

A Critical Analysis of Science And Technology's Impact on The Re-Evaluation of Iddah From *Al-Ta'lil Bi Al-Hikmah* Perspective

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Abstract: In contemporary Islamic discourse, there is an increasing emphasis on the role of wisdom in determining Islamic law due to its significant connection with the concepts of *ʿillah* and *Maqasid Shariah*. This discussion in *Uṣūl al-Fiqh* is known as *al-Taʿlil bi al-Ḥikmah*. Additionally, the rapid advancements in modern science and technology are recommended for integration into contemporary Islamic legal research. Thus, exploring the intersection of wisdom and science is crucial. One of the issues that is often a concern in responding to the relationship between wisdom and science within Islamic law is the rule of *iddah*. This study aims to investigate the relationship between the rule of *iddah* and its underlying wisdom, as well as the role of science in realizing this wisdom and its impact on legal rulings. A qualitative approach was employed, using document analysis of both classical and contemporary writings on the rule of *iddah*. The analysis was conducted inductively to identify the principles of *al-Taʿlil bi al-Ḥikmah*, which form the primary framework for examining the *iddah* issue. This study finds that if the use of wisdom and science in determining Islamic rules aims at realizing the objectives of the *Shariah*, performed by its guidelines, then it conforms with the requirements of *Shariah* and achieves *Maqasid Shariah*.

Keywords: *Waiting period, iddah and science, al-Taʿlil bi al-Ḥikmah, science and technology in Islamic law.*

1. Introduction

The rapid advancement of science and technology in the present era has been remarkable. Since the industrial revolution started in the 18th century, the globe has currently been through its fourth phase. The effects of modern scientific and technological developments, primarily driven by the West, are increasingly felt by the Muslim community. These effects extend beyond lifestyle changes and the use of modern technologies; they also have an impact on Muslims' religious behavior and worldview (Badhrulhisham et al., 2019).

One intellectual impact of science and technology is the proposal by some contemporary scholars to integrate scientific endeavors i.e. facts and theories into Quranic Exegesis. This is one of the key topics in the integration of Islam and science, namely *Iʿjāz al-ʿIlmī* or *Tafsīr al-ʿIlmī* (Miraculous Signs of the Quran), as developed by some contemporary Muslim scholars (Yusuf al-Haj, 2010). Nevertheless, the discourse on this matter is much debated and contested by many contemporary scholars.

Apart from that, there are also proposals to integrate advancements in science and technology into Islamic legal discourse (al-Qaradawi, 2001; Majid, 2010). This proposal warrants attention, as science and technology can add value to legal rulings derived through *ijtihad*. For instance, they can aid in determining the halal status of consumer goods, provide a clearer understanding of issues before decisions are made, and reassess past *ijtihad* based on *ʿurf* and other considerations (Jamaludin et al., 2011; Hamdan et al., 2015).

The consideration of scientific values is also relevant in the fields of *Fiqh* and *Usul al-Fiqh* (Ḥusayn, 2012). One particular idea that has not yet been explored in-depth and extensively is to incorporate scientific and technological advancements to search for the purpose, wisdom or rationale (*ḥikmah*) behind Islamic legal rulings. The Islamic legal injunctions, when examined through scientific perspectives, can highlight the rationality and appropriateness of these laws.

In such integration, science is employed to understand the aspects of wisdom, benefits, public interest, and advantages behind each command and prohibition in Islamic law. Thus, the scientific rationale, also known as

'scientific wisdom,' inherent in Islamic rulings can be extracted and comprehended, assuring Muslims that Islamic law is rational and not merely ritualistic. This approach is, in fact, an inherent component of the Maqasid Shariah framework itself (al-Raysūnī, 2014).

Meanwhile, certain Muslims contemplate that the underlying rationale of the Shariah, which serves as the foundation of Islamic rulings, can be actualized through the advancement of science and technology. Hence, the progress of science and technology must not be disregarded and should be duly considered while developing contemporary Islamic legislation. This concept can be further elucidated through a frequently cited example, specifically the rule of iddah or the waiting period for divorcee or widow in Islamic marriage law (Wahyudi, 2009; Rofiq, 2020).

Due to advancements in biomedical science and technology, some groups propose replacing the traditional method prescribed in the Quran for divorced women in the iddah period - three menstrual cycles (*qurū'*) or three lunar months before she can marry again with another man - with more advanced and sophisticated modern methods, such as the use of modern pregnancy detection tools and technologies. This is based on the premise that the iddah period was established to determine the emptiness of a woman's womb (*barā'ah al-raḥim*) after divorce or the death of her husband.

With modern scientific and technological advancements, it is now possible to determine the status of a woman's womb in a much shorter time, compared to the traditional waiting for three menstrual cycles or three months. Therefore, the proposal is that the traditional method of three *qurū'* be replaced with modern technological methods to ascertain womb emptiness. This issue is also increasingly gaining attention from many researchers (Elbashir, 2024; Muhammad Iqbal, 2024; Arafah et al, 2023) However, there has not yet been a study that examines this issue from the perspective of *al-Ta'lil bi al-Ḥikmah*.

2. Literature Review

Adapting Iddah to Scientific Advancements

The rule of iddah holds significant importance within the Islamic community of the Nusantara archipelago. All related issues necessitate a comprehensive resolution, either from a legal standpoint (Pomahiya et al., 2022; Mahmud et al., 2020) or in terms of dispelling any confusion arising from contemporary ideologies (Hilal & Harahap, 2021).

The question of the relationship between the waiting period (iddah) and the emptiness of the womb (*barā'ah al-raḥim*) in light of scientific advancements is a matter of concern among Muslims today which can be seen on the fatwa website platform (binbaz.org.sa, n.d.; islamweb.net, 2021). Furthermore, due to the advancements in science and technology, there have been proposals from certain individuals, such as those by Abd al-Majīd al-Sharfī (2001) and Boukani et al. (2015) to reform or alter the laws of iddah for women who are divorced or widowed.

Those who hold this view argue that the underlying philosophy, wisdom, purpose, and rationale behind the iddah ruling, as elucidated by classical jurists, aim to ascertain the emptiness of the womb and prevent the mixing of progeny between the previous husband and a future spouse. In other words, to avoid the mixing of offspring or lineage. Thus, advocates of this perspective contend that these objectives can now be achieved with the advancements in science and technology available today. The traditional waiting period was deemed appropriate and relevant only in the past when technological advancements were not available.

The prescribed divorce waiting period in Islamic law, which traditionally serves to determine the presence of pregnancy or a fetus in the womb, can now be easily resolved with modern medical technology without waiting for three menstrual cycles (*qurū'*) or three lunar months. Islam, being a rational religion that is universal and aligns with the advancement of knowledge, inherently suggests that the rules regarding iddah should also be adapted and updated in accordance with scientific and technological developments (Boukani et al., 2015).

Through the use of scientific tools and tests, pregnancy can be detected within a short period of time, as early as five to six weeks after the last menstrual period using sonography or ultrasound scans, and eight to ten days

after the embryo implants in the uterine wall through devices or kits such as hCG (Human Chorionic Gonadotropin), ultrasonography, and Gravindex. Moreover, the results of these pregnancy tests can be obtained immediately without the need to wait for an extended period, such as three menstrual cycles or four months and 10 days traditionally (Wahyudi, 2009; Boukani et al., 2015).

Furthermore, to prevent the potential mixing of lineage in cases where a divorced woman is pregnant, DNA testing or genetic fingerprinting methods can be employed to determine whether the fetus belongs to her former husband or her new husband (Boukani et al., 2015). Therefore, given these advancements in science and technology, the traditional methods of observing the iddah period are no longer necessary. In fact, a woman could remarry immediately after a divorce or the death of her husband without concerns about the paternity of the child, as this can now be definitively established through DNA testing.

Put simply, the abolition of the iddah period would not lead to issues of lineage mixing, as the preservation of lineage (*hifz al-nasl*) can now be ensured through modern scientific and medical advancements. If these scientific developments are ignored or not utilized for the benefit of the Muslim community, the claim that Islam is a rational religion would be invalidated, ultimately suggesting that Islam is merely dogmatic, incapable of evolving with the times and lacks the ability to adapt to changing circumstances.

For Islam to remain relevant in the modern era, it is vital to integrate advancements in science and technology into the formulation of legal rulings, rather than relying solely on the interpretations established by scholars of the past. Thus, the issue of the iddah must be reconsidered in light of contemporary developments and technological progress (Sodiqin, 2012). This is the perspective advocated by this group.

Iddah Law And Its Relation to *Al-Ta'lim Bi Al-Hikmah*

When observed closely, those who advocate for the abolition of the iddah ruling seem to have established their legal stance based on the wisdom (*hikmah*) intended behind the ruling. This approach involves assessing and applying the wisdom or rationale behind a ruling rather than adhering strictly to the scriptural text. In the field of *Uşul Fiqh*, which is the primary methodology and approach utilized in the interpretation and establishment of Islamic law, there is a topic known as *al-Ta'lim bi al-Hikmah*, which involves the discussion and analysis of reasoning using wisdom. The majority of literature that analyzes the matter of iddah fails to establish a connection with *al-Ta'lim bi al-Hikmah*, resulting in incomplete treatment of the subject and a significant omission in addressing this issue within the framework of *Uşul Fiqh*.

Al-Ta'lim bi al-Hikmah aims to establish the wisdom, goal, or objective desired by the Shariah as the underlying basis and foundation of a ruling (*'illah/manāt*) (al-Kamālī, 2013). Islamic rules are predominantly based on an evident attribute rather than wisdom. Clarity and consistency are qualities that may be easily discerned and established. It differs from wisdom that is ambiguous, obscure, and challenging to ascertain. Consequently, scholars generally dismiss the utilization of wisdom as a means of deciding the law completely (Rā'id Naşrī, 2007).

A frequently cited example is the application of *qasar* prayer for travelers. The concession (*rukḥṣah*) to shorten (*qasar*) prayer when someone is travelling is given because of the reason for "travel" itself, which may be easily identified and defined based on the distance travelled. The goal or rationale behind this law is to "discard hardship" from the travelers along the travels. However, the ruling is not based on that rationale because it is elusive and challenging to determine with clarity and certainty (Wahbah al-Zuḥaylī, 1986). For instance, the hardship experienced by someone traveling by motorcycle is undoubtedly different from that of someone traveling by airplane, as the degree of difficulty is difficult to ascertain with certainty.

However, when examined more closely, scholars of *Uşul al-Fiqh* have indeed discussed whether rulings can be linked or based on their underlying wisdom (*hikmah*). In discussing the issue of *al-Ta'lim bi al-Hikmah*, Islamic scholars have three different views. Some scholars argue that rulings cannot be based on wisdom at all, while a small minority believe that rulings can be based on wisdom unconditionally. On the other hand, a significant portion of scholars assert that rulings can only be based on wisdom when certain conditions are met (al-Āmidī, 2003).

The discourse on *al-Ta'lil bi al-Hikmah* has increasingly gained attention among contemporary Islamic legal researchers, to the point where it has become a specialized area of study at higher education levels. When selecting (*tarjih*) among the views of scholars on this issue, the majority of researchers agree that rulings can be based on wisdom only when the wisdom meets the necessary conditions. If the wisdom does not fulfill these conditions, then it is not permissible to base the ruling on it (al-Ḥukmī, 1994; al-Sa'dī, 2000; al-Sāmīrā'ī, 2009; Nānī, 2019).

The conditions laid out by scholars need to be carefully considered to ensure that the determination of rulings based on wisdom aligns with the principles of Shariah and the authentic methods of Islamic jurisprudence. Among the conditions that must be met when applying *al-Ta'lil bi al-Hikmah* are that the wisdom must possess characteristics of being *zāhir* and *munḍabiṭ*. *Zāhir* means that the wisdom must be clearly and evidently understood, while *munḍabiṭ* means consistent or constant, indicating that it will occur uniformly for all individuals (Rā'id Naṣrī, 2007).

In addition to these two conditions, several other key conditions must be fulfilled when applying *al-Ta'lil bi al-Hikmah*. One such condition, closely related to the focus of this study i.e., the ruling on *iddah* and its connection to the emptiness of the womb (*barā'ah al-raḥim*), is that *al-Ta'lil bi al-Hikmah* cannot be applied to rulings categorized as *ta'abbudī* rulings, nor can it be applied if doing so would completely negate the primary objective intended by Shariah in legislating its rulings.

A ruling in the *ta'abbudī* category means that it must be accepted and implemented as literally stated in the scriptural texts. It is obligatory to practice, whether or not Muslims can comprehend the rationale, reasoning, wisdom or why the ruling was legislated. Examples of rulings in the *ta'abbudī* category include the number of units (*rak'ah*) in prayer, the setting of the sun as the reason for the start of the *zuhr* prayer time, and the designation of Ramadan as the month of fasting. These examples are directly related to rulings. However, human beings cannot fully grasp the exact purpose that Shariah intends in legislating these rulings or the reasoning and appropriateness behind the number of *rak'ah*, the setting of the sun, or the month of Ramadan, which determine and bind or associate the rulings of prayer and fasting with these elements (Nyazee, 2002).

Similarly, even if there are situations where humans can comprehend the purpose and appropriateness of something that Shariah has linked to a ruling if the ruling falls under the category of worship (*ibādah*), it still must be practiced or accepted as stated in the text. Even if humans understand the purpose, goal, or reason behind its legislation and can achieve that purpose using a different method than what is mentioned in the text, the ruling does not and cannot change because it belongs to the *ta'abbudī* category (Shaaranii & Muhamad, 2021).

The question then arises: Is the ruling on *iddah* considered *ta'abbudī*? This matter requires reference to the views of Islamic Jurisprudence scholars so that it can be clearly analyzed whether the suggestion to alter the ruling on *iddah*, which is traditionally linked to the method of counting menstrual cycles (*qurū'*) or months, to the method of determining the emptiness of the womb through modern science and technology, can be accepted or not.

3. Methodology

This research was conducted qualitatively by using content analysis based on *al-Ta'lil bi al-Hikmah* perspective. The content analysis was applied to writings related to *iddah*, encompassing both classical and contemporary works. The classical writings focus specifically on the works of traditional Muslim scholars in the field of Islamic Jurisprudence discussing both the topic of *al-Ta'lil bi al-Hikmah* and *iddah*, while the contemporary literature includes books and journal articles authored by various scholars on the topic of *iddah* and *al-Ta'lil bi al-Hikmah*.

4. Findings of the Study

In reality, the issue of *iddah*, which some have linked to its wisdom, is not a new topic arising solely due to scientific advancements. Classical scholars have long discussed this matter. For instance, 'Izz al-Dīn (2010) addressed this issue in his book *al-Qawā'id al-Kubrā*, asserting that the obligation to observe *iddah* according

to the prescribed method in Shariah remains, even if the wisdom behind it - such as ensuring the emptiness of the womb - can be determined with absolute certainty.

He argued that certain rulings may be legislated with a focus on their benefits (*maṣlaḥah*), yet similar rulings may be established in a purely devotional (*ta'abbudī*) manner. This means that such rulings do not change even if the associated wisdom or benefit is fully realized through different circumstances, as they fall under the category of *ta'abbudī*. A few examples of the obligation for a divorced woman to observe iddah, even when the emptiness of her womb is already known with absolute certainty ('Izz al-Dīn, 2010) such as:

- The wife is a child (not yet menstruate).
- The wife of a man who is still a child.
- A wife who is divorced after twenty years of living separately.
- A wife divorced through *ta'līq* (conditional divorce) by her husband, where the condition is that her womb is empty. Once it was confirmed that his wife was not pregnant, the divorce was pronounced on her.

Despite the absolute assurance of being able to establish and guarantee *barā'ah al-raḥim*, the aforementioned circumstances and situations continue to necessitate the obligation of iddah for women. These scenarios illustrate that in the past, it was possible to confidently know and ascertain *barā'ah al-raḥim* without relying on advanced technology. Nevertheless, none of the scholars have asserted that the implementation of iddah has ceased or that there is no longer a requirement for iddah ('Izz al-Dīn, 2010).

From 'Izz al-Dīn's explanation, it can be concluded that no method, tool, or advanced technology used to determine *barā'ah al-raḥim* can negate the obligation of iddah. This is because iddah is categorized as a *ta'abbudī*, definitive (*qaṭ'īyyāt*) and immutable (*thawābit*) ruling. Al-Qarāfī (2010) further elaborates that, although there are rational aspects (*ma'qūl al-ma'nā*) to the issue of iddah, such as the verification of womb emptiness, the fact that iddah is obligatory for all divorced women or widows under Shariah, regardless of circumstance, clearly indicates it is *ta'abbudī* in nature.

In other words, the wisdom behind iddah is understood as a hikmah (wisdom) only and does not hold any significance in the determination of its legal ruling because iddah is categorized as *ta'abbudī*. In fact, almost all jurists categorize the ruling of iddah as *ta'abbudī* (al-Haytamī, 1983; al-Zayla'ī, 1313H). This demonstrates that wisdom does not serve as the *'illah* (legal cause) for the ruling of iddah.

Meanwhile, Ibn Qayyim al-Jawziyyah (1991) argued that iddah should not be classified as *ta'abbudī* because there are numerous rational aspects (*ma'nā ma'qūl*) that can be understood from its legislation. However, he also emphasized that the ruling of iddah does not change with the change in its *'illah* or the realization of its wisdom. This means that the obligation of iddah remains, regardless of whether its wisdom can be achieved through other means. It must be observed in every instance of divorce, according to the method prescribed by Shariah.

Ibn al-Qayyim provided a criterion that if a ruling contains many hikmah, it belongs to the category of *thawābit*, which does not change with the times, changing *maṣlaḥah*, or any other forms of change (Ibn al-Qayyim, 1991). In Islam, iddah is determined by apparent characteristics or simple observable phenomena such as months, menstruation, or childbirth. These characteristics are clear and reflect the wisdom intended by Shariah, namely, ensuring the womb's purity from the husband's seed.

The wisdom behind the prescribed iddah period aligns with the Shariah's objective of safeguarding lineage, which is one of the five essential goals (*al-Ḍarūriyāt al-Khamsah*). However, this is not the only wisdom behind the legislation of iddah. If it were, then post-menopausal women, who no longer menstruate, would not be required to observe iddah. Yet, these women are still mandated to observe iddah for three months, as clearly outlined in the Quran (Istikomah & Zubir, 2019; Rofiq, 2020).

Therefore, beyond the verification of *barā'ah al-raḥim*, there must be other purposes behind the legislation of iddah. Jurists have identified several objectives, including providing time for the couple to reflect and possibly reconcile, offering the widow a period to mourn her deceased husband, and serving as a final tribute to the

husband, among other reasons that may remain beyond human understanding (Ibn al-Qayyim, 1991; al-Raysūnī, 2009).

The concept of *barā'ah al-raḥim* itself carries multiple wisdoms. For example, if the couple discovers during the iddah period that they have conceived a child, they still have the opportunity to reconcile. It also ensures the complete cleansing of the womb from any remnants of the previous husband's seed, confirms the child's lineage and inheritance rights if the husband dies, prevents the mixing of semen from different men in one womb, and so forth (al-Jurjawi, 2003; Muslimin, 2017).

The iddah period can also be seen as a time for the woman to prepare herself, both psychologically and physiologically, for the loss of her previous husband and the potential arrival of a new partner (bayanelislam.net, 2021). Thus, all this wisdom behind the iddah ruling aligns with the five Maqasid al-Syariah, which seek to preserve religion, life, intellect, lineage, and wealth (Mazri et al., 2019). Other benefits include preserving the sanctity of marriage, establishing paternity, protecting women's economic rights, and providing legal clarity in cases of divorce or death. It embodies a multifaceted framework encompassing emotional, physiological, psychological, and social facets (Ikram et al., 2023).

Given the multifaceted wisdom associated with iddah, al-Raysūnī (2009) argues that to base the iddah law solely on the verification of *barā'ah al-raḥim* is to overlook the broader wisdom embedded in its legislation. Such an approach would negate the comprehensive objectives of Shariah in favor of realizing a single, narrow aspect of its wisdom. Al-Shātibī (1997) also addressed this issue, stating that when a legal ruling is supported by multiple wisdoms, the failure to achieve one does not justify neglecting, replacing, or altering the ruling. This is because other wisdom underlying the legislation must still be considered and fulfilled. He provided an example of punishments for criminals.

The punishment for a criminal is intended to deter both the offender and others from repeating the crime (*al-zajr/al-izdijār*). However, there are situations where a criminal remains undeterred by punishment and continues to commit crimes despite multiple sentences. Does this mean that punishment is no longer necessary? Al-Shātibī (1997) emphasizes that even if the preventive aspect (*al-zajr*) behind punishment is not achieved, this does not invalidate the ruling or render it irrelevant or in need of change. This is because there is a secondary wisdom which is the expiation of sin (*kifārah*). While the preventive aspect may not be realized, the expiation of sin is still accomplished through the enforcement of punishment on the criminal.

Furthermore, according to Islamic Jurisprudence principles, a legal ruling that specifies a particular number or quantity (*al-muqaddarāt*) in the divine texts is classified as a fixed rule in Islam (*thawābit*). Such rules are immutable and do not allow for any changes. The law of iddah is one such rule, explicitly and definitively outlined (*qat'ī*) in the Shariah, with a set duration and specific period for its observance. Allah SWT declares:

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

Translation: Divorced women remain in waiting for three periods, and it is not lawful for them to conceal what Allah has created in their wombs if they believe in Allah and the Last Day. And their husbands have more right to take them back in this [period] if they want reconciliation. And due to the wives is similar to what is expected of them, according to what is reasonable. But the men have a degree over them [in responsibility and authority]. And Allah is Exalted in Might and Wise.

(Al-Baqarah, 2:228)

وَالَّذِي يَدُسُّ مِنَ الْمَحِيضِ مِنْ نِسَائِكُمْ إِنْ أَرْتَبْتُمْ فَعَدَّتْهُنَّ ثَلَاثَةَ أَشْهُرٍ وَالَّتِي لَمْ يَحْضُ وَأُولَاتِ الْأَحْمَالِ أَجَلُهُنَّ أَنْ
يَضَعْنَ حَمْلَهُنَّ وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا ٤

Translation: And those who no longer expect menstruation among your women - if you doubt, then their waiting period is three months, and [also for] those who have not yet menstruated. And for those who are pregnant, their term is until they give birth. And whoever fears Allah - He will make for him of his matter ease. (Al-Talaq, 65:4)

According to Ibn Qudāmah (1995), the iddah ruling is considered *ta'abbudī* because it is explicitly determined by Shariah to be three cycles of menstruation (*qurū'*). Logically, if the ruling were solely based on the verification of womb emptiness (*barā'ah al-raḥim*), then a single cycle should suffice, as one cycle is enough to determine whether a woman is pregnant (al-Qarāfī, 2010). The fact that menstruation does not occur in pregnant women has been known to scholars since ancient times.

Ibn Qudāmah also explains that the absence of iddah for a woman who is divorced without consummation, as specified in the Quran, is because the iddah is legislated to ascertain *barā'ah al-raḥim*, which can be known with certainty in such cases. The same is mentioned by al-Qarādāwī (2017). However, for other cases of divorced women, iddah is a *ta'abbudī* rule and is not subject to analogical reasoning (*qiyās*), ratiocination (*ta'līl*), or new *ijtihād*.

Thus, the specific prescription of three menstruation cycles (*qurū'*) through divine revelation indicates that there is more to the iddah ruling than just verifying *barā'ah al-raḥim*. Some of the wisdom and objectives behind this ruling might be known to humans, but not in full detail or precision. There is always the possibility of additional wisdom that remains beyond human comprehension. Additionally, the principle that any legal ruling specified with a particular quantity (*al-muqaddarāt*) is considered definitive (*qaṭ'ī*) and fixed (*thawābit*) implies that the iddah ruling is not open to *ijtihād*.

Moreover, relying solely on *barā'ah al-raḥim* as the basis for the iddah ruling is rejected (*mulghāh*) by Shariah. This is evident from the fact that the Shariah replaces the three menstrual cycles with three months for those women who are definitively known to be free from pregnancy. Similarly, if a woman is divorced while pregnant, it is impossible for her to become pregnant again during that time since ovulation does not occur during pregnancy. Nevertheless, Shariah still mandates that her iddah continues until she gives birth. This clearly indicates that the essence of iddah itself is what is intended by Shariah, not merely the wisdom behind it.

The explanations provided by scholars, as discussed above, offer guidance on how to appropriately apply wisdom in determining legal rulings. It is clear that while reason is indeed optimized in uncovering the wisdom behind legislation, it remains bound by specific limits, particularly when it comes to establishing legal rulings based on it. Scholars employ their reasoning in understanding the wisdom but always respect the Quran and refrain from actions that contradict the will of Allah SWT, especially when a ruling is explicitly detailed in the Quran.

Therefore, when there is room to use wisdom as a basis for legal rulings and it does not contravene the definitive commands of Allah SWT, while also adhering to the conditions of *al-Ta'līl bi al-Ḥikmah*, scholars will consider its application. This is why, in the case of verifying womb emptiness (*istibrā' raḥim*) for a female slave sold by her master and then subsequently repurchased during the same transaction, some scholars state that it is unnecessary to wait for any purification or menstruation cycle to ascertain the emptiness of her womb. This is because, in such a transaction, there is no sexual intercourse involved between the female slave and the buyer.

In the case of a female slave, scholars also stipulate that to determine the emptiness of her womb after changing owners, only one menstruation cycle is needed, rather than three cycles. Al-Qarāfī (2010) explains that this is the distinction between *barā'ah al-raḥim* in the case of iddah and the case of *istibrā' raḥim* for the purchase of female slaves. He asserts that the latter is *ma'qūl al-ma'nā* (rational and understandable) and not *ta'abbudī*. Once the purpose of *istibrā'* is achieved in the case of female slaves, one cycle is sufficient, and any method to determine it can be used. However, the iddah ruling is different because Shariah has designated it as *ta'abbudī*. Therefore, even if *barā'ah al-raḥim* is definitively confirmed, the iddah ruling must still be observed as prescribed by Shariah.

Based on the above arguments, it may be inferred that the ruling of iddah cannot be altered, replaced, or eliminated by any sort of technological change, sociology of society, *'urf* (custom), or any other type of change. This is also applied to the issue of opting for DNA tests to ascertain paternity instead of observing the iddah period by a woman, which is also rejected (Yusuf, 2022). The principle of *al-Ta'īl bi al-Ḥikmah*, which prioritizes wisdom as the foundation of the law, cannot be applied to laws that are considered as *ta'abbudī*, even though advancements in science and technology in this era allow for accurate implementation of practices such as *barā'ah al-raḥim* and the mixing of lineages.

Iddah is indeed bound by the institution of marriage, which entails a highly significant contractual agreement (*mīthāqan ghalīẓan*). All married women, regardless of their physical state, including whether they are still menstruating or have gone through menopause, and regardless of whether they have reached puberty or not, are required to comply. Shariah has skillfully designed a comprehensive set of marriage institutions (Nurnazli, 2017). Muslims must embrace this directive with humility and unwavering loyalty.

According to al-Qaraḍāwī (2011), certain groups are emphasizing a few specific principles to gradually alter the teachings of Islam. They argue that the Shariah should be adapted to modernity and scientific advancements, ensuring its relevance over time. It is evident that they are incorrect in their application and comprehension of the statement's true significance since they fail to consult scholars and disregard the established methodology of Islamic jurisprudence. They failed to understand that the decisive factor in law is scripture, not science.

These individuals firmly believe that al-Qaraḍāwī himself has decided to embrace the progress of science and technology in the matter of iddah, permitting women who have been divorced by talaq three times (*ba'in*) to utilize modern equipment and technology rather than the traditional method. This assertion, as articulated by Badri Khaeruman (2016), is evidently perplexing and requires elucidation. However, a thorough analysis of al-Qaraḍāwī's ideas reveals that he was extremely cautious and strongly cautioned against the incorporation of wisdom in legal decision-making, as evidenced in al-Qaraḍāwī (1996) and (2001). He directly criticized the equivalence of *barā'ah al-raḥim* with the absolute ruling of iddah (al-Qaraḍāwī, 2006).

5. Conclusion and Recommendations

The role of wisdom in Islamic jurisprudence must be understood according to the precise methodologies established by esteemed scholars of *Uṣūl al-Fiqh*. Errors in addressing the role and significance of wisdom in *Uṣūl al-Fiqh* can lead to proposals that contravene fixed and unchanging principles of Shariah law. If such misinterpretations become widespread, they could result in the collapse of the framework of Shariah law and render it obsolete.

This does not mean that wisdom in *Uṣūl al-Fiqh* is entirely disregarded in the formulation of Islamic law. However, the permissible scope and proper methodology for applying wisdom in this context must be accurately understood. In *Uṣūl al-Fiqh*, there is a discourse on *al-Ta'īl bi al-Ḥikmah*, which emphasizes the role of wisdom in legal rulings by making it a binding reason or rationale for the law. The majority of scholars agree that wisdom indeed plays a crucial role in the determination of Islamic law.

However, the discourse on *al-Ta'īl bi al-Ḥikmah* must be applied with precision, meticulous, and adherence to all the conditions outlined by both classical and contemporary scholars. It should not be undertaken by individuals lacking sufficient credibility in Islamic jurisprudence. Ensuring these aspects is crucial to maintaining the integrity of Shariah law and preventing it from being easily manipulated by irresponsible parties who lack in-depth knowledge of Islamic jurisprudence.

The current misuse of the concept of wisdom and its integration with science, as seen in the proposal by some groups to alter or abolish iddah by claiming that science and technology can achieve its intended purpose, namely determining the emptiness of the womb, is an issue that the Muslims community should be aware of in the present time. The discourse on *al-Ta'īl bi al-Ḥikmah* should be disseminated widely so that the community can appreciate the role and boundaries of wisdom or hikmah in Islamic law and its relationship with science.

Muslims need to understand that science and technology alone cannot be used as a basis to alter Islamic law. This is because Islamic law has specific criteria and categories that must be considered before *ijtihad* (juridical reasoning) is undertaken. While the integration of scientific and technological advancements in contemporary *ijtihad* is unquestionably crucial and necessary, it is only permissible within certain boundaries or categories of law. It cannot be applied to categories of law that are classified as *thawābit* (fixed), *qat'iyat* (definitive), and *ta'abbudī* (ritualistic).

Therefore, this study concludes that the suggestion to abolish iddah based on the advancements in science and technology that claim to fulfill the purpose of this law is unacceptable. Such views do not adhere to, contradict, and indeed violate, the principles agreed upon by Islamic scholars, which state that changes cannot be considered for laws categorized as *ta'abbudī*. *Ta'abbudī* laws are divinely mandated and cannot be arbitrarily altered or substituted. Ultimately, the rule of iddah is not contingent upon the *barā'ah al-raḥim*, regardless of whether it is deemed to be established based on historical circumstances or through advancements in science and technology in the present day.

Contribution of the Paper: The research contributes to the field of Islamic Family Law within the Islamic world. This approach enriches Islamic Family Law by aligning it with both the wisdom of Shariah and contemporary societal needs, reinforcing the ethical and practical implications of legal rulings in the modern Islamic world.

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