

CHAPTER I

INTRODUCTION

A. Research Context

Along with the development of the technology, there is a desacralization related to *Iḥdad* for women whose husbands die. This began because the death rate is different every year, especially after the emergence of various health cases such as covid-19 in Indonesia, the death rate is increasing. Death can happen to anyone, both men and women. The result of the death of a man is the cause for the wife to do *'iddah* and *Iḥdad* which are considered mandatory for women whose husbands die in fiqh, which is also mentioned as mandatory in the Compilation of Islamic Law (KHI). Then because of that there is also a miss interpretation of the compilation of Islamic law in Indonesia as a result of the existing miss integration. As we know that fiqh is the legal source of the compilation of Islamic law in Indonesia. where all the rules in KHI are taken from Islamic fiqh which is adapted to the cultural context and conditions of Indonesian society. This is considered because fiqh is a rule that comes directly from the Koran and hadiths that have become the guidelines for Muslims, while the KHI is only a rule that serves as a guide for judges in the Religious Court.¹ From observations that the author has made before, it shows that many people are

¹ Barmawi Mukri, "Kedudukan Dan Peranan Kompilasi Hukum Islam Dalam Siistem Hukum Nasional", *Jurnal Hukum*, 08, no.17, (Juni 2001), 27

still not familiar with the term of *Iḥdad* . They only know ‘*iddah* from the words of parents who only prohibit leaving the house after their husbands die without knowing that this is a law that applies for women who have recently lost their husbands. This has become a hereditary belief for families who lack of education, as one of the residents in the Pakong area said:

“Engkok taonah ghun deri reng towah tak olle kelowaran. Oreng lambek tadek se kelowarrah roma semarenah lakenah mate. Pole mun ngkok ka lowar oreng se entar deennak sapah se nemmunah”

(I only know from my parents that it is not allowed, and the previous people also didn't leave the house after their husbands died. And again if I go out who will receive guests when people come here)”²

From that opinion we can understand that some people still don't understand about ‘*iddah* and *iḥdad* , they just follow the ancestors who have been doing it for a long time. This is interesting according to the author because the implementation is still related to other traditions that exist in Madura and still hits until now. We call this tradition as "*Lalabet*". The term "*Lalabet*" is used as a tradition of mourning for approximately 7 days after someone dies. From these two traditions, it becomes a fact that people who don't understand the meaning of *iḥdad* and also about ‘*iddah* have actually implemented the provisions of the law, they just don't understand that what they are doing is an implementation of a law. Next, from some of news that the author makes as one of the existing social facts related to the implementation of *Iḥdad* , which must refrain from excessive dressing, it has not been fully implemented, is news that mentions one of the famous

² Mrs. Umyati, farmer, *interview* (02 November 2023)

singers in Indonesia who performed a concert after her husband died before it was even 4 months and 10 days.³ So this is one of the interesting studies that the author finds interesting to write about so that people's perceptions and interpretations of *Ihdad* and *'iddah* are better.

Next, there is a lack of integrity between the government and the Society, for example the relationship between the KUA and the Society. This lack of integrity can be seen from the lack of counselling given to the Society by the KUA regarding *Ihdad*. In this case, it should be underlined that what is meant by the lack of integration of the KUA with the community is not the main task of the KUA to provide socialization to the community regarding the issue of *'iddah* and *ihdad*.

However, rather than other institutions that have a relationship with marriage issues in Indonesia such as the Court, the author considers the KUA Institution to be a more efficient institution for conveying information related to these issues. Because based on the Decree of the Minister of Religion (KMA) Number 516 of 2003 concerning Technical Guidelines for the Implementation of Functional Counselor Positions that the task of religious instructors is to conduct and develop *biIbnga* activities or religious and development counseling through religious language to the community. it is considered that the KUA is the initial institution for couples who want

³ Telni Rusmitantri, BCL manggung perdana usai Ashraf Sinclair meninggal, begini potret penampilannya, liputan6, diakses di <https://www.liputan6.com/showbiz/read/4190413/> pada tanggal 07 November 2023 pukul 09.20

to apply for marriage. So that the delivery of information related of marriage, especially *ihdad* and *'iddah*, is easier and faster.

Aris previously mentioned that integration is a method used to coordinate various functions, tasks that exist in a job.⁴ So this definition is very relevant to the mis-integration that researchers mean. In accordance with the national integration initiated by Hardstone who said that national integration refers to “*the process of bringing together culturally and social discrete groups into a single territorial unit and the establishment of a national identity*”.⁵ Then there is a different understanding in the Society regarding the interpretation of *Ihdad* itself. The difference in understanding that exists in the Society is one of the determining factors related to the level of Society understanding of *Ihdad* caused by differences in the level of education taken.⁶ So that those with higher levels of education are easier and more open to the interpretation of *Ihdad* , while those with low levels of education become one of the reasons for the weak interpretation of *Ihdad* . However, from the reality seen by the author, there are still many academics who are still not familiar with the term *Ihdad* and the provisions in it that have been regulated in Islam. Because according to its history in pre-Islamic *'iddah* has been done by the Society. Then after Islam came the

⁴Aris, integrasi: pengertian, jenis, dan factor terbentuknya, <https://www.gramedia.com/literasi/integrasi/> pada tanggal 27 mei 2024 pukul 23.05 WIB

⁵ S.T. Sulistiyono, “Nasionalisme, Negara-Bangsa, Dan Integritas Nasional Indonesia: Masih Perlukah?”, *Jurnal Sejarah Citra Lekha*, Vol 3, No. 1 (2018), 6 <https://doi.org/10.14710/jscl.v3i1.17912>

⁶ Khairiyatin, “*Ihdad* Perspektif Hadis dan Eksistensinya di Era Society 4.0”, *El-Nubuwwah*,01, no.01 (2023), 91-108. <https://doi.org/10.19105/elnuwwah.v1i1.8400>

Prophet perfected the *'iddah* law and its provisions for Muslim women. Therefore, the desacralization of *Ihdad* in women's *'iddah* is more or less caused by these three things.

Studies related to *Ihdad* are only limited to the concept, implementation and reconstruction of regulations that discuss *Ihdad* in Indonesia. For example in research conducted by "Ahmad Khoiri and Asyharul Muala"⁷ which discusses the concept of *'iddah* and *Ihdad* in Islam, then Khairiyatin's previous research about "the Implementation Of *Ihdad* In Pakong District Pamekasan Regency"⁸ in her research shows that the implementation of *Ihdad* in the Pakong area has not been fully implemented. Only some people carry out *Ihdad* when they are undergoing *'iddah* due to death divorce. Then even though *Ihdad* and *'iddah* have been regulated by the government in accordance with the laws that have been issued both in law number 1 of 1974 concerning marriage which is also strengthened by the Compilation of Islamic Law (KHI) listed in article 170 paragraph (1) regarding the obligation of *Ihdad* (mourning period) is still considered unclear regarding the description of *Ihdad* , so that research conducted by Nuzulia entitled *Rekonstruksi Hukum 'iddah Dan Ihdad Dalam Kompilasi Hukum Ihdad (KHI)*.⁹ This thesis criticizes Article 170

⁷ Ahmad Khoiri, Asyharul Muala, "*Iddah dan Ihdad bagi wanita karier perspektif hukum islam*", *Journal of Islamic Law*, 01,no.02, (2020), 256.

⁸ Khairiyatin, "Implementation Of *Ihdad* For Women Who Died Husband In Pakong District Pamekasan Regency", (skripsi, universitas Islam Negeri Maulana Malik Ibrahim, Malang, 2021). <http://etheses.uin-malang.ac.id/id/eprint/35296>

⁹ Nuzulia Febri Hidayati, "Rekonstruksi Hukum *Iddah* Dan *Ihdad* Dalam Kompilasi Hukum *Ihdad* (KHI)", *Mazhabibuna*, 01,no.01 (Juni 2019), <https://doi.org/10.24252/mh.v1i1.9663>

paragraph 1 to be slightly clarified so that people can know *Iḥdad* and its legal provisions in Islam more deeply and more clearly.

This thesis wants to complement previous studies that discuss *Iḥdad*. At least the author wants to explain three things, first, related to the relationship between Fiqh and the Compilation of Islamic Law (KHI). Second, the author will discuss the miss integrity that still exists between the government and the Society. Third, the author wants to convey the factors that become a miss interpretation of the Society towards KHI, especially related to *Iḥdad*.

Furthermore, related to the miss of integration, as long as the author participates in activities at the Religious Affairs Office (KUA), the author sees that there is still very little counselling related to *Iḥdad* for couples who will carry out marriage or for those who are undergoing the *'iddah* period. So that there are still many people who do not carry out worship even though in Islam and also KHI it is clear that the law of *Iḥdad* is mandatory. Then the problem of interpretation by Society about *Iḥdad*, based on the author's research result, when writing the thesis, shows that the understanding of the Society, especially for women whose husbands die, is caused by some factors such as educational and environmental factors.

From this temporary hypo thesis, there needs to be an in-depth research related to the desacralization of *Iḥdad* in women's *'iddah* perspective of *Maqashid Sharia* al Tahir Ibn 'Āsyūr, which is focused in Pamekasan Regency area.

B. Research Focuses

From the description of the research context mentioned above, the author provides several research focuses that can facilitate the preparation of this paper. The research focus is as follows:

1. How is the reality about *Iḥdad* in Pamekasan Regency?
2. How is the desacralization of *Iḥdad* in women's *'iddah* in Pamekasan Regency perspective of *At-Ṭāhir Ibn 'Āsyūr*?

C. Research Objectives

Based on the research focus that has been mentioned, the researcher has the following objectives for conducting research:

1. To discover how the reality about *iḥdad* in Pamekasan.
2. To analyze the desacralization of *Iḥdad* in women's *'iddah* in Pamekasan Regency perspective of *At-Ṭāhir Ibn 'Āsyūr*.

D. Significancy of Study

The results of this study are expected to provide a benefit, which researchers divide into two benefits, namely theoretically and practically, as follows:

1. Theoretical Benefits

This research is expected to contribute to the scientific repertoire that is useful for the development of positive law and Islamic law, especially in matters relating to *Iḥdad* for women whose husbands die during the *'iddah* period.

2. Practical Benefits

In addition to theoretical benefits, researchers hope that research will also provide benefits for several groups, including:

a. For Pamekasan Society

For the people and communities of Pamekasan regency, it is hoped that it can provide new lessons and further understanding of how the implementation of *Ihdad* for women who undergo *'iddah* period, so that the Pamekasan community understands and understands well the discussion and explanation of *Ihdad* which so far has not received good attention, both the discussion of *ihdad* from the source of Islamic law or the source of positive law in Indonesia such as the compilation of Islamic law.

b. For the Next Researcher

This research is expected to be used as comparison material and as reference material for other researchers and as additional information for researchers who want to discuss the issue of *ihdad* further.

E. Definitions of Key Terms

In this research, there are several terms that the author needs to explain in an effort to facilitate the reader so that the perceptions of the terms in this research are the same. These terms is:

1. Desacralization

Desacralization is a process or effort to remove the sacred meaning of an entity such as religious symbols, religious values and so on.

2. *Iḥdad*

Iḥdad are Things that are prohibited or things that should be avoided by women who are undergoing the *'iddah* period, especially for those who are undergoing the *'iddah* period because their husbands died, the *'iddah* period that applies to these women or wives is for 4 months and 10 days or in positive law is for 130 days. prohibited things such as leaving the house without an interest, excessive adornment without a reason.

3. *Maqashid al-Sharia*

Maqashid al-Sharia is a goal to be achieved in the teachings of sharia so that the benefit is realized.

4. *At-Ṭāhir ibn 'Āsyūr*

At-Ṭāhir Ibn 'Āsyūr is one of the great Tunisian scholars who initiated *maqashid Sharia* after Ash-Syatibi.

F. Previous Research

Previous research researchers consider very important in the preparation of a study, because to see the similarities and differences between the research being studied with research written by other researchers. From the literature search conducted in several studies that have similar themes and discussions. In addition to the previously mentioned objectives, previous research is also used to maintain the originality of this research. This is done to show differences or similarities and describe how this research is structured. The previous research is also used to maintain the originality of this research.

In this thesis, the author divides previous research into two parts. First, research in the form of theses conducted by previous researchers. Second, scientific research in the form of journals conducted previously.

1. St Maryam, “*Praktik ‘iddah Dan Ihdad Serta Implikasinya Terhadap Pemenuhan Hak-Hak Perempuan Perspektif Maslahat Al-Thufi (Studi Kasus Di Desa Soki Kecamatan Belo Kabupaten Bima)*”.¹⁰

The results of research by Maryam indicate that the practice of *‘iddah* and *Ihdad* in the object of research is not implemented effectively. Due to several factors, namely related to the level of public understanding of *Ihdad* or *‘iddah*, low education, promiscuity and the absence of religious leaders who provide this understanding to the local Society.

The method used in the research written by St. Maryam is a qualitative type of research especially with phenomenological approach. The similarity that the author finds in this research is the similarity to the discussion raised, namely the discussion related to *Ihdad* and *‘iddah*. While the difference is in the perspective used as an analytical tool, namely in this thesis using the perspective of *maslahah al-Thufi* while the research to be written by the author will listen to Ibn ‘*Āsyūr*'s perspective as an analytical material in answering the problems raised in the author's research.

¹⁰ St Maryam, “*Praktik Iddah Dan Ihdad Serta Implikasinya Terhadap Pemenuhan Hak-Hak Perempuan Perspektif Maslahat Al-Thufi (Studi Kasus Di Desa Soki Kecamatan Belo Kabupaten Bima)*”, (Tesis, UIN Maulana malik Ibrahim, Malang,2023). <http://etheses.uin-malang.ac.id/id/eprint/55208>

2. Nuzulia Febri Hidayati, “*Tinjauan Gender terhadap Konstruksi ‘iddah dan Ihdah dalam Kompilasi Hukum Islam (KHI)*”.¹¹

The next thesis that is relevant to the theme that will be written by the author is Febri Hidayati's thesis where the relevance is the discussion related to *‘iddah*. Meanwhile, it has a difference in the perspective used, namely using a gender perspective.

There are several conclusions from research by Nuzulia, including the formulation of articles 153 to 155 in the Compilation of Islamic Law(KHI) related to the waiting period discriminates against women, namely in the article the *‘iddah* provisions are only *Ibnding* on the wife. Then related to the issue of *Ihdad* in the construction of article 170 in the Compilation of Islamic Law (KHI) seems to be a stereotype against women where women are considered a source of problems because of the context that can cause slander. Nuzulia views that the *Ihdad* provision in the compilation of Islamic law is a limitation given to women, especially for those who work in the career world.

This thesis is a Literature Research in which in this thesis, Nuzulia criticizes the concept of *Ihdad* in Compilation of Islamic Law using a gender perspective. In this thesis, Nuzulia Febri Hidayati views that the construction of *‘iddah* and *Ihdad* discriminates against women.

¹¹ Nuzulia Febri Hidayati, “*Tinjauan Gender Terhadap Konstruksi Iddah Dan Ihdah Dalam Kompilasi Hukum Islam (KHI)*”, (*Tesis, Universitas Islam Sunan Kalijaga, Yogyakarta, 2018*).
<http://digilib.uin-suka.ac.id/id/eprint/32022>

3. Hamzanwadi, “*Konsep ‘iddah Laki-Laki Perspektif Mubadalah Faqihuddin Abdul Kodir*”.¹²

The results of the first hamzanwadi research, related to some of the things that motivate the obligation of *‘iddah* for women. the second is related to the concept of *‘iddah* for men using *Jeremy Bentham's utility theory* method and fiqh rules in the form of *sukut al-syari* which are re-analyzed from a permissible perspective by looking at the justice and utilization of the resulting law.

This thesis is a Literature Research in the body of this thesis criticizes that *‘iddah* is not only applied to women but men who are also left dead by their wives need to worship using Abdul Kodir's mubadalah perspective. Hamzanwadi argues that the determination of the *‘iddah* period that men need to undergo is the same as the *‘iddah* period for women. The similarity between Hamzanwadi's thesis and the research that will be written by the author is the type of research used, namely using the research type of library research and a conceptual approach. While the difference is related to the theme raised by the previous researcher, which is related to *‘iddah* for men while the research written by the current researcher is related to women's *‘iddah* which also uses a different perspective.

¹² Hamzanwadi, “Konsep *Iddah* Laki-Laki Perspektif Mubadalah Faqihuddin Abdul Kodir”, (Tesis, Universitas Islam Negeri Maulana Malik Ibrahim, Malang, 2021). <http://etheses.uin-malang.ac.id/25807/>

4. Wahibatul Maghfuroh, “Praktek ‘iddah Karena Cerai Mati Perspektif Masalah Al-Thufi (Studi Kasus Kecamatan Pakuniran Kabupaten Probolinggo)”.¹³

The relevance between Wahibatul Maghfuroh's thesis and the thesis that will be written by the author is related to ‘iddah in Islam, which is also equally related to it.

This thesis used an Empirical Research using a descriptive qualitative approach by means of interviews as the primary source. The difference between Wahibatul Maghfuroh's thesis focuses on discussions related to ‘iddah practices that are not carried out by women using the perspective of Masalah al-Thufi. Meanwhile, the thesis that will be written by the author focuses on the desacralization of *Iḥḍad* in women's ‘iddah using the perspective of *Maqashid Sharia* Ibn ‘Āsyūr.

The results of the research written by wahibatul show that there are still many women who don't due to ‘iddah in the research location, which is motivated by economic factors and the understanding of ordinary people.

5. Efan Chairul Abdi dan Ganjar Yusup Sofyan, *Komparasi Analisis Hukum ‘iddah Dan Ihdah Perspektif CEDAW Dan Perspektif Maqāshid Asy-Syarī‘ah Kontemporer Jasser Auda*.¹⁴

¹³ Wahibatul Maghfuroh, “Praktek *Iddah* Karena Cerai Mati Perspektif Masalah Al-Thufi (Studi Kasus Kecamatan Pakuniran Kabupaten Probolinggo)”, (Tesis, Universitas Islam Negeri Maulana Malik Ibrahim, Malang, 2018). <http://etheses.uin-malang.ac.id/id/eprint/12644>

¹⁴ Efan Chairul Abdi, Ganjar Yusup Sofyan, ”Komparasi Analisis Hukum *Iddah* Dan *Ihdah* Perspektif CEDAW Dan Perspektif *Maqashid Syariah* Kontemporer Jasser Auda”, *As-Syifa*,02, no. 02(Juli 2023). <https://doi.org/10.35132/assyifa.v2i2.533>

The results of this research indicate the view of the concept of *'iddah* and *'iddah* from two perspectives, namely from the perspective of *Maqashid Sharia* Jasser Auda which shows that the existence of *'iddah* can still provide *maslahah* so it must be implemented. Meanwhile, from the CEDAW perspective, the concept of *'iddah* and *'iddah* means protection for women's rights.

The similarity between this thesis and the thesis that will be written by the author is the same discussion related to *ihday* and *'iddah*. While the difference is the perspective used, namely in this research using the perspective and while the research to be written by the author is using the angle of *sharia ibn 'Āsyūr* as material for analysis.

6. Research by Hud Leo Perkasa Maki, Nawa Angkasa, Amrina Rosyada, Ibn Akbar Maliki, Lisna Mualifah.¹⁵

The results of research conducted by food and friends are in the perspective of *mubah* is implicit in the text in article 170 of the compilation of Islamic law has equalized between men and women, only the *mubadalah* strategy in *Iḥdad* must be considered in the tradition of society.

This research is a literature research which is one of the similarities between this research and the research that will be conducted by researchers and has the same language theme related to *Iḥdad* . While

¹⁵ Hud Leo perkasa maki, nawa angkasa, amrina Rosyada, Ibnu Akbar Maliki, Lisna mualifah, relevansi ketentuan kompilasi hukum Islam tentang masa bergabung perspektif *mubadalah*”, *Istinbath*, 18, no.2 (20). <https://doi.org/10.32332/istinbath.v18i2.4019>

related to the difference between the two scientific studies is using different perspectives as material for analysis.

7. Research by Yudi Ariyanto, Muhammad Za'im Muhibullah, Rinwanto, "*Ihdad Suami Perspektif Masalah Mursalah*".¹⁶

This research is a literature research in which this research supports the concept of ihdah for husbands whose wives die and its implementation because it sees the benefits that do not harm any party even though in the fiqh literature there is no mention of ihdah for husbands but not husbands have been raised and referred to in the compilation of Islamic law and also the marriage law.

The relevance related to these two studies is the same type of research, namely library research. While the difference between the two is the different objects of research. This research focuses on the concept of ikat for husbands whose wives die while the research that will be written by the author focuses on ih and wives whose husbands die using Ibn 'Āsyūr's perspective.

8. Taufiqurrahman, Rizki Pangestu, *Dialektika Perundangan Dan Maqāshid Asy-Syarī'ah Pada Narasi 'iddah Dan Ihdad Bagi Wanita Karier*.¹⁷

¹⁶ Yudi Ariyanto, Muhammad Za'im muhibullah, Rinwanto, "*Ihdad suami perspektif masalah mursalah*", *The Indonesian Journal Of Islamic Law And Civil Law*, 03, no. 1(April 2022). <https://doi.org/10.51675/jaksya.v3i1.196>

¹⁷ Taufiqurrahman, Rizki Pangestu, "Dialektika Perundangan Dan *Maqashid Syariah* Pada Narasi *Iddah Dan Ihdad Bagi Wanita Karier*", *ICCoLaSS*, 2,no. 01, (2023). <http://103.35.140.33/index.php/ICCoLaSS/article/view/333>

This journal tries to elaborate on *'iddah* and *ikhtiar* that exist in the concept of *fiqh* can still be applied in the modern era without reducing social rights and individuals. Taufiqurrahman provides an explanation of the results of research which shows that refraining from the *'iddah* period for career women is different where he argues that *'iddah* for career women is still implemented while *Ihdad* which is considered only as an intermediary that can lead to marriage is not enforced considering the career and work of career women is a necessity.

The similarity between these two studies is that they both discuss *Ihdad* and *'iddah*. While the significant difference between these two studies is the use of the perspective used in this research is the *Sharia* perspective approach, while the research that will be written by researchers is more in-depth, namely using Ibn *'Āsyūr's maqashid Sharia* approach.

9. Research by Zulfikri and Fauziyah Lubis¹⁸ about a mourning periode in Compilation of Islamic Law.

This article discusses what is in KHI which is reviewed from the perspective of Sheikh Arsyad al-Banjari which Zulfikri suggests that the thoughts of Sheikh al-Banjari can add to the treasure of scientific insight in marriage. Zulfikri views that Sheikh al-Banjari's perspective provides

¹⁸ Zulfikri, Fauziyah Lubis, "Analysis Of The Mourning Period (Ihdah) In Compilation Of Islamic Law Based On Sheikh Arsyad Al-Banjari's View", Mizani,01, no.10 (2023). <http://dx.doi.org/10.29300/mzn.v10i1.10065>

more or less additional explanation regarding *Iḥdad* contained in the KHI which is mentioned in general.

The relevance between the research that will be written by researchers and Zulfikri's research have a same discussion related in the compilation of Islamic law. The difference is the perspective used, namely in this research using a different perspective from the research that will be used by researchers. Where this research uses of Sheikh Arsyad Al Banjari's perspective.

In order to facilitate the reader, the previous research above will be arranged in the form of a table as follows:

Table 1.1

Description of orisination author's research with previous research

No	Author and Title	Similarities	Differences
1.	St Maryam, "Praktik <i>'iddah</i> Dan <i>Iḥdad</i> Serta Implikasinya Terhadap Pemenuhan Hak-Hak Perempuan Perspektif Maslahat Al-Thufi (Studi Kasus Di Desa Soki Kecamatan Belo Kabupaten Bima)"	<ul style="list-style-type: none"> • Thema about <i>Iḥdad</i> • Type of research 	<ul style="list-style-type: none"> • Maryam's used the perspective of Maslahat al-Thufi • Author used the perspective of Maqashid Ibn 'Āsyūr • Difference of location research

2.	Nuzulia Febri Hidayati, "Tinjauan Gender Terhadap Konstruksi <i>'iddah</i> Dan Indah Dalam Kompilasi Hukum Islam (KHI)"	<ul style="list-style-type: none"> • Thema of (<i>Iḥdad</i>) in compilation of Islamic law KHI • Library Research 	<ul style="list-style-type: none"> • Nuzulia used the Perspective of gender • Author used the perspective of Maqashid Ibn <i>'Āsyūr</i>
3.	Hamzanwadi, "Konsep <i>'iddah</i> Laki-Laki Perspektif Mubadalah Faqihuddin Abdul Kodir"	<ul style="list-style-type: none"> • Library Research 	<ul style="list-style-type: none"> • Hamzanwadi discuss about concept of male <i>'iddah</i> • Author discuss about female <i>'iddah</i> • Hamzanwadi used Perspective of Mubadalah abdul Kodir • Author used the perspective of Maqashid Ibn <i>'Āsyūr</i>
4.	Wahibatul Maghfuroh, "Praktek <i>'iddah</i> Karena Cerai Mati Perspektif Maslahah Al-Thufi (Studi Kasus Kecamatan Pakuniran Kabupaten Probolinggo)"	<ul style="list-style-type: none"> • Field Research • <i>'iddah</i> of death divorce 	<ul style="list-style-type: none"> • Focus on implementation of <i>'iddah</i> • Wahibatul used Perspective of maslahah al-Thufi
5.	Efan Chairul Abdi, Ganjar Yusup Sofyan, "Komparasi Analisis Hukum	<ul style="list-style-type: none"> • Thema about <i>Iḥdad</i> • Library Research 	<ul style="list-style-type: none"> • Efan used Perspective of CEDAW and <i>Maqāṣid</i> Asy-

	<p><i>'iddah</i> Dan Ihdah Perspektif CEDAW Dan Perspektif <i>Maqāšid</i> Asy-Syarī'ah Kontemporer Jasser Auda”</p>		<p><i>Syarī'ah</i> Jasser Auda</p> <ul style="list-style-type: none"> • Author used the perspective of Maqashid Ibn 'Āsyūr
6.	<p>Hud Leo perkasa maki, nawa angkasa, amrina Rosyada, <i>Ibn</i> Akbar Maliki, Lisna mualifah, relevansi ketentuan Kompilasi Hukum Islam tentang masa berkabung perspektif mubadalah”</p>	<ul style="list-style-type: none"> • Thema of mourning periode (<i>Iḥdad</i>) in compilation of Islamic law KHI • Conceptual Approach 	<ul style="list-style-type: none"> • Hud Leo used Perspective of Mubadalah
7.	<p>Yudi Ariyanto, Muhammad Za'im muhibullah, Rinwanto, “<i>Iḥdad</i> suami perspektif masalah mursalah”</p>	<ul style="list-style-type: none"> • Thema of <i>Iḥdad</i> • Library Research 	<ul style="list-style-type: none"> • Focus on man's <i>Iḥdad</i> • Yudi used Perspective of Masalah Mursalah • Author used the perspective of Maqashid Ibn 'Āsyūr
8.	<p>Taufiqurrahman, Rizki Pangestu, “Dialektika Perundangan Dan <i>Maqāšid</i> Asy-Syarī'ah Pada Narasi <i>'iddah</i> Dan <i>Iḥdad</i> Bagi Wanita Karier”</p>	<ul style="list-style-type: none"> • Thema of <i>Iḥdad</i> • Library Research 	<ul style="list-style-type: none"> • <i>Maqāšid</i> Asy-Syarī'ah in general • Taufiqurrahman focus on carrier woman and author not focus on it.

9.	Zulfikri, Fauziyah Lubis, "Analysis Of The Mourning Period (Ihdah) In Compilation Of Islamic Law Based On Sheikh Arsyad Al-Banjari's View",	<ul style="list-style-type: none"> • Thema of mourning periode (<i>Iḥdad</i>) in compilation of Islamic law KHI • Library Research 	<ul style="list-style-type: none"> • Based On Sheikh Arsyad Al-Banjari's View • Author used the perspective of Maqashid Ibn 'Āsyūr
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