

Abstract

Humans began to recognise names since the first man was created by God (Adam alaihi salam). This is explained by the books of the heavenly religions, which are the words of God that are believed to be true by human beings who believe in religion. There are many traditions of name usage in the world that are influenced by each culture that has a long history. Which each region has a different tradition of using names. One of the traditions that exist is the culture of adding the husband's name or the husband's family name behind the wife's name after marriage. The Fatwa of Lajnah Daimah Saudi Arabia and Daarul Ifta' Egypt are two institutions that have released fatwas regarding what is the law of Islam for a Muslim who adding the husband's name behind the wife's name as the culture of people in western countries. The type of research that will be used in this research is descriptive normative legal research through a comparative approach, which focuses on Islamic studies by examining the fatwas of the two institutions concerned, literature related to fiqh issues, as well as other supporting sciences such as history and sociology as tools and materials for analysis in this research. The results of the study found that the fatwa council of Lajnah Daimah Saudi Arabia ruled that it is forbidden to put the husband's name behind the wife's name because the mufti understands that putting the husband's name behind the wife's name is a form of associating oneself with the husband or the husband's family, and this is something that is prohibited and has a great threat. This is also considered as imitating the disbelievers (Tasyabuh bil kufr), which is obligatory for Muslims to be careful and leave such things. In contrast, the Fatwa Council of Daarul Ifta, Egypt, has ruled that it is permissible to add the husband's name after the wife's name because the mufti took into account the 'urf (customs) of the people in the country and was of the view that there is no woman in the practice, when she adopts her husband's name or surname, denies her parental relationship to her biological father. Such an act is merely a form of identification (Ta'rif) that the woman has married a man from a specific family.

Keywords: Name, Adding, Attributing, 'Urf, Lajnah Daimah, Daarul Ifta'