

## ABSTRACT

Rahmawati, Eka. 2012. **Cesarean (*Sectio Caesarea*) Nonmedical Reasons Perspective of Islamic Law**. Thesis. Department of Al-Ahwal Al-Shakhsiyyah. Faculty of Shari'ah. State Islamic University Maulana Malik Ibrahim of Malang, Supervisor: Dr. H. Badruddin, M.H.I.

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**Keywords: Cesarean Section, Nonmedical Reason, Islamic Law**

In the past, surgery in childbirth or *sectio Caesarea* seen quite daunting with a greater risk of death compared with normal deliveries. Therefore labor to the operation is only performed if a normal delivery can harm both mother and fetus.

With a growing sophistication in the medical field of obstetrics, that view began to shift. Now sometimes be an alternative to cesarean without medical considerations. In fact, by a group of people, considered as an alternative to cesarean delivery is easy and convenient, but it also can satisfy the desire of a mother who wants her son was born on a certain date, even if the cost is more expensive than a normal delivery. Increasing number of people who practice outside the medical indication section (request a special date) without reference to Islamic law and its impact on health, making the author feel the need to investigate this, about how the medical and legal views of Islam against.

In the preparation of this type of research skripsi authors use the research literature (*library research*). The data collection techniques, namely through literature sources while the method of approach to the problem is a normative approach, the approach based on the texts of the Qur'an, Al-Hadith and fiqh opinion as the basis and the legal establishment. In analyzing the data obtained, the authors used qualitative methods, through an inductive mindset is by way of analyzing the facts that occurred at the request of birth by Caesar who later captured the general conclusion on the matter, from the conclusion that its application will then be analyzed in terms of law Islam is based on the principle of *maslahat*.

Based on the analysis has been done, it can be concluded that the demand for birth by caesarean section according to the medical is not defined as illegal acts, but explicitly prohibits medical and do not recommend it, because the negative impact it is very much, both in terms of health and economics. This is certainly different from a cesarean section because of medical indications, which had to be done to save the patient as an emergency exit. According to Islamic law engineered by Caesarean births are not allowed or prohibited due consideration this *mafsadat*.