

Efforts to Handle People with Mental Disorders from Perspective of Islamic Law

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Abstract: One of the phenomena that shows that there are still social problems today, among others, can be seen from the many people with mental disorders as a condition where a person experiences disturbances in behavior, thoughts, and feelings which are manifested in the form of a set of symptoms or significant changes in behavior, and can lead to suffering and obstacles in carrying out the function of people as human beings. Islam as a religion that regulates all aspects of life provides a method to deal with this problem. The aim of this research is to analyze how the concept of Islam is used to rehabilitate people with mental disorders. This research method uses the legal positivism paradigm (legal positivism paradigm) and the legal post positivism paradigm (legal post positivism paradigm) with a normative juridical approach to solving research problems by examining secondary data by conducting literature studies on primary, secondary and tertiary legal materials. The data obtained were then analyzed using a qualitative descriptive method. The results of Al-Qur'an research are sent down to change human thoughts, tendencies, and behavior, provide guidance to them, change their error and stupidity, direct them to be better and equip them with new thoughts about human nature and its mission. in life. Efforts to rehabilitate people with mental disorders according to Islam are carried out by carrying out ruqyah psychotherapy, Islamic spiritual therapy, psychoanalytic therapy, and group activity therapy.

Keywords: Handling, People with mental disorders, Islamic law.

1. Introduction

Mental disorder is a manifestation of a form of deviant behavior due to emotional distortion so that irregularities in behavior are found. This happens because of the decline in all mental functions. According to RI Law Number 18 of 2014 concerning Mental Health, it is explained that People with Mental or Psychotic Disorders, hereinafter abbreviated as ODGJ, are people who have physical, mental, social, growth and development problems, and or experience mental disorders which are manifested in the form of a set of symptoms and meaningful changes in behavior and can cause suffering and obstacles in carrying out the function of people as human beings.

Mental disorders can happen to anyone, both young, adults and even the elderly. The age that is vulnerable to mental disorders is the adult age, which is mostly at the age of 18-35

years. Currently the individual experiences a transition from the adolescent to adult stages. Individuals want to extend their sense of irresponsibility as a teenager but also want to be considered adults.

At this time, individuals who face a lot of stress say that adulthood is a productive age where they must be able to support themselves independently. This age is also the age when someone has a family, so the burdens or problems they face are also increasing, not just their own problems but having to think about the burdens or problems of their family members. This allows adults to have more complex problems and are at risk of experiencing mental disorders because age is one of the factors influencing a person's health behavior, namely the longer one lives, the more experience, the wider the knowledge, the deeper the expertise and the better the wisdom in making decisions about their actions. Likewise, the family, the longer they live (older), the better they will be in acting in caring for clients with mental disorders. Mental disorders are closely related to everyday life, such as personality disorders, always suspicious, always wanting to attract the attention of others to the tendency to violate existing norms.

Mental disorders can cause a decrease in patient productivity and ultimately cause a large burden of costs that can burden families, communities, and the government. Even mental disorders can have an impact on increasing the burden on the state and reducing human productivity in the long term. Neuropsychiatric conditions account for 13% of the total Disability Adjusted Life Years (DALYS) lost to all illnesses and injuries in the world and are expected to increase to 15% by 2020. Depression alone accounts for 4.3% of the disease burden and is one of the largest causes of disability worldwide.

In addition, recently society views that patients with mental disorders are crazy people and society thinks that crazy people have threatening characteristics. As a result of the wrong public perception, it influenced the family members of these mental patients, and they did not want to accept these patients after they were medically cured. This negative public perception results in sufferers often getting positive support for their healing process.

Islam as a religion that perfectly regulates all aspects of human life, to guarantee the safety and happiness of the world

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and the hereafter. To be able to achieve safety and happiness, the health factor is very important because it will support the implementation of one's worship ordered by Allah SWT. Based on this, the purpose of this research is to analyze rehabilitation efforts for people with mental disorders from the perspective of Islamic law.

2. Research Methods

This research is normative juridical research, that in this study used data sourced from library studies in the form of secondary data. Sources of data are in the form of the Qur'an, Hadith, and laws and regulations as well as other regulations as primary legal materials. Literature books, research results, opinions of scholars, papers which are secondary sources of law. As well as legal dictionaries and legal encyclopedias which are tertiary legal materials. The data obtained from the literature study were then analyzed using a qualitative descriptive method.

3. Research Result

A. People with Mental Disorders Perspective of Islamic Law

According to the Islamic view, a healthy body will produce an optimistic and hopeful attitude in facing life's challenges. Based on these reasons, Islam recommends that society take all necessary steps to ensure the survival of Muslims. Health is the most important gift, given by God to man. People who are unhealthy will not be able to carry out their obligations and practice Allah's commands properly. There is no other gift of God that is worth the gift of health. This is in line with the hadith of the Prophet which reads: "It is truly a pleasure that the servant will be asked for the first time on the Day of Judgment later is the question: "Didn't We give health to your body and have given you refreshing water?"

Mental health, the Prophet Muhammad SAW also indicated that there are physical complaints that occur due to mental disorders. Once, a person came to take out a stomach ailment that his brother was suffering from. After being given medicine many times, he did not recover. Al-Qur'an Alkarim indeed talks a lot about the mental illness of those who are weak in faith, judged by the Al-Qur'an as someone who has a disease in his chest. This is in line with the words of Allah SWT in the Qur'an, namely: In their hearts there is a disease, then Allah added to the disease and for them a painful punishment, because they lied (QS. Al Baqarah: 10)

The Qur'an is mentioned no less than eleven times by the term "fiqulubihī maradh." The word qalb or qulub is understood in two meanings, namely the mind and the heart. The word maradh is usually interpreted as a disease. In detail, the linguist, Ibnu Faris defines the word as "everything that causes humans to go beyond the limits of balance/reasonability and leads to physical, mental disturbances and even to the imperfection of one's deeds".

From here the Qur'an introduces diseases that afflict the heart and afflict the mind. Diseases of the mind caused by excess are a kind of cunning, while those caused by deficiency are ignorance due to lack of education. A person who does not

know and who is not aware of ignorance is inherently suffering from the disease of multiple intelligences. The disease of the mind, which is ignorance, leads to its suffering of doubt and indecision. Psychiatric illnesses are varied and stratified, arrogance, hatred, revenge, fanaticism, greed and miserliness, among others, are caused by one's excess form. As for fear, anxiety, pessimism, and low self-esteem, they are due to their shortcomings.

People who are affected by mental disorders will experience liver disease which is a psychic disease, this disease will not only undermine a person but further damage the soul. Experts say that psychological conditions will affect the nerves and nerves will affect the glands, the glands will secrete fluids (hormones) in the body, these fluids will affect the body's immunity. Crazy according to Islamic Shari'a is the loss of one's ability to think because of congenital factors or because of disorders such as illness or physical disability. Abdul Qadir Audah gives the following definition of crazy: "Insanity is loss of mind, broken, weak".

This definition is a general and broad definition, so that it includes madness (junun), imbecile (al-'ithu), and all types of mental illness which eliminate idrak (ability to think). Types of diseases, both those that eliminate all the power of thinking and so on.

- a) Continuous madness is a condition where a person cannot think at all, whether it is suffered from birth or that comes later. In this kind of crazy jurists it is called Al-junun Al-muthbaq.
- b) Intermittent madness People with intermittent insanity cannot think, but not continuously. If this situation befalls him then he loses his mind completely, and when the situation has passed (disappears) then he can think again as usual.
- c) Crazy, partly crazy, partly causes a person to be unable to think in certain matters, while in other cases he is still able to think.
- d) Dumb (Al-ithu) The jurists as quoted by Abdul Qadir Audah provide the definition of an imbecile (ma'atuh) as follows. arise later due to a disease.

From this definition it can be understood that stupid is the lowest level of crazy. Thus, a fool is different from thinking, not eliminating it, while crazy results in a loss or confusion of the power of thinking, according to the levels of stupidity, however, the stupid is not the same as the ability to think is not the same as ordinary (normal) people. Zakia Daradjat in the book Islam and health explains that mental health disorders can affect:

- a) Feeling; for example, anxiety, fear, envy, sadness for no reason, angry over trivial things, indecisive, feeling inferior, arrogant, depressed, (frustrated), pessimistic, hopeless, apathetic and so on.
- b) Thought; poor thinking ability, difficulty concentrating, forgetfulness, unable to continue the plans that have been made.
- c) Behavior: naughty, liars, abuse yourself or others, hurt people's bodies or hearts and various other deviant behavior.

- d) Body health: disease that is not caused by disturbances in the body.

Abdul Hamid AL-Balali, in the book *Madrasah Education Jiwa*, "as for those who are shaken by the shock of the soul; humiliated because of his arrogance; and afraid because of its ferocity; they let go of the reins of their soul to submit to his soul. Even though their mother gave birth to them freely, independently, without any control. It is their soul that directs them to what lust desires. So that they fail and lose money, both in this world and in the hereafter, their souls go beyond the boundaries outlined by Allah SWT. in his book and what the Prophet Muhammad has explained in his sunna. They have been given instructions about the means created by Allah to connect with the world and help them to worship. However, they take these means as a counter-god besides Allah ta'ala.

Allah SWT says in the Qur'an, "Tell me about the person who makes lust as his god". (QS. Al-Furqan [25]: 43).

B. Efforts to Rehabilitate People with Mental Disorders According to the Concept of Islamic Law

Islamic law, as part of the Islamic religion, protects human rights. This can be seen in the objectives of Islamic law, the purpose of Islamic law is the happiness of human life in this world and in the hereafter, by taking everything that is beneficial and preventing or rejecting that which is harmful, that is, that which is not useful for life and life. In other words, the purpose of Islamic law is benefit, human life, both spiritual and physical, individual and social. Benefit is not only for living in this world but also in the hereafter. Abu Ishak al shatibi formulates 5 objectives of Islamic law, namely maintaining, (1) religion, (2) soul, (3) mind, (4) offspring, (5) property, which is then agreed upon by other Islamic legal scholars. The five objectives of Islamic law are called *al-maqasid al-shariahl*m.

Al-maqasid al-shariahl is something that is required for someone who wants to understand the *syar'i* texts correctly. Islamic law, in the meaning of *ayari'at*, is the full determination of the authority and prerogative of Allah, and humans cannot intervene to determine and change it. Whereas Islamic law in the sense of *fiqh* can change at any time according to changing circumstances and conditions of the times, and humans can intervene to determine and change it. This is as emphasized by Al-Alwani that Islamic law is understood as *shari'ah* which reflects eternity (does not change) and Islamic law in the sense of *fiqh* which is relative and changes along with the acceleration of the dynamics of space and time.

The author uses the theory of *maslahah*, etymologically *maslahah* comes from the single root word *Al-Mashalih* which means *Al-shalah*, which is to bring good. *Munasib* which means things that are suitable, appropriate and appropriate for its use. From these understandings it can be emphasized that anything that contains benefits in it, whether it is to gain benefits or to prevent harm, then it is called *mashlahat*. And this term has been absorbed into the treasury of the Indonesian language. While the meaning of *maslahat* in terminology is widely put forward by experts in the methodology of Islamic Law, including:

Al-Ghazali defines that *mashlahat* in principle is an

expression to gain benefit and reject harm, the *mashlahat* referred to in this definition is to maintain *syara'* purposes, namely, to maintain religion, soul, mind, lineage and wealth. So, everything that guarantees the maintenance of these five things, that is *mashlahat*, and wasting it means *mafsada* and removing all obstacles to ensure the maintenance of the five cases, is also *mashlahat*.

From the definition above, it can be emphasized that editorially there are differences but substantially they are the same, namely that what is meant by *mashlahat* is a means to determine matters relating to human interests, which are based on the principle of benefiting and rejecting evil. Some of the human interests are primary and some are secondary, and some are complementary.

As for *mashlahat* categorically, it can be distinguished into three types as follows: First, *mashlahat mu'tabarah*, that is, any *mashlahat* that has been stipulated by text, *ijma*, or *qiyas*, or *qiyas* because there is an acknowledged legal *illat*. Second, *mashlahat mulghat*, that is, every benefit that is contained in an event but the *mashlahat* is ignored/annulled by the *Shari'a* because in that event there is a greater harm than the benefit. Third, *maslahat mursalah*, namely the benefits that arise after the death of the Prophet SAW, or the benefits that arise in human minds after the death of the Prophet, and these benefits are recognized and are not contrary to the *Shari'a*. In other words, *mashlahat mursalah* is an expression of determining a law based on *mashlahat* or rejecting the benefit of humans, for which it is unclear whether the argument from the *shari'ah* has been accepted or rejected. Based on this expression, what is meant by *maslahat mursalah* is here, establishing law on a problem based on the principle of achieving benefit and rejecting harm by not violating the intentions of the *Shari'ah*, even though there is no clear text from the *Shari'ah*, but if it is done correctly - really bring benefits that are really needed by the community, at least can produce benefits, or eliminate harm.

Mashlahat mursalah or *Al-Mashlahat Al-Mursalah* in the form or as a *mausuf* attribute, meaning that is regardless of or free of information indicating whether it is permissible or not permissible to do it.

Imam Al-Ghazali classifies the term *mashlahat* or *mursalah* as equal to *istishan* among methods of reasoning that have different validity than those of *qiyas*. So, he mentions this method in terms of principles in which Islamic intellectuals are more aware of themselves on their imagination or wisdom than on *hadith*.

From some of the definitions above, it can be concluded that the elements or nature of *mashlahat mursalah* consist of:

- Maslahat* is something that is good according to reason, with consideration of being able to create good (benefits) or avoid bad (*kemudorotan*) for humans.
- Something that is predicted as good and bad is in accordance with the general goals of institutionalization of Islamic law (*Maqasid Al Sharia*).
- What is good according to reason and in line with the intent of legislation does not receive explicit legality from the legislator to refuse to accept it.

C. Efforts to Rehabilitate People with Mental Disorders Perspective of Islamic Law

Rehabilitative efforts are efforts to improve or restore a condition from an illness to a healthier state, rehabilitative efforts must always be made so that it does not fall into a more severe or worse condition.

Allah says in the Qur'an, which reads: "For man there are angels who always follow him in turn, in front of him and behind him, they guard him at the command of Allah. Indeed, Allah does not change the condition of a people until they change what is in themselves. And if Allah wills evil against a people, then no one can refuse it; and there is no protection for them besides Him." (QS. Ar-Rad [13]: 11)

The scholars have agreed that studying medicine is *fardu kifayah*, unless there is no other person, then the law becomes *fardu'ain*. If studying science is obligatory, while the goal is for treatment, it means that treatment is *fardhu kifayah* for doctors, if there are several doctors in one country and it becomes *fardhu'ain* if there is only one doctor. In this case the doctor cannot avoid his duty to treat sick people who come to him for treatment. Because the doctor's treatment is an obligation, the logical consequence is that a doctor cannot be prosecuted because of his work in the field of medicine.

The *fuqaha* are of the opinion that treatment is not a right but an obligation, because based on this position a person must devote his knowledge to society and is more in line with community life that is upheld on the basis of cooperation and mutual assistance.

Allah says in the Qur'an, which reads: O people, verily there has come to you a lesson from your Lord and a cure for the diseases (which are) in the chest and guidance and mercy for those who believe. (QS Yunus [10]: 57).

The science of *fiqh* is concerned with human charity, which is divided into two major parts, namely those that are specifically known for worship and those generally known as *mua'malat*. Especially about special worship or formal worship, this is directed to the cleansing of the human soul. Human actions related to the senses, meaning those that can be responded to by the five senses but are also indirectly related to the human soul. Because worship is specifically to cleanse and save the human soul. In other words, special worship is to cleanse the human soul, even in practice it is not only the human soul but also the body. Let's just take the prayer service, before praying we must purify ourselves from big and small *hadas*, while during prayer we cannot be extravagant, and the prayer aims to keep people away from heinous and unjust acts. So, pray to purify human behavior personally and collectively. as well as other formal services, *zakat* to cleanse from excess food. In short, by practicing formal worship, humans become cleaner and purer and have drawn closer to one of God's attributes, namely holy (*al qudus*). Formal worship is not only stated in the five pillars of Islam, but also *sunnah* worship such as *sunnah* prayer., *sunnah* fasting, *alms*giving, *umroh*, and especially reading the Qur'an, remembrance and prayer. All these worships function to cleanse the soul because the soul will be eternal even though the body is destroyed.

Methods of the Qur'an in psychotherapy, the Qur'an was

revealed to change people's minds, tendencies, and behavior, give instructions to them, change their error and stupidity, direct them to what is better and better for them and equip them with new thoughts about human nature, and its mission in life. Psychotherapy is basically intended to change the thoughts of mental patients about themselves, other people, life, and various problems that they are unable to deal with and are the cause of their anxiety. In this case the psychotherapist tries to straighten the patient's thoughts and make them have insights about themselves, other people, and their problems with realistic and correct insights.

D. Stages of Efforts to Rehabilitate People with Mental Disorders from the Perspective of Islamic Law

1) Ruqyah Psychotherapy

Psychotherapy is treatment and healing in a psychological way for problems related to thoughts, feelings and behavior, psychotherapy is also called psychiatric therapy and mental therapy, so that individuals can overcome their emotional disturbances, by modifying the behavior of their thoughts and emotions so that the individual is able to develop himself in overcome psychological problems, while people who do psychotherapy are psychotherapists who are generally from doctors, therapy according to the Qur'an which is revealed as an antidote and mercy for believers as one of the therapies in overcoming mental disorders according to Ibnul Qayyim Al Jauziyah, namely therapy *ruqyah*, *ruqyah* therapy is not limited to *jinn* disorders, but also includes physical therapy and mental disorders, *ruqyah* therapy is one of the healing methods used by Rasulullah saw, besides using the *ruqyah* method also uses cupping, heating, food, drink, environment and fragrances, *ruqyah* psychotherapy is a healing therapy for physical illness and psychiatric disorders with psychotherapy and Islamic counseling by using the recitation of verses from the Al-Qur'an and the prayers of Rosulluloh Shalallahu'alaihi Wa Salam.

2) Islamic Spiritual Therapy

Islamic spiritual therapy is a treatment or healing of psychological disorders that is carried out systematically based on the concepts of the Qur'an and Assunah, Islamic spiritual therapy views that faith and closeness to Allah are very significant strengths for efforts to improve self-recovery from depressive disorders. or other psychiatric disorders, two targets that are considered important in Islamic spiritual healing are the human heart and mind.

3) Psychoanalytic Therapy

Psychoanalytic therapy is a treatment technique carried out by a therapist by digging up all the information, problems and analyzing every word expressed by the client. aware, and strengthen the individual ego to be able to face the reality of life. In psychoanalytic therapy there is a relationship and interpersonal and professional cooperation between the therapist and the client, the therapist must be able to maintain this relationship so that the client can feel comfortable, calm and can relax telling problems and their goals to find traffic. Because the main focus in this therapy process is to dig up all the problem information and analyze every word expressed by the client.

4) Group Activity Therapy

Group activity therapy is one of the modality therapies carried out by nurses to a group of clients who have the same nursing problems, group activity therapy is often used as an additional therapy, group activity therapy is done by drawing, reading poetry, listening to music, and other daily activities. Music therapy is one of the most effective ways to cure people with mental disorders, this therapy is an additional therapy with the aim of restoring their memories.

4. Conclusion

- 1) The Qur'an was sent down to change people's minds, tendencies, and behavior, to guide them, change their error and stupidity, direct them to be better and equip them with new thoughts about human nature and its mission in life.
- 2) Efforts for people with mental disorders according to Islam are carried out by doing ruqyah psychotherapy, Islamic spiritual therapy, psychoanalytic therapy, and group activity therapy.

5. Suggestion

- 1) Islam, which regulates all aspects of life, should be a source of law in seeking treatment for people with mental disorders by integrating it into Indonesian positive law.
- 2) The government needs to overcome various obstacles related to legal substance, in this case legislation, the legal structure, namely synergizing law enforcement officials, and legal culture, especially in socializing every legal policy, in this case related to the role of society in giving responsibility to people with mental disorders (ODGJ).

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