

## ABSTRACT

Muchamad Ali Said, 06210011. 2011. ***Ijab in Akad (Marriage Agreement) (Comparative Study on Statement Legality of Ijab on the Islamic Law Perspective of Four Madzhabs)***

key word: Ijab, opinion of Four Schools of Thought

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Marriage is a facility for human beings to continue their generations. The beginning of a marriage is *akad* (marriage agreement). Marriage agreement is a beginning of a household for a couple. Because marriage agreement is very important, each madzhab explains the concept of *ijab* by introducing several theories and arguments, including the concepts of valid and invalid *lafadz* (statements) used in *ijab*. They mention various kinds of the *lafadz*s accompanied by theorems and arguments. They also explain consequences from each *lafadz*. If someone makes marriage agreement, he may not freely choose and use kinds of *lafadz*s which are used in marriage agreement because it may influence the legality of marriage agreement.

This research studies three main points: different kinds of *akad* (marriage agreement) from each madzhab, theorems that is used to determine marriage agreement, and consequences from each choice. The intention of this research is to know various kinds of statement in *akad*, theorems that are used in determination of the law marriage agreement as well as to know each legal consequences of marriage agreement from each madzhab. Type of this research is library research using descriptive analysis. This research offers idea from each school of thought and explains them by comparing four schools of thought.

The result of this study shows some similarities and differences among four schools. The main similarity of them is their views on two absolute *lafadz* (*lafadz mutlaq*): *nakaha* and *zawaja*. Nevertheless, they disagree when they see the non-absolute *lafadz*s (*lafadz ghair mutlaq*). Hanafiyah and Malikiyah schools are considered not humane since they use some inappropriate formats of *ijab*. In contrast, Syafi'iyah and Hanabilah are labelled as more humane because they introduce some appropriate formats of *ijab*. The similarity of *dalil* (*source of law*) among them is al-Ahzab: 37 as an argument for the validity of *zawwaja*. The difference happens when they see the non-absolute *lafadz*s. Each school agree that the absolute *lafadz*s may result in the validity of *ijab*. However, they differ when they react to non-absolute *lafadz*s.