

ABSTRACT

Hartono. 06210103. 2012. About Iddah compilation Ulama's statement For Pregnant Women's outside of marriage and allowed to marry them (Comparative Studies the sect of Syafi'iyah with sect of Hanabilah).this thesis for Faculty of sharia Department. Major Al ahwal -Al-Syakhsiyyah. Slamic State University of Maulana Malik Ibrahim Malang.

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This study begins with an anxiety academic writers who see the phenomenon of iddah. Iddah as an institution that deals with the happenings surrounding the marriage is actually very easy to understand even the Quran itself as the main source istimbatul ahkam explaining explicitly about iddah in the form of verses qot'i. But it would be difficult to understand when associated with an unusual incident occurred. For example a woman who is pregnant as a result of the act of adultery, whether she has a prescribed period as a pregnant woman from a lawful relationship. It becomes important to study because it has implications for whether or not a legal marriage ceremony, which took place when a woman is pregnant as a result of fornication.

Departing from these problems, researchers are encouraged to perform a study of how view sects of syafi'iyah, and Hanabilah against pregnant women because of adultery, how the ability to marry the woman, and what is the basis of the opinion of each of the following sects of different factors affecting each schools.

To find a way out of the problems above, the researchers used a type of library research. Because, the data obtained from several classic books written by scholars traditional ulama' earlier. While the approach of this research is descriptive qualitative approach. Because, this study intended to reveal and describe whether a pregnant woman of fornication it has prescribed period in view sect of syafi'iyah and Hanabilah.

By using the methods already described above the result of a conclusion that the sect of Syafi'iyah said there is no waiting period for pregnant women because of adultery, because they argue that the waiting period device is used to determine the gap function is to keep the relation uterus of the unborn child, while the pregnant woman of fornication there is no honor to sperm that has been gushing their uterus, and allowed to marry the women without iddah. As for the sects of Hanabilah, pregnant women of fornication iddah as mandatory for pregnant women which having sex legitimate. This is to maintain the existing relation uterus in the woman's womb, as is the case also in wati' syubhat, and pregnant women should marry After trsebut of fornication has iddah and repent.