are some people who do not understand about 'iddah and iḥḍad due to educational factors, but they know a small part of 'iddah and *iḥḍad* because it has become a habit in society. Many similar opinions were conveyed by several informants whom researchers interviewed regarding the tongue of people's

⁷² Mrs. Rus, Housewife, Interview (29 April 2024)

⁷³ Mrs. Halimah, Seller, Interview (28 April 2024)

understanding of *'iddah* and *ihdah* among non-academics whose age was a little old.

The same thing was also conveyed by Mrs. Umyati in her residence as follows:

*“Engkok tak taoh ihdad Ibng, tadek se malaknah ghun Mun can oreng tak olle alakeh pole delem bektoh berempan bulen”*⁷⁴

(I don't know about *ihdad* , no one told me about it, but people say we can't get married within a few months)

From the opinion of Mrs. Umyati, it can be concluded that

the understanding related to *'iddah* and *ihdad* for those with a low level of education is very minimal. Apart from the education factor, the lack of information is also the cause of some people not knowing about *ihdad* . From the observations made by researchers, there are also many social facts that for those who are widows with a young age, the level of understanding related to *ihdad* is very low, but they still carry out *'iddah* and *ihdad* , such as not leaving the house because it is part of the habits that exist in the society.

*“saya sebenarnya tidak paham tentang hal tersebut namun orang tua saya mengingatkan untuk berdiam di rumah selama masa 'iddah merupakan hal yang sudah lama dilakukan”*⁷⁵

(I actually don't understand it but my parents reminded me that staying at home during the *'iddah* period is something that has been done for a long time)

2) **Women who do understand about *Ihdad***

⁷⁴ Mrs. Umyati, Housewife, Interview (28 April 2024)

⁷⁵ Mrs. Matraji, Housewife, Interview (27 April 2024)

Some Pamekasan society understand *'iddah* but not many understand and are familiar with the word *iḥḍad* , but not a few of them understand both. This is as explained by Mrs. Hamsiyah as follows:

*“saya tau tentang 'iddah dan iḥḍad tersebut karena Ketika saya di asrama sekolah dulu belajar tentang itu”*⁷⁶
(I know about *'iddah* and *iḥḍad* because when I was in boarding school, I learned about it)

She explained that she knew about *'iddah* and *iḥḍad* because she had studied them. She explained that after her husband died most of the provisions were carried out and tried to perfect the implementation for 4 months and 10 days although there were some obstacles.

She also added that the rules of *'iddah* and *iḥḍad* should be understood by women because they are fixed rules that have been regulated in the Qur'an and hadith although not in detail.

*“memang sebagai perempuan kita haRus tau banyak tentang hukum-hukum seperti ini, setidaknya bagi mereka yang ada di posisi seperti saya sebagai seorang janda belajar dan tau tentang 'iddah dan iḥḍad .”*⁷⁷

(indeed as women we must know a lot about laws like this, at least for those who are in a position like me as a widow to learn and know about *'iddah* and *iḥḍad* .)

From this explanation, we can see that Mrs. Hamsiyah paid considerable attention to *iḥḍad* and *'iddah* for women.

There are some people who understand about *iḥḍad* with a fairly high educational background and jobs that support their

⁷⁶ Mrs. Hamsiyah, Teacher, Interview (13 May 2024)

⁷⁷ Mrs. Hamsiyah, Teacher, Interview (13 May 2024)

understanding of *iḥḍad* such as teachers and religious leaders. As mentioned earlier, the factors of education and also the environment have an impact on the level of understanding of the society regarding *iḥḍad*. As the opinion conveyed by Mrs. Desi who works as a teacher in one of the school in Pamekasan Regency.

*“Awalnya saya tidak tau tentang ketentuan iḥḍad itu namun saya tau tentang ‘iddahnya. Selain itu ada dari salah satu guru yang memberikan penjelasan tentang iḥḍad yang lebih lanjut kepada saya. Sehingga saya tau bahwa tetap diri dirumah pada masa ‘iddah merupakan sebuah kewajiban.”*⁷⁸

(originally I don't know about *iḥḍad*, but I knew about *‘iddah*. In addition, one of a teacher gave me a more detailed explanation of *iḥḍad*. So I know that staying at home during the *‘iddah* period is an obligation)

From this opinion we know that not everyone who understands *‘iddah* understands *iḥḍad*. From the above opinion we can also understand that there are some people who carry out *iḥḍad* but do not know that it is *iḥḍad*.

b. The practice of *iḥḍad* in Pamekasan Regency

The practice of *iḥḍad* in Pamekasan district according to the results of interviews with informants produces information that supports the data needed by this research. The practice of *iḥḍad* is influenced by several factors that are also not much different from the factors that influence the Pamekasan society's understanding of *iḥḍad*, namely educational factors and environmental factors.

⁷⁸ Mrs. Desi, Teacher, Interview (13 May 2024)

The first opinion from Mrs. Fadhilah who is a housewife who has a dual profession as a farmer regarding her daily life after her husband's death is as follows:

“Selama beberapa hari setelah suami saya tidak ada, saya masih dirumah menguRusi rumah dan anak, namun tidak keluar rumah dan juga berpakaian seadanya tanpa menggunakan hiasan apapun karena sudah kebiasaanya seperti itu namun setelah beberapa hari itu saya tetap haRus ke sawah, karena Cuma dari itu saya mendapatkan penghasilan”⁷⁹

(For a few days after my husband gone, I was still at home taking care of the house and our children, but I don't go anywhere and also dressed simply without using any makeup on because it was a habit like that, but after a few days I still had to go to the fields, coz that's the only way I got my income.)

From Mrs. Fadhilah's opinion, we can understand that the implementation of *iḥdad* carried out by her was not perfect because of several things that had to be done to continue living.

The second opinion was shared by Mrs. Halimah who sells fish at the market on a daily basis:

“mun ‘iddah na se 4 bulen 10 areh e lakonih. Mun tak kelowar roma masok sala settongah iḥdad berarti engkok alakoh Keyah iḥdad jiyah, tapeh ghun separoh tak sampek totok sampek 4 bulen polanan usa ajuwel jukok ke pasar. Mun tak ke pasar tadek se e kabelenjeeh”⁸⁰

(If one of the practices of *iḥdad* is not leaving the house during the *'iddah* period then I did so but did not carry out the *iḥdad* until the end because after a few days from the death of my husband, I worked as usual. I went to the market to sell a fish to earn money.)

⁷⁹ Mrs. Fadhilah, Farmer, Interview (27 April 2024)

⁸⁰ Mrs. Halimah, Seller, Interview (28 April 2024)

Then she added that because there was no one to help fulfill her needs during her *'iddah* period, she went out to make money even though her *'iddah* period was not completed.

*“Kalau tidak bekerja, siapa yang akan memenuhi kebutuhan keluarga saya. Mau tidak mau saya haRus bekerja”*⁸¹

(If I don't work, who will provide for my family. Like it or not, I have to work)

From the above opinion, we can conclude that the demand to make money keeps people working as usual.

Then there are several opinions from several informants regarding how they carry out *iḥdad* by carrying out several provisions of *iḥdad* such as not leaving the house, not wearing makeup, not using perfume and not wearing clothes that are too flashy excessively because there is no demand for them to work outside their homes.

*“saya memang tidak keluar rumah selama masa 'iddah karena memang saya hanya menjaga toko dirumah, dan untuk pakaian juga menggunakan pakaian seadanya tidak terlalu mencolok dan juga tidak berhias secara berlebihan”*⁸²

(I didn't go anywhere during my *'iddah* period for sure because I was only taking care a shop at home, and for clothes I also used sober clothes that were not too flashy and also didn't using a makeup excessively)

From Mbak Rani's opinion, we can see that the practice of *iḥdad* is determined by her profession. She also explained that she did not really understand the law of *iḥdad* but that her environment also contributed to the practice of *iḥdad* in her area.

⁸¹ Mrs. Halimah, Seller, Interview (28 April 2024)

⁸² Mrs. Rani, Housewife, Interview (13 April 2024)

This opinion is also supported by the statement of Mrs. Rus, who manages the chicken farm in her house on a daily basis, so it does not require her to leave the house.

The next opinion was expressed by Mrs. Juhai who works as a tailor about her daily life after her husband died which also includes the practice of *iḥdad* . As follows:

“Saya kan sebagai ibu rumahtangga yang bekerja sebagai penjahit tidak perlu keluar rumah, berhias ataupun menggunakan parfum, jika semua itu termasuk iḥdad maka saya melaksanakan iḥdad itu”⁸³

(As a housewife who works as a tailor, I don't need to leave the house, adorn myself or use perfume, so if all of that is included in *iḥdad* then I carry out the *iḥdad*)

From this opinion, we can know that some professions that do not require them to leave the house will be easier to worship than women who have to work outside the home.

Furthermore, the results of interviews conducted by researchers with several widows who work as teachers show that their practice is better than the previous informants because of the relief given by the agency to carry out the *'iddah* period and *iḥdad* for those who have just died of their husbands during the existing provisions, so that the practice or implementation of *iḥdad* is more effective to be carried out in full. As some of the following opinions:

“Karna memang ketentuan iḥdad seperti itu berarti memang haRus dilaksanakan sebagaimana mestinya baik dari ketentuannya ataupun dari masa pelaksanaannya karena

⁸³ Mrs. Juhai, Tailor, Interview (28 April 2024)

sudah dijelaskan secara rinci bagaimana hukum pelaksanaannya”⁸⁴

(Because the provisions of *iḥdad* are like that, it means that it must be implemented properly both from the provisions and from the implementation period because it has been explained in detail how the law is implemented)

From the above opinion, we can understand that Mrs. Lilik is one of the informants who supports and agrees that *iḥdad* must be done perfectly. Followed by the opinion of Mrs. Desi who is still in the discussion of her *iḥdad* practice.

“Awalnya memang kami dihaRuskan untuk mengajar setelah cuti beberapa hari namun dari pihak sekolah dan kepala sekolah memberikan keringanan dan perhatian cukup besar bagi guru yang masih dalam masa ‘iddah untuk mengajar tidak haRus di sekolah”⁸⁵

(Initially, we were required to teach after a few days of leave, but the school and principal gave considerable relief and attention to teachers who were still in *‘iddah* to teach not necessarily at school)

We can know that one of the supporting of the implementation of the practice of *iḥdad* in the society is the environment, namely from the above opinion we can understand that the school has a big impact on the implementation of the practice of *iḥdad* perfectly.

The same thing was also conveyed by Mrs. Hamsiah, who is also one of the teachers in the same institution as Mrs. Desi. Desi as follow:

⁸⁴ Mrs. Lilik, Teacher, Interview (13 May 2024)

⁸⁵ Mrs. Desi, Teacher, Interview (13 May 2024)

“Selama masa ‘iddah Saya diberikan keringanan untuk tetap mengajar dari rumah selama 4 bulan 10 hari dari pihak sekolah”⁸⁶

(During the ‘iddah period I was given a waiver to continue teaching from home for 4 months and 10 days from the school)

From the above opinion, it can be seen that environmental factors such as school institutions can help realize better and more effective *iḥdad* practices.

A supporting opinion was also expressed by Nyai Sisil as one of the caregivers of the boarding school in Tlanakan district that the implementation of *iḥdad* is influenced by the level of understanding, the environment and the profession thye does. As her opinion is as follows:

“Bagi mereka yang tidak memiliki tuntutan pekerjaan yang menghaRuskan mereka untuk bekerja selama masa ‘iddah akan lebih mudah melaksanakan iḥdad dari pada mereka yang dituntut untuk bekerja ketika masih dalam masa ‘iddah”⁸⁷

(For those who do not have work demands that require them to work during the ‘iddah period, it will be easier to carry out *iḥdad* than for those who are required to work while still in the ‘iddah period)

We can see that from Nyai Sisil's opinion, those who do not have demands to work outside the home are more effective in implementing *iḥdad* than those who work outside the home.

A similar opinion was also expressed by one of the religious leaders in the Pamekasan area who mentioned that *iḥdad* can be effectively

⁸⁶ Mrs. Hamsiyah, Teacher, Interview (13 May 2024)

⁸⁷ Nyai Sisil, Religious Figure, Interview (06 December 2023)

carried out by some people who are not required to work outside the home.

“iḥdad dapat di praktekan secara sempurna tidak bagi semua kalangan, ada beberapa yang tidak dapat melaksanakan iḥdad secara sempurna seperti yang bekerja dirumah, nmaun ada juga beberapa kalangan yang mengerti ketentuannya sangat wajar dilakukan secara baik dan sempurna contohnya mereka yang merupakan keturunan dari Kyai”⁸⁸

(iḥdad can be practiced perfectly not for all circles, there are some who cannot carry out iḥdad perfectly such as those who work at home, but there are also some circles who understand the provisions that are very reasonable to do well and perfectly, for example those who are descendants of the Kyai)

From this opinion, we can conclude that the good and perfect practice of *iḥdad* cannot be carried out by the whole society, but there are several circles of society, such as a daughter of Kyai, who are also referred to as Ning, who do not leave the house on a daily basis.

From some of the responses submitted by informants who were interviewed before. To facilitate the reader, the researcher will compile several points from the aspects of understanding and practice carried out by the Pamekasan society regarding *iḥdad* during the ‘*iddah* period. As the table below, the researcher compiles it according to the information provided by the informant when interviewed:

Table 4.3

⁸⁸ Mr. H.Hotim, Religious Figure, Interview (21 March 2024)

The Reality Of Pamekasan Society Regarding *Ihdad*

No.	Contact	Example of a profession	Reason
1.	People who understand and implement	~ Ning (religious figure) ~ Teacher (supporting agency) ~ Tailor ~ Housewife	Education and environmental factors influence the level of understanding and practice of the implementation of <i>ihdad</i> in Pamekasan district. as well as conditions that support its implementation properly.
2.	People who understand and do not implement	~ Seller ~	Some people who know about the provisions of <i>ihdad</i> but cannot carry out <i>ihdad</i> perfectly have reasons that make it impossible to carry out <i>ihdad</i> perfectly.
3.	People who do not understand and implement	~ Farmers	Most of the society still considers <i>ihdad</i> as a custom from ancestors that is still carried out without knowing the exact law. Most of these people are widows who are not young enough with a low level of education, but the strong

			culture and sense of caring have a positive impact on the implementation of <i>iḥdad</i> .
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2. Responses to The Desacralization Process of *Iḥdad* in Pamekasan

The results of observations and interviews conducted previously related to *iḥdad* with several agencies of the religious affairs office in Pamekasan Regency provide some procedure of desacralization have make a move. Like make reformulation about *Iḥdad* by some parties, like the agencies and religious figure.

As the statement given by Mr. Hasan as staff at the religious affairs office (KUA) in Pakong as follows:

*"memang kurangnya sosialisasi terhadap iḥdad mengakibatkan banyak masyarakat tidak paham. Sebelumnya sosialisasi yang diberikan kantor urusan agama kepada masyarakat hanya berfokus kepada sosialisasi tentang pranikah, yang memang sudah biasa disosialisasikan kepada masyarakat. Jika dilihat dari peraturan tentang iḥdad juga sangat minim dan tidak ada sanksi ataupun peraturan yang secara resmi mengikat masyarakat agar melaksanakan itu."*⁸⁹

(Indeed, the lack of socialization of *iḥdad* has resulted in many people not understanding. Previously the socialization given by the religious affairs office to the Society only focused on socialization about pranikah, which is already commonly socialized to the Society. If you look at the regulations regarding *iḥdad* , they are also very minimal and there are no sanctions or regulations that officially *Ibnd* the Society to implement it)

⁸⁹ Mr. Hasan, Staff In Religious Affairs Office In Pakong, Interview (12 December 2023)

This statement is supported by the opinion of Mr. Brawi as a staff at the religious affairs office (KUA) in Pamekasan sub-Regency, as follows:

*"sosialisasi yang diberikan oleh kantor urusan agama kepada masyarakat biasanya hanya seputar pembahasan pranikah dan pembahasan lain seperti pernikahan dini, narkoba dan yang lainnya. Karena memang target yang kami inginkan adalah masyarakat mengerti akan pernikahan yang baik. Factor minimnya sosialisasi atau penyuluhan terkait *iḥdad* sendiri, selain penjelasan dari perspektif hukum islam *iḥdad* di Indonesia tidak banyak diatur oleh pemerintah."*⁹⁰

(The socialization provided by the religious affairs office to the Society is usually only about pranikah discussions and other discussions such as early marriage, narcotics and others. Because the target that we want is for the Society to understand good marriage. The factor of the lack of socialization or counselling related to *iḥdad* itself, apart from an explanation from the perspective of Islamic law, *iḥdad* in Indonesia is not regulated much by the government)

Some reasons related to mis-integration in Pamekasan Regency are the lack of socialization given by the government such as the religious affairs office to the Society regarding Islamic laws such as *iḥdad*. Where according to their words the socialization given is more on the discussion of pranikah, besides pranikah there are still themes raised, namely about early marriage, and narcotics. In addition, the lack of regulations on *iḥdad* is also an influence on *iḥdad* being less understood by the Society.

⁹⁰ Mr. Brawi, Staff In Religious Affairs Office In Pamekasan, Interview (23 February 2024)

Mr. Darut also gave his opinion on the lack of socialization given by the religious affairs office to the Society regarding *iḥḍad* , as follows:

*"meskipun iḥḍad diatur dalam Kompilasi Hukum Islam (KHI), tapi iḥḍad dalam Kompilasi Hukum Islam itu peraturannya kurang jelas dan tidak ada sanksi apapun, jadi pelaksanaannya mungkin tidak sebaik hukum yang lain. jika melihat disekitar kita, masyarakat yang melaksanakan iḥḍad memang banyak yang masih mengikuti kebiasaan. Karna saat ini satau saya, mereka memang tidak terlalu paham tentang hukum iḥḍad , namun dengan adanya kebiasaan ini membantu pelaksanaan iḥḍad terealisasi meskipun tidak 100 %."*⁹¹

(Although *iḥḍad* is regulated in the Compilation of Islamic Law (KHI), but *iḥḍad* in the Compilation of Islamic Law is unclear rules and there are no sanctions whatsoever, so its implementation may not be as good as other laws. if you look around us, many people who implement *iḥḍad* are still following habits. At the moment, they don't really understand the law of *iḥḍad* , but the existence of this habit helps the implementation of *iḥḍad* to be realized, although not 100%)

This statement is supported by Mr. Hasan's opinion, namely:

*"kebiasaan masyarakat sangat membantu akan implementasi suatu hukum yang secara hukum islam telah diatur sangat jelas, hal ini dikarenakan umumnya sebuah kebiasaan masyarakat mengandung kemanfaatan yang secara tidak langsung terdapat hukum islam di dalamnya. Dan benar kata kamu kalo masyarakat biasanya lebih menerima pada kebiasaan yang didalamnya mengandung fiqh dan hukum islam dari pada pada Kompilasi Hukum Islam yang kurang mengikat."*⁹²

(Society habits are very helpful for the implementation of a law that is clearly regulated by Islamic law, this is because generally a Society habit contains benefits that indirectly contain Islamic law in it. And you are right in saying that people are usually more accepting of habits that contain fiqh and Islamic law than the Compilation of Islamic Law, which is less *Ibnding*)

⁹¹ Mr. Darut, Staff In Religious Affairs Office In Pakong, Interview (12 December 2023)

⁹² Mr. Hasan, Staff in Religious Affairs Office In Pakong, Interview (12 December 2023)

It can be concluded that the lack of *iḥdad* regulations and detailed explanations related to *iḥdad* in positive law in Indonesia is one of the ineffective implementation of *iḥdad* in the Society. However, the existence of a Society habit of not leaving the house is a very helpful thing for the implementation of *iḥdad* in the Society. And the habit of a habit in the Society reflects the Islamic law in it. And the Society tends to be open to a law that contains elements of fiqh in it rather than formal law which is also sourced from Islamic law such as the Compilation of Islamic Law (KHI).

From the data exposure above, it is easy to understand that the emergence of Society mis-interpretations related to a law, especially on the law of *iḥdad*, is the lack of socialization given to the Society.

However, today there are not a few people who are beginning to realize their obligation to a law as evidenced by the existence of several questions, which the Society asks the staff of religious affairs office, either during premarital guidance or on certain other occasions. As in the statement of Mr. Abdul Wafi as the head of the religious affairs office in Pademawu, as follows:

*"Kantor urusan agama di sini tidak pernah menutup kesempatan bagi masyarakat jika ingin menanyakan sesuatu. Kami menerima segala pertanyaan masyarakat baik yang berhubungan dengan pernikahan atau tidak. Kemudian untuk saat ini masyarakat juga sudah mulai proaktif terhadap syariat, baik yang berhubungan dengan individu ataupun kelompok"*⁹³

⁹³ Mr. Abdul Wafi, Head Of The Religious Affairs Office In Pademawu, *Interview* (13 March 2024)

(The religious affairs office here has never closed the opportunity for people to ask questions. We accept all questions from the Society, whether they are related to marriage or not. Nowadays, the Society has also started to be proactive about Sharia, whether it is related to individuals or groups.)

Departing from the recognition of several parties related to the lack of socialization of *iḥdad* due to several reasons does not stop the religious affairs office from continuing to improve the quality of service to the Society. So that the idea to continue to increase public understanding of legal rules that are not too familiar to the public, either through socialization or counselling to the Society, gets great support.

From several opinions related to improving the quality of Society services, the informants gave similar opinions, namely by being open to providing socialization, especially *iḥdad*, to the Society if there was an opportunity. As the opinion of Mr. Mulyono as the head of the religious affairs office in Tlanakan said that:

*"Kami sangat mendukung jika memang akan diadakan peningkatan kualitas pelayanan masyarakat seperti sosialisasi lebih lanjut terkait hukum-hukum yang belum terlalu familiar di masyarakat sehingga membuat masyarakat menjadi lebih paham, baik dari sosialisasi atau penyuluhan dan penyampaian informasi dengan menjawab pertanyaan masyarakat secara langsung"*⁹⁴

(We are very support if there will be an improvement in the quality of Society services such as further socialization related to laws that are not too familiar in the Society so as to make people understand better, both from socialization or counselling and information submission by answering public questions directly)

⁹⁴ Mr. Mulyono, Head Of The Religious Affairs Office In Tlanakan, Interview (14 March 2024)

From some of the opinions above, we can understand that the relation between mis-integration and mis-interpretation is cause and effect. The cause and effect can be seen from the opinion above that the mis-integration of the government will lead to mis-interpretation from the Society regarding the law, such as the law of *iḥdad* which is still a foreign term for the Society