

Spiritual and Scientific Benefits of Iddah (Waiting Period) to Muslim Widow and Divorcee

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Abstract

Iddah is basically a waiting period, defined by Allah so that if any pregnancy has occurred just before the spouse's death or separation, the fatherhood of that pregnancy should be clearly identified. With the advent of modern technology, the Islamic rule of Iddah is criticized stating that the months' long wait in getting re-married is outdated. This research work investigates the adherence practices of widows and divorcee to this legislation of Iddah along with its associated benefits. The methodology followed the descriptive approach of literature review of jurisprudence books and regulations regarding Iddah. In addition, a survey was conducted to investigate 45 Muslim divorced and widow women's experiences of Iddah. Thematic method was used to analyse the data. About 95% of participants showed understanding of Iddah as a mean of determining paternity, reconciliation and worshiping. Sadness and mourning were important features in divorce and widow cases, respectively and community and civic support were available during Iddah. During Iddah which represents 3-4 menstrual cycles, the repeated shedding of the endometrium necessitates complete repair and regeneration of the denuded surface. This may be viewed as an inevitable consequence of reproductive quality control and benefit in reproductive success when a widow or divorcee re-marry.

Keywords: Iddah, Widow, Divorce, Menstruation, Spiritual, Science

INTRODUCTION

Iddah (Waiting period), comes from the Arabic language, namely al-'adad which means number. It is about the date, month, and year which should be counted before a widow or divorcee re-marry. In Islam, Iddah is part of the divorce process that commences immediately after issuing of divorce. The event of Iddah depends on the type of divorce (Talaq) that the husband decides to issue. If the divorce is for the first or second time, known as revocable Talaq, then it is mandatory that a divorced woman stays in her husband's home during the period of iddah. It is not allowed for her husband to force her out of the home as the Qur'an states (Qur'an 65:1). Indeed, the husband is obliged to provide for her during this period of reflection and contemplation, which may provide a chance for reconciliation. If reconciliation is not possible, then Iddah will serve as period during which the women will emotionally heal and paternity of child could be determined (Al Asi 2009, 105).

In Islamic legal terminology, Iddah is the period after her husband's demise, in which the woman has been instructed to refrain from getting married again (Esposito, 2003). If a husband of a Muslim woman loses his life or give divorce to her, the woman is restricted to get remarried till the Iddah period has passed. Iddah is basically a waiting period, defined by Allah so that if any pregnancy has occurred just before the spouse's death or separation, the fatherhood of that pregnancy should be clearly identified. Iddah is also a time for grieve and mourn in case of widow and reconsideration of the harsh marital decisions in case of divorced partners. It is unlawful and a big sin if a woman doesn't follow these holy teachings. According to the Qur'an (Qur'an 2:228), the Iddah comprises 3 lunar months for a non-menstruating woman and three-monthly periods for a menstruating woman. As per the Ayah or wordings of the Qur'an (Qur'an 2: 234), a woman has to wait for 4 months, 10 days in order to marry again if she is a widow. A woman can remarry right after the childbirth if she is pregnant before the event of spouse's death or separation with the legal father being the baby's actual father.

With the advent of modern technology, the Islamic rule of Iddah is criticised stating that the months' long wait in getting remarried is of less significance (Pomahiya et al. 2022, 708). They argue providing the justification that the sophisticated medical diagnostic techniques are efficient enough to identify possible conception and its

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paternity by few simple tests in no time. The research question argues whether Islam gave women rights and benefits during divorce or death of husband. One of these benefits which under researched is Iddah. Therefore, Iddah experience and perception is reported in this study. The adherence practices of widow and divorcee to this legislation of Iddah along with its associated benefits is also investigated.

LITERATURE REVIEW

Forms of Iddah

Before the advent of Islam, there was no obligation to observe Iddah and even the pregnant women were free to remarry at any time. In the present times, there are three types of this novel obligation that must be complied (Ibn Qudamah 1992, 9/166):

Forms of Iddah After Divorce

In case of a pregnant woman, irrespective of the length of time, the period of Iddah lasts till the delivery of the baby or termination of pregnancy (Qur'an 65:4).

In case there is no pregnancy, and the woman menstruates then the period of Iddah consists of three menstrual cycles. Similarly, if a breast-feeding woman got divorced, she should wait till three menstrual cycles pass. It is important to note that during breastfeeding, a woman can observe a delay in her normal menstrual periods and the delay can be as long as 2 years. So, such a woman must wait till her three cycles pass, irrespective of the length of time (Qur'an 2:228).

In case the woman is too young for her periods to start or reached her menopause, the Qur'an (Qur'an 65:4) says that the duration of Iddah in both cases is three months.

In case a woman is unable to menstruate for the rest of her life due to any pathology e.g., uterus removal as in hysterectomy or lifelong illness, the prescribed waiting period is three months.

In case the woman encounters a pause in her regular periods due to a known and temporary cause or illness, she can wait for her periods to get in the regular pattern and then comply with the Iddah legislation as per her periods.

In case a woman notices a pause in her periods due to an unknown and undiagnosed cause, then the prescribed waiting period is of nine months for pregnancy and three months for Iddah.

It is important to remember that the Qur'an also specifies the site to stay for the iddah for the divorced woman or a widow, and that should be the house of the late or ex-husband.

Iddah of a Woman Whose Husband Has Died

The Qur'an says: "*And those of you who die and leaves wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days.*" (Qur'an 2:234). This pertains to the woman who is not pregnant; if she is pregnant, then her Iddah is until she delivers.

Iddah For a Woman Whose Marriage Has not Been Consummated

For an unconsummated woman, there is no obligation to observe the ruling of Iddah (Qur'an 33:49).

Purpose of Iddah

The Qur'an prohibits a woman observing her Iddah from re-marrying during that period. This is because during the Iddah, the marriage is understood to be merely dormant but not ended, as there is room for reconciliation between the husband and wife. Thus, the Iddah serves as a post-divorce reconciliation measure. This is one of the main reasons why the husband is under a duty in Islamic law to maintain the wife observing Iddah. In Islam a man is forbidden to marry a woman who is observing Iddah for the Law still affixes the stamp of marriage on her. It is haram (strictly prohibited) to make an express proposal of marriage to a woman observing Iddah. Any marriage contracted within the Iddah period is therefore, a nullity. This judicial authority

in our opinion aptly illustrates the importance of Iddah in Islam. Another wisdom is that it is a mean of safeguarding a lineage. Had it not been for this it would have caused many mix ups regarding the progeny of a child. The Iddah is a precautionary way of safeguarding a child's lineage.

The Qur'an mentions and enforces the ruling of Iddah, which is understood in a variety of contexts by different scholars (Ibn Qudamah 1992, 9/166). They provide the following explanation to the Iddah legislation: Iddah is prescribed to ascertain possible pregnancy in a widow or divorced woman

By specifying the place for Iddah, the Qur'an empowers and protects a woman by providing her a safe haven in this challenging situation where she tries to get over her sorrow and soothe herself without any external pressure.

Iddah also serves as a recovery period for a woman after the loss of the companionship. It gives her privacy to shed tears on her loss, take over her grief and regain the strength to face the new challenges waiting for her as a single individual. Confinement at home, surrounded by the female and selected male members of the family gives her the sense of security and support which is much needed to survive at such hard times and thereafter

MATERIAL AND METHODS

This article was produced from a literature review, and the main data was obtained from a study of jurisprudence (fiqh) books and regulations regarding Iddah. To strengthen the data and analysis, this paper also uses several important research results and articles related to the issues discussed. In addition, a survey was conducted to study women awareness and experience during Iddah. Since a qualitative approach was chosen as the appropriate methodological approach, non-probability sampling was used (Djamba & Neuman 2002, 380). This study aimed to identify the level of understanding of Muslim women on the concept of Iddah, and the wisdom of its practice in Islam.

Data Collection

The interview schedule included questions relating to biographical, divorce and details of Iddah. Face-to-face interview was conducted by the author. Participants were informed of the reason of conducting the research. The topic is sensitive in nature because of stigma-related issues, therefore, interviews were conducted at multiple timepoints and kept confidential and anonymity was kept through the use of code names. Eligibility criteria included that participant had to be Muslim divorced or widow who had already undergone Iddah. Twenty-one widow and 24 divorced women took part in the research project. All of them were university employees. Age ranged between 25 to 42. Data collection took place between December 2023 to February 2024. The research proposal was approved by Imam Abdulrahman bin Faisal University Ethics Committee (IRB-2024-33-098).

Data Analysis

A grounded theory method was used to process the data (Charmaz, 2014). Thematic analysis was performed to create codes, identifying and categorizing information received from the interviews and generating themes. The interviews were uploaded for software supported analysis (Sharon et al., 2024) using NVivo-14 (Timberlake, UK).

RESULTS AND DISCUSSION

Spiritual and Emotional Benefits: Iddah Experience in Saudi Arabia

The themes of the studied women have provided a description of how the sample experienced Iddah. About 95% of participants showed understanding of Iddah as worship and a mean of determining paternity, reconciliation and removing herself from any emotional attachment a woman had towards a spouse. These are the specific reasons for performing Iddah (Al Asi 2009, 105-108). In case of divorced women, reconciliation was not possible because they received irrevocable Talaq (divorce). The participants agreed that Iddah was a very difficult period. They stated that they felt vulnerable, suffered from loneliness and anxiety sometimes with huge waves of anguish and full of anger. Iddah allowed them to be introspective. They felt that they were harmed by act of divorce detaching themselves from a significant relationship. Such lingering emotional feeling

to the ex-husband made their Iddah unpleasant experience. It is stated that divorce is one of the most serious and stressful events in life, that the earlier stages of the post-divorce period which corresponds to Iddah are the most painful (Cohen Theodore et al. 2008, 503). Some participants claimed that they were treated badly by certain members of the community, and some benefited from family support. Iddah gives the divorced couple a chance so that they can rethink their decision and annul the divorce. In the present survey, all divorced participants have received irrevocable Talaq (divorce). It is a period of healing for a woman who may, under the shock of it all, be vulnerable and subject to manipulation of any new marriage proposal. That time when everything has quieted down is a time to withdraw and reflect on the purpose of your life (Novalia & Rachman, 2024).

Under Muslim law, a husband is obliged to maintain his wife only till the Iddah period if the dissolution of marriage takes place, and, in the case of a widowed wife, the responsibility of maintenance of widow lies on her heirs who will inherit her property. In both cases a support from government is ensured. Furthermore, Iddah provides space for a woman to realign herself in life and think how she is going to proceed financially if she had been dependent on her husband's income. In Saudi Arabia's Basic Law, upon divorce, a woman is entitled to financial maintenance during the waiting period after iddah (Saudi Arabia's Basic Law, 2005, article 53/1). A pregnant woman's maintenance is until she gives birth to a child (article 53/2).

In case of widow participants, Iddah period was characterized by sadness, crying and prolonged tears. They experienced Iddah as a time for grieving, mourn, gaining strength, recovering and learning patience. They were aware of support from family, friends and community. The Saudi Labor Law (Saudi Labor Law, Husband's Death Leave, 2020) states that a Muslim working woman whose husband deceases shall be entitled to a fully paid leave for a period of no less than four months and ten days from the date of death, and such a woman shall be entitled to extend this for an unpaid leave if she is pregnant. Staying indoors meant loneliness would follow. During Iddah, widow and divorcee are required to remain in complete seclusion at their former husband's home, because, that home is considered as their permanent home. Iddah gives a woman time off from the public scene and therefore protect her dignity; she can still go out to run her necessary affairs. For the question of how to stay connected with friends during Iddah, 73% of participants answered that modern technology makes it easier than ever to keep in touch with loved ones if the current situation makes it impossible to see them in person. It is possible for events attendees to take pictures, record the event or even live stream it. Likewise, if it is not possible to come to an event, you could still record messages and share memories with loved ones online.

About 82% of the participants would say Iddah brought with it the need to worshipping Allah and a spiritual awakening that they found helpful, and everyone, regardless of their marital status, found it beneficial. Focusing on spiritual growth had given them more strength. Al Asi (2009:87) stated that allegiance to God is important emotionally, spiritually and mentally.

Scientific Benefits of Iddah

Technological advances in the medical field have provided a clear way to find out whether a foetus is present in the womb. So, it makes no sense if iddah is only to find out whether a woman is pregnant or not.

When the woman observes iddah and waits for 3-4 menstrual cycles to complete, she compels the complete recovery and restoration of bare surface. The monthly recurrent venture of endometrial restoration acts as a metamorphic advantage which modifies, improves and empowers the fragile uterus luminal lining. This ultimately increases the chances of successful conception (Blanks & Brosens 2013).

The tissue oedema and infiltration of immune cells are the classical inflammatory signs shown by the inflamed menstrual endometrium. It is paramount to understand that this inflammatory response during periods is purely natural with strict control to retain the normal reproductive physiology (Critchley et al., 2001).

During Iddah which represents 3-4 menstrual cycles, the repeated shedding of the endometrium necessitates complete repair and regeneration of the denuded surface (Girling & Rogers 2005). This may be viewed as an inevitable consequence of reproductive quality control and benefit in reproductive success when a widow or

divorcee re-marry. This legally prevents any dispute over paternity of a child which may arise if she were allowed to contract a new marriage at once. However, the law on iddah places more emphasis on introspection, rethinking, condolences and so on. Interestingly, it turns out that there are legal products for husbands to undergo the same practice of Iddah (Novalia & Rachman, 2024) and, simultaneously, respect women (Azis Abdul 2023).

CONCLUSIONS

To sum up, most participants showed understanding of Iddah as worship and a mean of determining paternity, reconciliation and removing herself from any emotional attachment a women had towards a spouse. The reproductive success and reproductive quality regulation is ensured by periodic renewal of the endometrium in a female and time for this renewal is efficiently provided during the Iddah. It revitalises the reproductive physiology of the female to conceive in the next marital bond.

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