



IDDAH FOR PUBLIC FIGURES ISLAMIC LAW PERSPECTIVES

Shofiatul Jannah¹, Afizatul Fauziah Khoridayanti², Muhammad Jayan Maulana
Mahbub³, M.Yusron Fuadi⁴, M.Aidiel Fatra⁵

Fakultas Agama Islam, Universitas Islam Malang^{1,2,3,4,5}

Email: shofia@unisma.ac.id¹, afizatulfauziah@gmail.com², zaynucang@gmail.com³,
fuadianakbapak03@gmail.com⁴, aidielfatra18@gmail.com⁵

Abstract

Iddah comes from the word adad which has the meaning of counting. Or it can also be interpreted as a waiting period. This means the waiting period for a woman who is divorced by her husband, be it a dead divorce or a live divorce. During the iddah period, there are several prohibitions that limit women such as applying makeup, self-sufficiency, and activities outside the home. But the problem here is how iddah for women public figures who require them to do activities or work to make ends meet for them and their families. Looking at the present, the divorced women still continue to work as usual in accordance with their profession. Meanwhile, the iddah period is mandatory to be carried out in accordance with Islamic law which has set the iddah time. This research is a literature research with a normative approach and uses qualitative research methods through references from journals that discuss the iddah period for career women. The results of this study explain the iddah law in Islamic law and how the phenomenon of the iddah period today when viewed from the perspective of Islamic law.

Key words: *iddah, public figure, Islamic law*

A. INTRODUCTION

In Islam, Allah has arranged the validity of the relationship between men and women who are not mahrom, commonly known as marriage. The order of marriage has been explained in the word of Allah contained in the Qur'an and is also affirmed by several hadiths of the Prophet Muhammad SAW. However, marriage and marriage have different meanings. Sometimes the term marriage leads to the context that all living things, whether humans, animals, or plants, need to reproduce and preserve their lives. Meanwhile, for the term marriage, it leads to a contract process with all sorts of get along well and the conditions that must be met. The marriage contract can be a sign that there has been a marriage process between a woman and a man. (Sunarto & Liana, 2020)

In a marriage, of course, what is expected is to have a harmonious family in accordance with the guidance of Sakinah, mawaddah, wa rahmah and barokah. However, not all marriage relationships go smoothly and as desired. There are times when there are problems, disputes, and misunderstandings that result in the loss of harmony in the marriage. This is a challenge for married couples whether they can solve their family problems well or end up in a divorce that is not prohibited but is deeply hated by God. The permissibility of divorce has been regulated in Fiqh or in Law no.1 of 1974 concerning marriage. According to the language of talak it is defined as untying a bond, or aborting a covenant. Meanwhile, in Law no. 1 of 1974, divorce is interpreted as a breakup of marriage, then in article 38 a broken marriage is caused by death, divorce and the limit of court decisions (RI, 2004). The legal consequences that arise from the existence of the divorce, be it a dead divorce or a living divorce, are the obligation to carry out the iddah for the woman. (Sunarto & Liana, 2020)

In the pre-Islamic period, the practice of iddah law already existed in arab society. In practice, a woman who her husband divorced should not go out of the house and should self-isolate for a whole year in a separate room. In this period of isolation, women should not wear fragrances, poke around, and do other things that can attract the attention of men. However, after Islam came, the practice was no longer valid. Because islam comes with justice, thus cutting and reducing the iddah period for women and has been practiced since the time of tashri'. However, after the development of increasingly modern times, it has resulted in differences in the social conditions of society in the tashri era, the fuqoha era and the present era. (Khoiri & Muala, 2020)

In today's world development, there are already many Muslim women who are active in various fields, be it in the fields of sports, science, politics, socio-culture, and other fields. In fact, it can be said that almost all muslim women have been involved. For example, in the field of sports, women today do not want to lose to men. Hard sports that used to be only done by men, but now women also do it, such as karate, and even boxing. As citizens, women also have the same position, rights, and obligations as men to build the nation through various fields. One of these developments is to create a family of faith, devotion, and health. Women do have an important role in a family. In addition to taking care of her husband, children, household needs, women also have a hand in taking care of finances by working outside the home. For women who are active, such as

the example of a public figure woman or can be called a career woman, of course they don't just stay at home. They will do the work according to what is in demand and engaged in during this time. (Khoiri & Muala, 2020)

Career women are women who take part in professional activities, such as artists / celebrities, businesses, offices, and so on. In today's increasingly fierce job competition, they are faced with more and more opponents. So inevitably they have to devote all their thoughts, energy and sacrifice time with their families to work. Even they can do the work from morning till late at night. Then the problem arises, when the woman is divorced (dead/alive) by her husband and experiences a period of iddah. The iddah period is a period of waiting, which is obligatory for a woman divorced by her husband, be it a living divorce or a dead divorce. This is to find out whether the woman's womb contains or not. In addition, the iddah period also has the purpose of knowing the cleanliness of the uterus from previous marriages. (Mahalidia et al., n.d.)

But the fact is that now, many women who are in the iddah period, especially public figures or celebrities after divorce, do not run the iddah period that has been regulated in religion, but instead directly work outside the home which requires them to look attractive in public and interact with the opposite sex. This is done of course with the aim of meeting the financial needs of the family and supporting his career. Whereas in Islam it has been emphasized that women who are left to die by their husbands are required to perform iddah for 4 months and 10 days in accordance with the word of Allah which has been described in QS. Al-Baqarah: 234. Of course, this phenomenon is very different from the iddah of the classical era where women only stay at home taking care of household needs. As for modern women, in addition to having the task of taking care of the household, they also have a career outside the home to help the family economy. Starting from this problem, researchers aim to obtain more in-depth knowledge related to Islamic law for celebrity women or public figures. Therefore, this is the problem that the author will discuss in this paper to see from the aspects of Islamic law as well as to share the benefits theoretically and practically. (Devy & Maryam, 2020)

B. METHOD

Jenis penelitian ini merupakan penelitian *Library Reseacrh* yaitu suatu kajian yang berhubungan dengan topik penelitian yang meliputi

data sekunder berupa jurnal, buku, kitab, dan lain sebagainya yang memiliki hubungan langsung atau tidak dengan objek penelitian.(Nugroho, 2021) terkait dengan penelitian tentang iddah pada artis atau *public figure*, akan dilakukan pada berita-berita yang banyak tersebar di berbagai media. Dalam penelitian ini pendekatan yang dilakukan adalah pendekatan kualitatif, yakni suatu pendekatan yang bertujuan untuk mencari suatu arti atau makna, serta pemahaman dan pengetahuan tentang sebuah peristiwa yang terjadi secara menyeluruh melalui tahapan penelitian. Dalam Teknik pembahasan ini peneliti menggunakan pendekatan secara *yuridis-normatif* yaitu suatu pendekatan dengan menggunakan hukum islam dan peraturan perundang-undangan.(Nugroho, 2021) Secara umum, analisis data dalam penelitian ini adalah menggunakan *content analysis* atau analisis isi, yaitu menganalisis suatu penelitian yang bersifat pembahasan mendalam terhadap isis dari suatu informasi tertulis maupun yang tercetak dalam media masThis type of research is a Reseach Library research, which is a study related to the research topic which includes secondary data in the form of journals, books, books, and so on that have a direct relationship or not with the object of research. (Nugroho, 2021) related to research on iddah in artists or public figures, will be carried out on news that is widely spread in various media. In this study, the approach taken is a qualitative approach, which is an approach that aims to find a meaning or meaning, as well as an understanding and knowledge of an event that occurs thoroughly through the research stages. In this discussion technique, the researcher uses a juridical-normative approach, namely an approach using Islamic law and laws and regulations. (Nugroho, 2021) In general, data analysis in this study is to use content analysis, which is to analyze a study that is an in-depth discussion of isis from a written or printed information in the public media.

C. RESULT AND DISCUSSION

1. Research Discussion

a. The Law of Iddah In Islamic Law

The word iddah comes from the word al-'adad and the plural form of 'idad. In Arabic itself, iddah means to count (al-ihsab). The word is used with the meaning of iddah because at that time the woman who has faith is waiting for the passage of time. Meanwhile,

according to the terminology and opinions of the majority of scholars, it is a period of *tungu* for a woman with the aim of knowing the emptiness of the woman's womb or because of practicing the sharia of the Islamic religion regarding the rules of faith for women who are divorced (dead / alive) by their husbands. According to the opinion of the hanafiyah circles, they say the meaning of *iddah* with a certain period that has been arranged by Shari'a to spend the remnants of the marriage or like the wait that must be passed by the woman when the breakup of a marital relationship or a *syubha* occurs. Meanwhile, according to Wahbah al-Zuhali, it means *iddah* with a period that has been arranged by shari'a after the divorce, at which time women are obliged to wait and cannot remarry until the *iddah* period ends.

Of course, the rules of the *iddah* have been set out in the Qur'an and the Hadith of the Prophet. Such as *iddah* obligations which are based on the following legal basis:

- 1) Al-Qur'an
 - a) For *iddah* due to *talak* is listed in QS. Al-Baqarah:228
 - b) The *iddah* of the result of death is found in QS.Al-Baqarah:234
 - c) *Iddah* for women who are young and who have stopped menstruating and women who are pregnant are found in QS> At-Thalaq:4
- 2) Sunnah

The word of the Apostle SAW in the hadith of Ummu Habibah the daughter of Abu Sufyan, that the Prophet SAW said: It is not lawful for a Muslim woman who has faith in Allah and the last day of mourning is more than three days except for her husband which is four months and ten days (H.R Bukhori juz 6 p. 186)

Thus, in general, the *iddah* becomes mandatory due to one of two things, namely:

- a) Divorce

Iddah became mandatory due to divorce after the occurrence of *dukhul*, both from legal and invalid marriages such as sibling marriages.

- b) Death of Husband

When the husband has died, the woman immediately becomes obliged by law to perform the iddah, although between the husbands there has never been a mixture.

There are four types of iddah divisions, namely:

- a) Iddah by calculating al-aqra'
- b) Iddah by calculating the month
- c) Iddah by giving birth to a child
- d) Iddah with a count of 4 months 10 days

In addition to the things mentioned above, the deceased iddah also has the following prohibitions:

1. Accepting loans or proposals from other men
2. Carrying out the mating process
3. Get out of the house
4. poke(Hatim, 2018)

2. iddah phenomenon for women public figures islamic legal perspective

According to the KBBI, the word career comes from the word career which in Dutch has the following meanings: *First*, progress, development in a life, work and position. *Second*, it is the work that gives hope of progress. Whereas in the *Council Dictionary*, women means women and career means work / profession that is a person's activity in his life. In general, a career woman has the meaning of encompassing a woman's career as a full-time home queen and also a woman who has a job or profession according to the napa that is pursued and carried out outside the home. Ray Sitoresmin Prabuningrat, explained about how the role of a woman has been embedded with the name of career. According to her, career women are part of the role played and the way a woman behaves in work in order to advance herself. Career women have a dual role, which is a role that has been attached to her nature as a housewife and her work outside the home. That way a career woman or public figure must meet a wide variety of conditions that every woman cannot have.

Another opinion comes from Muhammad Al-Jauhari that for a woman a career is very necessary, especially in increasingly modern times. It aims to be able to realize one's identity and build a woman's personality. Because in this case women can still realize and show their identity perfectly by working as housewives and actively participating in political and social activities. However, the impact of career women must also exist, as the opinion of Endang Widyastuti in his research that there is often a negative view of society towards career women if one day their success results in disharmony in the household. With various explanations about career women above, the name career woman is a woman who has successfully carried out her

main duties with her abilities, she can perform other duties and responsibilities without the need to interfere with her main activities. (Magfuroh, 2021)

However, problems arise if a woman is divorced by her husband, be it a dead or living divorce. Professional attitudes at work will also be a guarantee for a woman to be able to carry out her iddah period while still carrying out her duties at work. The boundaries of women who are iddah must indeed be studied even more, especially by looking at today's era, many public figures have undergone divorce but she does not carry out the iddah period by staying at home but instead directly working outside the home and interacting with many people, especially with the opposite sex. Whereas in terms of their finances or economy, it must still be enough to survive for the time allotted for iddah.

Indeed, this iddah waiting time is not a short time and must be very boring for women if they have to stay at home. Moreover, the woman is used to working outside the home or can be said to be a public figure. They are required to continue working to support their careers, meet the needs of life and maintain their professional attitude. Working outside the home certainly requires every woman to poke around or decorate herself to look attractive. However, the existence of this iddah does not decriminalize women in carrying out their deeds or work as usual during the iddah period, but is a form of protection provided by Islamic law in protecting every woman who gets a disaster such as the example of a dead / living divorce. With the existence of iddah, it should be a separate protection for women to be more protected from slander that afflicts women (widows), especially for career women who are struggling in the outside world. (Magfuroh, 2021)

The obligation to carry out iddah for women is not only regulated in Islamic law. But it is also regulated by the MUI fatwa of 1981 where during the iddah period in the fatwa is the ability of women to leave their residence at night is a matter of khilafiyah, then after consideration it follows the opinion of the jumhur ulama, namely the inability to leave home for women who are carrying out iddah at night. The definition of the MUI (Indonesian Ulema Council) is an institution that has the authority to give fatwas in response to people's problems in accordance with their times. The Indonesian Ulema Council positions itself as a servant for the people always helping and supporting the government in solving a problem that arises in various fields such as worship, family law, and so on. The problems that arise will also definitely increase over time and from various aspects such

as culture, social, technology and external cultures that are raised to become new cultures in Indonesia. (Jannah & Mahmudi, 2021)

However, in today's Islam, the position of a woman is highly glorified. The degree of woman is lifted and eliminated from all tyranny and arbitrariness. That is, since Islam came the position of women has a positive role. This is very different from the view of pre-Muslims who considered women very inferior and even contemptible. The existence of a woman is only the subject of jokes like a human being who has no spirit whose existence is useless.

Nowadays, public figures or artists who are divorced still continue to work according to their profession. In general, after the woman is divorced, they do not carry out the iddah period but work like normal days. For women who were left for dead by their husbands, they mourned for only 7 to 40 days after which they worked as usual to provide for the needs of the child and his family. Especially the public figures who have always been the center of attention of many people, after they divorce, it will increase and become a hot topic among the people. From that, we can see that public figures cannot limit themselves in carrying out activities after divorce.

Public figures or artists generally rely on good, attractive and beautiful looks, such as singers, models and celebgrams to maintain their image and existence in a career. However, if the job she is engaged in as a public figure is as a place for the woman to make a living, so that if she does iddah, then she can lose her job.

Moreover, the public figure or artist has a child left by her husband, and the woman is the backbone of her family, so in this kind of emergency, the woman is allowed to use jewelry to beautify herself. However, the woman uses jewelry only for the sake of maintaining her job and should not be more than that.

In this case, public figures or artists who are forced to do something forbidden during the iddah period, wahbah al-zuhaili said:

وجيز للمرأة فعل شيء مما سبق للضرورة؛ ألن الضرورات تبيح المحظورات

It means: "It is permissible for women to do something that is forbidden because of an emergency, because the emergency allows the forbidden (*mahdhurat*)".

However, the woman must try first so that she does not commit a prohibited act. Because the woman who is left to die by her husband or divorced, if the woman does not do iddah then she means doing maksiat to Allah Almighty. As a religious provision, iddah cannot

be taken lightly, but if the public figure or artist may not carry out the iddah but must be really in an emergency. If the woman leaves the iddah solely to pursue a career and desire abundant wealth, then she sins.

3. CONCLUSION

Iddah is a waiting period or waiting time for a woman who has been divorced by her husband, be it a deceased divorce or a living divorce. Since iddah is the result of divorce, a woman must be willing to carry out iddah within a predetermined time in accordance with applicable Islamic law. However, the problem arises when the woman experiencing iddah is a public figure or artist. Because they will always be required to be professionals in the workplace who do not want to know how public figures perform. A public figure or artist will always be looked forward to by his fans out there so inevitably he always has to look attractive in front of everyone even in front of a man who is no his mahram. Even when a public figure divorces, his career or popularity will increase even more. This is very much in opposition to Islamic law which has regulated the iddah time for women divorced by their husbands. Where women are not allowed to leave the house to guard their marwah from acts of malfeasance. However, if the situation of a woman who is carrying out the iddah period is in an emergency, it is allowed to leave the house to maintain the survival of her family.

REFERENCES

- Alfiyatul Rizqiyah, A. R. (2022). Pelanggaran Terhadap Pelaksanaan Masa 'Iddah Ditinjau Dari Perspektif Hukum Keluarga Islam (Studi Kasus Di Desa Benda Kecamatan Sirampog Kabupaten Brebes). *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam*, 4(1), 1–17. <https://doi.org/10.56593/khuluqiyya.v4i1.76>
- Devy, S., & Maryam, M. (2020). Persepsi Masyarakat Tentang Pelaksanaan Iddah Wanita Karier Karena Cerai Mati Di Kec. Blangkejeren Kab. Gayo Lues. *El-USRAH: Jurnal Hukum Keluarga*, 2(2), 269. <https://doi.org/10.22373/ujhk.v2i2.7659>
- Hatim, A. (2018). Hukum Penggunaan Media Sosial Bagi Wanita Dalam Masa 'Iddah Dan Ihdâd (Perspektif Qiyâs). *Al-Banjari : Jurnal Ilmiah Ilmu-Ilmu Keislaman*, 17(1), 13. <https://doi.org/10.18592/al-banjari.v17i1.1567>
- Jannah, S., & Mahmudi, Z. (2021). Kajian Kritis Terhadap Fatwa MUI Tahun 1981 Tentang Iddah Wafat Dan Relevansinya Bagi Wanita Karir. *Muslim Heritage*, 6(2), 359–375. <https://doi.org/10.21154/muslimheritage.v6i2.3389>

- Khoiri, A., & Muala, A. (2020). Iddah Dan Ihdad Bagi Wanita Karir Perspektif Hukum Islam. *JIL: Journal of Islamic Law*, 1(2), 256–273.
<https://doi.org/10.24260/jil.v1i2.71>
- Magfuroh, W. (2021). Iddah dan Ihdad Bagi Wanita Karir Menurut Pandangan Hukum Islam. *Ius*, ix(01), 1–13.
- Mahalidia, J. V., Hukum, F., Udayana, U., Hukum, F., & Udayana, U. (n.d.). *Masa iddah bagi wanita karir yang ditinggal meninggal suaminya ditinjau dari aspek hukum islam*. 9(3), 199–207.
- Nugroho, I. Y. (2021). *Program Studi Hukum Keluarga Islam Program Pascasarjana Universitas Islam Negeri Maulana Malik Ibrahim Malang 2021*. 177.
- Pemikiran, J., Hukum, P., Herawati, A., & Mukhtar, M. (2022). *PERSPEKTIF SYARIAT ISLAM*. 9, 132–142.
- Sunarto, M. Z. (2021). Fenomena Wanita Karir Ketika Perceraian. *HAKAM: Jurnal Kajian Hukum Islam Dan Hukum Ekonomi Islam*, 5(2), 131–146.
<https://doi.org/10.33650/jhi.v5i2.3531>
- Sunarto, M. Z., & Liana, K. (2020). Interaksi Wanita Iddah Melalui Media Sosial. *Jurnal Islam Nusantara*, 4(2), 160–171.
<https://doi.org/10.33852/jurnalin.v4i2.220>