

# PalArch's Journal of Archaeology of Egypt / Egyptology

## MAQASID (GOALS) OF PROPHET'S SUNNAH IN BETWEEN OF NORMATIVE THEORY AND OBJECTIVITY PRACTICE: A CASE STUDY

<sup>1</sup> Supangat, <sup>2</sup> Syukri Fathudin Achmad Widodo, <sup>3</sup> Lina Aris Ficayuma, <sup>4</sup> Mukh Nursikin, <sup>5</sup> Liana Fuadah, <sup>6</sup> Muhammad Aji Nugroho, <sup>7</sup> Abdul Mufid

<sup>1</sup> UIN Walisongo Semarang, Indonesia

<sup>2</sup> Universitas Negeri Yogyakarta, Indonesia

<sup>3</sup> STKIP Al Hikmah Surabaya, Indonesia

<sup>4</sup> IAIN Salatiga, Indonesia

<sup>5</sup> STIES Putera Bangsa Tegal, Indonesia

<sup>6</sup> IAIN Salatiga, Indonesia

<sup>7</sup> Sekolah Tinggi Agama Islam Khozinatul Ulum Blora, Indonesia

Email: <sup>7</sup> mufid.prof@gmail.com

**Supangat, Syukri Fathudin Achmad Widodo, Lina Aris Ficayuma, Mukh Nursikin, Liana Fuadah, Muhammad Aji Nugroho, Abdul Mufid: MAQASID (GOALS) OF PROPHET'S SUNNAH IN BETWEEN OF NORMATIVE THEORY AND OBJECTIVITY PRACTICE: A CASE STUDY -- Palarch's Journal Of Archaeology Of Egypt/Egyptology 17(6). ISSN 1567-214x**

**Keywords: Contextualization, Maqasid Sunnah, Preservation of Maqasid**

### ABSTRACT

This study aims to explore the maqasid (goals and purposes) of the Prophet's Sunnah which are harmonized with some of the phenomena has occurred in Indonesia. The researcher focuses on Maaqasid Sunnah due to the fact the Koran slogan which is always applicable all the time and scope, it can also be extended to the hadith because of the hadith itself, which in reality, it is an expression of the Koranic teachings which means it comes directly from the revelation of God-Allah. Therefore, the slogan should not only be understood on the subject of rhetorical restriction, but it should be applied in religious life, national life, and state of existence frequently, because of the consideration of the long period and the distance between

the hadith. Added with the reader space was naturally created, starting from the emergence of Hadith until now. Then, the issues of the dark stories and dark background in the past was familiar by society such as the hadith forgery case, which is, indirectly, it was added to the complexity and depth of the void. According to those problems, lead the researchers to conduct this study in order to obtain the true line. Furthermore, as a method of problem-solving to reduce the gaps is also becomes a focused of the researcher as the attempts are really necessary to obtain the true fact. Maintaining the hadith principles and hadith's key objectives is the solution that can be followed through two essential attempts; 1) the first is contextualization, and 2) revitalization of the hadith message. Those ways are done in order to expose the fundamental message of the hadith to respond to the void as well as bridge time and space, and the second one is to apply it to the principle of *ulumul hadith*. Another that, the scope of this analysis is not only focused on studying the reconstruction of hadith interpretations but also provides details on how to create meaning and apply the principle of contextualization of the hadith's message. Moreover, this study of how to explain the contextualization of the hadith with the context of contemporary Indonesia by reinterpreting and reproducing the meanings of two phenomena; 1) the convergence of the Hijri calendar in Indonesia, and 2) the interpretation of the bridegroom's *sighat ta'liq* are also became the focus on this study.

## 1. Introduction

The Prophet's Sunnah is a comprehensive guide to Muslim communities' life. Because of back to the Muslim movements, Prophet's Sunnah contents reflect of the Koran that has been fully clarified and expressed in Islam. The Prophet Muhammad, may the prayers and peace of God be upon him, is the one who appears on the Koran and is representative of Islam in all that he has said and said and what he has gone in the event of isolation and urbanization and the case of travel, alertness, sleep, personal life, and public relations, whether the relationship is with God or with people, with relatives or the farthest (al-Qaradawi, 1992: 27). However, unfortunately, the study of hadith in Indonesia is very late in terms of development and data, as proof that there is a very small and specific quantity of hadith literature in Indonesia. the researcher said it is a delay when it is compared with other Islamic studies such as the study and interpretation of the Koran (Tafsir).

Our Islamic society generally and the Indonesian society particularly have not been well-understood about the Prophet's Sunnah, which is a consideration of what is based on the hadith for a specific reason or is linked to the specific reason stated in the hadith, or inferred from the hadith, or an interpretation of the reality in which the hadith is being carried out. In other words, reading the hadiths in the light of their sources, conditions, and purposes, it was leading to the presence of extremist views in the formulation of Islamic teachings by some groups, which led to the emergence of violent and intolerant behavior was born.

Religious philosophy as a basis for the terrorism pace is a natural thing since the structure of reason and process in the interpretation of the text are used is based on "in the text" or "literal meaning" and not "about the text" or "beyond the text" or "contextual meaning". Therefore, mercy to the worlds as the primary aim of Islam is stuck within the limits of the past, and may not be practical in the present until it states that the idea of terrorism is a natural thing.

It is this aspect that this modest research tries to address, taking Indonesia as a starting point and an approach, given its characteristics as the world's most populous Muslim country, which we hope will take the prophetic Sunnah as a detailed approach from the Koran. In short, in the sense of a contemporary citizen, this study tries to establish an applicable interpretation of the hadith's purposes. Contemporary context also requires anchoring and requires a new face for its citizenship.

This study is based on the inductive, analytic, and deductive method, in which the researcher developed the focus on the questions of the jurisprudence of the purposes (for the purposes of the law and the purposes of the prophets') that stated on the book firstly. Meanwhile, the main focus of this study is the application of two issues in the Indonesian context; 1) unifies the Hijri calendar and 2) the usage of maqasid approach to the Prophet's Sunnah. Then, this research analysis of this study is initiated from the science hadith methods, which are the two topics of the causes of hadith was appeared the causes of hadith was appeared and the aims of the Sunna of the Prophet.

## **2. Literature Reviews**

The researcher has agreed on certain references and previous studies that have direct or indirect references to this useful subject. There are different titles to this subject, there are:

First, Sheikh Yusuf-Qaradawi wrote on the conditions and controls to deal with the Prophet's Sunnah. This small size book is very useful. It contains much information and advantages which explained and discussed in three chapters. In the first chapter, the book explained about the confirmation checked of the Sunnah status and Muslim obligation towards it, and how to deal with it. Then, in the second chapter, he referred to describing the Prophet's hadith in the area of jurisprudence and the legislative side, and in the area of advocacy and guidance. Then he examined the requirements and milestones in obtaining a good understanding of the Prophet's Hadith in the third chapter, and among those criteria is the understanding of the Prophet's Sunnah in the sense of the reasons for its occurrence, circumstances, and purposes (al-Qaradawi 1992).

Second, university research under the topic "the intent of the Prophet's Sunnah and its effect on demonstrating to the researcher al-Neamah Yusuf Muhammad the resilience of Islamic law to grace". The researcher claims

that the idea of the Prophet's Sunnah intentions is a holistic definition encompassing all aspects of Islamic law in terms of versatility and facilitation. For example, in the chapter on purity, it's evident in the tayammum of losing money and the sick, wiping over the socks, wiping over the cast, wiping over the socks, doing tayammum to the hand, and crossing the path until they find the money. He prays sitting or lying down or nodding, and in the chapter of fasting, it is evident in the traveler's chestnut, the sick and the old pyramid who can not stand fasting, the postpartum and menstruating women, and the pregnant woman if she is afraid of her fetus, and the breastfeeding woman if she is afraid of her infant, and in the transaction section it manifests its manifestation in the selling of it. It is recommended that the study concentrates on fundamentalist and maqasid studies to demonstrate Islam's tolerance in its Islamic law and its capacity for all and that it is a simple and gentle religion, and urge researchers to conduct maqasid research and connect the purposes with other sciences (Ali Ni'mah, 2017).

Third, based on the Najat Makki University Studies. The researcher analyses that the attempts did not appear at once, as a hypothesis or as they first came linked to the texts of the revelation and appeared in the activities of the companions and the holy predecessors and the vigilant imams, as was evident in many fatwas. Added with when it was linked it into Qada's and in their connection with doctrinal sources such as calculation and interest sent and bridging excuses and desirability this was more apparent in the matter of justification and the related pages, as doctrinal problems aren't without a warning for many of the rulings and their intended interpretations (Makki, 2008).

Fourth, ruling Scientific Analysis for Abdullah bin Ibrahim Zaid Al-Kailani (al-Kailani, 2006), which deals with the study of the meaning, motives, forms, and the value of turning to them in the interpretation of texts. All of this in a short term context, when it cited examples from the Hadiths of the Hadiths four cases such as the question of Abdullah bin Abi's non-killing, the researcher solved this problem and answer this question with deep discussion very well, except that he did not show the weaknesses of the impact of attempts to understand the hadith by narrowing or extending the scope of his law, as he did not focus on other aspects of the incitement of mischief in the incidence of mischief. It is what our analysis would add on this study.

Fifth, understanding the hadith in the light of Islamic Intent: Verification, advantages, and controls, is a rigorous study conducted by Muhammad Rosemy Ben Ramli (Ramli, 2015), which try to explore the theoretical understanding of the value of Hadith's jurisprudence in the light of the intent and the purposes of Religions: A case study of applied research.

Sixth, comprehending the Prophet's Sunnah in light of Nawawi Tabrani's rules of the researcher's legitimate intentions. This research was presented

in 2018 at an international conference in Malaysia. The researcher stated that understanding the legitimate intent is not only with an accurate understanding of the sunna, and the accurate understanding of it does not come only with knowledge of the legitimate purposes, as the relationship between them is an essential relationship since the Sunna is a building and the legitimate purposes are significant (Tabrani, 2018).

Seventh, the next is research was written by Sheikh Abdul Wahab al-Jundi Samih. A book that has a great usage and bestseller, in which the author talked about the value of Islamic law's aims and its effect on understanding and concluding legal texts (Al-Jundi, 2008).

Eighth, the aims of theoretical and practical a sharia law proposed by Ahmad Al-Raisuni (Chairman of the New World Scholars Union as an Alternative to Sheik Yusuf al-Qaradawi) (al-Raisuni, 2013).

Ninth, Sheikh Muhammad Al-Ghazali's Prophetic Sunnah is explained that between the fiqh people and the hadith people (M. al-Ghazali, n.d.)

Twelfth, the project also included Muhammad Shahoudi Ismail (Syuhudi Ismail 2009) Textual and Contextual Hadith: Maani al-Hadith's Study of Universal, Temporal and Local Islamic Teachings. Fourteenth-Ali Mustafa Yaqoub, under the project The Right Way to Understand of Hadith (Ya'qub, 2016).

This study has a difference with the previous research which only focuses on the metaphysical rooting in order to consolidate the prophetic Sunnah purposes. This study is conducted to achieved and to looking for the findings of Muslim scholars who, in a contemporary context, are trying hard to revive the Sunnah's aims. In short, this study aims to ensure that the Prophet's Sunnah understanding can go and evolve in step with the succession of hurricanes, and keep pace with the rain's requirements. It was composed by such researchers as Muhammad al-Ghazali, Yusuf al-Qaradawi, Muhammad Shahrour, Fazl al-Rahman, Sheikh Abi Abdullah Muhammad ibn Saeed Raslan, Ahmed al-Raesuni, Ali Mustafa Yaqoub, and others. It will reflect a nice resource imported by the researcher from this study's materials.

### **3. Result and Discussion**

#### **1. The Important of Understanding Sunnah With Respect to the Intention**

There is found in one-line agreement among scholars who strongly confirm that Sunnah is the second source of Muslims and still integrated with the Koran. It was the rational background and also the reason why some of Muslims scholars devote extra effort for preserving, understanding, and refuting suspicions and extrapolation in order to keep pace with the developments of the times in the view of Sunna of laws contents, principles, and also the purposes which it will be contributing to the renewal of the

Sunnah. For example, it can be contributed on the most important contemporary problems such as is the methodology of interpreting the texts of the Prophet's Sunnah, which is discussed restricting literal understanding to the hadith, or simplistic understanding that overlooks truth, or excessive understanding of considering motives to the point of neglecting the foundations and rules considered in it.

Discussing the aims of hadiths and their secrets is not a new voice merely, but then it is already a worthy activity, due to the deep awareness of the aim of social, economic, and political life. In addition, it was the reflection from the hope of redemption, since understanding the purposes of the law is a noble science that invests in what has been created for it. It is also considered the beating heart to understanding the Sheikh Ibn Ashour's, the prophetic beliefs which stated that you find them as the guiding force of most of his explanations of the prophetic hadiths before he has a peremptory central to his discretionary point of view and is a disciplinary mechanism for the field of jurisprudence itself, offering explanations of the prophetic Sunnah tinted with a renewal.

At this study of this topic, we may ask about the term purposes of the Prophet's Sunnah, what is the difference between them and the purposes of the law, and whether they are similar or distinct scope. The response is that Sharia is the intent and secret that the street puts in every decision it makes. It means that the goals of the sharia set are in order to achieve the people's benefit. Through reading the Al Qur'an and the Sunnah, he or she as a Muslim will find that anything accepted by the Sharia for the basis in interpreting the hadith of the Prophet at the light of the true intentions. Instead, the adherence to the literal hadith can not be considered execution of the Sharia spirit, and as usual, it is contrary to it, even though it appears to adhere to the hadith (Ramli, 2015: 8).

The law includes goodness, beauty, justice, grace, righteousness, and wisdom. What is attested to God the almighty with absolute perfection, deep understanding, wisdom, and testimony to His messenger, may God bless Him and give Him peace, may He be truly the Messenger of God, and may He be a pure and faithful prophet who is genuine and does not utter a passion that is revealed only as revelation (Surat al-Najm 52): 3-4). This Islamic faith is a testimony of God almighty's greatest and greatest proof in the greatness and completeness of all and of His Prophet, peace, and blessings of God be upon him, with word and fact.

In order to understand the sunnah purposes, we need to have a clear understanding of Sharia purposes. There is a great deal to understand the purposes of Sharia law, and the purposes of the Sunnah particularly. Khaled al-Mansour al-Durais wrote an article on the general characteristics of knowing Ibn Taimiyah's hadith purposes (ad-Durais n.d.), and in it, he said: there is no question that knowledge of Sharia purposes includes a thorough knowledge of the sunnah of the Prophet. Imam Ibn Taimiyah – may God have mercy on him – said: "He who has knowledge with the

messenger and understands his thoughts, actions and intentions knows what he is compelled to do with what he wants, not what he knows other than himself."

One of the benefits of understanding the purposes of the Sharia law is that the street's desire to do what it prescribes is greater than the gender left prohibited. According to Ibn Taymiyyah ever stated that "Rule: The gender of the act of sermons is greater than the sex of leaving prohibitions, that the sex of leaving the sermons is greater than the sex of the prohibited acts, and that the compensation of Adam's children for performing the duties is greater than their wages of leaving the prohibited ones".

Meanwhile, the consequence of this rule is that the prohibition was done for the sake of the most beneficial purpose, whether it is to fill the excuse or to accept on the to look at the fiancée and to travel with her if he is afraid to lose her, such as traveling from Dar al-Harb as a journey or Umm Kulthum as her journey from Dar al-Harb, and Aisha's break when she failed with Safwan ibn al-Mu'tal did not prevent him, except because he only performs corruption, and if it is appropriate for the most beneficial purpose, it does not lead to him.

Based on the fact as mentioned, in this part of this study, the aim of the prophetic sunnah is a special intention for the prophetic hadith, and that intention must be interpreted to the meaning of the law, so that the interpretation of the intention of the prophetic sunnah is not false, for example: if we think the specific interest intended in the hadith contradicts An interest retained for the purposes of the hadith.

## **2.The Reality of Attempts**

In the past, the meaning word of maqasid had a noticeable presence in the jurisprudence of fiqh scholars and their works since this interest has emerged in the modern era. As proof, a lot of research and studies that discussed maqasid on it. In this study, the researcher will try to shed light on it by getting to know its meaning.

The language objects are intended to deliberate the meaning, and the background for the compilation of a reason that comes in the language of meanings such as; straightening the path and its ease (Ibn Manzur, 1414: 353), justice meaning (al-Jauhari, 1990: 132), the dependency of giving meaning (Ibn Manzur, 1414: 131), mediation meaning (Zamakhshari, nd: 367), and splitting meaning. In comparison to the last definition, the first definitions conceive of their fit with the idiomatic meaning due to the attempts can be observed in it such as straightness, simplicity, fairness, and mediation. Then, the third meaning is more connected to the idiomatic meaning, and other meanings can be regarded as the characteristics of the criteria or characteristics of the purpose.

Discussing the meaning of the idiom, literally, the old fundamentalists' scholars did not describe a description of the purposes in their tradition. As

is the case with the usage of fundamentalists in using these words, they sometimes articulated them with knowledge, curiosity, deep meanings, secrets, and intentions. In short, those who knew about it had previously cautioned about motives such as al-Juwayni and his al-Ghazali pupil (Yubi, 1998: 33).

Likewise, most of the academicians, scholars, or practitioners, or society who touched on the thoughts and the points that they also never touched on them are when they talked about what's acceptable or the interests sent by al-Ghazali, such as when said about as for money. it's mostly about getting interested or paying something negative. By interest, we mean holding the street purpose (al-Ghazali, 1997: 416-417). As for ash-Shatibi, with an introductory statement, he began his talk of the intents, saying: let us step forward before describing it in this title in the chapters (introduction to starting his speech), implying that the role of the law is only for the benefit of the servants in this world and the hereafter together (Ibrahim al-Shatibi, 1424: 262).

Al-Shatibi played a major role in the maqasid theorization if it is more significant than he had battled to discuss the objectives of Islamic law, and it took a great deal of effort and academic years into the secrets of sharia and the rule of commissioning. Finally, he obtained important controls according to a particular approach that followed by him. Added his approach was so insightful.

As for contemporaries, starting with Ibn Ashour who said that the objects of general legislation are the definitions and provisions that are found on the street in all or most cases of legislation, in such a way that their interpretation does not apply to the universe in a specific form of law, including the features of the law, the general intent and the nature of the rule (Ibnu 'Ashur, 1366: 251).

It takes a noted and documented in Ibn Ashour's definition that claims that it is clearer in terms of the assertion and explanation of the truth of the purposes than in terms of the characteristic of the meaning, which is typically detailed and descriptive with restricted conditions that depict the reality of understanding, as it includes general features of the legislation such as balance and moderation. This definition is also relevant to the general purposes of sharia law, as is the proof for the title preceding that definition, which is (Section Two: For General Legislation Purposes) (Ibnu 'Ashur, 1366: 249).

Another that, el Fassi also has the same interest at this topic, he defines that it is intended and the secrets on each of its rulings which the street places (al-Fasi, 1991: 7). On this definition, it is noted that he did not state the intended secrets, as well as the case with the word end, which gives the meaning uncertainty. In one agreement with el Fassi, Youssef al-Alem also described it as the interests that worshippers have in the immediate and long term, whether they have been accomplished through benefits or damages (al-'Alim, 1991: 79). He defined the purposes as interests, whether worldly



or otherwise, there is no doubt that the establishment of the interest is the largest goal of the legislation, but the main goal around which colleges and parts of Sharia revolve around it, but the definition was not addressed to the partial intentions that the street takes into account and that would lead to The biggest target (al-Kailani, 2000: 46).

While these meanings vary in terms of wording. All of the scholars above are relating to the desires of contemporaries and the attempt to put an end to and meaning of intent. In short, through the previous definitions, the researchers try to conclude that Islamic legal aims are the objectives and interests which the street sooner and later wanted to achieve through legislation and which belong to people's interests.

#### **4. The Strongly Purpose of Holy Sunnah**

Regarding the previous topic, the researcher having explained the views of past and present thinkers, at this part, we will discuss the issue of the Prophetic Sunnah's strongly purposes. One of the strongly purposes of the prophet Sunnah is to regulate the relationships among society's life due to the person is a civilian, which means they can not live alone or familiarly called a social human. In the case of this study, the glorious sharia defined a person's relationship with his wife and also defined a person's relationship with his kin. If a person does not know his Lord's religion, he can not conduct his right against it. After that, because he feels so ignorant and angry, he can not know his obligation to do so. At this Sunnah Prophet, the topic of respected the rights of the Muslim community as taught him by God Almighty are the requirement of every Muslim specifically, and general society particularly.

On the family hand, the God Messenger, may God bless him and grant him peace, urged to marry because of the great benefits involved and the enormous spoils he pays in his honorable voice. So, may the blessings and peace of God be upon him, he said: "Marriage is my year, but whoever desires my year is not from me" (al-Bukhari, s.d.). And he said, "Take joy to your reproduction, for on the Day of Resurrection (Dawud, 2009) I am proud of you, nations.

On the economic side, God blessed and exalted His Prophet and His Messenger, may God bless him and grant him peace, by buying, selling, and transacting on the basis of right and installment related commercial relations. And He, may God's prayers and peace be upon him, said in caring for scales: If you weigh, you will be more likely. Likewise, the street prohibited and prohibited the monopoly because of its greed, greed, bad morals, and harassment of people.

##### **a. First Maqasid of Sunnah: Resist the Damage and Attract the Benefit**

Transcription is the elimination language. According to the light context, it is said that the light of the sun shows the shadow effect, such as

its disappearance, and the wind copied the effect of walking, and from it also the reincarnation of centuries and ages, removal is death, and whosoever is said to be ill or grace is removed from it, and so is the lack thereof in all these things. And he called transcription in the sense of transferring something and transforming it from one state to another while remaining in itself, and transcription that transforms what is in the cell from bees and honey to another and from the transcription of inheritance by transferring from one individual to another and also from him copying the book with what it is similar to from the transfer, and the book's owner, *Lisan al-'Arab*, said the most suitable copying of things, and cloning and downloading if we copied what you were doing, that is, copying what the memorizers' books and copying invalidate the last thing in his position and download: the first is replicated (Ibn Manzhour, 1414: 61). The fundamentalists stated disagreed with this, but the judge of Abu Bakr and al-Ghazali claimed that the copies are normal with the sense of removal and transition, however, Abu al-Hasan al-Basri and others before his truth are removed since it is only used in it and if a hero is a reality in one of them it implies that it is a truth in the other and from the other hand.

The fundamentalist concepts regarding the transcription have been stated as a matter of principle, the most important point is on which that he lifted the existing rule by an advanced speech by a late one. This choice was established by judge Abu Bakr al-Baqilani, al-Amidi, al-Tabrizi, Ibn al-Hajib, al-Ghazali, and Abu Ishaq al-Shirazi.

The second definition is transcription is a text indicating to the conclusion of the legal ruling, with its resource delayed. A community of Mu'tazilah, Abu Ishaq Al-Isfaraeni, Al-Qarafi, Imam of the Two Holy Mosques, Fakhruddin al-Razi, chose this term and attributed it to the jurists. But the chosen meaning is the first because it's a blocker.

#### **b. Second Maqasid of Sunnah: Gradualism in Law Terms**

Graduation is the practice of doing things that the progress is not significant, step by step, and did not show immediately. The radicalization in the law is the adoption of step by step legal ruling on the Prophet throughout the mission period of the Prophet until it ended with the completion of the sharia and the completion of Islam. The truth of the law's gradualism ended with the advent of revelation and prophecy, and it depends on two axes; the first one is to gradually explain the legal rulings through their fall from heaven, and clarify them from the Messenger of God until the religion is complete, and the second one is to enforce legal rulings in effect step by step until it stabilizes Muslims' lives.

The researchers summarises the legislative gradient into three types that can be seen as follows:

The first one is timeframe type. It is in the descent and application throughout the length of the mission, so that the Koran came down with a mine (fragmented) and the rulings came, including the applicants and

subsequent ones according to divine wisdom and the criteria of the request according to circumstances and conditions (Atha'al-Ajali, s.d.: 423).

The second one is qualitative framework type. It is a shariah judgment started by first describing the belief, with preliminary references and paving and pointing to others, then the acts of worship began with a declaration of their behavioral intentions, then values, and clarification of their advantages and comprehensiveness then transactions and punishments, and in each section the graduation was clear so that the rules of prayer were clear.

The third one is a graphic framework. It was appeared in the Meccan Koran, then in the civil period, the rules were described, then interpreted as a prelude and preparation for souls, then specifics were revealed, as is the case in prayer, zakat, usury, wine, jihad, and heritage, so the Meccan verses depict the former prophets by performing fasting and zakat, for instance, to warn Muslims against as they were.

## **1. Determining the Aim of the Sunnah**

According to the research summary as mentioned as earlier, in this part, the researchers is dedicated focus to explaining the philosophical understanding of using the issue of the causes of the cross point of view (pro and cont) is arises, added with the study of the effect on tradition as the founding principle of defining the aims of the Prophet Sunnah.

### **a. Cross Understanding on the Prophet Sunnah**

Understanding the causes of coss understanding or pro and cont point of view also has many benefits such as; 1) understanding the face of knowledge that motivates the laws of government, as well as 1) knowing what happened in the days of the prophet. May God reward him and give him peace on which he had peace and blessings, and may God bless him. Furthermore, some hadiths only come to understand or expose the surrounding mysteries after they know the reason for their presence. How do we understand the contemporary sense of the root causes of cross understanding?

First, the reasons for the descent indicate that discovery was not determined by fact, but rather that it takes care of its demands and crosses what is intended. It means that, the truth takes precedence over thought, not only over assumptions but also over its fundamental features. And Islam is the imperative of reality, and who is real?. He calls and requests. Islam hasn't come to subdue truth and make it mandatory. This is what people missed and ignored when pushed into an idea or an interpretation of what power and it is cover oppressed them. Although the social change does not occur by forcing a particular concept or school on the group, but by exposing their reality and then visualizing this reality that includes their problems by counting and uploading them within a theory, then tracking their desires within a formulation of belief as it was being handled by Islam.

Second, that explanation for the disembarkation suggests that we can choose to help us solve the real issue that we are facing from the revelation. Any attempt to explain the discovery in full collides with the reality of a mine's descent. Of course, the Koran includes answers to different issues, but in practice, we select a particular part from it that allows us to solve our real issue. The masses, nowadays, have several definitions but do not benefit from them. It's true that every time and place the Koran provides answers to all problems, but that doesn't necessarily mean that we present it and highlight it in a comprehensive and glorious manner. Like the dictionary, it's not important to memorize all of its vocabularies, but rather to select what we need according to circumstances and occasions (Badruzaman, 2019: 511).

Third, the explanation for the hadith's arrival leads us to apply the prophetic Sunnah and call for it in the center, as many of us failing to apply the Sunnah and calling for it are due to the distance from the correct method and process and never return to the same year, besides not knowing the reasons for the hadith's arrival (Long and Syed Hassan, 2019: 69).

#### **b. THE PREDISPOSE OF CUSTOMS, MAQASID, AND SOCIETY BEHAVIOR**

An effort to connect period in the past to the present should be part of the analysis in this study. Such a relationship involves analyzing the interpretation of the ancient and current texts of Sharia (the Sunnah of the Prophet) in two dimensions. History refers to the context of the time of the Prophet and early Muslims, meanwhile the contemporary refers to the context of today's prophetic sunnah of people (Saeed, 2006: 116).

Among those items that change the rulings as a result of the shift in the returns and the norms on which those rulings are based, Imam al-Qarafi was asked about the rulings written in the books arranged on the returns present in the previous scholars' period. Move up on it and make a decision with new standards, or delivering what's published in books?. He responded by saying that making judgments that returns know by modifying these returns other than agreement and theological ignorance, but everything in the Sharia follows the returns, the law in it shifts when the habit changes to what the renewed habit demands (al-Qarafi, nd: 111–112).

Ibn al-Qayyim, a hadith scholars discussed in his book entitled *I'lam al-Muwaqqi'in* emphasized clearly that in a specific theme about the changes and differences in taking a decision or fatwas which are caused some factors such as the changes on time, place, and conditions, as well as the changes in the customs or socio-cultural of the local civic community. Thus, it is an example way that can be obtained in order to build the Shari'a-based on mankind's well-being, and those benefits should be built based on mankind's kindness as the fundamental. Ibn al-Qayyim, a famous scholar of the hadith who is known for his broad insight frameworks, also provides many examples of the changes and differences in these fatwas.

Application models to integrate the Sunnah Prophet's aims within the Indonesian climate is the main point. In this study, the researcher presents in this part dealing with three issues; 1) stipulating in the Prophet's Sunnah, 2) researching their principles, and 3) reformulating them in the Indonesian truth according to the contemporary context. And those issues are the authorship of the Indonesian traditional Hijri calendar, reading the post-contract comment form for the partner, and the inheritance between non-Muslim heritages.

## **2. The Norm Formation of Hijri Calendar in Indonesia**

The question of how to see the crescent in order to decide the beginning of the Hijri month in relation to the Islamic worship procession has long been a controversy in Indonesia for more or less four decades. This controversy arises with visual vision, astronomical, and mathematical measurements (astronomical calculation) when it comes to criteria and methodology. This issue is always debatable by some scholars, but then, on the one hand, it was also what drained Islamic resources in the most right way in all kinds of positives. The dispute also caused confusion among Muslims when they had to decide and to choose any of the different opinions.

For Indonesian Muslims particularly and world Muslims generally, the presence of a single Islamic calendar is very important because it relates to issues of worship. In fact, however, there was still a different Islamic calendar, which led to differences in deciding the start of Ramadan, Shawal, and Zulhijah (Azhari, 2013: 157). Attention to the importance of having an accurate evaluation is something that no one disagrees with and that no proof is needed to determine. Nidal Qassoum said: "No society can grow, let alone flourish, without taking a solid and accurate assessment in it, and if people want to live together in developed societies, they should create a coherent system for measuring times so that they can. Muslims have been waiting long for their practices to be organized and their religious rituals conducted. "Their hope of a single Islamic calendar to materialize" (Anwar, 2016: 204).

For decades correspondence between the two schools (rukyah method and hisab method) has been going very well. Every year, scholars who support the vision (generally the revival of scholars) and scholars support the account (generally Muhammadiyah) have often participated in the prosecution trial conducted by the Republic of Indonesia's Religious Ministry in deciding the beginning and end of the month in Ramadan. In Indonesia, the scholars of these two great Islamic schools of thought were profound knowledge, be it in the field of Islamic law or astronomy. In fact, the agreement between the adherents of these two schools is due to the different interpretations on interpreting the Koran verses and the Prophet's hadith and is a guide for deciding the beginning and end of the month of Ramadan and Zulhijah.

There is found another element that came from Shams al-Anwar, who says that the disparity was based on an astronomical and historical study between Muawiyah and Ibn Abbas, estimated to have occurred in 35 AH/655 CE before the killing of Caliph Othman bin Affan. This disparity in interpretation exists (between Hasbi al-Siddiqi and Sams al-Anwar) since Hasbi al-Siddiqi focuses on the body of the hadith that sees the beginning and end of Ramadan fasting as a harmonious partnership between the central and regional governments. As for Shams Al Anwar, he sees from Sind's side that reflecting on what happened in Ramadan where visibility on Friday night is possible (Azhari, 2015b: 5).

Within the sense of Indonesia, some attempts have been made to standardize the identification on finding and determining the beginning of the lunar month since the establishment by the Indonesian Ministry of Religious Affairs of the Account and Vision Agency (BHR) in 1976 to this day continued. With the establishment of a relatively simple contemporary accounting system (Widiana, 2005: 6), attempts to standardize in the form of national meetings, seminars, and conferences are prepared. Ideas and attempts were also made, either individually or as organizations, to find a meeting point between arithmetic and vision. A famous, Hamka hoped that to find a meeting point between an account and a vision in his article entitled "The Vision and the Account" written in 1278 AH/1958 CE so that the holiday could be kept together. This suggests HMCA is a leading figure in attempting to unify the National Islamic Calendar (Azhari, 2016: 1).

Meanwhile, Hasbi al-Siddiqi was an early figure who began the need to unite the international Islamic calendar through an article in 1969 and entitled "Take only one way to decide the beginning of Ramadan and Shawwal." The definition offers unity of Siddiqi by uniting familiar suffices. The gap in awareness doesn't make a difference for him to start fasting and Eid (Azhari 2016, 1).

The next leader was Hussein Fathi via his article under the title "How to Unite the Calendar of Hijri in the Islamic World". In his summary, Hussein Fathi stated that the effort needed to achieve the Islamic calendar is to construct a dialog to find a new formula between vision and numerical calculation, in addition, the crescent calculation by making the city of Mecca or Medina a center. According to Suskanan, these two pioneers were very rare to note or even ignored in the International Islamic Calendar as pioneers in the study of the Islamic calendar (Azhari, 2016: 2).

The researchers have three-point of views on emerging the concerning of global Hijri calendar, namely: 1) the doctrine of pessimism, 1) the doctrine of optimism, and 3) the doctrine of mediation. As for the Indonesian background, it includes the pessimism doctrine, which includes Maman Abdul Rahman (a member of the PERSIS Vision Council). He sees a universal calendar reflecting the moon's desire. If the meeting (the meeting of sun and moon both in the constellation thread) starts in any region, the calendar will take place for the entire 29 days. Moreover, if it is

accepted that the height of the crescent is 6 degrees, according to Kuraib's hadith this means a return to the facts (Anwar, 2014: 41-42).

Along with Maman Abd al-Rahman, another person is also pessimistic about calendar standardization is Hendro Setyanto, one of the arithmetical experts from the Renaissance Scientists Mass Organization, who claims that global integration still seems distant and we (Indonesia experts) haven't seen much of its contribution. Therefore, the priority was given to the local unit is an even simpler requirement. Moreover, according to Hendro Setyanto, what's needed nowadays is the worship time unit and not the Hijri calendar unit (Setyanto, 2017).

The second doctrine is the optimist doctrine. In Indonesia, this doctrine reflects the Muhammadiyah Mass Organization Shams Al-Anwar and Susiknan Azhari. Indonesian Muslims should be hopeful and aim to unify the Hijri calendar (Anwar, 2014: 45), according to the Sun of Lights.

The third is mediation. This theory sees no pessimists and no optimists. Scientific astronomy scholars also require the theory. Among them was Jakarta astronomer-Cecep Nurwendaya, from the Planetarium as his affiliation. Equally significant, according to Cecep, is the convergence of both the local and global calendars. That will be efficient and meaningful if it can be done simultaneously. This medieval doctrine is composed of Thomas Djamaluddin, a LAPAN scientist astronomer and scholar, Bandung who stated that the most important thing is the integration of the local/national calendar, but it can be followed at the same time, which also implies local, regional, and global integration. The consolidation must also start from the tiniest unit. Since global unity can not exist if it is not unified at the local/national level (Djamaluddin, 2017).

Hence, the question was arises that 'is the idea of unifying the Hijri calendar in Indonesia compatible with the Sunna of the Prophet's purposes?'. Or 'is it the other way round and far from the prophet's aims?'. To answer this question, the discussion above shows that one of the Sunnah's main objectives is formed to regulate the ties of society. In the background of the unifying Hijri calendar in Indonesia, the researcher of this study see that it also contains the Prophet's Sunnah's intentions to monitor relationships between members of society, as the need for the Hijri calendar is very urgent, given the activities of Islamic worship such as fasting and the calendar-related Hajj.

According to Zuhri (2020), this scholars stated that another to unifying the local Hijri calendar but rather than universal unification, it also corresponds to the Prophet's Sunna's purposes, and is as warm as unity and solidarity. But there are of course challenges by some scholars besides hopes in achieving the unification of the Hijri calendar. The supporting factors are the general urge to be able to worship comfortably, and the resolve of Ramadan, Shawwal, and Zulhijah has no further variations. The limiting factor, however, is that there are still regulatory lusts, even though they are now starting to melt.

### 3. Reading the Husband's Comment Form After the Contract

The marriage goal is happiness and the development of a family to obtain full of grace and love besides obtaining gratification from God the Almighty. But then, if the ideal thing in his path faces obstacles and collisions due to various problems that occur in the direction of separation, of course, there must be something in the married life that more complicated and difficult to solve among of the pairs, the hence the law gave strict rules on divorce. Divorce facility can be resolved within the family, one of them is the acceptance of a divorce suspension. As usual, after the marriage contract, the husband is allowed to read the divorce suspension as an agreement form to his wife, due to the divorce based on Islamic rules is in the husband's hands only. For the wife, there is indeed an opportunity to present and to determine the suspension of divorce as an excuse for divorce when the husband once disputes the substance of the suspension of divorce (Umar, 2014: 105-106)

Divorce suspension consists of two words, the first one is 'comment' word, and the second one is 'divorce' word. The "comment" word is derived from a statement of a comment, it means suspended. Whereas, the "divorce" word is a divorce word means a word in the sense of "separation." Suspension of divorce implies the postponed dissolution, in the contextual meaning of language terms. Meanwhile, the suspension of divorce time, the fall depends on the incidence of something or generally means that the terms decided that if the husband violated it, the wife would have the opportunity to take the initiative of divorce with the requirement that if he and his wife wanted to hand over the matter to the religious court, then the wife would pay the money. The delegation of authority to remove the divorce will become part of the wife with the suspension of divorce but it is limited to certain items.

Rationally, the termination of divorce is a particular divorce whereas revocation of rights is divorce. A declaration is a divorce, because if there is a clause when are no terms other than a statement, the divorce lapses. But then, if the comment is not divorce, it does not happen definitely because of the circumstances, since practically there is no divorce in the same case and the everlasting existence of the preceding statement is unlikely until the time of the conditions, due to the speech has a flowing and unpredictable form, and therefore, it is clear that the comment is divorce His rule does not yet apply because of the presence.

A divorce suspension is a form of recognition according to the concept of law in Indonesia, that according to the rules and policy, the husband undertakes that a divorce will take a place on his wife if the husband breaches one or all of his decisions in the future, the wife may demand a complaint with the religious court. It means that, It's expected to happen only once in the holy marriage community, but in fact, the family ark is not always going as planned. Unpredictable bad problems, it sometimes leads to



divorce. Saguti Talib claims that the right to abandon divorce remains in the husband's hands, and thus, with the presence of this suspension of divorce, the power for divorce is required to be transferred from the husband to the wife, even if it is limited in certain cases. The wife will demand a divorce case with the religious court due to her husband violates one of the conditions in drafting the divorce suspension when the wife feels pressure from her situation within their family.

The existing rules of a divorce suspension in Indonesian law is an interesting topic of debate among scholars, and it is still influenced by both pros and cons issues, even most of the scholars accept that a divorce suspension is the only one of the effective ways to shield a wife from her irresponsible husband's. The idea of protecting the wife in marital life is what drives the government to maintain the divorce suspension, and this is the evident or real proof implementation of this rule through the inclusion of a special article regulating the marriage agreement, which may include the suspension of divorce, and it can be considered in the Islamic Sharia group on *pasal 45, ayat 1*. Within the context of the concept of marriage, the government has sought to improve the quality and to amend the suspension of divorce in order to know that it is under the task laid down in Islamic law or customary law due to initially, divorce is suspended as one of the reasons for divorce when the wife feels pressure from the status of her husband or lack of clarity of the presence of her wife until the consideration is given.

It should be noted that due to the objective of divorce suspension is formed to protect the wife, it is desirable to have an arrangement in all marriage contracts which familiarly called suspension of divorce. It is strongly suggested because of Islamic marriage in a general context, the right to divorce was only in the husband's possession. Every marriage contract, divorce suspension has never been left, since the divorce suspension formula is included in the book of marriage certificates and becomes a single body. The suspension of divorce, however, is not something to be read at the time of the marriage ceremony, but the general public, usually, has the view that the suspension of divorce is something to be read because it has become a local culture. The belief that a community has become a local culture, even with a clear presentation of legal reasons, and so on, is very hard to "tackle."

In general, divorce suspension is an escape to guarantee the wife rights for keeping in mind that there were no laws in the past to protect the woman rights, but nowadays, the rights and dignity of the woman have been guaranteed in this way, it seems that suspension of divorce is no longer necessary since the main purpose of a divorce suspension has a goal is to protect the wife.

There is no clear understanding of the marriage agreement in Islamic law, but then, because of the justification for divorce suspending has a goal for women benefit, there is no law banning on these rules, and the presence of divorce ownership does not breach the rule of law. Even in the same

environment or council, the marital arrangement in the case of halting the divorce referred to here is outside the marriage contract process. After that the conclusion from the offer and acceptance, the divorce was determined to be postponed, and it does not become a condition or anything that necessary to be read. The candidates for marriage will refuse to pronounce the wording of a divorce suspension when it is offered by the solicitor or marriage registrar, but it is very unusual for the groom to refuse to give him a divorce suspension during the wedding.

Divorce suspension is broken down into two types: 1) conditional divorce, and 2) divisional suspension. Ibn Hazm sees from this division that the two kinds of divorce suspension (divisional and conditional) both have no legal implications, and the explanation is that God specifically arranged the divorce, whereas the suspension of divorce has no guidance in the Koran or Sunnah. In line with Ibn Hazm, Ibn Taimiyah also claimed that the suspension of divorce, which includes the sense of the oath, does not have the right to fall into divorce. However, if a person in his authority suspends the divorce and fulfills the conditions according to his wishes, then the suspension of the divorce is considered legitimate for all types of suspension since the person who put the divorce did not drop the divorce when the person says it but depends on the fulfillment of the conditions specified in the statement (Sabiq, 1983: 223).

Based on the two forms of divorce suspension, the suspension of divorce and the suspension of conditional divorce, the suspension of divorce in Indonesia and its formulation in the marriage certificate seemed more like the suspension of conditional divorce, because if we saw the suspension of conditional divorce more depends on certain circumstances, and that means when the work of the husband is a meeting. However, if we look at the nature of a divisive suspension of divorce that allows a person to do something or prohibits a person from doing anything, it does not seem like formulating the substance of a divorce suspension arranged in a marriage certificate since at the beginning of the divorce suspension formula there is a word "anytime" which implies the time to appear next.

The question arises is 'does the language pronouncement of the divorce suspension includes the Prophet's Sunnah intentions?'. To answer this question, for marriage purposes it has to be traced first. It says in the Prophet's hadith, may the prayers and peace of God be upon him, that the purpose of marriage is to obey the Sunnah of the Prophet and to imprint the righteous children. Provided that the suspension of divorce is something that gives the wife a positive side, regardless of the pros and cons associated with the life of the suspension of divorce at this time, but the suspension of divorce still does not break the rules or violate the rules of Islamic law and normative law. One of the reasons for keeping a suspension of divorce is that it does not break the rules but rather provides the rules that it is fair for the husband to follow to protect his wife from anything that may cause the wife to lose her family rights, as well as to make the husband pay more

attention to his family peace obligations, one of which is by protecting the rights of the pronouncement of the formula for the suspension of divorce is thus within the framework of the aims of the Prophet's Sunnah, which governs the relationships between members of society.

## 5. Conclusion

In short, it can be concluded that based on the research was conducted, the Prophet's Sunnah has great intentions that we can relate to the real socio-phenomenon around us in daily life activities. The Prophet's Sunnah also has a slogan such as the Noble of Al Qur'an slogan, which is true for each time and place.

For the limitation of the research, in this study, the researcher focuses on two facts that he applied to the Prophet's Sunnah purposes in Indonesia, for the purpose that we feel as if we are living with the hadith's source. In addition, those facts based on this study such as writing and publishing on the process of determining Indonesia's standard Hijri calendar and reading the formula to suspend the husband's divorce after the contract.

The first issue addressed by the researcher in this study is the issue of the writing process on determining the Hijri calendar in Indonesia according to the purposes of Prophet Sunnah. It can be underlined and note-taking that for fourteen-and-a-half centuries, the Islamic world had no unilateral Hijri calendar. As for Indonesia's scope, starting from 1393 AH to 1441 AD or 1973 AD to 2020 CE, the effort on unifying the Hijri calendar has passed, more or less spending half a century.

Though, In 2016, international conferences are held on Turkey, at the Turkish International Conference were meant to end the debate between arithmetic and vision for twenty-five minutes. Even only a short time, this event is very worthwhile because of particularly, the fact that the aims of the Prophet's Sunnah are encouraged to find the Indonesian Hijri calendar, which integrated the relationships of the governs and their society for the next policy close to real. On the other hand, it means that the Gregorian calendar has long been unified and, of course, we must be more humble to discuss and accept the issue about it, but Islam is supreme and does not rise above it, as the prayers of God and peace be upon him.

The second issue of this study is reading the language after the contract about a divorce suspension. Those issues were suggested that in Indonesia due to this verb is used as a formal norm but without coercion, it means that whoever wants to read, and whoever wants, does not read. It also suggested that this action is strongly important to protect the rights of the woman. This urgency is also included in the purposes of the Sunna of the Prophet, which is obtained to monitor ties among members of society. The third issue is the question of a Muslim and Non-Muslim succession. We stated earlier that this problem also falls within the goals of the Prophet's Sunnah.

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