

Gender Analysis of Iddah and Ihdad as Instruments of Justice-Oriented Islamic Social Education

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ABSTRACT

This study aims to analyze the Islamic concepts of iddah (waiting period) and ihdad (mourning period) using a gender approach within the framework of Islamic social education. The central focus of the research is to explore how legal provisions related to a woman's waiting period after divorce or the death of her husband can be interpreted more justly, reflectively, and educationally. The research subjects include Qur'anic verses and hadiths related to iddah and ihdad, as well as the works of contemporary Muslim scholars who advocate for gender justice in Islamic thought. This qualitative research employs a library research method with descriptive-critical analysis techniques, drawing on primary sources such as classical tafsir, Islamic jurisprudence (fiqh), and hadith collections, alongside contemporary academic literature and gender-focused Islamic scholarship. The findings reveal that iddah and ihdad are not merely normative legal constructs, but also contain rich educational and social values such as protection, emotional reflection, respect for marital bonds, and social responsibility toward women. The gender approach offers a progressive interpretive lens that recontextualizes these laws to promote relational justice and ethical equilibrium. This study recommends that Islamic education should incorporate gender-sensitive interpretations of fiqh in order to cultivate a more humane, contextual, and transformative understanding of Islamic law. This study offers a novel synthesis of gender-sensitive hermeneutics and Islamic social education, shedding new light on the ethical and educational dimensions of women's post-marital rights in Islam.

Keywords : Iddah; Ihdad; Gender Approach; Islamic Jurisprudence; Social Education.

A. INTRODUCTION

The concepts of *iddah* and *ihdad* in Islam are often misunderstood as a form of restriction on women, especially in socio-religious practices in society (Candra Vira Faradillah et al., 2024; Ervin, 1962; Stoltzfus et al., 2011). In fact, if you look deeper, both contain the values of protection, justice, and high moral education (Baroroh, 2024; Candra Vira Faradillah et al., 2024). People often interpret *iddah* as a form of prohibition on women from leaving the house, even though what is meant in *nash* is a prohibition from leaving the house, not an absolute prohibition (Farid et al., 2023; Hasanah & Harahap, 2024). This

inaccurate interpretation reflects the lack of optimal public understanding of sharia values based on justice and education. Therefore, it is necessary to carry out an analysis that is not only *fiqh-oriented*, but also reviews from the aspects of gender and Islamic social education, so that the meaning of *iddah* and *ihdad* can be interpreted more fairly and reflective (Nashrullah et al., 2024; Teresa et al., 2024).

This phenomenon reveals that the understanding of *iddah* and *ihdad* is often shaped by patriarchal interpretations rooted in classical jurisprudence and *fiqh*, so that women are placed in a passive and limited position. When a religious law is interpreted without considering the social context and gender approach, it tends to create social inequality and perceived bias. This is what makes Islamic law often perceived as a limiting instrument for women, not a humanist protector (Khairuddin, 2024; Muqtada et al., 2024).

In contemporary academic studies, there is an approach called the Islamic-based gender justice approach, which is a framework of thinking that tries to reinterpret religious texts by considering the values of justice, equality, and social benefits (Jamilah, 2024). This approach does not aim to ignore the text, but rather to dialogue it with the context of modern human life. The study of *iddah* and *ihdad* in this perspective can explore educational dimensions, such as women's protection after divorce or the death of their husbands, as well as the role of family and society in forming safe spaces for women (Khoiri & Muala, 2020; Setiawan, 2024; Sholihuddin et al., 2024).

Previous research conducted by Riha Nadhifah (2021) reviewed the gender justice approach in the application of *iddah*, emphasizing that related verses and hadiths must be interpreted contextually so as not to give birth to relationship inequality (Jannah, Minnuril & Faiqoh, 2021). In addition, Faqihuddin Abdul Kodir (2021) in his book *Qira'ah Mubadalah* also highlights the need for *reciprocal* reading between men and women in Islamic law (Badi'ati & Ilyas, 2024). However, most of these studies have not explicitly discussed *iddah* and *ihdad* as part of Islamic social education that have educational value in building gender awareness.

Seeing these gaps, it is important to conduct research that analyzes the concepts of *iddah* and *ihdad* not only as *fiqh* law, but also as a medium of social education in Islam, especially those that contain the value of justice and gender protection. This research positions Islamic law not as a rigid system of rules, but as a dynamic and humanistic moral and social development tool. With this approach, laws such as *iddah* and *ihdad* can function

as educational tools for Muslims to understand gender relations in a healthy and ethical manner.

This research has novelty in integrating gender approaches and educational values in uncovering social biases towards women's Islamic law. Therefore, the urgency of this research lies in its contribution in shifting the paradigm of normative fiqh towards an understanding of Islamic law based on gender justice and the function of social education. The formulation of the problem in this study is: "How is gender analysis of the concept of *iddah* and *ihdad* as a medium of Islamic social education?". The purpose of this study is to explain gender analysis of the notion of *iddah* and *ihdad* as a medium of Islamic social education.

B. METHOD

This research uses a qualitative approach with the type of library *research*, because all the data studied comes from literature sources, both primary (Qur'an, hadith, fiqh) and secondary (scientific articles, thematic interpretation books, and Islamic gender studies) (Creswell, 2015). This approach was chosen because it is in accordance with the character of normative-contextual analysis of Islamic law in gender and education discourse. This qualitative research also uses a content analysis *perspective* to examine how Islamic texts build or dismantle gender relations in the concepts of *iddah* and *ihdad* (Moleong, 2017; Yin, 2014).

The subject of this research is scientific documents related to the themes of *iddah*, *ihdad*, and gender in Islam. This includes books of tafsir such as *Tafsir al-Maraghi*, *Tafsir al-Misbah*, and fiqh literature such as *Al-Fiqh al-Islami wa Adillatuhu* by Wahbah al-Zuhayli. In addition, contemporary works from Islamic gender thinkers such as Amina Wadud, Musdah Mulia, Faqihuddin Abdul Kodir, and national scientific journals published in the last 5 years are also used.

The data collection technique is carried out by searching and recording scientific literature, both in the form of books, articles, and verified digital sources. The author classifies the data based on three main themes: (1) the concept of fiqh about *iddah* and *ihdad*, (2) the gender justice approach to Islamic law, and (3) the dimension of Islamic social education. All the data collected were then categorized, selected, and grouped based on thematic relevance to the formulation of the problem.

The data analysis techniques in this study were carried out through the stages of data reduction, data display, and conclusion drawing (Miles et al., 2014). Once classified, the data are analyzed interpretively using a gender hermeneutics approach, which aims to interpret legal texts within the framework of justice and educational values. The researcher also uses source triangulation to strengthen the validity of the data, namely by comparing the opinions of classical scholars and contemporary thinkers on verses and hadiths related to *iddah* and *ihdad* (Bogdan & Biklen, 2007).

C. ANALYSIS/DISCUSSION

The Concept of *Iddah* and *Ihdad* in Fiqh and Contemporary Gender Discourse

The concept of *iddah* in classical fiqh is generally defined as the waiting period that women undergo after divorce or the death of their husbands, aiming to maintain the purity of the nasab, open up the possibility of reference (in the case of *talaq raj'i*), and provide time for emotional adaptation (Awal et al., 2024; Qorib et al., 2024; Widodo et al., 2023). In the context of *ihdad*, which is the prohibition of decorating during the *iddah* period due to the death of a husband, fiqh stipulates that women are not allowed to use fragrances, flashy clothes, and cosmetics (Akbar et al., 2024; Arlinza et al., 2025). The Qur'an mentions several provisions regarding *iddah*, including in the Qur'an. Al-Baqarah [2]: 234:

وَالَّذِينَ يَتُوفَوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِيمَا
فَعَلْنَ فِي أَنْفُسِهِنَّ بِالْمَعْرُوفِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ﴿٢٣٤﴾

"Those who die among you and leave their wives, let them wait for them (*iddah*) for four months and ten days. Then, when they have reached the end of their *idya*, there is no sin for you (*wali*) about what they do to themselves in a proper way. Allah is Aware of what you do". (QS. Al-Baqarah [2]: 234)

This verse stipulates the duration of *iddah* for a woman who is left behind by her husband to be four months and ten days, while in the case of ordinary divorce, QS. Al-Baqarah [2]: 228 states that the duration of *Iddah* in the case of ordinary divorce is three times holy.

وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ ثَلَاثَةَ أَشْهُرٍ وَلَا يَحِلُّ لَهُنَّ أَنْ يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِنْ كُنَّ يُؤْمِنُ بِاللَّهِ
وَالْيَوْمِ الْآخِرِ وَيُعَوِّلُهُنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَلِكَ إِنْ أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ
عَلَيْهِنَّ دَرَجَةٌ وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٢٢٨﴾

Meaning: "Divorced wives (obligatory) to refrain from (waiting) three times qurū' (holy or menstruating). It is not permissible for them to hide what Allah has created in their wombs, if they believe in Allah and the Last Day. Their husbands have the right to return to them within that time, if they want improvement. They (women) have the right to be balanced with their obligations in a proper manner. However, husbands have an advantage over them. God is Mighty, Wise." (QS. Al-Baqarah [2]: 228).

The basic concept of *iddah* in fiqh law is related to the protection of nasab, the provision of reference space, and respect for the marital relationship (Alya & Zainuddin, 2024; Khairuddin, 2024). Wahbah al-Zuhayli in Sumarni (2022) said that *iddah* is not only a law of worship, but also a form of social protection for women's rights in the transition period (Rita Sumarni, Maryani, 2022). In *iddah* due to talaq raj'i, the husband is given the opportunity to refer without a new contract; in *iddah* due to death, the woman is given time to mourn and rearrange her personal life (Khairuddin, 2024).

However, in patriarchal social practices and interpretations, *iddah* is often understood narrowly as a restriction on women. For example, the understanding that women are prohibited from leaving the house during *the iddah* period, without considering that the prohibition is not absolute. As noted by Amina Wadud, classical Islamic texts focus a lot on social control over women's bodies, while aspects of emotional protection and recovery are often overlooked in their social implementation (Jamilah, 2024). This can be seen in the tendency of people to understand the prohibition of leaving the house during *iddah* as a form of restriction. QS. At-Talaq [65]:1 affirms:

يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ وَأَحْصُوا الْعِدَّةَ وَاتَّقُوا اللَّهَ رَبَّكُمْ لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيِّنَةٍ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا ﴿١﴾

"O Prophet, if you divorce your wives, divorce them when they are able to (face) their (reasonable) idah, and calculate the time of the idah, and fear Allah your Lord. Do not take them out of their houses and do not go out unless they do a clear abomination. Those are the laws of God. Whoever transgresses the laws of Allah, he has indeed wronged himself. You do not know that after that Allah will make a new provision." (QS. At-Talaq [65]: 1)

The words "do not remove them from their homes" indicate that the prohibition

is directed at the man or his family, not at the woman herself. Tafsir Al-Misbah explains that this prohibition on leaving the house is more meaningful as legal protection and guarantee of residence, not as an instrument of restriction (Arlinza et al., 2025; Setiawan, 2024). In the practice of patriarchal society, this verse is often manipulated as an excuse to prohibit women from working, engaging in social activities, and even staying in touch during *the iddah* period.

This understanding has been criticized by contemporary thinkers such as Amina Wadud (2019), Musdah Mulia (2021), and Faqihuddin Abdul Kodir (2021), who view that *iddah* and *ihdad* must be read within the framework of *maqashid shari'ah*. This law was established not to punish women, but to provide time for physical, emotional, and social recovery (Khairuddin, 2024; Nashrullah et al., 2024; Teresa et al., 2024). In the reading of the mublà tafsir, Faqihuddin Abdul Kodir emphasized that *iddah* is a phase of collective responsibility. Not only do women bear the emotional and social burden, but men and families are also obliged to carry out protective, economic, and psychological roles during this phase (Khairuddin, 2024)

In a contemporary perspective, Muslim scholars who favor gender justice emphasize that *iddah* and *ihdad* should be read contextually, taking into account *sharia maqashid* and social justice (Akbar et al., 2024; Teresa et al., 2024; Zaidah & Abdullah, 2024). Kodir (2021) in the qira'ah mublâh approach states that all legal provisions in Islam should ideally be understood *reciprocal* between men and women. Therefore, if women are required to undergo a period of reflection through *iddah*, then men should also be morally urged not to remarry immediately after divorce or the death of their wives, as a form of respect for previous relationships (Badi'ati & Ilyas, 2024; Khairuddin, 2024).

Likewise with the concept of *ihdad*, this rule is considered by many scholars as a form of respect for the grieving process. However, the contemporary gender approach sees that the prohibition of adornment should be understood as an emotional expression, not as a form of discrimination against women's aesthetics. This is because there are no similar rules imposed on men after their wives die (Alya & Zainuddin, 2024; Setiawan, 2024). An article from Riha Nadhifah (2021) also reinforces this. She shows that the gender approach to *iddah* and *ihdad* is not an attempt to reject sharia, but to bring it closer to the spirit of social justice in line with Islamic values (Baroroh, 2024; Jannah,

Minnuril & Faiqoh, 2021). In practice, many women experience economic and social vulnerability during *the iddah period* because they do not receive proper protection or livelihood. This is where the importance of a gender justice approach is important, which encourages the fulfillment of women's rights not only as a legal burden, but as part of the social responsibility of the community (Caglar, 2013; Nightingale, 2006).

Thus, the classical fiqh approach and contemporary gender discourse provide two directions of meaning to *iddah* and *ihdad*. The first tends to be normative and literal, focusing on social control and nasab; the second is contextual and inclusive, emphasizing protection, relational justice, and social recovery. The two can have a dialogue if the reading of the text is carried out hermeneutically, as proposed by Amina Wadud, which is to consider the context, structure of language, and ethical values of Islam (Pribadi et al., 2022; Zaini & Burhanuddin, 2025). Progressive thinking in the discourse of gender justice in Islam requires that laws such as *iddah* and *ihdad* be reread with regard to the values of humanity, reciprocity, and the protection of women's rights. A fair interpretation of *iddah* and *ihdad* is very important so that our religious practices reflect the spirit of *rahmatan lil alamin*, not oppressing one party in the name of religion (Arlinza et al., 2025; Yuliantari & Azwar, 2025).

Social Education Values in the Concept of *Iddah* and *Ihdad*

The concepts of *iddah* and *ihdad* in Islam contain a very important and strategic dimension of social education. These two concepts are not just formal fiqh rules, but reflect the way Islam builds a just, empathetic, and ethical society. *Iddah* is a post-marriage transition phase, both due to divorce and the death of a partner, which is intended as a space for recovery, protection, and emotional and social stabilization for women (Muizzuddin et al., 2023; Za'im Muhibbulloh et al., 2021).

In QS. At-Talaq [65]:1, Allah SWT said: "Do not take them out of their houses, and do not let them go out, except when they commit a manifest abomination." This verse contains profound social lessons. The prohibition of "evicting" women from the home directly is a form of recognition of women's right to a safe place to live, even after divorce. This shows that Islam in principle educates its people not to neglect social responsibility towards women in vulnerable situations (Nashrullah et al., 2024; Zaidah & Abdullah, 2024).

In the context of society, the command not to remove women from the house during *the iddah* period is a lesson in collective social responsibility (Martin, 2004; Piper, 2005). Women who are in the *period of iddah* are not individuals who have been disconnected from the social structure, but still have certain rights that must be guaranteed, including the right to residence, psychological security, and social support. Social education that can be learned is the importance of recognizing the sustainability of women's human values in the transition of household relations. Islam does not necessarily break the relationship of responsibility just because the marriage status is completed (Khitam, 2020; Muizzuddin et al., 2023).

أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ مِنْ وُجْدِكُمْ وَلَا تُضَارُّوهُنَّ لِتُضَيِّقُوا عَلَيْهِنَّ وَإِنْ كُنَّ أُولَاتٍ حَمْلٍ فَأَنْفِقُوا عَلَيْهِنَّ حَتَّى يَضَعْنَ حَمْلَهُنَّ فَإِنْ أَرْضَعْنَ لَكُمْ فَآتُوهُنَّ أُجُورَهُنَّ وَأَمِّرُوا بَيْنَكُمْ بِمَعْرُوفٍ وَإِنْ تَعَاَسَرْتُمْ فَمَنْعُكُمْ لَهُ أُخْرَى ۚ ﴿٦﴾

Meaning: "Place them (divorced wives) where you dwell according to your ability and do not trouble them to narrow their (hearts). If they are pregnant, then give them their support until they give birth, and if they nurse your children, then give them their reward. and deliberate among yourselves (things) well; And if you both encounter difficulties (in terms of breastfeeding), then another woman may nurse (the child) for him." (QS. At-Talaq [65]:6)

QS. At-Talaq [65]:6 further affirms: "Place them (rejected wives) where you dwell, according to your ability, and do not trouble them to narrow their (hearts)." This verse shows that husbands still have a moral and social obligation to provide a decent place to live for divorced women (Musyrifah et al., 2024). It is a form of male responsibility education in the Islamic social system. Islamic law through this verse teaches that men should not ignore the existence and comfort of women, even after talaq (Pratama et al., 2021). This shows that Islamic education does not only take place in the classroom, but also through social structures that facilitate the value of compassion and protection. When people understand this verse as a protection order and not a restriction, it will grow a collective awareness to accompany women with empathy (Muqtada et al., 2024).

Social education in *iddah* also appears in the dimension of time given to reflect and evaluate marriage. In the case of talaq raj'i, women and husbands have the opportunity to improve the relationship without the need for a new contract. This opportunity serves as emotional and spiritual education, where both parties are invited to think more clearly and not make decisions based on momentary emotions (Arsy, Al & Sarah, 2024). QS.

Al-Baqarah [2]: 228 emphasizes the importance of time in the post-talaq process: "Women who are rejected should refrain from (waiting) for the three holy times..." This sentence shows that the waiting period is not a burden, but a space for reflection and rearrangement of life. Within the framework of social education, this process educates the community not to rush to judge divorced women, but to support them in going through this phase calmly and respectfully (Widodo et al., 2023).

Meanwhile, *ihdad* as a period of mourning has a very strong emotional and spiritual educational function (Khoiri & Muala, 2020). Based on a hadith narrated by Al-Bukhari, the Prophet Muhammad SAW said:

حَدَّثَنَا الْحُمَيْدِيُّ، حَدَّثَنَا سُفْيَانُ، حَدَّثَنَا أَيُّوبُ بْنُ مُوسَى، قَالَ أَخْبَرَنِي حُمَيْدُ بْنُ نَافِعٍ، عَنْ زَيْنَبِ ابْنَةِ أَبِي سَلَمَةَ، قَالَتْ لَمَّا جَاءَ نَعْيُ أَبِي سُفْيَانَ مِنَ الشَّامِ دَعَتْ أُمَّ حَبِيبَةَ - رَضِيَ اللَّهُ عَنْهَا - بِصُفْرَةٍ فِي الْيَوْمِ الثَّلَاثِ، فَمَسَحَتْ عَارِضِيهَا " لَا يَجِلُّ لِمَرْأَةٍ تُؤْمِنُ وَذَرَاعِيهَا وَقَالَتْ إِنِّي كُنْتُ عَنْ هَذَا لَعْنِيَّ، لَوْلَا أَنِّي سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ تُحْدَّ عَلَى مَيِّتٍ فَوْقَ ثَلَاثٍ، إِلَّا عَلَى رَوْحٍ، فَإِنَّهَا تُحْدُ عَلَيْهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا " .

It means: "It is not permissible for a woman who believes in Allah and the Last Day to mourn the death of a person for more than three days, except for the death of her husband, which is for four months and ten days." (HR. Bukhari no. 1280). The prohibition of adornment, wearing perfume, or wearing flashy clothes during *ihdad* does not mean to curb women's aesthetics, but rather instills spiritual values about respect for the marriage bond and the importance of giving enough time for grief. This is a collective education for the community not to rush to demand that women return to social activity before they are emotionally and spiritually ready (Yuliantari & Azwar, 2025; Zaidah & Abdullah, 2024).

In practice, the *ihdad period* is also a means of social education for the community. Islam teaches that society should appreciate the grief of women who have lost their husbands, not suspect them, isolate them, or even consider them a disgrace. On the other hand, women who are *ihdad* need to get support, both materially and emotionally. This confirms that *ihdad* is not a prohibition on socializing, but rather a call to give women personal space to resolve their grief calmly and respectfully. People who understand this value will be wiser in treating widows, not judging them (Arsy, Al & Sarah, 2024).

Jannah (2021), in an article in the journal *Urwatul Wutsqo*, stated that the *iddah period* is a period that contains opportunities for gender education and the strengthening of women's social roles. He emphasized that these two concepts actually contain rich

social education value if read with a contextual approach and sharia maqashid. When people interpret *iddah* as a form of protection and not restraint, then Islamic educational values will be more alive in social praxis. She emphasized the need to strengthen awareness that women in *iddah* are not passive legal objects, but social subjects who are entitled to protection, support, and respect (Jannah, Minnuril & Faiqoh, 2021).

Thus, the concepts of *iddah* and *ihdad* can be interpreted as Islamic social education tools that include three aspects: (1) individual moral education (spirituality and emotional maturity), (2) family education (husband/family responsibilities after divorce/death), and (3) community education (respect for widows, social empathy, and economic protection). If these values are brought to life, then these laws no longer feel like a burden, but rather a process of self-maturation and collective learning in Islamic society (Nashrullah et al., 2024; Zaidah & Abdullah, 2024).

Lastly, *iddah* and *ihdad* teach that in Islam, separation or death is not the end of social and moral relations. It is an educational phase that contains lessons about attention, protection, and respect for women's dignity. Therefore, reading *iddah* and *ihdad* through the lens of social and gender education is the best way to revitalize Islamic values as a blessing for all, not as a tool of control over women's bodies and movements (Nashrullah et al., 2024).

Gender Approach to *Iddah* and *Ihdad* in Islam

The gender approach in Islamic studies is a method used to study Islamic texts by considering the social structure, power relations, and historical and cultural construction of the roles of men and women (Wirks, 1986). This approach was born out of the realization that many classical religious understandings are developed in patriarchal societies, so they often result in unfair interpretations of women (Badi'ati & Ilyas, 2024; Puspitasari et al., 2024). In the context of *iddah* and *ihdad*, the gender approach seeks to re-examine how these provisions are understood, applied, and framed in religious practice, as well as how they can be reoriented as part of social education efforts that are just and gender equal (Ellemers, 2018). This approach does not aim to reject the sharia, but rather wants to revive its spirit in the context of social justice. Kodir in Badi'ati (2024) calls this approach "reading mubadalah", which is balancing the rights and obligations of men and women in a balanced manner (Badi'ati & Ilyas, 2024).

One of the main points of criticism in the gender approach to *iddah* is the prohibition of leaving the house. Some people interpret the Qur'anic verse. At-Talaq [65]:1 narrowly describes it as an absolute prohibition for women to leave the house during *iddah*, so that there is a practice of prohibiting them from attending studies, working, and even seeking treatment at health facilities. In fact, the verse states: "... Do not take them out of their houses, and do not let them go out, unless they commit a manifest abomination...". In this redaction, the subject of the main command is the husband or guardian, not the woman herself. This means that this verse is more aimed at protecting women from eviction and insecurity of their homes, not to limit their activities absolutely. Tafsir Al-Misbah by Quraish Shihab (2005) also explains that this prohibition is a form of legal protection, not restraint (Karami & Nurul Wathoni, 2023; Pribadi et al., 2022).

The gender approach views that every prohibition in the text needs to be read in the context of *sharia maqashid*, namely to protect religion, soul, intellect, descent, and property. So, if the prohibition of leaving the house in *iddah* results in women losing access to education, health, or the economy, then the prohibition is contrary to the purpose of sharia itself. Kodir in Musyrifah (2024) said that Islamic law should be understood reciprocated. If women are prohibited from going out for safety and recovery, then men should also have the obligation to ensure a sense of security and emotional support during the *iddah* period (Musyrifah et al., 2024).

In the context of *ihdad*, the gender approach also criticizes the practice of prohibiting adornment, which is often framed as a restriction on women's freedom. The hadith of the Prophet which states that women should not decorate for four months ten days after the death of their husband (HR. Bukhari no. 1280) is often interpreted literally, without considering psychological and cultural aspects. In fact, when viewed from the perspective of *maqashid*, the prohibition of adorning is more of a symbol of grief and a form of respect for the marriage relationship that has ended (Nashrullah et al., 2024). Therefore, the gender approach emphasizes that *ihdad* should be seen as a process of emotional recovery, not as an aesthetic control over the female body (Zaidah & Abdullah, 2024).

On the other hand, the gender approach proposes the idea that moral responsibility after separation or death of a spouse should not only be imposed on women (Jamilah,

2024; Wirls, 1986). In patriarchal societies, women are often the only parties who are asked to show signs of grief or remorse, while men are free to remarry indefinitely emotionally (Deutsch, 2007). In this case, the gender approach offers an ethical and balanced reading that *iddah* should be a time of collective reflection for women and men so as not to use the law as a tool to legitimize inequality of roles and emotional burdens (Saepul Anwar & Imam Sofi'i, 2024). If women are required to refrain after divorce/death of their husbands, then men should also have a reflective period even though it is not regulated by sharia (Hakim, 2023).

Furthermore, the gender approach invites Muslims to distinguish between sharia norms and social practices that develop from biased interpretations. Sharia norms are divine and aim to uphold justice and mercy, while social practices can be influenced by patriarchal local culture (Qudratullah & Abd Malik, 2024). In this context, many of the practices of forbidding leaving the home or forbidding social activities during *iddah* do not originate from texts, but from conservative interpretations that do not take into account the dynamics of modern women's lives. Therefore, reinterpretation through a gender approach is needed so that public understanding does not make religion a source of gender injustice (Qorib et al., 2024).

Jannah (2021) in the journal *Urwatul Wutsqo* shows that when the laws of *iddah* and *ihdad* are interpreted normatively-literally, often the result is the exclusion of women from the public sphere and the termination of their social participation. She emphasized that the gender justice approach in Islamic studies is important to break down the social construct that places women as mere legal objects. On the contrary, Islam teaches that women are equal moral subjects, who have a role in shaping social values and order (Jannah, Minnuril & Faiqoh, 2021).

Gender criticism in this case is not to sue the Qur'an or hadith, but to sue religious interpretations and practices that fail to capture the spirit of Islamic justice. In Amina Wadud's view, the Qur'an contains universal ethical principles that uphold justice, equality, and compassion, but these texts must be interpreted contextually and responsive to social dynamics. Therefore, laws such as *iddah* and *ihdad* can actually be an effective instrument of social ethics education if understood with a gender approach (Arsy, Al & Sarah, 2024; Nashrullah et al., 2024).

In conclusion, the gender approach to *iddah* and *ihdad* does not intend to change

the sharia, but rather to ground the sharia in the spirit of social justice and equal relations. By re-understanding the legal texts in the framework of maqashid and gender, people will learn that Islam is a religion that prioritizes protection, respect, and sustainable social development. This approach contributes greatly to forming inclusive legal awareness and to educating the ummah that women are not objects of surveillance, but active subjects in the formation of a just and civilized Islamic society (Arsy, Al & Sarah, 2024).

D. CONCLUSION

This study shows that the concepts of *iddah* and *ihdad* in Islam cannot be understood solely as a provision of jurisprudence that is rigid and restricts women's space of movement. On the contrary, through the gender approach and Islamic social education, both can be interpreted more fairly and reflexively as a mechanism of protection, emotional recovery, and strengthening the values of social responsibility in society. The findings of this study make it clear that the difference in *the period of iddah* based on the biological condition of women and the cause of separation contains rational legal logic as well as deep spiritual and ethical values.

The gender approach used in this study opens up space for re-reading of verses and hadiths about *iddah* and *ihdad* by considering relational justice between men and women. By reading verses like QS. At-Talaq [65]:1 In the social context, it can be concluded that Islam does not prohibit women from leaving the house absolutely during *iddah*, but prohibits expulsion or neglect. This affirmation is important to correct the interpretive bias that develops in socio-religious practices that tend to be patriarchal. In addition, the values of social education contained in the period of *iddah* and *ihdad* reflect the Islamic teachings of empathy, patience, respect for marital relationships, and strengthening the position of women in the transition phase of their lives.

The scientific contribution of this paper lies in efforts to synergize the fiqh approach, sharia maqashid, and gender approach in interpreting Islamic laws that have so far seemed exclusive to women. By inserting the perspective of Islamic education, this study also emphasizes that *iddah* and *ihdad* are a means of character education, not a burden of sharia alone. A contextual understanding of Islamic law will open up opportunities for the birth of a more gender-just, humane, and transformative education system.

From this, it can be affirmed that Islamic law actually has a basic spirit that is humanist

and visionary. However, it would be difficult to reflect that spirit in the lives of the people if sacred texts were only read literally without considering the social context, women's experience, and the principle of justice. Therefore, the progressive reading of Islamic law with a gender approach needs to continue to be developed in the scientific discourse and practice of Islamic education, so that sharia is not only obeyed, but also understood and glorified as a path to the benefit of the ummah. Future Islamic legal education should integrate contextual and gender-justice-based pedagogies to ensure that interpretations of sharia uphold human dignity and reflect the plural realities of Muslim societies.

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