

A Philosophical Review Of Islamic Law of the Dynamics and Relevance of Idah for Career Women

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Abstract: This paper examines the dynamics of Islamic law following the rise of the gender equality movement, such as women's participation in the public sphere, and the dynamics of the sophisticated medical technology that impact the substance of idah. This paper aims to examine the relevance of idah and its implementation mechanism for career woman. This article was compiled using qualitative methods with an Islamic legal philosophy approach. Primary data sources were drawn from Islamic legal sources. Secondary data were obtained from accredited journal literature. The results indicate that the philosophical meaning of idah is divided into three aspects: ontological, epistemological, and axiological. From these three aspects, it was found that idah remains relevant for career woman because the ontological waiting period has implications for psychological recovery. Thus epistemologically, the obligation of idah aims to protect biological and sociological aspects. Therefore, idah, axiologically, means the command to maintain biological values, protect the psyche, and maintain sociological relationships. The findings in this paper explain that the implementation of idah for career women cannot shift the fundamental meaning but can adapt its instrumental value based on urgency.

Keywords: Philosophy, Idah, Career Woman

1. Introduction

The development of understanding about gender has accelerated since it was actively promoted by the United Nations (UN) in the 1940s, becoming a fundamental step in changing the social roles of global communities, including Indonesia, which has also played a role since the 1960s.¹ The implications of the gender equality movement have provided space for women to optimize their potential in various areas of social life, one of which is their public role as career women. Women's equality in the public sphere is reflected in their contributions to professional work, active participation in education, and contributions to politics and government. In addition to their careers, women are also active and contribute to the economy as breadwinners for their families. The development of understanding about gender has accelerated since it was actively promoted by the United Nations (UN) in the 1940s, becoming a fundamental step in changing the social roles of global communities, including Indonesia, which has also played a role since the 1960s.¹ The implications of the gender equality movement have provided space for women to optimize their potential in various areas of social life, one of which is their public role as career women. Women's equality in the public sphere is reflected in their contributions to professional work, active participation in education, and contributions to politics and government. In

¹ Muhammad and Ismiyati, 'Wanita Karir Dalam Pandangan Islam', *Al-Wardah* 13 no 1 (2020). 117

addition to their careers, women are also active and contribute to the economy as breadwinners for their families.

The existence of career women continues to be highlighted as a result of the times, such as the dual roles of career women, the fulfillment of the rights and obligations of career women, and this article highlights the implementation of idah for career women.

Although marriage is a sacred practice and a sacred bond that unites men and women, it does not guarantee an eternal bond.² The dynamics of marital relationships sometimes encounter conflicts that lead to divorce and result in a woman having to observe idah. In addition, another condition that results in the observance of idah is the death of the husband (some call it divorce by death. The concept of idah has long been regulated, even since pre-Islamic times.

Idah is a period of waiting or mourning regulated by Islam after the death of a husband or divorce. Idah is divided into two situations, namely due to death and not due to death, then based on its categories, there are four types: idah for pregnant wives, menstruating wives, menopausal wives, and wives who have never had sexual intercourse (*qobla ad-dukhl*)³. The Qur'an has regulated this situation in Surah Ath-Thalag Verse 4, Al-Bagarah Verses 228 and 234, and Al-Ahzab Verse 49.⁴ When discussing idah, there is a term that is often associated with it, namely ihdad. Ihdad is a prohibition against women who are in the idah period, such as dressing up/adornment, wearing excessive clothing, painting and decorating the eye area (eyeliner), and a prohibition on leaving the house.

As times change, the practices of idah and idad have undergone shifts in implementation when dealing with the duties of career women. The attachment of career women to employment contracts and family economic needs has influenced the reality of Islamic law. Career women, such as civil servants and corporate employees, have professional standards, such as working hours and dress codly.⁵ This situation raises Islamic legal issues, requiring a reconception of the substantive meaning of idah and idad as a response to the ambiguity of implementation for career women.

Efforts to explore a legal text are done by looking at its "*illat*," as well as the concept of idah. The rules of idah, which originate from the formulations of mujtahids and thinkers, state that the purpose of idah is to ensure the cleanliness of a woman's womb and avoid mixing lineages (*hifdzu nasl*), to maintain women's honor, and to provide a phase of thinking or reflection for reconciliation.⁶ With the advancement of information technology, there are now detection tools or pregnancy tests and ultrasound scans to determine the cleanliness of the womb. Therefore, the reason for idah to maintain the cleanliness of the womb is still debatable.

Similarly, the concept of ihdad as a prohibition on dressing up and leaving the house, with the rapid growth of social media, allows people to access and show themselves in public spaces quickly.⁷ Based on these issues, this study reexamines the concepts of idah and idad through three aspects of Islamic legal philosophy, namely ontology, epistemology, and axiology. These three aspects allow for the deconstruction of interpretation by considering the magashid syariah paradigm.

² Aisyah Ayu Musyafah, 'Perkawinan Dalam Perspektif Filosofis Hukum Islam', *Jurnal Crepido* 2 no. 2 (2020). 11-22

³ Ahmad Muslimin, 'Idah Dan Ihdad Wanita Modern: Iddah Dan Ihdad Wanita Modern', *Jurnal Mahkamah: Kajian Ilmu Hukum Dan Hukum Islam* 2, no. 2 (2017). 217-234

⁴ Slamet Abidin and Aminuddin, *Fiqh Munakahat II* (CV. Pustaka Setia, 1999).

⁵ Ahmad Khoiri and Asyharul Muala, 'Iddah Dan Ihdad Bagi Wanita Karir Perspektif Hukum Islam', *Journal of Islamic Law* 1, no. 2 (2020). 256

⁶ Shofiatul Jannah and Dwi Hidayatul Jannah, 'Reformulation of the Concept of Iddah in The Compilation of Islamic Law Perspective of Negoitative Hermeneutics', *De Jure: Jurnal Hukum Dan Syari'ah* 15, no. 2 (2023). 287

⁷ Sunarto dkk, 'Interaksi Wanita Iddah Melalui Media Sosial', *Jurnal Islam Nusantara* 4 4, no. 2 (2020).

Research on idah has been discussed, as has the context of career women studied from a historical perspective⁸, the concept of⁹, as written by Indah Dewi Megasari¹⁰, Khoiri¹¹, then about the practice¹², the thoughts of figures¹³, and also about philosophy¹⁴. The literature review has shown a variety of objects and focuses that have been discussed previously, such as focusing on the review of idah verses, the history of idah, the discovery of maqashid syariah values, the thoughts of figures, and philosophy.

Of the many focuses that have been studied, this paper's position on renewal is clear: previous writings have focused on the practice of idah for career women and have been based on sociological and philosophical aspects. This paper, on the other hand, shows a reinterpretation of the concept of idah for career women from a legal and philosophical perspective. In addition, papers with the object of idah are also found to have a correlation with ihdad, such as the writings of Karami and Wathoni¹⁵, Singgih and Masruri¹⁶, and Muda'i et al¹⁷, which state that idah is always associated with ihdad.

2. Method

The study on the implementation of idah and ihdad for career women uses a qualitative research method with a philosophical approach and library research. The object of this paper is idah for career women, an issue raised as described in the background above. Because the focus of this paper is on the relevance and implementation of idah for career women in the current era, the primary data sources were collected through research on Islamic legal guidelines, namely the Qur'an and hadith. Meanwhile, the secondary data came from literature related to the subject and focus of the problem. This process then produced an analysis that was different from previous studies. The research stages began with data classification, data reduction, and data analysis. The analysis technique used was descriptive-analytical, and the results of the analysis were presented to answer the research questions related to the idah for career women.

3. Result and Discussion

3.1. The History of the Concept of Idah

The term idah comes from the Arabic word *'adad*, which means number or count, referring to menstrual days or sacred time.¹⁸ When referring to menstruation, the subject of idah is directed at women. The concept of idah is not something new that originated from Islamic authority. Since pre-Islamic times, or what is known as jahilyah, the culture of idah has been applied in a discriminatory manner. At that time,

⁸ Moh. Sirojul Munir, 'Analisis Historis Ayat 'Iddah Dan Korelasinya Dengan Hak Keluarga Rumah Bagi Wanita Karir Pasca Perceraian', *Iqtiran: Jurnal of Quranic and Interpretation Studies* 1, no. 1 (2025), 1-18.

⁹ Edo Susilo, 'Iddah Dan Ihdad Bagi Wanita Karir', *Al-Hukama: The Indonesian Journal of Islamic Family Law* 1, No. 2 1, no. 2 (2016), 256-273.

¹⁰ Dewi Megasari, 'Iddah Dan Ihdad Bagi Wanita Karir Menurut Hukum Islam', *Badamai Law Journal* 7, no. 2 (2022), 344-353.

¹¹ Ahmad Khoiri and Asyharul Muala, 'Iddah and Ihdad for Career Women from Islamic Law Perspective', *Journal of Islamic Law (JIL)* 1, no. 2 (2020), 256-273.

¹² M. Shinwanuddin Dkk, 'Praktik Iddah Bagi Wanita Karir', *Jas Merah: Jurnal Hukum Dan Ahwal Al-Syakhsiyyah* 2, no. 1 (2022), 111-126.

¹³ Nur Aziz Mulim Dkk, 'Reinterpreting Iddah for Career Women: Najmuddin Tufi's Maqashid Sharia Approach', *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam* 8, no. 1 (2024), 65-79.

¹⁴ Wahyu Akbar Dkk, 'Reposition of Ihdad Women's Multi-Career Perspective: Philosophical, Historical, Juridical, and Sociological', *El-Usrah: Jurnal Hukum Keluarga* 7, no. 1 (2024), 372-389.

¹⁵ Khairul Imam Karami and Muhammad Nurul Wathoni, 'Ihdad Bagi Perempuan Karier Studi Komparatif Dan Flqih Imam Syafi'i', *As-Syar'i: Jurnal Bimbingan Dan Konseling Keluarga* 6, no. 1 (2024), 904-915.

¹⁶ Singgih Mualim and Masruri, 'Ihdad Wanita Karir Perspektif Hukum Islam', *Al Wasith: Jurnal Studi Hukum Islam* 8, no. 1 (2023), 67-83.

¹⁷ Syaiful Muda'i, 'Ihdad Bagi Wanita Karir', *Jas Merah: Jurnal Hukum Dan Ahwal Al-Syakhsiyyah* 2, no. 1 (2022), 61-73.

¹⁸ Teguh Saputra, 'Farid Esack's Hermeneutics of Justice on the The Concept of Iddah Period for Women', *Islamic Review: Jurnal Riset Dan Kajian Keislaman* 11, no. 2 (2022).

women who were abandoned by their husbands would be placed in a hut wearing the ugliest clothes and were not allowed to wear perfume. As a result, these women would emit a foul odor and for one year they would live with mammals and poultry. Before returning to her family, the woman had to be pelted with excrement on her back, which also served as a sign of the waiting period after divorce. This action was analogous to animals defecating and forgetting about it. Thus, this was also the stage that divorced women had to go through.¹⁹

Interpreters classify the verses about idah into two parts, namely wives who are left because they are divorced and wives who are left because of death.²⁰ Various literature has pointed to several verses in the Qur'an that relate to marriage issues that previously existed in Arab society, such as the concepts of dowry, inheritance rights, divorce, and idah. This means that these verses aim to rethink practices that were prevalent among Arab society, which led to deviant behavior, discrimination, and even inhumane treatment of women whose husbands had died.

The practice of idah for divorced wives in pre-Islamic times was controversial, with some saying that there was no idah, and others saying that there was idah, referring to the practice of divorce for pregnant wives. Based on the customs of pre-Islamic Arab society, it was believed that the child in the womb was the offspring of the mother's husband, so that the woman could remarry without waiting until she gave birth.²¹ In contrast, Islam commands that pregnant women observe their idah until they give birth. It can be observed that the origin of the idah law stems from pre-Islamic social realities, which were responded to in a more humane manner through Islamic law. The historical knowledge above correlates with the asbabun nuzul of the verses on idah.

3.2. Legal Basis of Idah

Idah is a term used to refer to the waiting period for a wife who has been left by her husband, either due to divorce or death, which is based on the calculation of the period of purity/menstruation, the calculation of months, or based on the birth of her child, and during the idah period, the wife is not allowed to remarry. The basis for the obligation to observe idah for a wife is regulated in the Quran and Hadith. Several verses that explain the rules of idah for a wife who has been left by her husband due to death are as follows:

1. Idah for a wife whose husband has passed away (whether pregnant or not)

The idah period for a wife who is left behind due to death while not pregnant is 4 months and 10 days, regardless of whether she is underage or an adult, menstruating or menopausal.²² This provision is based on Allah's command in Surah Al-Baqarah Verse 234 as follows:

وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِيمَا فَعَلْنَ فِي أَنْفُسِهِنَّ بِالْمَعْرُوفِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ

The verse explicitly instructs wives to observe a waiting period of four months and ten days if the divorce occurs due to the death of the husband. Once the waiting period is over, the wife has the right to do what is appropriate and permissible, and the guardian has no right to prohibit her from doing so, such as getting married. The verse above also highlights the waiting period for women who are left behind by their husbands while pregnant, in which case the waiting period lasts until they give birth.

In addition, another basis for this explanation is further explained in Surah al- Thalaq Verse 4, as follows:

¹⁹ Zaenul Mahmudi, *Sosiologi Fikih Perempuan: Formulasi Dialektis Fikih Perempuan Dengan Kondisi Sosial Dalam Pandangan Imam Syafi'i* (UIN-Maliki Press, 2009).

²⁰ Nur Lailatu Musyafaah, *Interpretasi Ayat Iddah Bagi Wanita Menopause, Amenorea, Dan Hamil Dengan Pendekatan Medis*, 8, no. 1 (2018).

²¹ Muhammad Isna Wahyudi, *Fiqh 'Iddah Klasik Dan Kontemporer* (Pustaka Pesantren, 2009).

²² Ali bin Sa'id bin Ali al-Hajjaj terj. Ahmad Syarif al-Gamidi and Dkk, *Dalil Al-Mar'ah Al-Muslimah, Terj Fikih Wanita, I* (Aqwam, 2013).

وَالَّذِي يَسْنَنَ مِنَ الْمَجْضِ مَنْ يَسَائِكُمْ إِنْ ارْتَبْتُمْ فَعِدَّتُهُنَّ ثَلَاثَةُ أَشْهُرٍ وَالَّذِي لَمْ يَحْضَنْ وَأُولَتْ الْأَحْمَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا

The meaning is that wives who no longer menstruate or are menopausal have an "iddah of three months, and the same applies to women who have not yet menstruated (are not yet adults. And wives who are in their iddah period while pregnant, their waiting period is until they give birth.

Based on this verse, the waiting period for a wife who is left by her husband due to death and is pregnant is until she gives birth. However, if a wife is left by her husband who has died in the middle of her pregnancy and she gives birth before the four months and ten days are over, then the majority of scholars are of the opinion that the 'idah period for that wife is until she gives birth, even if the time between her husband's death and her giving birth is only half a month. This is supported by a hadith narrated by Muslim from Ummu Salamah.

This narration explains the 'idah of a wife who was left by her husband due to his death and she was pregnant, from Ibn Katsir, from the story of Subaiah al-Aslamiyyah, who was left by her husband who died while she was pregnant. A few days later, she gave birth. After her postpartum period ended, a man proposed to her. Subai'ah asked the Prophet for permission to marry, and the Prophet granted it.²³ Ath-Thaba also mentioned that the apparent meaning of the verse is not only about the waiting period but also about the prohibition of leaving the house and adorning oneself, but Ath-Thabari emphasized the opinion that it is obligatory not to remarry during the waiting period.²⁴

2. The waiting period for a divorced woman

Surah al-Ahzab Verse 49 states that when a wife is abandoned by her husband due to divorce while she is not pregnant and has never been consummated, she does not need to observe the waiting period. The content of this verse explains that women in this condition are allowed to accept marriage proposals and even marry a new man. However, if the woman has been consummated and is still menstruating, her idah lasts until she has had three periods or three menstrual cycles, as explained in Surah Al-Baqarah Verse 228.

The verses about idah seem to highlight the biological condition of the wife after divorce, such as placing restrictions on the productive period of the reproductive organs, so that the focus of idah is on the waiting period. Because the waiting period is interpreted by the word *quru'*, exegetes highlight the difference between the words three times *quru'* (three times pure or three times menstrual) which affects the duration of a wife's waiting period.²⁵ Sheikh Wahbah Zuhaili, in his Tafsir Munir, explains the reason for the revelation of the above verse using the narration of Abu Dawud and Ibn Abi Hatim from Asma' bint Yazid bin Sakan Al-Anshariyah,²⁶ as follows:

Meaning: I was divorced by my husband while the Prophet (peace be upon him) was still alive. Then Allah revealed the waiting period for divorce: "Women who are divorced should wait three *menstrual* cycles.

²³ Ibnu Katsir and Terj M. Abdul Ghoffar dan Abu Ihsan Al-Atsari,, *Tafsir Ibnu Katsir*, Jilid 6 (Pustaka Imam Asy-Syafi'i, 2010).

²⁴ At-Thabari, *Tafsir At-Thabari Juz XIII* (Darut Tarbiyyah wat Turats, n.d.).

²⁵ Ibnu Katsir, *Tafsir Quranil Adzim* (Darut Thayibah, 1999).

²⁶ Wahbah Zuhaili, *At-Tafsirul Munir, II* (Darul Fikr, 1991).

The history of the idah verse for wives who have been divorced by their husbands began with the problem faced by Asma, as recounted in the above story, until the command regarding the idah period was revealed to the Prophet and applied to other women. Furthermore, the history of the establishment of idah for women who are pregnant is narrated by Al-Thalabi and Hibatullah bin Salamah, from Al-Kalbi and Muqatil, who recounted the incident between Ismail bin Abdullah bin Ghifari, who divorced his wife, Qatilah, while she was pregnant. This story became one of the contexts for the revelation of the verse regulating the idah period for womog who are divorced and die.

After this incident, Surah At-Thalag Verse 4 was revealed. The content of this verse confirms the idah for a wife who is divorced while pregnant, which is until she gives birth. In addition, this verse also serves as a reference for the idah period for women who have reached menopause.²⁷ The asbabun nuzul of this verse is related to the story of Muqatil, from the story of Khallad bin Al-Nu'man bin Qais Al-Anshari who asked the Prophet about the idah period for women who have not yet menstruated or who have reached menopause, and the idah period for pregnant women.

Another narration comes from Abu Uthman 'Amr bin Salim, who recounted another background to the revelation of the clear rules regarding the waiting period for women who are divorced while their husbands are alive and those whose husbands have died, beginning with the incident of Ubay bin Ka'ab, who was asked by women of Medina who had not yet menstruated, were already menopausal, and were pregnant. Ubay then asked the Prophet to confirm the answer regarding the waiting period that had not been mentioned before.²⁸

If we discuss idah, then it is certainly related to the discussion of ihdad. The regulation of ihdad in the Qur'an is not found explicitly, but ihdad is an important part of the idah of a woman whose husband has died. The reference to the rules of ihdad is explained according to the account of Abdullah bin Abdurrahman al-Bassam yaki;

لزوم البيت الذي توفي زوجها فيه وهي تسكنه وترك كل ما يدعو إلى نكاحها من الزينة

Meaning: ihdad is an obligation for women whose husbands have died to stay in the house with their husbands and abandon all forms of adornment and refrain from the desire to marry.²⁹

The explanation of the practice of ihdad, which is sourced from the hadith of the Prophet, has also been explained, as narrated by Bukhari Muslim; "From Umi Habibah, who said, I heard the Prophet say that it is not permissible for a woman who believes in Allah and the Last Day to perform ihdad (mourning) for someone who has died for more than three days, except if it is permissible due to the death of her husband for four months and ten days." (H.R. Bukhari Muslim).³⁰

In general, the hadits regarding the law of ihdad contains prohibitions on wearing jewelry, festive clothing, using perfume, applying makeup, and leaving the house without urgent or emergency reasons, among others. However, the basic purpose of the idah prohibition is to honor the deceased husband and prevent a woman from remarrying and discourage men from proposing to her. The above opinion is based on Imam Al-Qurthubi, who took the perspective of al-Hasan bin Abi al-Hasan, who interpreted ihdad as a prohibition on remarrying immediately.

²⁷ Katsir, *Tafsir Quranil Adzim*.

²⁸ Abu Al-Hasan 'Ali bin Ahmad bin Muhammad Al-Wahidi, *Asbab Al-Nuzul Al-Qur'an* (Dar Al-Kutub Al-'Ilmiyah, 1990).

²⁹ Abdullah bin Abdurrahman Al-Bassam, *Taudih Al-Ahkam Min Bulug Al-Maram, Juz V* (Maktabah al-Asadi, 2003).

³⁰ Muhammad bin Ismail Al-Bukhari, *Al-Jami' Al-Sahih, Juz II* (Dar Thawq al-Najah, n.d.).

Imam Al-Qurthubi also argues that women who are observing ihdad are allowed to leave the house for urgent needs from the morning when people are active until the evening and must return to the house she shared with her husband. Another opinion, such as that of Imam Dawud al-Zahiri, states that a wife is not obliged to stay in her husband's house and may stay in a place she feels safe and comfortable because this obligation only applies in cases of divorce.

Women in a state of idah must still adhere to sharia restrictions, such as not adorning themselves, including wearing attractive clothing, perfumes, jewelry, kohl, henna, or hair oil, and avoiding anything that indicates a desire to attract attention (such as preparations for marriage). This prohibition applies to all forms of adornment commonly used by women to beautify themselves, whether for themselves or for their husbands. This prohibition is based on the principle of sadd aldrara'i (closing the path to sin), so as not to cause fitnah, arouse men's desire to marry her, or give the impression that she is free from her mourning period.³¹

Table1. Idah Period

Category	Type	Wisdom of Time	Length of Idah	Verse
Not Interfered With	Divorce in Life and Death	There are no biological aspects that need to be protected	No waiting period	Al-Ahzab 49
Menstruation	Divorce	Biological and psychological protection (opportunity for reconciliation)	Three menstrual cycles	Al-Baqarah 228
	Divorce by Death	Biological, psychological, and sociological protection	4 months and 10 days	Al-Baqarah 234
Menopause/absence of menstruation	Divorce while alive/dead		3 months	At-Talaq 4
Pregnancy	Divorce while alive/dead		Until childbirth	

Table 2. Chronology of Idah Law

Aspect	Pre Islamic Concept	Concept in the Qur'an
Waiting period	One year	Determined differently by looking at the category of marriage

³¹ Abu Abdilllah Muhammad bin Ahmad Al-Qurthubi, *Al-Jāmi' Li Ahkām Al-Qurān, Juz III* (Dar alKutub al-Mishriyyah, 1964).

		termination and the condition of women (pregnant, menstruating, and menopausal)
Prohibitions	Prohibited from cutting nails and combing hair	Prohibited for accepting marriage proposals and performing marriage ceremonies
	Prohibited from holding anything	
	It is forbidden to use kohl	
	Confined to a small room (no socializing)	
The burden that must be borne	Ordered to scrub animal skin, then pelted with animal feces, after which the women may be allowed to return to normal life once her physical condition has naturally deteriorated	Maintaining dignity

3.3. Analysis of Legal Philosophy

The Quranic arguments regarding the idah verse are intended for women who are divorced due to talak or death. Specifically, the idah verses explain conditions related to biological relationships, such as whether or not they have had sexual relations, whether or not they are pregnant, and whether or not they are menopausal or menstruating. The idah time criteria, which are adjusted to the biological conditions of women, demonstrate Islam's consistency in providing protection to each individual. Furthermore, the hadith complements the rules of idah with the virtue of ihdad for women to avoid distractions during the idah process. The synchronization of the Quran and hadith is demonstrated by the rules of idah and ihdad, which essentially stipulate a waiting period of a certain length and prohibit new proposals and marriages, with rules prohibiting women from leaving the house and adorning themselves. However, there are varying views on the implementation of the above ihdad provisions.

The scholars have agreed on the obligation of idah as a waiting period, but opinions differ on the time period. This is due to the interpretation of the word *guru'* in Surah Al-Baqarah Verse 228. The word *guru'* has two meanings, so it is called *lafaz*. *murytarak*, meaning pure and/or menstruation. The original meaning of *guru'* is from the word *aliftima'* (to gather), which is then interpreted as the gathering of blood in the body and/or the gathering of blood in the womb. The term *qur'* is used by Arabs to refer to times such as coming and going with certain periods. Therefore, the meaning of *guru'* tends to be the menstrual period, which has a certain cycle or period.

The jurists differ in their opinions, First, the Hanafis and Hanbalis argue that *guru'* refers to menstruation. This opinion is also expressed by al-Thawri, al-Awza'i, and Ibn Abi Laila, and is supported by Ali in Abi Talib, Umar ibn al-Khattab, Ibn Mas'ud, and Ibn Musa al-Ash'ari, Second, the Malikiyah and Shaff'iyah schools interpret *qur'* as purity, rationalizing that the process of fertilization of the egg in the womb only occurs if the woman is menstruating, so the benchmark for time is to look at the period of purity. This opinion is also supported by the companions Ibn Umar, Zaid bin Tsabit, and Aisha R.A. If we follow the first opinion, then the idah for women who are not pregnant, not menopausal, and have not yet menstruated is three menstrual cycles, and according to the second opinion, the idah is three periods of purity.

There are also differences of opinion among figh scholars regarding the relationship between ex-husbands and wives during the idah period. According to the Hanafiyah school of thought, a wife during the idah period is the same as a wife at the beginning of the marriage, so it is permissible to interact (*mubasyarab*) and she is entitled to sexual pleasure (*istimta'*). Meanwhile, the Malikiyah and Shaff'iyah schools of thought differ in their opinion, stating that the status of a wife during the idah period has changed, so that *istimta'* and *mubasyarah* are forbidden for the husband before reconciliation because the divorce has invalidated the marriage contract.³²

Ontologically, idah is defined as a waiting period for women to refuse marriage proposals and marry another man. If a woman is widowed, idah becomes an alternative means of psychological recovery. For women who are left behind due to divorce, idah serves to provide time and opportunity to reconcile and continue the marriage. In addition, idah is carried out for the purpose of ta'abbud or simply to fulfill Allah's command.³³ Meanwhile, based on epistemology, the implementation of idah is stated in the Quran, Hadits, and Ijma'.³⁴

Furthermore, idah is viewed from an epistemological perspective as having a universal purpose, namely the obligation to implement the ontological values of idah as a waiting period, even for career women. Furthermore, from an axiological perspective, the implementation of idah is oriented towards eliminating the marginalization of women from pre-Islamic culture, which imposed the concepts of isolation, psychological suffering, and even physical deterioration.³⁵

Table 3. Philosophical Meaning of Idah

Aspect	Content
Ontology	Idah is a waiting phase with a specific time period during which marriage is not performed and a proposals are not accepted
Epistemology	Idah is a mandatory for career women without shifting the ontological meaning
Axiology	Idah aims to preserve women's dignity by eliminating the marginalization of women in pre-Islamic culture. The purpose of idah is not only to protect the bloodline but also to cover aspects of reproductive, psychological, and social health.

The implementation of idah and ihdad in Islam cannot be claimed as a form of gender discrimination because the nature of idah is not isolation but reflection, so that for career women in carrying out their duties or work during idah, it is actually an effort to maintain the dignity of women. This is because idah, when viewed from the perspective of Islamic law, serves to protect lineage, which in *magasid syariat* is referred to as *bif al-nasi*. In addition, idah aims to maintain mental or psychological well-being and protect the soul, a goal referred to as *bifdo al-nafs*. The meaning of protecting lineage is to ensure the

³² Erfan Shofari Sholahuddin and Ahmad Fatoni, 'Iddah Wanita Karir Perspektif Tafsir, Hadits Dan Kompilasi Hukum Islam Dalam Pembaharuan Hukum Keluarga', *As-Sakinah: Jurnal Hukum Keluarga Islam* (2024) 2, no. 1 (n.d.).

³³ Andi Herawati Dkk, 'Iddah Dan Ihdad Wanita Karier Dalam Perspektif F Syariat Islam', *Tomalebbi: Jurnal Pemikiran, Penelitian Hukum* 9, no. 2 (2022).

³⁴ Sofia Hardani, 'Iddah Dan Ihdad Sebagai Pendidikan Moral Di Era Modern: Issue Emansipasi Dan Pemanfaatan Media Sosial', *JPPi: Jurnal Penelitian Pendidikan Indonesia* 9, no. 2 (2020).

³⁵ Uswatun Hasanah and Abdul Aziz Harahap, 'Tinjauan Aksiologi Terhadap Pensyariatan Iddah Perspektif Psikologi Hukum Keluarga', *El-Qanuniy: Jurnal Ilmu Kesyarahan Dan Pranata Sosial* 10, no. 2 (2024).

protection of any offspring that a woman may have conceived from a previous husband. Meanwhile, protecting the soul relates to protection from sexually transmitted diseases and the restoration of psychological well-being through a period of mourning.³⁶

Furthermore, the implementation of idah and idad has universal goals to be achieved. The first goal is that idah aims to protect the biological elements of humans, one of which is to protect them from sexually transmitted diseases. The second goal is that idah aims to protect the sociological aspects of humans, namely social changes that certainly require adaptation after the transition of the family life cycle. Third, idah aims to strengthen psychological elements because separation certainly has an emotional impact, especially in the case of idah after death. The three elements above have a clear correlation with the waiting period to ensure a person's physical and spiritual readiness to start a new household.

Reconstructing the understanding of the concept of idah in some verses of the Quran, hadist, and ijma' that the verse was revealed not only to explain the cleansing of oneself and the womb from the fetus. However, the verse has a fundamental (absolute) aspect of the meaning contained in His words. Islam came as a religion of mercy for all creation, carrying a mission to liberate all practices of discrimination and to uphold justice in its most concrete form. The development of the modern world demands the actualization of progressive laws, as well as the issue of implementing idah for career women. If the legal text is examined textually, it will give the understanding that a woman has no space to carry out public activities. Meanwhile, career women are required to carry out activities that are contrary to the concept of idah in textual understanding.

The fundamental meaning of idah is "not accepting marriage proposals and marriages within a specified period based on the type and category of idah," as commanded by the Islamic Al-Qur'an.³⁷ When talking about waiting, it raises the question of who and what is being waited for. The answer to who is being waited for in a divorce case refers to whether the former husband can return as husband and wife. Meanwhile, in the case of death, what is being waited for is the ability to accept grief.³⁸ Furthermore, the answer to what is being waited for is to ensure that biological, psychological, and sociological conditions are stable. Therefore, idah can be interpreted as the process of waiting to not accept a marriage proposal and to not enter into a new marriage before the idah period ends in accordance with the provisions of the menstrual period or purification.

Based on the instrumental meaning (which can be changed or contextualized), it is a process of proving that the womb is clean and ensuring that it is completely empty of any previous pregnancy, so that the lineage of child who may be born after divorce or the death of the husband remains clear and protected until the idah period is over.³⁹ The sophistication of ultrasound technology, pregnancy tests, and obstetrics and gynecology equipment has shifted the meaning of uterine cleanliness. Thus, technology only plays a role in the process of caution but does not mean that it can change the fundamental aspect, namely the waiting period, because this is related to obedience in worship (*taabbudi*) in Islamic teachings.

³⁶ Shofiatul Jannah and Dwi Hidayatul Jannah, 'Reformulation of the Concept of Iddah in The Compilation of Islamic Law Perspective of Negoitative Hermeneutics', *De Jure: Jurnal Hukum Dan Syari'ah* 15, no. 2 (2023).

³⁷ Wardah Nuronyah, 'Diskursus 'Iddah Berpersepektif Gender: Membaca Ulang 'Iddah Dengan Metode Dalālah Al-Naṣṣ', *Al-Manahij* Xii, no. 2 (2019).

³⁸ Wahibatul Maghfuroh, 'Iddah Dan Ihdad Bagi Wanita Karir menurut Pandangan Hukum Islam', *Jurnal Ius* IX, no. 1 (2021).

³⁹ Ahmad Khoiri, 'Iddah Dan Ihdad Bagi Wanita Karir Perspektif Hukum Islam', *JIL: Journal of Islamic Law*, *JIL: Journal of Islamic Law* 1, no. 2 (2020), 265.

3.4. Implementation of Idah for Career Women

The idah for career women presents a complex problem. On one hand, idah is a religious requirement; on the other hand, if the classical meaning of idah is enforced, it restricts activities, such as prohibiting women from leaving the house. This prohibition conflicts with the demands of the working world for career women, such as physical presence, professional responsibilities, and active participation in the public sphere. This situation creates tension between religious norms and practical needs.

Today, the concept of idah in Islamic law has been internalized as national law since the enactment of the marriage law, but specific discussions about idah are regulated in the Compilation of Islamic Law, specifically in Article 11, which states that idah is a consequence of the termination of marriage due to death.⁴⁰ The provisions regarding the duration of idah do not apply equally, even in the case of idah due to death. Article 170 of the KHI states that if a wife's husband dies, she must undergo idah as a period of mourning, but conversely, the period of mourning for the husband is limited by the phrase "appropriateness".

The purpose of the mourning period is to express condolences and at the same time prevent potential slander. The mourning period is a special additional provision and does not carry strict legal sanctions, as it is formulated as a recommendation.⁴¹ There is no substantial difference between Sharia law and positive law, but they differ in terms of text, methodology, and administration.⁴² It is this harmonization of laws that ensures the equitable distribution of justice in the aspect of idah.

Implicitly the application of idah has a mul dimensional protective function for career women in relation to biological aspects such as women's reproductive health, as in Ade Istikomah's rescarch⁴³ with reference to the idah tsalatsatu quru time limit, which cannot be changed with the development of knowledge and the belief that sophisticated ultrasound technology has accuracy with uterine cleanliness. The idah period has a secret that has been proven by science. Zulkarnain Lubis describes that women's bodies have special immune cells that store genetic memory and recognize objects that enter the body, then store the characteristics of those objects.

According to Lubis, science has proven that the idah period is related to human reproduction. Lubis' opinion refers to a scientist named Dr. Jamal Eddin Ibrahim, a professor at the University of California and Director of the Laboratory for Research on the Effects of Radiation on Human Reproduction in the United States, who specializes in toxicology, and Robert Guilhem at Albert Einstein College, a genetic scientist who discovered research on male fingerprints on women after sexual intercourse. The traces are stored in the cells of the female reproductive system for up to 120 days and will disappear by 25-30% after three months. Guilhem conducted research on non-Muslim couples in America and found traces of several men stored, and Guilhem also researched his wife and found traces of three other men. In fact, of his three children, only one was his. This research changed Guilhem's beliefs and led him to convert to Islam because he was amazed by the purpose of idah.⁴⁴

It cannot be denied that career women are also human beings whose psychological well-being can be disrupted by the breakdown of a marriage, so that idah becomes a space for mental and emotional

⁴⁰ Kompilasi Hukum Islam" 17 (1991).

⁴¹ Mahkamah Agung RI, *Himpunan Peraturan Perundang-Undangan Yang Berkaitan Dengan Kompilasi Hukum Islam Dengan Pengertian Dalam Pembahasannya* (2011).

⁴² Dermina Dalimunthe, 'Komparasi Tentang Masa Iddah Antara Kompilasi Hukum Islam Dan Kitab Undang-Undang Hukum Perdata', *El-Ahli: Jurnal Hukum Keluarga Islam* 4, no. 1 (2023).

⁴³ Ade Istikomah, 'Analisis Iddah Berdasarkan Pemanfaatan Teknologi Kedokteran Dalam Menafsirkan Tsalatsatul Quru', *Jurnal Istinarah: Riset Keagamaan, Sosial Budaya* 1, no. 1 (2019).

⁴⁴ Zulkarnain Lubis, *Rahasia Dibalik Masa Iddah.*, *Mahkamah Syar'iyah Aceh*, n.d., <https://ms-aceh.go.id/publikasi/artikel/2161-drs-zulkarnain-lubis-m-h-rahasia-dibalik-masa-iddah.html>. diakses 5 Juni 2025.

recovery after the shock of divorce and the death of a spouse. This shows that idah is also needed by career women to restore their psychological well-being.⁴⁵ As social beings, career women are more often in contact with society, which will certainly have implications for changes in their social conditions. For this reason, the implementation of idah actually provides protection from social interactions that have the potential to cause sadness and loss, as well as avoiding negative communication and stigma that can be detrimental to women during this transition period.⁴⁶

The implementation of idah for career women is to continue to carry out the obligation to wait for a specified period of time before starting a marriage. The idah provision for career women does not shift or hinder a woman's professional duties to pursue a career. In fact, the practice of idah for career women is a form of responsibility for a wife as a parent and for herself.⁴⁷ Additionally, the implementation of idah for career women serves as a means to redirect feelings of sadness to prevent excessive distress and stress, as well as for spiritual reflection.⁴⁸

The contemporary reality of the idad provision has actually created new problems, especially for women who are active in the public sphere.⁴⁹ The implementation of ihdad still applies in these circumstances because the views of the madhhab scholars differ. The Hanafi and Shaffi schools prohibit leaving the house, while the Hanbali and Maliki schools allow leaving the house during the day. However, the four Imams of the madhhab agree on allowing women to leave the house in urgent circumstances. Therefore, the implementation of ihdad for career women can be tolerated in urgent situations.

Through the above theme, the philosophy of tasyri idah, which is sourced from the Quran, becomes the basis for the establishment of the law of idah. The essence of the establishment of the law of idah has a clear purpose, namely to provide universal protection in marriage and the consequences of the termination of marriage. Meanwhile, the philosophical value of Islamic law related to idah represents firmness in protection, such as preventing sexually transmitted diseases. One of the secrets of this law can be revealed by examining the verse about idah for menopausal women (at-Talaq: 4), which states that women who are no longer biologically productive still have idah obligations, meaning that idah is not only intended to ensure the cleanliness of the womb and maintain lineage. Idah is not only intended to protect women but also men.

4. Conclusion

The concepts of idah and ihdad in Islam are not limited to ritual obligations after divorce or the death of a husband, but have a deep philosophical dimension. Based on its ontological meaning, idah refers to a waiting period during which no engagement or marriage may take place. From an epistemological perspective, the legal references for idah are the Qur'an, hadith, and ijma, from which the essence of this law, its purpose and function, can be understood. Then, from an axiological perspective, the function of idah is as a repressive measure against women from discriminatory pre-Islamic idah practices, and as a preventive measure in maintaining lineage or nasab, and protecting reproductive and psychological stability.

⁴⁵ M. Faiz Nashrullah Dkk, 'Aspek Psikologis Suami Istri Sebagai Maqashid Dalam Syariat Iddah Dan Ihdad', *Rayah Al-Islam: Jurnal Ilmu Islam* 8, no. 1 (2024).

⁴⁶ Miftakur Rohman and Yuliana, 'Iddah Sebagai Instrumen Perlindungan Perempuan Dalam Hukum Islam', *Masadir: Jurnal Hukum Islam* 4, no. 1 (2024).

⁴⁷ Alfina Wildatul Fitriyah, 'Tinjauan Hukum Islam Terhadap Iddah Dan Ihdad Wanita Karier (Studi Kasus Di Kecamatan Sumber Ketempa Kecamatan Kalisat Kabupaten Jember)', *Jurnal Mahasiswa* 1, no. 3 (2019).

⁴⁸ Fazari Zul Asmi K Dkk, 'Ihdad for Career Women in the Perspective of Maslahah Mursalah (Study of the Fatwa of the Indonesian Ulama Council Number 11 of 1981)', *Jihad: Jurnal Hukum Dan Ekonomi Islam* 18, no. 2 (2024), 57.

⁴⁹ Linda Firdawaty Dkk, 'Yusuf Al-Qardhawi's Perspective of Ihdad and Its Relevance to Career Women's Leave Rights in Bandar Lampung', *Jurnal Ilmiah Al-Syir'ah* 21, no. 2 (2023), 218.

The implementation of idah for career women remains relevant and mandatory because idah does not hinder professional and social access. Career women are obliged to prevent engagements and reject new marriage relationships during the waiting period because it is a fundamental part of the command. Meanwhile, ihdad for career women aims to maintain honor and avoid potential attraction from other men during idah. Ihdad is an instrumental recommendation for career women, even in urgent conditions where scholars agree to allow women to leave the house. Contemporary conditions cannot shift the fundamental meaning of idah, but its instrumental meaning can be contextualized.

The implementation of idah and ihdad for career women is not a form of marginalization but rather a biological, psychological, and sociological reconciliation.

Declarations

Author Contribution Statement

Khotibul Umami led the conceptualization of the research, designed the methodology, performed the primary data analysis, and drafted the original manuscript as well as the revised versions. Zahrotul Habibah contributed significantly to data collection, conducted an extensive literature review, and developed the theoretical framework. Deny Marita Wijayanti provided critical revisions to the manuscript's substance, ensured data validity, and performed technical editing of the final draft. Rizky Ardiyantowas responsible for preparing supporting research materials, data visualization, and ensuring the consistency of citation formats and reference integrity throughout the paper.

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