

Ahmad Arif Daniel, 07210007, 2011, Comparative Studies of thought of al-Ghazali's and Ibn Hazm on 'azl. Department of Al-Ahwal Al-Syakhshiyah, Faculty of Islamic Law, The State Islamic University Maulana Malik Ibrahim of Malang. **Supervisor:** H. Moh. Toriquddin, Lc., M.HI.

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The purpose of marriage is not the fulfillment of merely biological desire, but that has other important objectives. One of them is to keep descendants. Even the Prophet Muhammad advocated Muslims to marry women who are fertile and can provide many descendants. However, having many offspring is sometimes also has negative impacts on a family, such as lack of child nutrition, unsatisfied education, inadequate health and so on. So many people decide to minimize their offspring. If the time of the Prophet we know the 'azl term and this time we know it called KB. The next problem is how exactly Islamic view of the two practices.

The Problem formulation of this study is two: first is what the basic law of al-Ghazali and Ibn Hazm on the law of 'azl and the second is how is the 'azl in the modern development.

The method used by the researcher is descriptive method of comparative that describes the both leaders' views of 'azl, then take conclusion and its relation to KB. The type of this research is library research, while the approach used in this study is a qualitative approach. This approach is used when the required data that is needed in the form of information that requires no calculations and in analysing data the researcher uses the method of comparative analysis, that is comparing the two opinions of the leaders and then takes a conclusion.

The analysis that has been done by the researcher is exactly al-Ghazali argues that the absence of clear texts on the prohibition 'azl, 'azl can not be categorized as an abortion, because abortion is a crime committed after the result (the child). He thinks children are not simply born out of the spilling of semen of men in a woman's uterus. The arguments he used was the proposition which was narrated by Muslim from Abu Said, Nasai, saramah, Syaikhani, abu Hurayrah and Jabir. While Ibn Hazm proscribes 'azl, because he thinks that 'azl is like *wa'dul khafi*. He uses the argument that was narrated from Jadamah, according Ibnu Hazm, the hadith removes the arguments that allow 'azl. In its development, 'azl is getting growth, it can be seen from the understanding and the function of KB that has a similarity or resemblance. In law cas, some *Ulama* allow it, but there are also some others that prohibit, as Prof. Dr. M.S. Madkour and Abu a'la al-Maududi. But if it refers to the al-Ghazali's opinion, the KB is permissible (*Mubah*) and when it refers to the Ibn Hazm's opinion, KB is forbidden (Haram).