

RESEARCH ARTICLE

## Ihdad for Husband and Wife from a Gender Perspective

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### Abstract

The study of *ihdad* in *fiqh* literature places women in mourning after their husbands' deaths, prohibiting them from using fragrances, adorning themselves, or leaving their homes. However, these conditions don't apply to husbands whose wives have died. The *Compilation of Islamic Law (KHI)*, based on Indonesian scholarly interpretation, regulates *ihdad* by requiring wives to observe mourning throughout their *iddah* period, while husbands are expected to observe mourning as deemed appropriate. Two main issues are addressed: the perspectives of scholars and the *KHI* regarding *ihdad* for husbands and wives, and how *ihdad* can be analyzed from a gender perspective. This literature review uses a gender perspective as an analytical tool. According to scholars, *ihdad* for women involves refraining from adornment, perfumes, and leaving home for four months and ten days or until the end of their *iddah*. The *KHI* obligates *ihdad* for both husbands and wives. A wife observes *ihdad* during the *iddah* period to express grief and avoid slander, while a husband observes *ihdad* as deemed appropriate. The regulation of *ihdad* in the *KHI*, which obligates both husbands and wives, represents a legal breakthrough that differs from classical *fiqh* views. However, it still contains discrimination regarding the period for observing *ihdad*, as women must observe it for the entire *iddah* period, while men are only required to do so according to what is deemed appropriate.

**Keyword:** *Ihdad, Gender, Mubadalah.*

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## INTRODUCTION

Religious understanding regarding the treatment of women has undergone significant development and has become a central issue in the dynamics of contemporary Islamic thought. The issue of gender justice is increasingly prominent with the rise of feminist movements that consistently advocate for equal rights and the elimination of discrimination in various aspects of life. Terms such as discrimination, violence, subordination, and injustice are now often discussed in

public spaces, indicating the growing collective awareness that women deserve to be treated fairly and equally to men (Zaidah & Abdullah, 2024).

Within this context, Islam comes with a prophetic message that firmly rejects all forms of discrimination and injustice against women. History records that during the era of Jahiliyyah, women were placed in very marginalized positions and were often treated inhumanely. A clear example of this treatment was the act of killing baby girls because they were considered shameful, making women objects of inheritance, and treating women merely as objects for fulfilling men's sexual needs. In fact, the principal teaching emphasized in Islam is that human dignity before Allah is determined by the quality of faith and piety, not by gender. This egalitarian principle demands fair and equal treatment for every individual, both men and women (Mehr & Hajira Maryam, 2024).

One of the traditions that was highly detrimental to women in pre-Islamic times was ihdad, a mourning period that women were required to observe after the death of their husbands. During this time, women were compelled to isolate themselves in a special place for an entire year. Throughout this period of seclusion, they were not allowed to use fragrances, style their hair, cut their nails, or wear proper clothing. In some cases, women were even given an animal, such as a goat, donkey, or bird, to be rubbed against their bodies so that, after the period of seclusion, their bodies would emit a very unpleasant odor. Such treatment was clearly degrading to the dignity and humanity of women (A. M. Ghazali, n.d.).

Islam subsequently reformed the pre-existing traditions by establishing more humane and just regulations regarding the mourning period (ihdad). The ihdad period was designed to give women the space to grieve appropriately without subjecting them to degrading practices. In classical fiqh literature, a wife whose husband has passed away is required to undergo a mourning period by refraining from using fragrances, abstaining from adornment, and remaining in her home throughout the iddah, which lasts four months and ten days. However, these rules do not apply to a husband whose wife has died, resulting in an imbalance in the treatment between husbands and wives.

The Compilation of Islamic Law (KHI), as a product of Indonesian scholarly interpretation, represents a legal breakthrough by regulating ihdad not only for wives but also for husbands whose wives have died. According to the KHI, a wife is obligated to observe ihdad throughout the iddah period until its conclusion, while a husband is also required to observe a mourning period, albeit only according to what is deemed appropriate. This approach introduces a new paradigm that seeks to address the challenges of gender justice within Indonesian Muslim society, although discrepancies in the prescribed duration of ihdad between men and women persist.

This legal innovation deserves recognition as a progressive step toward upholding gender justice, even though it has not entirely eliminated the disparity. Wives are mandated to observe ihdad for a clearly defined and relatively lengthy period, whereas the obligation for husbands is more flexible and significantly shorter. This situation demonstrates that gender bias remains embedded in Islamic legal regulations, particularly concerning the different durations of mourning prescribed for husbands and wives.

Therefore, it is essential to continue analyzing the implementation of ihdad for both husbands and wives from a gender perspective, so that existing regulations may increasingly reflect the principles of substantive justice for both parties. Critical awareness and renewal of thought in the field of Islamic law are fundamental to creating a more just, equitable, and humane society, in accordance with the core teachings of Islam.

### **Research Questions**

Based on the introduction above, the author will discuss the following two research questions:

1. What are the views of Islamic scholars and the Compilation of Islamic Law regarding ihdad for husbands and wives?
2. How is ihdad for husbands and wives viewed from a gender perspective?

## **RESEARCH METHODS**

The methodology employed in this study is library research, with a primary focus on analyzing literature that discusses ihdad (the mourning period) for both husbands and wives. The researcher examines a range of primary and secondary Islamic legal sources, such as relevant verses from the Qur'an, Hadith, Marriage Law, and the Compilation of Islamic Law (KHI) as primary legal materials. Secondary legal materials include classical fiqh texts, academic books, scholarly journals, and other references that explore ihdad from a gender perspective.

The analytical approach utilized is the theory of mubadalah (reciprocity), as developed by Faqihuddin Abdul Qadir. This theory provides a framework for interpreting religious texts in a manner that is equitable and mutually respectful between men and women, thereby enabling a more just evaluation of ihdad regulations for both spouses. In addition, this study employs gender injustice indicators to assess the extent to which ihdad provisions fulfill the principles of substantive justice and equality for both parties.

By integrating the mubadalah theory and gender injustice indicators as analytical tools, this research aims to uncover any persisting biases within ihdad regulations and to offer recommendations for legal reform that better uphold justice and humanity. The analysis is conducted systematically by tracing differences in the treatment of husbands and wives across both

classical and contemporary legal sources, in order to arrive at a comprehensive and relevant understanding of the challenges of gender justice within Indonesian Muslim society.

## **FINDINGS AND DISCUSSION**

### ***The Perspectives of Islamic Scholars on Ihdad for Husbands and Wives***

*Ihdad* is a term derived from the word ahadda, and is also known as al-hidat, which originates from the root word hadda. Linguistically, ihdad means prohibition, while in Islamic legal terminology, ihdad refers to a form of self-restraint or abstaining from beautification activities following certain events, especially the death of a husband. Wahbah al-Zuhaili defines ihdad as a prohibition for women, particularly wives who are in their waiting period (iddah), from using various types of jewelry, perfumes, kohl for the eyes, as well as both scented and unscented oils (Dimyathi, n.d.).

Furthermore, Sayyid Sabiq emphasizes that ihdad encompasses prohibitions against wearing silk garments, applying henna, and using various forms of accessories that enhance one's appearance. These stipulations are not merely symbolic; rather, they constitute obligatory requirements for a wife as an expression of respect and loyalty to her deceased husband. The observance of ihdad during the prescribed waiting period (iddah) is intended to enable a wife to demonstrate profound mourning and to safeguard her dignity and honor within the community. This regulation also reflects the values of propriety and the protection of women's dignity in Islamic tradition, serving as a means to avoid slander and maintain social harmony in the surrounding environment (Sabiq, 1988).

In the Qur'an (Q.S. al-Baqarah: 234), Allah clearly stipulates that a wife whose husband has passed away is required to observe a waiting period (iddah) and mourning (ihdad) for four months and ten days. This regulation serves to allow the woman to express profound grief while also preserving her dignity within the community. Should the wife be pregnant, the duration of iddah extends until childbirth, as clarified in Q.S. al-Thalaq: 4. According to the hadith narrated by Umm Salamah, the Prophet Muhammad prohibited widows from adorning themselves, including the application of kohl, during the four months and ten days of iddah. Additionally, the hadith from Umm Athiyah affirms that mourning for the loss of someone other than a husband is not permitted for more than three days, with the exception that mourning for a husband must last the full four months and ten days. These provisions underscore the special attention given in Islam to the process of bereavement for a wife, distinguishing the mourning practices following the death of a husband from those observed for other family members.

The procedures and duration of observing ihdad for a wife whose husband has passed away are firmly established within Islamic law. According to the Qur'an, specifically Surah al-Baqarah verse 234, and corroborated by authentic hadiths, the prescribed period of ihdad is four months and ten days (A. Ghazali, 2006). During this time, the wife is required to remain indoors except in cases of urgent necessity, to abstain from adornment or beautification, to avoid wearing clothing that draws attention particularly tight or transparent garments and to refrain from using perfumes. These stipulations aim to preserve the dignity, honor, and propriety of the wife during her period of mourning, as well as to prevent societal slander. The observance of ihdad is also regarded as a symbol of respect and loyalty toward the deceased husband. Nevertheless, Islamic scholars differ in their opinions regarding the obligation of ihdad in cases where separation occurs for reasons other than death, such as in the instance of an irrevocable divorce (talak bain), reflecting the dynamic interpretations within fiqh in addressing issues of gender and substantive justice (Jannati, 2007).

A woman who has been irrevocably divorced (talak bain) by her husband cannot cohabit with her former spouse unless she marries another man and is subsequently divorced by him. While both situations result in the inability to resume marital life, the distinction lies in the potential for reconciliation: a woman who has been irrevocably divorced may reunite with her ex-husband if specific conditions are met, whereas a woman whose husband has died has no possibility of resuming their marital relationship. Imam Malik asserts that the obligation to observe ihdad arises solely upon the death of a husband; thus, there is no requirement for ihdad in cases of irrevocable divorce. In contrast, Imam Abu Hanifa and his followers maintain that ihdad is obligatory for women who have been irrevocably divorced (Rusyd, n.d.). Their rationale is that ihdad is a religious mandate intended to express grief over the dissolution of marriage, which results in permanent separation akin to the loss experienced through death. Imam al-Shafi'i prefers that women subjected to talak bain observe ihdad in the same manner as those whose husbands have died. However, the majority of scholars contend that the act of issuing talak bain is a distressing experience for the wife, and therefore, it is inappropriate for her to observe a period of mourning in such circumstances (Zuhaili, 2011).

From the perspective of Islamic scholars, the practice of ihdad is not limited solely to the death of a husband, but may also be observed upon the passing of close family members. Sayyid Sabiq asserts that women are permitted to undergo ihdad for no more than three days when a close relative dies; however, the implementation of ihdad in such cases must be subject to the husband's approval (Sabiq, 1988). This highlights the husband's authority in determining whether his wife may observe ihdad, even in response to the death of her own family members.

Wahbah al-Zuhaili asserts that the right to beautification for a wife is a prerogative of the husband, granting him the authority to forbid his wife from observing ihdad upon the death of close family members. This argument highlights the power dynamics between husband and wife in classical Islamic law, where women's rights are heavily dependent on the husband's decisions and underscores the potential for gender injustice in the application of ihdad. Consequently, the observance of ihdad following the death of a family member is not merely an expression of grief, but also a reflection of household power relations as viewed through the lens of fiqh (Zuhaili, 2011).

The requirement of ihdad being imposed solely upon the wife when her husband passes away, while the husband is exempt from such an obligation when his wife dies, raises serious questions about gender justice in Islamic law. If ihdad is understood as an expression of mourning and respect for the loss of a spouse, both husband and wife should bear the same moral responsibility to demonstrate their sense of bereavement. Emotional bonds within a marriage are not one-sided, and the grief over a spouse's death should be felt and expressed equally. Therefore, it is time to reconsider the concept of ihdad so that it truly reflects the principles of justice and togetherness in the modern family, rather than being a one-sided ritual that risks reinforcing gender inequality (Yuliantari & Azwar, 2025).

According to the majority of scholars, ihdad is mandated only for the wife upon the death of her husband and does not apply in the reverse situation. This provision gives rise to perceptions of injustice, because if ihdad is regarded as the embodiment of mourning for the loss of a partner who has shared life in marriage, then it stands to reason that when a wife dies, the husband should also display signs of mourning.

### **Ihdad for Husband and Wife in the Compilation of Islamic Law**

The Compilation of Islamic Law, Article 170 paragraph (1), stipulates the obligation for a wife to observe a mourning period during her iddah as an expression of grief and to prevent slander. Article 170 paragraph (2) sets forth that a husband whose wife has passed away must also observe a mourning period according to what is deemed proper. If the consistency of these regulations is followed, then ihdad becomes obligatory for both the husband and the wife when their spouse dies.

The Compilation of Islamic Law is the result of ijihad (independent reasoning) by Indonesian scholars and Muslim intellectuals, and it is based on three main foundations:

1. Historical foundation: This pertains to the preservation of Islamic law within the fabric of Indonesian society. The Compilation of Islamic Law derives from abstract and religious values,

which are then elaborated and systematized through deep reasoning, introduced to the wider public, and subsequently integrated into a social institution.

2. Juridical foundation: This relates to legal regulations. Based on Article 49 of Law Number 7 of 1989 concerning Religious Courts, Islamic law regarding marriage, inheritance, and endowments applies to Muslims. Article 2 paragraph (1) of Law Number 1 of 1974 concerning Marriage states that a marriage is valid if it is conducted in accordance with the laws of each religion. The validity of a marriage is thus clearly based on the religious laws of those entering into marriage, ensuring legal certainty and protection.
3. Functional foundation: This addresses the concrete needs of society in line with the times and the problems faced by the Muslim community. The Compilation of Islamic Law is developed with regard to the legal needs of the Indonesian Muslim community as part of the codification of Islamic law, which is also in line with national development goals (Basri, 2003).

Foundation Type	Description
Historical foundation	Preservation of Islamic law within Indonesian society; Compilation of Islamic Law derives from abstract and religious values, elaborated and systematized through deep reasoning, introduced to public, integrated into social institution
Juridical foundation	Relates to legal regulations; Islamic law regarding marriage, inheritance, and endowments applies to Muslims
Functional foundation	Addresses concrete needs of society, problems faced by Muslim community; Compilation of Islamic Law developed for legal needs of Indonesian Muslim community, part of codification of Islamic law, in line with national development goals

The regulation of ihdad in the Compilation of Islamic Law (KHI) differs from the concept in classical fiqh. In fiqh, a husband whose wife has passed away is permitted to remarry immediately, but such a practice is considered unethical and taboo within Indonesian society. Additionally, the bilateral kinship model widely embraced by Indonesians influences the status of men and women to be more balanced, which makes it reasonable for Article 170 paragraph (2) to require a husband to observe a mourning period when his wife dies.

The approach to ihdad in the Compilation of Islamic Law (KHI) presents a fundamental distinction from the fiqh tradition. While fiqh allows a husband to remarry immediately after his wife's death without any obligation to mourn, this practice is deemed inappropriate and socially unacceptable in Indonesia, a society that values decorum and respects the grieving process. Indonesians generally adhere to a bilateral kinship system, placing men and women in equal positions within the family structure. Consequently, it is fitting that KHI, through Article 170

paragraph (2), stipulates that a husband is also required to observe a mourning period upon the death of his wife. This provision reflects the spirit of equality and empathy in marital relationships and adapts Islamic law to the social and cultural realities of Indonesia. Thus, KHI not only regulates ihdad as an expression of grief for wives but also provides space for husbands to express their respect and sorrow upon the passing of their spouse, ensuring that the tradition of mourning is practiced fairly and equitably in modern Indonesian society.

Expressing condolences as the purpose of observing ihdad, as formulated in the Compilation of Islamic Law (KHI), is highly relevant and can be justified both argumentatively and scientifically. From the perspective of fiqh, as explained by Al-Sarakhsy of the Hanafi school, ihdad is not merely a formal ritual, but a profound expression of the loss of happiness and the joys of married life due to the passing of a spouse. This loss is not only about the cessation of physical and material pleasures, but more importantly, it is about losing a companion who has served as an emotional, spiritual, and social support within the family (Sarakhsiy, 2000).

Ihdad, as an expression of mourning, can also be viewed from psychological and sociological perspectives. Psychologically, the mourning period provides individuals with space to process their loss, reorganize their emotions, and gradually recover. This is crucial to prevent psychological disturbances that may arise from sudden loss without a period of adaptation. Sociologically, ihdad functions as a social mechanism to show respect to the deceased and to maintain harmonious relationships with extended family and the surrounding community. By observing ihdad, a wife demonstrates appreciation for her husband's efforts and struggles during his life, while also safeguarding the family's dignity in the eyes of society.

Furthermore, the implementation of ihdad can be seen as a form of protection for women against stigma and slander that may emerge if they appear not to mourn the passing of their husbands. In communities that uphold values of propriety and solidarity, it is important for a wife to visibly express grief to preserve her own and her family's honor. Therefore, the prohibition against expressing joy or joking during the period of ihdad is not merely a rigid rule; it is rooted in moral and social values intended to protect dignity, foster empathy, and maintain harmony within social life.

From the perspective of maqasid al-shariah (the objectives of Islamic law), ihdad also plays a role in safeguarding five key principles: religion, life, intellect, lineage, and property. In this context, ihdad helps maintain the emotional and social stability of a family that has just lost a member, and it prevents slander or behavior that could tarnish the family's reputation. Therefore, the observance of ihdad is not only a form of obedience to religious regulations but also part of the effort to build a harmonious, just, and respectful social order that upholds humanitarian values.

Ihdad also serves the purpose of protecting oneself from slander or reproach that could diminish one's dignity. Whether it is the husband or wife who has lost their spouse, failing to show grief or sadness will likely result in criticism and negative assumptions from the community. Self-preservation is an obligation in Islamic law. Every effort to uphold this obligation is therefore also considered obligatory, as reflected in the legal maxim: "The law of a means is the same as the law of the objective." Thus, maintaining one's dignity is a duty for every believer, both men and women, making the observance of ihdad as a means to prevent slander that could harm one's honor a mandatory act as well (Daulay, n.d.). In addition, ihdad serves to protect the feelings of the husband's family; if a wife does not show grief over her husband's death, it can deeply hurt the feelings of his family, especially if she appears overly adorned with the intention of attracting the attention of other men after her husband's passing.

### **Husband and Wife's Mourning Period (Ihdad) from a Gender Perspective**

Allah upholds the principle of gender equality between men and women, as reflected in several verses of the Qur'an. These verses are rarely cited and tend to be less popular compared to those often used to support patriarchal culture, such as Surah an-Nisa verse 34 and Surah al-Baqarah verse 228. The Qur'anic verses that support equality in gender relations include. (Nurmila, n.d.) :

1. Surah an-Nisa verse 1: This verse explains that the first human was created from earth, and subsequently, humans are created through the union of sperm and egg, except in the creation of Prophet Isa. Since humans are made from the same substance, there is no basis to claim that men are superior to women.
2. Surah al-Hujurat verse 13: This verse states that human excellence in the sight of Allah is determined by piety, not by skin color, ethnicity, or gender.
3. Surah an-Nisa verse 34: Allah does not discriminate against women. Whoever does good, whether male or female, as long as they believe in Allah, will enter Paradise and will not be wronged. This aligns with Surah an-Nahl verse 97, which affirms that Allah will reward those who do righteous deeds, whether male or female, with the best reward.
4. Surah at-Taubah verse 71 and Surah al-Baqarah verse 128: These verses illustrate the equality of men and women, stating that believing men and believing women are protectors or companions of one another. The function of men and women is likened to the function of clothing, which provides comfort, covers faults, and offers protection to each other.

Gender equality should be upheld in the regulations concerning ihdad for both husband and wife. When a wife loses her husband and must undergo ihdad to express mourning for his death, prevent

slander, and honor the dignity of the husband and his family, the same should apply to the husband when his wife passes away. A husband who does not show sadness over his wife's death, or who expresses joy because he already has another woman, will undoubtedly invite reproach and slander. Moreover, a husband must also be considerate of his wife's family's feelings after her passing; it is highly inappropriate for a man to immediately remarry after his wife's death. This reciprocal relationship between husband and wife is essential. Through the lens of mubadalah (reciprocal reading), both husband and wife should observe a mourning period (ihdad) when their spouse passes away.

During the period of ihdad, women are prohibited from beautifying themselves, wearing perfume, dressing elegantly, and leaving the house. These prohibitions are influenced by pre-Islamic Arab culture. However, such restrictions are difficult to apply in today's world, where many women are breadwinners and are active in public life, requiring them to leave the house and dress appropriately. Women should be allowed to leave the house during ihdad, dress suitably, and adorn themselves modestly so as not to give the impression that they are unmoved by their husband's death or, conversely, that they are trying to attract other men.

The issue of leaving the house during a wife's ihdad, according to fiqh, is misunderstood. Women are not forbidden from leaving the house; rather, they are not to be expelled from their homes. The Qur'an prohibits families and society from forcing women out of the family home during their iddah and ihdad periods. This recommendation reflects the marital relationship, as women have the right to stay in their home until the end of the iddah period. The statement "women are forbidden from leaving the house during iddah" is not relevant to the gender relations between husband and wife. Leaving the house is a right and necessity for both men and women, as exemplified by Jabir's aunt, whom the Prophet permitted to leave her house and do good deeds during her mourning period (Sahih Muslim no. 3749). What is prohibited is for the wife to excessively adorn herself, frequently leave the house without urgent reason, and open herself to attention from other men. This is the principle of mubadalah, meaning that the husband, during his period of mourning, should also refrain from pursuing relationships with other women (Kodir, 2019)(Jihad, n.d.).

The implementation of ihdad within Islamic law should be oriented toward the realization of gender justice. The primary objective advocated by feminist movements is the establishment of an ideal Islamic context that fosters egalitarian relations between men and women (Nurmila, 2019). The inclusion of both husbands and wives in the observance of ihdad, as stipulated in the Compilation of Islamic Law, reflects a commitment to gender equity; it is not only wives who are required to observe ihdad, but husbands as well. This stands in contrast to traditional fiqh, which

mandates ihdad exclusively for wives, with no corresponding obligation for husbands upon the death of their spouses. Such regulatory developments constitute a significant breakthrough in Indonesian fiqh discourse, particularly considering the prevailing cultural norms in Indonesian society, which regard it as taboo for either spouse to fail to express grief upon the loss of a partner or to immediately seek a new relationship thereafter.

According to Nina Nurmila in the module "Gender in Islam," there are five indicators of gender injustice as follows (Nurmila, 2019):

1. Subordination (undervaluing or viewing women as inferior).
2. Discrimination (differentiating treatment between men and women, for example, giving women lower wages for the same work as men).
3. Stereotype (attaching negative labels, such as saying women are whiny, weak, emotional, or wasteful).
4. Marginalization (exclusion, for example, women are considered unfit for high positions, such as the role of rector at a university, which is typically held by men).
5. Double/Multiple Burdens (for instance, a female lecturer is still expected to do domestic work at home, take care of the children, and serve her husband before going to work. Ideally, if the wife also contributes financially, the husband and wife should share household and childcare responsibilities so that the workload does not fall disproportionately on the woman).

#### Five Interconnected Forms of Gender Injustice

 <b>Subordination</b> establishes women as inferior, creating the foundation for all other injustices.	 <b>Discrimination</b> manifests through unequal treatment in wages, opportunities, and access to resources.
 <b>Stereotyping</b> perpetuates harmful labels that limit women's potential and social mobility.	 <b>Marginalization</b> excludes women from leadership positions and decision-making processes.
 <b>Double Burdens</b> force women to manage both professional responsibilities and domestic duties inequitably.	

The distinction in the duration of ihdad between men and women as stipulated in the Compilation of Islamic Law, when analyzed through the lens of gender injustice indicators, reveals that despite the regulatory innovation requiring husbands to observe ihdad a departure from traditional fiqh perspectives disparities persist. Specifically, women are mandated to observe ihdad for the entire iddah period, which lasts four months and ten days, or until childbirth if pregnant, whereas husbands are expected to observe ihdad according to prevailing social norms. The criteria for what constitutes 'propriety' vary significantly among different communities and regions, resulting in ambiguity regarding the precise length of time a man should mourn the death of his wife.

## CONCLUSION

Based on the above explanation, two main conclusions can be drawn and elaborated upon in a more in-depth and scholarly manner as follows:

1. According to the majority of Islamic scholars, ihdad is defined as a prohibition for women to adorn themselves, wear fragrances, or leave the house freely during the iddah period, which lasts for four months and ten days or until the end of her iddah after her husband passes away. This provision aims to protect the dignity of women, prevent slander, and demonstrate respect and mourning for the husband's death. However, over time, the Compilation of Islamic Law (KHI) has expanded the scope of ihdad by requiring its observance not only by the wife, but also by the husband whose spouse has died. Under the KHI, the wife observes ihdad for the entire iddah period, while the husband observes ihdad based on the principle of propriety or according to prevailing social norms in the community. This reflects an effort to achieve gender justice in Islamic law in Indonesia, although its implementation still faces various normative and cultural challenges.
2. The obligation of ihdad for both husbands and wives, as regulated in the Compilation of Islamic Law, represents a progressive legal breakthrough compared to classical fiqh thought, which only required women to observe ihdad. This innovation reflects Islamic law's response to the growing demands for justice and gender equality in Indonesian society. However, this regulation still leaves issues of discrimination, particularly regarding the determination of the duration of the ihdad period. Women are required to observe ihdad for a clearly defined iddah period, while men are only obliged to observe ihdad based on the principle of propriety, which is relative and lacks a definite time limit. This difference has the potential to cause injustice and ambiguity in legal implementation, as well as to open the door to diverse interpretations within society. Therefore, further study is needed regarding the concept of propriety and the determination of the duration of ihdad for men to achieve more comprehensive legal justice that does not discriminate against either gender.

The explanation above demonstrates that ihdad, from the perspective of Islamic law in Indonesia, is a dynamic and continually evolving discourse, in line with efforts to create more egalitarian relationships between men and women. However, challenges in implementing the principle of gender justice still need to be addressed through legal reformulation that is clearer and more equitable for both parties.

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