



## REINTERPRETATION OF THE 100-DAY TAHLILAN PRACTICE WITHIN THE FRAMEWORK OF CONTEMPORARY ISLAMIC LEGAL THOUGHT

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**Abstract :** The tradition of tahlilan, particularly the practice of commemorating the 100th day after death, is a living phenomenon in Indonesian Muslim communities. This ritual is seen as a form of respect for the deceased as well as a means of strengthening social solidarity, but it has been criticized by some Islamic legal scholars because there is no direct recommendation for it in the texts of the Qur'an and Hadith. This study attempts to reinterpret the 100-day tahlilan practice from the perspective of contemporary Islamic legal thought, by examining the position of this tradition in classical Islamic law, contemporary responses to it, and the important role of the concepts of 'urf, bid'ah, and maqāṣid al-sharī'ah in determining the legitimacy of this practice. Using a normative-empirical qualitative approach, the study finds that tahlilan is strongly rooted as 'urf shahih in society as long as it does not conflict with sharia, and can be reviewed through the maqāṣid approach to develop accommodative contemporary ijtiḥad. These findings highlight the urgency of contemporary Islamic legal thought that is contextual and inclusive of local traditions within the framework of sharia.

**Keywords :** 100-day tahlilan, contemporary Islamic legal thought, 'urf, bid'ah, maqāṣid al-sharī'ah, legitimacy.

**Abstrak :** Tradisi tahlilan, khususnya praktik *peringatan 100 hari wafat*, merupakan fenomena yang hidup dalam komunitas Muslim Indonesia. Ritual ini dipandang sebagai bentuk penghormatan terhadap almarhum sekaligus penguat solidaritas sosial, namun mendapatkan kritik dari sebagian pemikir hukum Islam karena tidak terdapat penganjurannya secara langsung dalam teks Al-Qur'an dan Hadis. Penelitian ini berupaya mereinterpretasi praktik tahlilan 100 hari tersebut dalam perspektif pemikiran hukum Islam kontemporer, dengan menelaah bagaimana posisi tradisi ini dalam hukum Islam klasik, respons pemikiran kontemporer terhadapnya, dan peran penting konsep 'urf, bid'ah, dan maqāṣid al-sharī'ah dalam menentukan legitimasi praktik tersebut. Dengan pendekatan kualitatif normatif-empiris, penelitian menemukan bahwa tahlilan berakar kuat sebagai 'urf shahih dalam masyarakat selama tidak bertentangan dengan syariat, dan dapat ditinjau kembali melalui pendekatan maqāṣid untuk membangun accomodative ijtiḥad kontemporer. Temuan ini menunjukkan urgensi pemikiran hukum Islam kontemporer yang kontekstual dan inklusif terhadap tradisi lokal dalam kerangka syariah.

**Kata Kunci :** tahlilan 100 hari, pemikiran hukum Islam kontemporer, 'urf, bid'ah, maqāṣid al-sharī'ah, legitimasi.

### INTRODUCTION

The practice of death in Islam is reflected in various rituals and traditions in Indonesian Muslim society. One of the most common is tahlilan, which is usually held at various stages after a person's death: on the 3rd, 7th, and 40th days, and the longest being the 100th day after death. This ritual involves reciting

dzikir, the Qur'an, and communal prayers to pray for the deceased and strengthen social solidarity among community groups (Firdaus et al., 2025). In practice, tahlilan is not only a religious ritual; it also becomes an arena for social interaction, and sometimes even has economic implications for the bereaved family due to the organization of the event and the response of the community (Rakhmi et al., 2025).

Although popular in many parts of Indonesia, tahlilan faces substantive challenges from a number of scholars who believe that the ritual was never performed by the Prophet Muhammad or his companions, raising the legal question: can it be positioned as part of Islamic law or is it considered *bid'ah* (innovation)? (Gassing et al., 2025). These varied responses reveal the tension between tradition ('urf) and the classical textual approach in Islamic law. In turn, this issue relates to how classical Islamic law interprets new practices, as well as how contemporary thinking responds to and reconstructs tradition without neglecting the principles of sharia.

On the one hand, the practice of tahlilan 100 days has gained legitimacy from scholars and academics who believe that the ritual is a legitimate religious expression as long as it does not contradict the basic principles of Islamic law. This group considers that tahlilan cannot be separated from its social and spiritual functions as a means of collective prayer, strengthening social solidarity, and providing psychological healing for bereaved families. A number of studies show that tahlilan plays an important role in building social cohesion and strengthening the value of togetherness in Indonesian Muslim society, so that it is seen as a form of contextual actualization of Islamic teachings rooted in local wisdom. From this perspective, tahlilan is positioned as a 'urf shahih that is legally acceptable, because its substance consists of zikr, prayer, and almsgiving, which are not normatively prohibited in Islam. This view can be found, among others, in studies published in the Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory and Panangkaran: Journal of Religious and Social Research, which emphasize a sociological and maqāṣid approach in assessing the practice of tahlilan.

On the other hand, the group that rejects the 100-day tahlilan practice is based on a textual-normative approach that emphasizes the purity of worship as exemplified by the Prophet Muhammad and the early generations of Islam. From this perspective, tahlilan is seen as a practice that has no explicit basis in the Qur'an or Sunnah, and is therefore categorized as *bid'ah*, which has the potential to contaminate the purity of Islamic teachings (Journal, 2024). The main argument of the opposing group is that worship rituals must be *tauqifi* (based on evidence), so that any addition to worship without an example from the Prophet is considered invalid according to Islamic law. Several journal articles assert that the determination of specific times, such as the 7th, 40th, or 100th day, does not have a strong normative basis and could lead to the excessive formalization of sacred traditions. This critical view is often found in studies that highlight tahlilan from the perspective of *bid'ah* and the purification of Islamic teachings.

The differences in opinion between the pro and con groups show that the debate surrounding the 100-day tahlilan is not only about whether it is permissible or not, but also touches on the methodology and epistemology of Islamic law itself. The pro group tends to use a contextual approach by considering 'urf, maslahat, and maqāṣid al-sharī'ah, while the contra group emphasizes a textual approach and caution against innovation in worship. This tension reflects the dynamics of contemporary Islamic legal thinking, which is at a crossroads between preserving tradition and the demand for purification of teachings. Therefore, the discourse on the 100-day tahlilan has become an important arena for testing the extent to which Islamic law is able to adapt to social realities without losing its normative integrity. This study also confirms that differences of opinion in Islam are an intellectual inevitability that needs to be managed through an argumentative scientific approach, rather than through ideological polarization alone.

In addition to its normative dimension, the practice of the 100-day tahlilan also reflects the dynamics of the relationship between religion and culture in the social space of Indonesian Muslims. In this context, Islamic law does not exist in a vacuum, but actively interacts with local traditions, social structures, and the psychological and spiritual needs of the community. The tahlilan tradition is a concrete example of how Islamic teachings are practiced contextually through cultural mediums without losing their religious meaning. Therefore, understanding tahlilan solely through a legal-formal lens has the potential to ignore the sociological and anthropological dimensions of living Islamic law. An overly scripturalistic approach can reduce the meaning of sharia to merely a normative text, without considering the social function of religion as an instrument of cohesion, empathy, and sustainability of the Muslim community.

Furthermore, the controversy surrounding the 100-day tahlilan reflects a methodological crisis in the development of contemporary Islamic law, particularly in determining the boundaries between acceptable traditions and innovations that must be rejected. This tension reveals a paradigm shift between the normative-textual fiqh model and the contextual fiqh approach based on maqāṣid and maslahah. In the context of modernity, characterized by cultural plurality and social complexity, Islamic law is required not only to maintain its normative authenticity, but also to ensure its relevance to the lives of the ummah. Therefore, the reinterpretation of the 100-day tahlilan practice is not merely an attempt to justify tradition, but is part of an intellectual effort to formulate Islamic law that is adaptive, inclusive, and remains rooted in the basic principles of sharia.

This study aims to explain the position of the 100-day death commemoration tradition from the perspective of classical Islamic law; describe how contemporary Islamic legal thinking views this practice; and analyze the role of the concepts of 'urf, bid'ah, and maqāṣid al-sharī'ah in assessing the legitimacy of the 100-day tahlilan practice. This study is important because it will contribute to efforts to develop contemporary Islamic legal *ijtihad* that is contextual and takes into account the socio-cultural realities of Indonesian Muslims. This is relevant to overcoming the polarity between supporters of

tradition and opponents who only refer to narrow textual arguments without considering the social context.

## **RESEARCH METHOD**

This study uses the library research method, focusing on reviewing scientific literature relevant to the practice of the 100-day tahlilan and Islamic legal thought. Data was obtained from primary and secondary sources in the form of classical fiqh books, works by contemporary Islamic legal thinkers, and journal articles discussing the tradition of tahlilan, the concepts of 'urf, bid'ah, and maqāṣid al-sharī'ah. The approaches used include a conceptual approach to analyze Islamic legal concepts, a historical approach to trace the position of the tahlilan practice in classical Islamic legal tradition, and a sociological approach to Islamic law to understand the tahlilan practice as a phenomenon of living law in Indonesian Muslim society. Data analysis is carried out descriptively and analytically by comparing classical and contemporary legal views to produce contextual and argumentative reinterpretations.

## **FINDINGS AND DISCUSSION**

### **The Position of the 100-Day Memorial Tradition in the Perspective of Classical Islamic Law**

The tradition of tahlilan is a ritual practice commonly found in Indonesian Muslim communities. This ritual is essentially a form of communal prayer for the deceased, performed at several points after death, including the 100-day memorial. In many communities, this ceremony is not merely a recitation of dzikir and the Qur'an, but is also considered a form of social and spiritual solidarity for the bereaved family. Several ethnographic studies show that tahlilan is part of cultural practices that combine religious values and local wisdom. Research in the Banjar community even shows that tahlilan strengthens the values of togetherness and community identity.

In classical Islamic law, the main sources of law are the Qur'an and Sunnah. If a practice does not have a clear basis in these two sources, classical scholars often view it as something to be wary of or categorize it as bid'ah – an innovation that was never practiced by the Prophet or his companions. A number of scholars argue that tahlilan was never explicitly exemplified in the accounts of the Prophet or the early generations of Islam, and therefore should be criticized (Shihab, 2023). However, some classical fiqh scholars also understand that various social practices that do not contradict the principles of sharia can be categorized as mubah (permissible) as long as they do not explicitly violate sharia arguments. Traditions that emerged later, such as tahlilan, can be viewed as legal social phenomena if there are no arguments that clearly prohibit them.

The concept of 'urf – or community customs – has an important place in classical Islamic law. Many classical fuqaha acknowledge that valid 'urf can be used as a basis for law as long as it does not contradict the text of the Sharia (Shihab, 2023). In this case, the practice of tahlilan is considered a manifestation

of 'urf that remains strong in Indonesian Muslim society, and is even understood by many local scholars as an accepted custom ('urf shahih). Thus, within the framework of classical law, the position of the 100-day commemoration cannot traditionally be declared absolutely haram, but further study is still needed regarding the sharia arguments related to prayers and good deeds for the deceased.

In classical Islamic jurisprudence, debates regarding practices not explicitly exemplified by the Prophet Muhammad often revolve around the distinction between ibadah mahdhah (pure worship) and muamalah (transactions). Classical scholars agree that ibadah mahdhah is tauqifi in nature, meaning it must be based on clear evidence and cannot be added to or subtracted from without textual basis (Nurhasanah & Puspitasari, 2023). However, prayers, remembrance of God, and almsgiving—which form the core of tahlilan practices—are positioned by many fuqaha not as mahdhah worship in a specific form and time, but as general acts of charity (ghair mahdhah worship). In this context, the determination of a specific time, such as the 100th day, is not always understood as a binding sharia restriction, but rather as a form of social regulation to facilitate the implementation of communal prayer. This view shows that classical Islamic law actually has flexibility in responding to religious practices that develop within society, as long as the substance of these practices is in line with sharia values.

Furthermore, a number of classical scholars also recognize the legitimacy of practices that arise from social customs as long as they do not conflict with the principles of Sharia, as emphasized in the fiqh principle of al-'ādah muhakkamah (customs can be used as a basis for law). This principle provides space for religious social practices, including death commemorations, to be accepted as part of the religious life of Muslims (Jannah et al., 2025). In the context of the 100-day tahlilan, the custom of gathering to pray together and give alms can be understood as a manifestation of the values of ukhuwah and ta'āwun (mutual assistance) that are strongly emphasized in Islam. Therefore, even though there is no direct precedent in the practices of the early generations of Islam, classical Islamic law does not necessarily rule out the legitimacy of such practices, as long as they are not accompanied by the belief that the ritual is obligatory or has a special virtue established by the Sharia. This reading confirms that classical Islamic law, when understood comprehensively, is not always rigid, but rather opens up space for dialogue between the text, tradition, and the social reality of the ummah.

### **Contemporary Islamic Legal Thought Views Such Practices**

Contemporary Islamic legal thought seeks to bridge the gap between classical texts and modern social realities. Modernity brings new demands that Islamic law should not only be viewed from a literal text, but also be able to respond to socio-cultural dynamics, human values, and the aspirations of the ummah. This contemporary perspective attempts to find a balance between the universal values of Islam and the current context of Muslim societies in various parts of the world. In contemporary studies, the practice of tahlilan is seen as a

social phenomenon that reflects the efforts of Muslim communities to appreciate the aspect of death, strengthen social solidarity, and maintain mutually supportive communal relationships. Tahlilan is not merely a rigid ritual based on legalistic texts, but also a space for affirming religious values that produce positive social impacts (Thalib, 2016). Furthermore, some contemporary thinkers argue that if tahlilan does not contain elements of shirk and does not force community members, this practice can be positioned as a valid *urf shahih* that is legally valid, as long as it does not violate the basic principles of sharia. This approach is in line with the spirit of Islamic law, which can selectively accommodate local traditions as long as they are in accordance with *maqāṣid al-sharī'ah*.

Contemporary Islamic legal thought essentially arose from an awareness of the limitations of the classical *fiqh* approach in responding to the complexities of modern society, which is pluralistic, dynamic, and multicultural. Within this framework, Islamic law is no longer understood solely as a collection of static textual norms, but rather as a system of values that has moral and social objectives (Andika & DAN, 2025). Therefore, religious practices such as the 100-day tahlilan are viewed not only in terms of whether they have explicit arguments, but also in terms of how these practices function in the social life of the community. This approach places social reality (*al-wāqi'*) as an important element in the process of *ijtihad*, so that Islamic law can function as a guiding instrument, rather than a rigid restriction. From this perspective, tahlilan is interpreted as a cultural-religious response of the Muslim community to death, which is rich in values of empathy, togetherness, and collective spirituality.

Furthermore, contemporary Islamic legal thinkers emphasize the importance of separating the normative aspects of religion from religious cultural expressions. From this perspective, not all practices that were not exemplified by the Prophet are automatically categorized as deviations, as long as they do not alter the substance of Islamic teachings (Hukum et al., 2025). The 100-day tahlilan, for example, is not intended as a mandatory ritual or new form of worship that replaces Sharia teachings, but rather as a medium for channeling practices that are normatively recommended, such as prayer, *zikr*, and almsgiving. This approach is in line with the idea that Islam has the internal capacity to engage in dialogue with local cultures through a process of selective acculturation. Thus, contemporary Islamic legal thinking tends to view tahlilan as an expression of lived Islam (Islam in practice), rather than as a theological innovation that threatens the purity of faith.

Furthermore, in the contemporary context, tahlilan is also understood as part of a social mechanism that serves to maintain stability and harmony within the Muslim community. Modern Islamic legal thinking does not ignore the social impact of religious practices, including the potential for conflict that may arise if such practices are rejected outright without a persuasive approach (Sains et al., 2023). Therefore, some contemporary thinkers encourage an approach to *ijtihad* that is gradual, dialogical, and based on *maslahah* (public interest). A total rejection of the 100-day tahlilan without considering its social context has the potential to cause fragmentation among the *ummah* and erode the value of

ukhuwah Islamiyah (Islamic brotherhood). In this framework, contemporary Islamic law not only serves as a determinant of what is halal and haram, but also as a means of social engineering aimed at maintaining unity, inner peace, and the sustainability of Islamic values in modern society.

Some contemporary approaches also criticize the overly textualistic attitude that absolutely rejects the practice of tahlilan on the grounds that it was "not exemplified by the Prophet." This criticism urges the need for a contextual approach that takes into account social realities and broader principles of Islamic law. If we only refer to the absence of explicit examples from the Prophet in the 100-day practice, Islamic law will find it difficult to respond to the plurality of religious practices in modern Muslim societies.

### **The Concepts of 'Urf, Bid'ah, and Maqāṣid al-Sharī'ah in Assessing the Legitimacy of the 100 Days of Mourning Practice**

In Islamic law, 'urf refers to customs that can be used as a source of law as long as they do not contradict the text of the Sharia. Some Islamic legal scholars consider tahlilan to be part of healthy 'urf (socially rooted religion) and can be considered legally as long as its content is consistent with Islamic principles. This shows that the text alone is not enough, but it is necessary to consider the local context.

Bid'ah is often broadly translated as innovation in worship practices that are not found in Islamic law. In traditional studies, tahlilan is sometimes positioned by some scholars as "bid'ah" because there are no examples of it in the time of the Prophet. However, it is mentioned that not all bid'ah are negative; some scholars classify certain innovations as bid'ah hasanah, which are innovations that provide benefits without contradicting the principles of Islamic law. The contemporary context offers a broader understanding of bid'ah than simply a total rejection of social traditions.

The maqāṣid al-sharī'ah approach places the objectives of sharia in protecting religion, life, intellect, lineage, property, and human dignity. This approach allows for the assessment of religious practices based on their impact on the interests and welfare of the ummah, as well as their ability to uphold human and social values. In the context of tahlilan, this practice helps strengthen social solidarity, provides emotional support for bereaved families, and maintains healthy community relations. Thus, if this practice does not violate the principles of Sharia and has a positive impact on the community, it can certainly be interpreted as a legally acceptable practice based on maqāṣid al-sharī'ah.

Within the framework of 'urf, Islamic law views social customs as a reality that cannot be ignored in the process of establishing law. 'Urf is not merely a custom that stands outside of sharia, but often becomes a medium for the actualization of sharia values in a particular social context (Furqan & Syahrial, 2022). In the practice of the 100-day tahlilan, 'urf functions as a social mechanism to regulate expressions of grief, solidarity, and collective prayer in a structured manner. As long as this tradition does not contain elements of belief that contradict Islamic doctrine—such as the assumption that the ritual determines the salvation of the soul—then it can be categorized as 'urf shahih. Thus, the

legitimacy of this practice is not solely measured by the existence of explicit textual evidence, but also by its conformity with the general values of Sharia law, which emphasizes social welfare and order.

Meanwhile, the concept of bid'ah is often the most controversial point in debates about tahlilan. In classical discourse, bid'ah is defined as something new in religion that has no basis in sharia. However, developments in Islamic legal thought show that the meaning of bid'ah is not always singular and rigid. Some scholars distinguish between reprehensible bid'ah (bid'ah sayyi'ah) and innovations that bring goodness (bid'ah hasanah), especially in the aspects of muamalah and religious social expression (Kesilaman & Masyarakat, 2024). In the context of the 100-day tahlilan, this practice does not create a new form of worship, but rather organizes practices that are already known in Islam into a specific social format. Therefore, contemporary approaches tend to view the absolute labeling of bid'ah as problematic, because it ignores the dimensions of purpose, impact, and social context of a religious practice.

More comprehensively, the maqāṣid al-sharī'ah approach provides the most relevant evaluative framework for assessing the practice of the 100-day tahlilan (Kadzim, 2025). By placing Sharia objectives—such as protecting religion, life, reason, and social harmony—as the main orientation, religious practices are not only judged by their outward form, but also by their contribution to the welfare of the community. Tahlilan, in many contexts, serves to maintain the emotional stability of bereaved families, strengthen social networks, and instill values of empathy and collective concern. When viewed through the lens of maqāṣid, this practice has the potential to support the objectives of Sharia in preserving human dignity and social cohesion. Therefore, the maqāṣid approach allows contemporary Islamic law to be more adaptive and prudent in responding to local traditions, without compromising its commitment to the basic principles of Sharia.

## CONCLUSION

This study reveals that the 100-day memorial ceremony in the practice of tahlilan is a socio-cultural phenomenon that has strong roots in Indonesian Muslim tradition. From the perspective of classical Islamic law, this practice is not categorized as a ritual with an explicit basis in Islamic jurisprudence, thus giving rise to legal polemics between those who reject and those who accept the practice. Contemporary Islamic legal thought opens up interpretive space that views this tradition from a contextual approach, taking into account 'urf shahih (valid custom) and the social values contained therein. The role of maqāṣid al-sharī'ah is important in assessing the legitimacy of this practice, especially if its impact brings maslahat without contradicting the principles of sharia. Thus, the reinterpretation of the 100-day tahlilan shows that Islamic law can be responsive to the socio-cultural dynamics of the ummah, without neglecting the main objectives of sharia.

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