



## The Comparison of 'Iddah and Ihdad in the Shafi'i and Hanafi School

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### Abstract

This article discusses comparisons that include the similarities and differences between the Shafi'i and Hanafi Schools in interpreting 'iddah and ihdad with a literature review. The method used in uncovering the purpose of this research is literature studies with research sources in the form of various books, articles, and other documents. The data were then analyzed using a comparative descriptive and a qualitative approach. The study results show the differences between the Shafi'i and Hanafi Schools in interpreting 'iddah and ihdad. Apart from the definition of 'iddah and calculating the period of 'iddah, these two schools have some similarities. The difference between these two Schools is in the meaning of the quru' during the 'iddah period for a woman divorced by her husband while her menstruation is not interrupted. The next difference is the prohibition for women in ihdad to leave the house. The two schools of thought both allow women to leave the house for ihdad, but the Hanafi school tends to limit it to working only to make a living, not for other needs, while the Shafi'i school is more relaxed, in the sense of leaving the house for a particular purpose. Another difference is that the Hanafi School requires divorced women to perform 'ihdad, whereas according to the Shafi'i School, it is only recommended. For women who work (career), if she is required to perform 'iddah or ihdad, then she continues to do so as long as she knows the limits she has to go out and does not violate the abovementioned provisions.

**Keywords:** Shafi'i School, Hanafi School, 'Iddah, Ihdad

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## Introduction

In Islam, marriage is an act of worship which is *sunnatullah*. Allah SWT has arranged how humans live in pairs through the sacred marriage bond. He made the relationship between men and women complement each other, get offspring, and preserve life (Syarifuddin, 2009). As the word of Allah SWT in the Qur'an letter an-Nisa 'verse one mentions the creation of humans who came from 1 soul to the birth of many humans both male and female. Through this verse man must maintain piety through friendship and brotherhood.

Husnul Yaqin's research in 2017 examined "*Diqqotu Adillati Nikahi al-Mar'ati al-Hamiliyah-Zaniyati 'Inda Fiqhi al-Munakahat (A Study on the Views of Scholars from Different Islamic Jurisprudential Schools)*". Marriage with a pregnant woman who has committed adultery is also regulated in Islam. The scholars have different opinions in determining the legal status of marrying a pregnant woman who has committed adultery. Hanafi School States that a male adulterer may marry a female adulterer with the condition that they do not engage in sexual relations until the woman gives birth. Maliki School Argues that a male adulterer is not allowed to marry a female adulterer at all, whether she is pregnant or not. Shafi'i School Permits a man to marry a female adulterer, whether she is pregnant or not, and regardless of whether they committed adultery together. It is also allowed for a male adulterer to marry the woman he committed adultery with, her mother, or her daughter. Hanbali School States that one cannot marry a female adulterer unless two conditions are met: first, they must wait until the woman's 'iddah (waiting period) is completed, and second, the man must repent from the act of adultery. (Husnul, 2017).

If the marriage contract has taken place and meets the requirements of its pillars, it will cause uterine consequences. Thus, the agreement creates rights and obligations as husband and wife in the family, which include the rights of the husband and wife together, the rights of the husband over the wife, and the rights of the wife over the husband. This includes the etiquette of a husband towards his wife, as Rasulullah SAW exemplifies (Tihami & Sahrani, 2010). And from that, marriage, too, raises a kinship relationship between husband and wife.

The purpose of marriage is to continue offspring and form a happy, eternal, harmonious, and peaceful household. However, it does not rule out the possibility that the household that has been together does not work according to its original purpose, resulting in a marriage breakup (Hadikusuma, 1995).

In this case, Islam opens space for divorce for marriages that cannot be continued. Divorce is an act that is hated and disliked, but it can still be done because of the possibility that some conditions cannot be repaired and cause harm if continued (Al-Khayyath, 2015). As the words of Rasulullah SAW in H.R. Abu Dawud (Sulaiman, 1999) mentions that divorce is lawful but most hated by Allah the Exalted.

Islam is a very comprehensive religion. Islam regulates almost all aspects of human life, including marriage. In marriage itself, one aspect is also regulated when a marriage breaks up, namely divorce. One of the rules of divorce in Islamic law is the provision regarding 'iddah. 'Iddah' is the period for a woman to wait and prevent her from getting married after her husband dies or separates from him. 'Iddah is calculated from the existence of the causes, death and divorce (As-Subki, 2010).

'Iddah by substituting the letter 'ain and the jama' is 'idad. Its meaning in language is a count, taken from the sentence al-'adad because it usually includes a count

of months. It says "adadtu asy-syai'aidatan" meaning I count something by counting. It is also mentioned to those who are counted, it is said iddatu al-mar'ah, which means the days of counting his iddah period (Az-Zuhaili, 2011).

Islamic law, in various aspects, offers multiple views regarding 'iddah. As is well known by the people of Indonesia, four schools of thought are the reference for opinions regarding Islamic law. And the majority of Indonesian people adhere to the Syafi'i School.

The Shafi'i school views 'iddah as a waiting period used by women (widows) to know the empty womb, devotion to Allah SWT, and condolences for the death of her husband (Susilo, 2014). Meanwhile, the opinion of the Hanafi School regarding 'iddah is the waiting that a woman (widow) has to do when her marriage is broken (I. I. N. Al-Hanafi, n.d.).

Contemporary Fiqh expert, Wahbah az-Zuhaili, defines 'iddah with the most precise definition, namely the period determined by Allah SWT after a separation that the wife must live without entering into marriage until her 'iddah period (Az-Zuhaili, 2011).

In the discussion of 'iddah, two categories need to be understood. The first category is the iddah of a woman who separated before being reunited. According to the fuqaha' agreement, this woman does not have an 'iddah (As-Subki, 2010). As the word of Allah SWT in the Qur'an Surah al-Akhzab verse 49 mentioned that divorce for women before having intercourse so there is no obligation of 'iddah for them. On that basis, in that verse the husband is obliged to give mut'ah and set her free properly.

The second category is the 'iddah of a woman who is separated from her husband and has been married. This case is further divided into two parts: the iddah of menstruating women and the iddah of women who are not menstruating (menopause or young age). Menstruating women, have an iddah period of three times the quru. Meanwhile, for women who are not menstruating, the 'iddah is carried out for three months (As-Subki, 2010).

With the obligatory 'iddah, a woman who has been left dead or divorced by her husband can know the freedom of her womb. This is done so that there is no mixing of lineages. This is one of the lessons of iddah for a woman separated from her husband. Another issue that is also important in the discussion of 'iddah is not only the waiting period and also the prohibition of marriage, but there are rules that must be fulfilled. In Islam, this rule is said to be ihdad.

Ihdad is a preventive measure so that no man proposes to her so that she can avoid committing adultery so that the woman can avoid being hastily remarried because she is still in a state of 'iddah (Susilo, 2014). Ihdad is obligatory for a wife whose husband has died with the aim of perfecting respect for her husband and maintaining his rights (Dahlan, 1996). Ihdad is prescribed in Islamic teachings based on the word of Allah SWT in the following al-Qur'an Surat at-Talaq verse 1 that it is the wife who can face the iddah and calculate the iddah period that can be divorced by the husband. The divorce itself must be caused because of mistakes that have really been done by the wife. The provision became the basis for the married couple and the violation against it was considered an abomination to themselves.

As we know, Indonesian people adhere to the Syafi'i school of law. Meanwhile, in current developments, fiqh experts try to dig deeper into Islamic law from other

views, in the sense of looking at the views of other schools of thought, especially the Hanafi School, which is considered different from the Shafi'i School.

The discussion about 'iddah and ihdad is always interesting to discuss. Because looking at the context in today's modern era, some people still think that 'iddah is no longer needed, or because of the current technological sophistication, you can see the empty womb of a woman or the obligation to undergo ihdad for working women.

From this discussion, it is interesting to understand the views of these two significant schools of thought, which are quite different on the issue of 'iddah and ihdad, so that some lessons can be drawn that can be adopted in the current context. The most appropriate type of research to reveal this is literature studies. Sources in this research are books, articles, and other documents. The data were then analyzed using a comparative descriptive and qualitative approach.

## **Method**

This study used a descriptive method, by describing and explaining the data and then analyzing it using a method appropriate to the data (Sudaryanto, 1993, p. 62). The descriptive method uses data in the form of words which are then observed and explained as they are (Zaim, M., 2014, p. 19). The data were then analyzed using a comparative descriptive and qualitative approach. The research results will be presented in a systematic descriptive form, so that the problems that have been formulated will be answered clearly. Sources in this research are books, articles, and other documents related to iddah and ihdad in the Shafi'i and Hanafi schools of thought.

## **Result**

### **'Iddah in the Fiqh of the Shafi'i School**

#### **Legal Basis of 'Iddah**

Women who have separated from their husbands, either through divorce or death, must perform iddah. Because in the Qur'an it has been explained in the letter at-Talaq verse 1 mention before. Women carrying out the period of 'iddah must wait a certain amount of time that has been determined.

#### **Definition and Distribution of 'Iddah**

In language, 'iddah is taken from the word 'adad (عدد), which means to count or count (Al-Dusuki, 2011). 'Iddah, according to syara' is the period of waiting for a woman (wife) to know the purity of her womb from being pregnant or for worship and for showing sadness over the death of her husband. Basically, 'iddah is done to prevent the mixing of lineages (Al-Dimyathi, 2002).

'Iddah is required for women divorced by their husbands, whether divorced by death or divorced by life, to ensure that the uterus is empty from the womb. If the woman's uterus contains cells that will become children, then it is during this 'iddah period that the signs will be seen. Therefore, divorced women have to wait a predetermined time. If she marries again during her 'iddah period, two kinds of cells (mani) will indeed mix in her womb, cells from the first husband and cells from the second husband. If the child is born, the lineage will be uncertain. In this case, it is not justified in Islam (Mas'ud & Abidin, 2007).

According to the Shafi'i School, there are various kinds of 'iddah due to reasons. In this case, there are four kinds of 'iddah for their respective reasons.

First, divorced 'iddah. What is meant by 'iddah for divorce is the 'iddah of a woman whose husband has divorced her. There are three conditions for women who are in the condition of 'iddah for divorce.

1. Women who have had sex with husband and wife have not had their menstrual periods (not yet menopausal). This woman has a period of 'iddah three times quru' (Al-Mawardi, 2009). As explained in the Qur'an in the following letter al-Baqarah verse 228 mentioned on the provision of the obligation for divorced women to refrain (wait) three times quru". This is to ensure the condition of the uterus is pregnant or not. Obedience to these provisions indicates a degree of faith in God.

According to the Syafi'i School, the quru' referred to here is the sacred period of a woman. There are several reasons, including the following:

First, in Arabic grammar, if a word that shows the meaning of numbers uses the letter "ta (ة)" as a sign of mu'annats (feminine), such as the word tsalatsah (ثلاثة) instead of tsalats (ثلاث), then the word designated by the number is usually must be mudzakkar (masculine). Based on this provision, the phrase quru' must mean mudzakkar because the Qur'an uses the word tsalatsah (ثلاثة), not tsalats (ثلاث) before the word quru'. Therefore, quru' is interpreted as ath-thuhru (الطهر), which means holy and mudzakkar type, not al-haidah (الحیضة), which means menstruation which is of the mu'annats type (Az-Zuhaili, 2011).

Second, Allah SWT says in the Qur'an in the letter ath-Thalaq verse 1 mentioned before. The sentence "li'iddatihinna" in the verse above is interpreted as "at the time of 'iddah", based on Qiyas (analogy) to the meaning of the sentence "li yaum al-qiyamah" in sura al-Anbiya' verse 47 mentioned that determination of the calculation of good and bad deeds on judgment day. Verse 1 of the letter ath-Thalaq above explains that divorce should be delayed. Since what was ordered to be divorced was imposed during the sacred period, what is meant by quru' is the holy period (Azzam & Hawwas, 2011).

Third, the purpose of making the holy period a time for divorce is so that women do not suffer from being too long in their iddah period. This goal can be achieved if quru' is defined by the sacred period, not the menstrual period (Az-Zuhaili, 2011).

2. Women who have had sex with husband and wife and have missed their period (menopause) and women who have had sex with husband and wife but have never had menstruation (before puberty). These two conditions oblige the woman to undergo an 'iddah period for 3 months (Al-Dimyathi, 2002). In the Qur'an it has been explained in the letter ath-Thalaq verse 4 mention about the iddah period for women who have experienced menopause, which is for 3 months.
3. Women who have not intercourse (husband and wife). A woman in this condition has no 'iddah for her (Al-Mawardi, 2009). As the word of Allah SWT in the Qur'an surah al-Ahzab verse 49 has been explained that the right of wives not to

be obliged to fulfill the period of 'iddah if they include women who have never had legal conjugal relations.

Second, 'iddah pregnant. If a woman divorces her husband while she is pregnant, then the 'iddah period that must be carried out is until the woman gives birth (Al-Mawardi, 2009). In the Qur'an the letter ath-Thalaq verse 4 has been explained before.

Third, 'iddah dies. If a woman whose husband dies, then she must perform 'iddah for 4 months and 10 days. As in the Qur'an letter al-Baqarah verse 234 mentioned that the provision of 'iddah for a wife who is left dead by her husband is for four months and ten days.

The verse above is intended for women who have died of their husbands, whether they have had sexual intercourse or not, or are still young (not yet mature), have gone through menopause, or are still menstruating. Because the 'iddah that women do in this condition is meant to mourn the loss of the pleasures of marriage due to their husband's death, it is obligatory to 'iddah for a woman whose husband dies (Al-Mawardi, 2009).

Fourth, 'iddah of a woman who has lost her husband. Disappeared here means a departure whose whereabouts are unknown, whether her husband is still alive so that his arrival can be predicted, or he has died, or he is lost in the destruction, or disappears as a result of war, sinking of a boat, or in other similar cases (Az-Zuhaili, 2011).

If a woman has lost her husband and the whereabouts of her husband are not known as mentioned above, then she is obliged to wait 4 years. After that, he performs 'iddah for 4 months and 10 days (Mas'ud & Abidin, 2007). As in the history of Umar r.a., he stated that a wife who is left by her husband while she does not know where he is, then she must wait four years, then let him 'iddah four months and ten days, then she may marry (*HR. Malik*).

Based on the history of Umar r.a. above, women who have lost their husbands must wait for four years and perform 'iddah for four months and ten days, starting when they file a complaint with the judge (Mas'ud & Abidin, 2007)

There are various kinds of 'iddah according to the Shafi'i School, as explained above, more concisely can be seen in the following table.

**Table 1.**  
*Kinds of 'iddah in the Syafi'i school*

Kinds of 'iddah	The length of the 'iddah period
<b>Baligh Divorced Women and Not Yet Menopausal</b>	Three times <i>quru'</i> (pure from menstruation)
<b>Divorced women, menopause or not yet Baligh</b>	Three months
<b>Divorced women who have not been in conjugal relations</b>	No 'iddah
<b>The woman who died her husband</b>	Four months ten days
<b>Pregnant women</b>	Until she gives birth



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<b>The woman who lost her husband</b>	Waited until four years, after there was no news, then he ' <i>iddah</i> for four months and ten days
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### **Wisdom and Reasons for Obligation of 'Iddah**

Among the wisdom of 'iddah from divorce are as follows: There is no mixing of lineages because with 'iddah, a woman can know the purity or freedom of her womb from pregnancy; Men have the opportunity to think again about what they have done (divorced), whether the actions they have taken are correct or vice versa; furthermore, 'iddah can be used by both husbands and wives who have separated to think about reconciliation (Al-Dusuki, 2011). Allowing a woman whose husband has died to calm down psychologically, especially if she has children.

The wisdom of 'iddah because of the husband's death is to show sadness over the death of a husband (Al-Dusuki, 2011). 'Iddah is obligatory for the following reasons: The husband's death from a marriage with a valid contract; Dissolution of marriage due to divorce after intercourse from a marriage with a valid contract; Separated by death after actually having sex in a fasid or subhah marriage (Al-Dusuki, 2011).

### **Ihdad in the Fiqh of the Shafi'i School**

#### **Legal Basis of Ihdad**

In addition to having to perform 'iddah, a woman whose husband has died has the obligation to perform 'iddah. As in the word of Allah SWT in the letter al-Baqarah verse 234 mentioned that About the provision of 'iddah for women left behind by their husbands. That verse shows that a woman whose husband dies must perform 'iddah for four months and ten days. It is also obligatory to perform ihdad during the 'iddah period.

#### **Definition and Distribution of Ihdad**

Ihdad, according to the language, means it is forbidden to decorate. Meanwhile, according to the term, ihdad is to leave all the habit of decorating women, such as wearing perfume, kohl, silk, jewelry, and the like. The jewelry is all the ornaments worn on the woman's body. But there is no prohibition for a woman undergoing ihdad to decorate her house with specific decorations (Department of Religion of the Republic of Indonesia, n.d.). The hadith that explains about the things a wife is allowed to do after the death of a good husband, the prohibition of using dirty, stained clothes and even restrictions on the type of perfume that can be used (HR. Muslim) (Al-Naisaburi, 1998).

The hadith above explains that it is not permissible for a woman to mourn (ihdad) over her death for more than three days, except for her husband. The above hadith also states that the iddah for a woman whose husband dies is four months and ten days.

In times of mourning, there is no special clothing that women must wear. But she had better abandon clothes that show decoration. Leaving the ornate does not mean leaving the cleanliness of the body. Women undergoing their 'iddah period should keep their bodies and surroundings clean, such as bathing regularly, cutting their nails, combing their hair, and wearing perfume just to eliminate the smell (Al-Dusuki, 2011).

According to the Shafi'i school, a woman who is in her ihdad period is allowed to leave the house during the day for something necessary (لقضاء الحاجة). However, he was not allowed until the evening (Al-Syirazi, n.d.).

According to the Syafi'i School, several women are obliged to carry out ihdad, including (Al-Syirazi, n.d.):

1. Qabla Dukhul/ Ba'da Dukhul  
Women whose husbands have died, whether they have had intercourse (ba'da dukhul) or not (qabla dukhul) are required to perform ihdad. Because doing ihdad is a form of respect for the death of a husband.
2. Still small/already Baligh  
The mourning period for a husband's death is specific for a wife married with a valid contract, whether she is young or has reached puberty. Because a person who is not a Muslim is the same as a Muslim in terms of staying away from forbidden things, such as drinking and adultery. It's just that these two categories are different in sin, so the period of mourning is the same.
3. Free/Slave
4. Muslim/ People of the Book (Kafir Kitabiy)

As in the following hadith of the prophet narrated from Aisha. The hadith mentioned about prohibition of a woman to mourn the death of her husband for more than 3 days (Al-Naisaburi, 1998).

It is still obligatory to perform ihdad for religious women. This is because in looking at the lafadl *لَا تُؤْمِنُ بِاللَّهِ* it is not considered an exception for non-Kitabiyah, but to stimulate it in the Book of Laws. The book of the law is aimed at believers, but the rights of non-believers in marriage are equated with Muslim women, such as living expenses and housing (Lasyin, 2002).

According to the Shafi'i school, there is no obligation to mourn for a woman divorced by her husband, it is only permissible. With the excuse that the husband has hurt his wife by divorcing her, he does not have to show sadness and regret over the separation (Az-Zuhaili, 2011).

### **'Iddah in the Fiqh of the Hanafi School**

#### **Legal Basis of 'Iddah**

Women who have separated from their husbands, either through divorce or death, must perform iddah. Because in the Qur'an it has been explained in the letter ath-Thalaq verse 1 which mentioned before. Women carrying out the period of 'iddah must wait a certain amount of time that has been determined.

#### **Definition and Distribution of 'Iddah**

'Iddah, according to language, is to count or count. According to syara' (legal), 'iddah is a waiting period for women when a marriage breaks up. It is called the waiting period because women in such conditions wait on the days determined for the length of time (Al-Ghunaymi, 1993).

'Iddah consists of several kinds, including the following:

1. A woman separated from her husband by divorce. 'Iddah that must be done for this woman is three times quru'. In this case, it is mentioned in the Qur'an surah al-Baqarah verse 228 before. Unlike the opinion of the Shafi'i School, the Hanafi School believes that quru' is interpreted as menstruation. The reasons put forward by the Hanafi School are as follows.



First, the purpose of obligatory 'iddah is to determine the cleanliness of a woman's uterus during pregnancy. Knowing the cleanliness of women is needed to prevent the mixing of lineages. The way to determine if a woman's uterus is clean is through the menstrual period, not the sacred period of menstruation (Az-Zuhaili, 2011).

Second, in a Hadith of Rasulullah SAW, which describes the meaning of aqra' as menstruation. From the hadith, it can be seen that what is meant by aqra' is menstruation because it is during menstruation that women are prohibited from praying (Azzam & Hawwas, 2011).

Third, in a hadith Rasulullah SAW also mentioned About the type of divorce in female slaves and the type of 'iddah has also been determined (HR. Abu Dawud).

In this hadith, the 'iddah period of a slave girl is calculated based on her menstrual period. In this way, an independent woman's iddah period is also calculated based on her menstrual period (Az-Zuhaili, 2011).

2. Divorced women are not yet mature (menstruation) and have stopped menstruating (menopause). The iddah of a woman in this condition is 3 months ('Alauddin Abi Bakr bin Mas'ud al-Kasani Al-Hanafi, 1996). Just as before, it has also been explained in the Qur'an, namely in the letter ath-Thalaq verse 4 that mentioned before
3. Women who are divorced or have died of their husbands and have not had intercourse with their husbands and wives. A woman in this condition has no 'iddah for her (Al-Mawardi, 2009). In the word of Allah SWT al-Qur'an sura al-Ahzab verse 49 it has been explained in previous section. According to the Hanafi School, women who are divorced before having intercourse with husband and wife but only have khalwat are still obliged to perform 'iddah and must complete the dowry (Al-Mawardi, 2009).
4. Pregnant woman. The condition of this woman, whether due to divorce or the death of her husband, is obligatory to 'iddah until she gives birth ('Alauddin Abi Bakr bin Mas'ud al-Kasani Al-Hanafi, 1996). In the Qur'an the letter ath-Thalaq verse 4 has been explained in previous section.

**Hai orang-orang yang beriman, jika kamu menikahi wanita-wanita yang beriman, maka kamu menceraikan mereka sebelum kamu mengganggu mereka, maka tidak wajib bagi mereka untuk memenuhi 'iddah bagimu yang kamu minta untuk menyelesaikannya ..."**

### **Reasons for Compulsory 'Iddah**

There are three reasons for obligatory 'iddah, including the following: First, from a marriage whose contract is valid. In this case, a woman is obliged to perform 'iddah if her husband dies, even though she has not had a husband and wife relationship, whether the woman is still small (not yet mature) or already. Second is having a husband and wife relationship, whether with a valid, fasid, or shubhat contract. If a husband and wife have intercourse in a marriage with a false assurance or because of adultery, then the iddah is not obligatory for him. Third, Khalwat, either with a valid or fasid contract (Al-Jaziri, 2004).

## **Ihdad in the Fiqh of the Hanafi School**

### **Legal Basis of 'Ihdad**

In addition to having to perform 'iddah, a woman whose husband has died has the obligation to perform 'iddah. As in the word of Allah SWT in the letter al-Baqarah verse 234 mentioned the provisions of 'iddah for women whose husbands die. The verse also describes the ability of women who have finished the 'iddah period to act according to their wishes. The verse above shows that a woman whose husband dies must perform 'iddah for four months and ten days. It is also obligatory to perform ihdad during the 'iddah period.

### **Definition and Distribution of Ihdad**

Ihdad, according to language, is an expression of prohibition to decorate. Dressing here means avoiding fragrances, applying makeup, not combing your hair, and not wearing jewelry ('Alauddin Abi Bakr bin Mas'ud al-Kasani Al-Hanafi, 1996).

Women undergoing the period of 'iddah due to their husbands' death are also obliged to carry out ihdad. As stated in the previous chapter, the hadith narrated by Muslims obliging women who carry out 'iddah to perform ihdad the hadith which has explained about the prohibition for wives to mourn the death of their husbands beyond 3 days as well as the recommendation of clothes worn (Al-Naisaburi, 1998).

Ihdad is obligatory for a woman whose husband has died because her marriage is over, and her rights as a wife have also been completed. This is done to show the woman's sadness ('Alauddin Abi Bakr bin Mas'ud al-Kasani Al-Hanafi, 1996).

Women carrying out ihdad are also still allowed to leave the house during the day and half the night to work to make a living. However, it is not allowed other than for work ('Alauddin Abi Bakr bin Mas'ud al-Kasani Al-Hanafi, 1996).

According to the Hanafi School, several women are required to carry out ihdad, namely:

1. Baligh
2. Independent

According to the Imam Hanafi School, the provisions regarding ihdad do not apply to wives who are still young (not yet mature) or female slaves. The reason is because of the lafadz *لَا مَرَّةً*. Small women and enslaved women are not included in this lafadz (Lasyin, 2002).

3. Muslim

In the Hadith in the previous point, the words *تُؤْمِنُ بِاللَّهِ* are mentioned. This word shows that those who do not believe, in the sense of unbelievers in the book, are not included in those who are affected by the provisions of ihdad. So, a Muslim must be able to carry out ihdad (Lasyin, 2002).

4. *Qabla Dukhul/ Ba'da Dukhul*

According to the Hanafi School, ihdad is not only performed by women whose husbands have died. According to this school, even divorced women are obliged to carry out ihdad. This is to show sadness over the loss of wedding favors (Az-Zuhaili, 2011).

## **Discussion**

### **Comparison of 'Iddah and Ihdad in the Shafi'i School and the Hanafi School Equation of the Shafi'i and Hanafi Schools in 'Iddah and Ihdad**

After the author examines various matters related to 'iddah and ihdad according to the views of the Syafi'i and Hanafi Schools, the author finds several similarities between these two schools regarding regulating 'iddah and ihdad. The following are the findings:

1. In interpreting 'iddah and ihdad, both agree to analyze 'iddah as a waiting period, during which a woman is not allowed to remarry because of fears of mixing lineages. During this waiting period, a woman can find out about the emptiness of her uterus from pregnancy.
2. For example, there are various types of 'iddah periods, such as the 'iddah of a woman whose husband divorces her when she is not yet mature (menstruation) or has stopped having her period (menopause). Both schools thought the period of 'iddah in this condition was three months. Likewise, with the 'iddah of women divorced by their husbands in a state that has not had intercourse with husband and wife. According to these two Schools, there is no 'iddah for both because it has been clearly explained in the Qur'an. As for the 'iddah of a pregnant woman, these two Schools refer back to the Qur'an, which explains that the time of 'iddah of a pregnant woman is until delivery so that the uterus is known to be clean from pregnancy.
3. Regarding the 'iddah of a woman whose husband has disappeared, these two schools are of the opinion that the husband is considered alive until there is clear news about his death from a reliable person, or the husband has divorced her with three talaq, or there is a brief letter from a reliable source. that her husband had divorced her.
4. Regarding the meaning of ihdad, the two schools are the same in terms of interpreting it. Both of them interpret ihdad as the period of mourning for the wife over the death of her husband. During this mourning period, the wife must leave self-decoration, avoid perfumes, apply makeup, and wear jewellery. The two schools also agree that ihdad takes place when a woman performs her husband's 'iddah for the death of her husband, and the length of the 'iddah is four months and ten days.

### **Differences between the Shafi'i and Hanafi Schools in 'Iddah and Ihdad**

Apart from similarities, there are also differences between the Shafi'i School and the Hanafi School regarding 'iddah and ihdad. Here are the findings of the differences:

1. The meaning of the word قُرْءٌ

In the Qur'an, surah al-Baqarah verse 228 which mentioned in previous section.

The period of 'iddah for a woman divorced by her husband and whose menstruation is not interrupted (not yet menopausal) is three times the quru'. The source of the difference here is the lafadz قُرْءٌ. According to the Syafi'i School, the word Quru' here is interpreted as holy. Meanwhile, according to the Hanafi School, lafadz quru' means menstruation.

According to the Shafi'i School, quru' here is defined as the sacred period of a woman for the reasons explained in the previous chapters. The first reason is in Arabic grammar, if a word that shows the meaning of numbers uses the letter “ta (ة)” as a sign of mu'annats (feminine), such as the word tsalatsah (ثلاثة) instead of tsalats (ثلاث), then the word designated by that number usually must be mudzakkar (masculine). Based on this provision, the word quru' must mean mudzakkar because the Qur'an uses the word tsalatsah (ثلاثة), not tsalats (ثلاث) before the word quru'. Therefore, quru' is interpreted as ath-thuhru (الطهر), which means holy and mudzakkar type, not al-haidah (الحیضة), which means menstruation which is of the mu'annats type. The second reason is that the scholars of the Shafi'i School interpret the sentence "li'iddatihinna" in surah ath-Thalaq verse 1 to the meaning of the sentence "li yaum al-qiyamah" in surah al-Anbiya' verse 47. In verse 1 of sura the ath-Thalaq above explains that divorce should be dropped on time. Since what was ordered to be divorced was imposed during the sacred period, then, of course, what is meant by quru' is the sacred period. And the last reason is because the purpose of making it a sacred period for imposing divorce is so that women don't suffer from being too long in their 'iddah period. Because if it is counted sacredly, the end of the iddah period will be faster.

In contrast to the Hanafi School, which defines quru' as menstruation. The first reason is to use the period of menstruation as a benchmark for 'iddah, it will be known that a woman is not pregnant (pregnant). One of the objectives of making iddah obligatory is knowing whether the uterus is clean from pregnancy. The second reason for this school is in the Hadith of the Prophet, explaining that aqra' has the meaning of menstruation because the hadith explains the prohibition of women who are forbidden to pray. The third reason is a Hadith of the Prophet, which also describes the 'iddah of a female slave, namely two menstrual cycles. That way, the 'iddah of an independent woman is also calculated by menstruation.

With the difference in meaning in this Qur'anic lafadz, there will be a difference regarding the length of calculation of the iddah period lived by women with 'iddah. The period of 'iddah will be longer if it is calculated based on the period of menstruation (opinion of the Hanafi School), whereas if it is calculated based on the period of purity, it will be shorter (opinion of the Shafi'i School). The simulation is as follows:

**Table 2**  
*The period of 'iddah*

1	2	3	4	5	6	7
<b>Talak (When pure from menstruati on)</b>	menstruati on	pure from menstruati on	menstruati on	pure from menstruati on	menstruati on	pure from menstruati on

If the benchmark is three times purity, the period of 'iddah begins to be calculated from the period of innocence at the time of divorce (1) and ends when the third menstruation comes (6). Here the period of 'iddah passes two menstrual cycles.

If the benchmark three menstruations, the period of 'iddah begins to be calculated from the first menstruation after the divorce is dropped (2) and ends when the third menstruation is completely completed or has become pure again (7). Here the period of 'iddah passes three menstrual cycles flawlessly.

2. Prohibition of exit of women who are undergoing ihdad

The Hanafi and Syafi'i schools allow women in ihdad to leave the house for specific reasons. According to Abu Ishaq Ibrahim asy-Syirazi in his book *Tanbihu fi Fiqhu asy-Syafi'i*, women who are undergoing the ihdad period are allowed to leave the house during the day to carry out their needs (لقضاء الحاجة) (Al-Syirazi, n.d.). Meanwhile, according to Imam Ibnu Nujaim al-Hanafi, women undergoing the ihdad period are allowed to leave the house during the day until part of the night and not stay outside to work to sustain life (I. I. N. Al-Hanafi, n.d.). From these two opinions, the Shafi'i school of ihdad tends to be looser because it does not mention specific needs. In contrast, the Hanafi school is only allowed to work and not for other purposes such as visiting.

3. The obligation of ihdad

The next difference is that in the Hanafi school, a woman whose husband divorces must also perform ihdad to show her sadness over the loss of marriage favors. Meanwhile, according to the Shafi'i school, divorced women are not required to enter into ihdad, only recommended. This is because the husband has abused his wife by divorcing her, so it is not normal, and she doesn't need to show sadness and regret over the separation.

## Conclusion

Summarize the main findings of the study and reiterate their significance. Discuss the broader implications of the results and suggest potential avenues for further research. Avoid introducing new information in this section.

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