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## 'Illat and Wisdom in Use Ultrasonography (USG) during Iddah Period: Comparative Study

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### Abstract

The *Iddah* phenomenon is a contemporary issue in which the essence of the *Iddah* period for women experiences certain problems, including the prohibition of women during their *Iddah* period from accepting proposals or getting married, lack of understanding of the determination of the *Iddah* period, gender inequality issues, and conflicting understandings of law and calculation of the *Iddah* period. Consequently, the use of ultrasound during the *Iddah* period has become a topic of discussion. This article discusses the contextualization of Islamic law that seeks to place *illat* and wisdom at the center of cases involving the use of ultrasound during the *Iddah* period to determine the cleanliness of a woman's uterus, so that the existence of *illat* becomes the basis for legal *istinbat*, which then gives birth to wisdom. The research method employed is qualitative with literature review, which attempts to establish a connection between the relevant literature and the article's discussion. This study's findings identify the use of ultrasound during the *Iddah* period as a criterion for the existence of *illat* and the wisdom that underlies its legal determination. Therefore, the existence of ultrasonography (USG) during the *Iddah* period based on a theological approach cannot be used as a benchmark (*illat*) for uterine hygiene for women and does not affect the essence of the wisdom contained therein, including for matters that are clear and certain that are used to establish and determine whether or not a law exists.

**Keywords:** *Illah*; Wisdom; *Iddah* period; Ultrasonography (USG)

### Abstrak

Fenomena iddah merupakan isu kontemporer di mana esensi masa Iddah bagi perempuan mengalami masalah-masalah tertentu, antara lain larangan perempuan selama masa Iddah menerima lamaran atau menikah, kurangnya pemahaman tentang penentuan masa Iddah, isu ketimpangan gender, serta pemahaman hukum dan perhitungan masa iddah yang saling bertentangan. Akibatnya, penggunaan USG selama periode Iddah telah menjadi topik diskusi. Artikel ini membahas kontekstualisasi hukum Islam yang berupaya menempatkan ilat dan hikmah pada pusat kasus yang melibatkan penggunaan USG pada masa iddah untuk mengetahui kebersihan rahim wanita, sehingga keberadaan illat menjadi dasar istinbat hukum, yang kemudian melahirkan hikmah. Metode penelitian yang digunakan adalah kualitatif dengan tinjauan pustaka, yang mencoba untuk membangun hubungan antara literatur yang relevan dan diskusi artikel. Temuan penelitian ini mengidentifikasi penggunaan USG selama periode Iddah sebagai kriteria keberadaan illat dan kebijaksanaan yang mendasari penentuan hukumnya. Oleh karena itu, keberadaan ultrasonografi (USG) pada masa iddah berdasarkan pendekatan teologis tidak dapat dijadikan patokan (illat) bagi kebersihan rahim bagi perempuan dan tidak mempengaruhi esensi hikmah yang terkandung di dalamnya, termasuk untuk hal-hal yang jelas dan pasti yang digunakan untuk menetapkan dan menentukan ada atau tidaknya suatu Undang-Undang.

**Kata kunci:** Illah; Kebijaksanaan; Periode Iddah; Ultrasonografi (USG)

## Introduction

Islam is the ideal religion because it regulates every aspect of existence in this manner (Husin, 2014). Existence of religious norms prescribed in the form of Islamic law is one aspect of life order regulation. Islamic law derives from the Qur'an and hadith, and through the process of *ijtihad*, scholars have developed it to the present day. It is more difficult to comprehend that Allah's every command and prohibition has a logical and objective reason concealed behind it (A. Hermanto, 2015).

There is reason which mentioned separately implicit in in Al-Qur'an and hadith, part other indicated explicitly, and there are also those that necessitate discovery effort and prior thought. In the meantime, life's problems requiring legal answers and solutions are limitless, ever-changing, and evolving in tandem with the times; we refer to these as contemporary problems.

Contemporary problems are perpetually evolving, one of which is related to *munākahāt* or Islamic marriage (A. Hermanto et al., 2020). According to Islamic law, marriage is a criterion of perfection for a servant's worship, which is another way of saying that marriage is a noble thing for humans. Marriage to form a family palace is prescribed by Islam as a means to attain happiness in life. Islam also teaches that marriage is an event to be celebrated with gratitude and happiness (Atabik & Mudhiyah, 2014). In the midst of the process of establishing a household, however, there are events that necessitate separation (divorce) or separate ages (death). If this occurs, the 'iddah (waiting) period is one of the requirements for a Muslim woman to remarry after a divorce or separation due to the death of her spouse.

*Iddah* seeks to distinguish the uterine void from the fetus so that lineages are not intermingled (Istikomah & Zubir, 2019). During the *Iddah* period, there were central issues or contemporary problems faced by Muslims today, such as the sophistication of ultrasound technology, or USG, whose primary purpose is to determine the condition of the human body's interior. Ultrasound is a rapid method for determining whether a woman is expectant or not, given current technological advances (Y. P. Hermanto & Wirianto, 2022). By performing an ultrasound, pregnancy can be detected swiftly and accurately.

After undergoing the *Iddah* process, it is fascinating to study the function of the *Iddah* itself, namely self-cleansing as a result of the relationship between the divorced woman and her former husband (Hammad, 2016). This statement raises the question of whether or not self-cleaning is *barā'ah ar-rahm* (womb purification). So, is it just that, or does it come with something else? If the issue is limited to the hygiene of the uterus, technological advancements can undoubtedly provide a solution. The author is interested in studying the period of *Iddah* from the perspective of *illat* and the wisdom that can be used as a step in establishing a legal *istimbat* in light of these circumstances.

## Literature Review

The concept of *illat* is one reason for evolution and variation in *fiqh*. The existence of the law is contingent on the reason for its creation, making the law's formulation crucial. The evolution of science and technology can be attributed to alterations in the law. The laws formulated by classical and medieval scholars are subject to change (Mudawam, 2012). In science and the era of technological advancement, it is ineffective. When a new law is discovered, a new legal *illat* is created (Sodiqin, 2012). *Majlis*, *safar*, and *Iddah* require interpretation due to the development of information and transportation technologies. Therefore, the concept of *illat* cannot be developed in accordance with the formative orientation of Islamic law (*maqāsid shari'a*). The *illat* of the law must be able to create laws that are implied *maslahah* and pertinent to civilization, so that *fiqh* remains adaptable and relevant to real-world situations (Yusuf, 2016). Activating *ijtihad*, which combines the *istinbāt* (deductive) and *istaqrā'* (inductive) methods, enables the process. Depending on the actual problem, the paradigm of *ijtihad* is either *tarjih intiqā'i* or *ibdā'i insyā'i*.

There is currently the perception that *Iddah* only applies to women. In actuality, performing *Iddah* for women is regarded as part of worship, so the concept of *Iddah* is difficult to explain; the command *Iddah* encompasses *ta'abbudī* issues, so that all that remains is to be accepted, performed, and there is no wisdom in this (Wahyudi, n.d.). However, it comes out that the issue of *Iddah* is not so straightforward and

straightforward. The concept of *'Iddah*, which appears to discriminate against women, has been heavily scrutinized by both classical and modern scholars. Modern advances in science and technology are not a justification for eliminating the *'Iddah* provisions outlined in the Qur'an and Sunnah. The previously discussed *illat* law and the reason for enacting the *Iddah* must be reviewed. *Iddah* is not just about learning about the vacant womb of the fetus, self-reflection, conditions and periods of mourning; it also serves a higher purpose, namely faith in Allah and honoring the noble covenant made during the wedding ceremony. The magnificent agreement is embodied in consent and qabul between men and girl's guardians. Both parties are required to uphold the agreement if the marriage is dissolved due to death or divorce. They Certain You're Welcome Restricted with the Road *'Iddah* Until Time Set in a Manner *Shar'i*, Particularly for Existing Woman More Glorified, and also the Purpose of the Law of *'Iddah* is For Kind Together.

There is an invaluable lesson that is the source of existence. This consistency confirms to a woman whether she is still carrying a fetus or not, so that her family will not be in turmoil in the future. Similarly, forgive they a chance, for refers to her husband and realizes excesses in a blind, indiscriminate manner after serious thought and consideration. Also, the *Iddah* period will reveal how merciful God is to humans, as it will reveal how good a person's marriage was or was not, and how much God hates divorce, even though it is legal. *Iddah* is the mourning period for a widowed woman whose spouse has died. During this time, she feels more respect for her husband.

## Research Methods

The method used is library research. This research employs deductive methods to demonstrate the validity of a theory. Furthermore, this study employs a normative approach, which is to see the issues studied as pertaining to all the doctrinal or Islamic teachings in the revealed texts (Quran and Sunnah) whose degrees of truth are absolute and/or the context of their meaning in all religious thoughts created by the interpretation of scholars of texts whose real form is contained in the books and religious literature written by scholars, religious leaders in general, and even considered a source of authority. Primary data in analysis This form relates books to *'Iddah* and ultrasonography, and secondary data sources to journals, magazines, theses, and other pertinent research materials. Thus, three series of data analysis were employed to analyze this research: data reduction, data presentation, and conclusion drawing.

## Results and Discussion

### Principle Illat and Wisdom within Conceptualization of Islamic Law

#### a. Illat

kindly language, the meaning of the word ' *illat* (علة) is originating disease from the root word علة - يعل - عل or اعتل . In this matter, Al- Jurjani mentions that '*illat* in a manner of Language refers to something that is somewhere place, then altered the condition in place (Sarwat, 2019). According to al-Gazali, *illat* Hukum is *manāṭ al-hukm* (legal affinity), specifically "legal affinity in which Shari' depends on the law" (Al-Ghazali, 1999). Al-Gazali referred to '*illat* with the terms "al-Mu'aṣṣir" and "al-'alāmah" (Al-Ghazali, 1999). This formulation of al-Ghazali is identical to the formulation of al-Subki's opinion, which states that '*illat* is a sign and a guide for the determination of its law (Subki, 2000).

The construction of '*illat* the law proposed by classical jurists differs from the formulation proposed by contemporary jurists, such as Muhammad Abu Zahrah, who stated that '*illat* law is a clear, harmonious nature or condition that serves as the premise for establishing law. The presence or absence of law depends on the presence or absence of '*illat* (Zahrah, 2005). According to Abd al-Karim Zaidan, who states that '*illat* law is a clear and certain characteristic that serves as the premise for fostering and linking the law. In the meantime, Abd al-Wahhab Khallaf stated that *illat* Hukum is a distinct and orderly (accurate/measurable) foundation (Khallaf, 1990).

According to several definitions proposed by classical and contemporary jurists, '*illat* is something that instructs and encourages, which then becomes the basis of law. '*illat* is a quality that can be known objectively (*zahir*), plainly and quantifiably (*mundabiṭ*), and in accordance with legal provisions (*munāsib*), and whose existence determines the existence of law. In most instances, *illat* can become instruction, and wisdom exists. Therefore, '*illat* was determined to be a sign (*mazīnnah*) that can be plainly confirmed for the existence of wisdom, because wisdom does not exist if '*illat* does not exist. There is none. If '*illat* is correct, then there is no difficulty. However, *ushūl fiqh* experts have differing opinions when '*illat* is not plainly visible and difficult to locate. There are those who follow *takwīl* and attempt to '*illat* with regard to the implicit text's words. While others choose the method of text interpretation based on their understanding of the society's best interests. This applies to *Iddah* matters, which are governed by the texts.

#### b. Wisdom

Wisdom is derived from the Hebrew word *hakama*, which contains the letters *ha*, *kaf*, and *mīm*. What Ibnu Faris refers to as "*al-māni*" which impedes, such as *hakam*, which prevents persecution, is referred to as "*hakama*" for animal control, which means to prevent the animal from provoking something undesirable or untamed (Tahir, 2012).



According to Muhammad Quraish Shihab, the word wisdom is derived from *hakama*, which originally meant to impede (Shihab, 2010). From the beginning of the same word, a word with the meaning of control is formed, i.e., something whose purpose is to promote virtue and prevent evil. The term *hikmah* appears in the Qur'an:

Translated:

“He gives wisdom to whom He wills. Whoever is given wisdom; indeed he has been given a lot of goodness. And no one can take lessons except people who have common sense’ (Kementerian Agama RI, 2019).

The verse above explains that wisdom is a legal event that has been studied in-depth and methodically from its *illat* aspect, which will give birth to its objectives. All of the verses of the law that Allah transmitted to humanity contain wisdom, but it is human reasoning that determines the extent to which it can be understood. In contrast to the *illat*, which must be concise and plain to present or bring out laws in a text that is limited or even very detailed, wisdom is vast and limitless.

Islamic law is derived from the Quran and hadith through the ulama's process of *ijtihad*. The text, which is supported by the contextualization of the use of reason, is a distinguishing feature of Islamic law that sets it apart from other legal systems. The texts of Islamic law are limited by the end of revelation and the completion of the revealed teachings of the Islamic religion, whereas the problems of life that require legal answers and solutions are limitless and constantly evolving.

According to Jumhur scholars, Allah swt imposes no laws other than those that benefit the livestock. There are two types of *maslahah*: those that provide benefits to humans and those that protect humans from injury (misery) (Muhtarom, 2015). Therefore, instituting sharia law is motivated by the desire to attract benefits for humans and reject harm for them. And this propelling force is the desired outcome of establishing the law, which is also referred to as the wisdom of a law (customary of law) (Baroroh, 2018). For instance, it is permissible for a sick person to refrain from fasting during Ramadan to prevent causing him harm. Qisas is obligatory for those who intentionally kill (Naro et al., 2020), the wisdom is to preserve the human soul in general, and it is obligatory to amputate the hands of thieves who satisfy the requirements. It is prudent to safeguard human property. Thus, a sharia law is the realization of *mashahat* and the rejection of damage.

According to the view that equates *illat* with wisdom, every law is founded on a particular wisdom, and whether or not a law is implemented depends heavily on this wisdom (Minhajuddin, 1993). However, a thorough investigation reveals that some laws' wisdom is an ambiguous (abstract) concept that cannot be perceived with the five senses. Therefore, it is impossible to determine whether there is or is not wisdom, and it

is also impossible to determine whether there is or is not a law with wisdom (Bay, 2012). For instance, exchange is permitted in the sphere of muamalah, where the wisdom is to reject narrowness for humans because it can satisfy their needs. While the intention is ambiguous, and it is impossible to determine with certainty whether the exchange meets an imperative need. And sometimes it is predictable, but not certain. Due to the fact that it is also impossible to establish law and determine whether or not it exists. For instance, it is permissible for ill individuals not to fast; the lesson is to eliminate distress. The damage is an estimated amount of work that differs by circumstance and individual.

In addition to a number of these laws containing still-vague wisdom, there are also several laws that contain unambiguous matters that can be used as the basis for legal guidance and to determine whether a law exists. The Ushul Experts mentioned obvious matters that could serve as the foundation for legal development *illat*. A proposal that eliminates a problem. '*Illat* is a pillar of *qiyas*, and *qiyas* cannot be performed if its '*illat* cannot be determined. Every law has a deity behind it, so if '*illat* exists, so does the law, and vice versa (Djamil, 1999). In order for the famous rule to be known: "The law rotates along with its '*illat* (reasons), presence and absence" (Muhsin, 2001).

The elaboration of this rule is that the existence of the law depends on the existence of its '*illat* (cause), so if there is an '*illat*, then there is a law, and if there is no '*illat*, then there is no law. This is the specialty of *illat*, and it is *illat*, not wisdom, that determines the existence of a law, so something said to be *illat* must be plain (*dhāhir*), appropriate (*munāsib*), and certain/measurable (*mundhabit*).

### Problematic Iddah in dimensions Contemporary

*Iddah* is derived from the Arabic verb '*adda - ya'uddu*, which means to tally, calculate, or to count something (V. J. Caiozzo, F. Haddad, 2019). According to the Hanafi madhhab of thought, it is a period determined by the sharia during which the varied effects of the remaining marriages cease to exist (Sari, 2020). In other words, the period that a wife must wait after legally separating from or divorcing her spouse (Mulyana Mulyana et al., 2022). According to Jumhur, *Iddah* is the waiting period during which a lady determines the cleanliness of her uterus. There are three varieties of *Iddah*: *Iddah* with menstruation, *Iddah* with months, and *Iddah* with childbirth. *Iddah* is required by the sharia based on the Qur'an, sunnah, and consensus. In terms of calculation, the legal basis for the duration of the *Iddah* period is Allah's word. QS al-Baqarah: 228:

Translated:

"Women who are divorced should hold back (wait) three times quru ... (Kementerian Agama RI, 2019)

Verse in above, the meaning of *qurū'* according to the language's definition is the same for both the sacred and menstruation. The Hanafi and Hanbali madhhab contend that *qurū'* refers to menstruation, as menstruation is known to detoxify the uterus. According to the Maliki and al-Shafi'i madhab, *qurū'* denotes holy. As for the *Iddah* of death as stated in the Qur'an Al-Baqarah verse 234 by Allah:

Translated:

*"Those who died among you by leaving the wives (let the wives) suspend themselves ('Iddah) four months and ten days ... (Kementerian Agama RI, 2019).*

In cases of divorce and husband's death, the *Iddah* period consists of mourning or condolences for her husband's passing (Mustahal, 2021). Understanding the condition of a woman's womb's empty is the essence of *Iddah* in Islamic doctrine. Nonetheless, the demands of the *Iddah* period for women in the twenty-first century actually collide on multiple fronts. This is very reasonable, particularly in light of the evolution of life and the escalating complexity of society's requirements.

The most basic problem with the provisions of the *Iddah period* imposed on a woman that is rife is:

1. Accepting a man's proposal and getting married during his *Iddah period*.

During the *Iddah period*, divorced women (*muthallaqah*) are strictly prohibited from marrying. Likewise in accepting other people's proposals. This is very clear in the word of Allah swt. Qs. Al-Baqarah 2:235.

Translated:

*And there is no sin for you to propose to these women by innuendo or you hide (the desire to marry them) in your heart. Allah knows that you will mention them, in the meantime do not make marriage vows with them in secret, except to say (to them) ma'ruf words. And don't be determined to get married before the end of your Iddah. And know that Allah knows what is in your heart; so fear Him, and know that Allah is Forgiving, Most Forbearing (Kementerian Agama RI, 2019).*

The *Iddah* period has ended entirely. In actuality, there are still a great number of women who disregard Islamic teachings by not performing *Iddah* as prescribed. In fact, Islam explains in detail that if the marriage link between husband and wife is severed, either through divorce or the death of the husband, the abandoned wife must perform *Iddah* (Saputera & Lamunte, 2020). Therefore, the marriage law is considered invalid if a woman accepts a proposition and even gets married before her *Iddah* period ends (Syuhud, 2020). In addition, neither party has any inheritance rights, and neither party is required to provide maintenance or dowry.

Things that are forbidden by religion for praying women include not only accepting and performing marriages, but also accepting and performing marriages. However, during their *Iddah* period, women are not permitted to exit the house unless it is absolutely necessary. This means that anything unrelated to urgent needs, such as seeking



entertainment outside the home, getting to know males outside the home, or simply socializing for no apparent reason, is prohibited during the *Iddah* period.

## 2. The lack of understanding of women about the calculation of the *Iddah* period

The implementation of *Iddah* for women is obligatory for all women who are separated from their husbands due to divorce, *khulu'* (claiming for divorce), *fasakh* (breaching the marriage contract), or being left dead, provided that the husband has had conjugal relations with her or has been given ample opportunity and ability to do so. Consequently, the *Iddah* period has implications in the form of a calculated period and/or a period of restraint for a woman to remarry after her husband's death or divorce (Salim, 2007).

*Iddah* period that pertains to women has certain prerequisites in the Qur'an and the Compilation of Islamic Law that cover the rights and responsibilities of women, the prohibitions of the *Iddah* period, and the *Iddah* time limit that is adjusted according to the types of *Iddah* and the underlying law. In some instances, however, the neglect of the *Iddah* period for women is due to misunderstanding or ignorance of the *Iddah* period provisions outlined by religious guidance (Hambali, 2020). This is influenced by a lack of education, the economy, the surrounding environment, social status, and promiscuity.

*Iddah* period is highly dependent on a number of conditions women may experience. Does it contain *Iddah* for divorce (*ṭalaq*, *fasakh*, and *khulū'*) and *Iddah* for death? Not to mention the more specific conditions of women, such as women who have been interfered with and have not stopped having menstruation, women who have been interfered with and have stopped having menstruation because they are old (menopausal), and women who have been interfered with even though she has never had menstruation, there is an urgent need for legal knowledge, legal understanding, legal attitudes, and legal awareness so that the pattern of community legal behavior can be altered.

## 3. The issue of window injustice for women with *Iddah*

Every Muslim's life is guided by the Al-Qur'an, which teaches them to place all humans on an equal (egalitarian) footing, regardless of gender, status, ethnicity, or religion (Mahyaddin, 2017). Because in the sight of Allah, all humans are equal; only their degree of piety differentiates them. Gender equality is a dynamic condition in which men and women have equal rights, responsibilities, roles, and opportunities in various spheres of life, founded on mutual respect and assistance.

Insistence on gender equality is unquestionably a phenomenon of the modern era. In addition, the roles and existence of men and women in a variety of fields are already evident (Jannah, 2020). Due to the numerous contradictions between social and cultural

conceptions and norms, gender inequality is the most pressing problem facing Muslim societies today. Therefore, gender differences are caused by a number of factors, including being formed, socialized, reinforced, and even socially constructed by religious teachings and the state. However, gender differences are not a problem as long as they do not result in gender inequity. According to Nasaruddin Umar, the emergence of a gender bias understanding is due to several factors (Dewi, 2020), such as: 1) the ambiguous distinction between sex and gender in terms of the definition of the roles of men and women; 2) the prevalence of *isrā'iliyāt* stories in the Middle East; 3) the method of interpretation, which is textual and verse-by-verse *tahlīlī* analysis, is not contextual and thematic; and 4) the reader is not neutral in

The *Iddah* period for women has been emphasized by gender inequality. The argument for discrimination against women is the traditional justification for this declaration of inequity (Muslikhati, 2004). From the perspective of gender inequality, the concept of *Iddah* is discriminatory because it restricts women's freedom of mobility after the death or divorce of their husbands. In other words, women are encouraged to limit their association, career activities, lifestyle, and even marriage prior to their period. In this circumstance, women perceive that they are treated very differently than males who do not experience an *Iddah* period after divorce. So that a misunderstanding exists between the principles of *Iddah* and the concept of gender justice.

#### 4. Contradictory understanding of the law and the calculation of the *Iddah* period

It is undeniable that the legal comprehension of the scholars differs, which is frequently due to differences in *qir'at* (readings), ignorance of the existence of a hadith of the prophet, skepticism regarding the veracity of a hadith, and other causes. In the form of blaming other people's understanding and also deifying their own, opposition to the understanding of the Ulama has become one of the primary causes of legal uncertainty for everyday people. The scholars have a limited comprehension of the *Iddah* period's terms as they pertain to women. Freedom That depends on the interpretation of *qurū'* (Sajali, 2020). According to Arabic language rules, the pronunciation of the Qur'an is *muytarak*, which has two distinct meanings. For this reason, language has a significant impact on the scholars' comprehension and interpretation of the *Iddah* period, so there are two distinct interpretations. *Qurū'* in Quran namely was 1) *qurū'* in holy times, as case understanding the schools of al-Malikiyah, al-Shafi'iyah and al-Hanbaliyah who summon me to account. *Qurū'* translates to *al-ṭuhr*, which refers to the sacrosanct period of menstruation. Also, the al-Hanafiyah school of thought defines *qurū'* as menstruation or the day a woman has her period. Therefore, the distinction in Islam is a necessity that must be based on an

agreement of tolerance rather than conflict, including the understanding of the provisions of the *Iddah* period for women.

### Relevance *Illat* and the wisdom of Using Ultrasound During *Iddah*

The majority of people are aware that the purpose of the *Iddah* period is to determine whether or not the uterus of the wife is pure. However, the development of science and technology facilitates the advancement of knowledge, particularly in the field of medicine; a person's uterus can be examined using the most recent technology and ultrasound (Anam, 2015). Ultrasound is a diagnostic technique for investigating internal body structures that uses ultrasonic waves to produce two-dimensional images. With the development of technology, specifically ultrasound (ultrasound), it is now possible to see a woman's uterus distinctly. This is the priority of ultrasound, which can detect an embryo in a woman's uterus between 4 and 7 weeks into her pregnancy. Thus, women undergoing the *Iddah* period are able to detect or determine whether a fetus is present in the uterus without having to wait 3 times *qurū'*, or 4 months and 10 days, as stipulated by the Qur'an. The problem is the urgency of having an *Iddah* period for women, specifically to determine whether the uterus contains a germ or a fetus.

*Iddah* is basically a law that is contextual with the current condition of society (Wahyudi, 2009). In the process of the *Iddah* period, the benchmark is the cleanliness of the woman's womb as an *illat* in the enactment of the *Iddah* period, which is three times the *quru'* for women who are divorced as stated in QS al-Baqarah verse 228, as well as four months and 10 days for women who have been left by their husbands as in the word of Allah QS Al-Baqarah verse 234. It is therefore possible to eliminate the *illat* condition of uterine hygiene during the *Iddah* period in light of technological advancements made possible by the presence of ultrasound in the medical field, which makes it possible to determine the condition of a woman's uterus swiftly and accurately.

Ultrasonography (USG), a diagnostic technique for examining the internal structure of the body that entails the formation of three-dimensional shadows with ultrasonic waves, can detect the presence of a fetus in the uterus in a matter of seconds. "The law regarding the cleansing of the uterus is not the only primary reason for applying the *Iddah* rule to women whose spouses have died or been divorced (Al-Jazīri, 2015). The al-Shafi'iyyah group argues that *Iddah* is meant to know the sanctity of the wife's womb out of devotion to Allah (*ta'abudi*) or condolences for a deceased spouse.

Additionally, the study was limited by disputing the cleanliness of a woman's uterus (*barāh al-rahm*) as an *'illat* for the validity of the *Iddah* period for women. However, if the cleanliness of the uterus is true as *'illat*, then technological advancements, particularly in

the field of medicine, make it possible to determine pregnancy in a relatively short amount of time and with fairly accurate results, and the issue of *'Iddah*, which is currently an impediment to the implementation of *'illat*, can be resolved with modern technological sophistication. that obviously. Due to this *'illat* purity of the uterus in the obligation to perform *Iddah*, it appears impossible to maintain. Although the purity of the uterus has implications for the provisions of the *Iddah*, it is not an *illat* of the determination of the *Iddah*. Even if it is scientifically believed that the wife's uterus is clean, the development of ultrasound that can detect the uterus accurately and rapidly will not affect the *Iddah* determination in the texts of the Qur'an and Sunnah.

The imposition of *'Iddah* upon a woman is a standard legal provision that is explicitly outlined in the Qur'an. The only issue is that the contained wisdom is not explained in detail. Due to the expansive character of wisdom, it cannot be used as a basis for determining the law. In addition, because the secret wisdom of determining the *Iddah* is not only from one perspective, but there are several things that are behind the sharia. *'Iddah*, namely, first, is to clean the uterus or to find out the emptiness of the uterus from the fetus so that it does not mix lineage; second, as an opportunity to think for both parties so that they can self-reflect; and third, Thirdly, it is an opportunity for those whose spouses have abandoned them to grieve. As a form of respect for a deceased husband (*Iddah* left by death), and as a place for reflection or mental recovery after facing a divorce due to a problem that has no other solution other than requiring separation from the husband, whether in the context of a contested divorce or talak divorce, as well as a form of worship for *ta'abbudi*, which entails carrying out the orders of Islamic law.

After conducting research in books such as *Fiqh al-Sunnah*, *I'anatu al-Thalibin*, and *Kitab al-Fiqh ala al Mazāhib al-Arba'ah* (Al-Jazīrī, 2015), the scholars formulated at least five wisdoms incorporated in the provisions of *'Iddah* for women, both because of divorce and because of divorce:

- a. To find out the cleanliness of the uterus of a woman / wife.
- b. To provide an opportunity for both the husband and wife who are divorced to live to re-knit the marriage bond that ran aground and broke up due to divorce, so that it is given the opportunity to correct the weaknesses and shortcomings of each.
- c. To uphold the values contained in a marriage, namely by gathering wise people to study the problem, and giving time to think on both sides. If not, then it's like a child.
- d. The majesty of marriage does not materialize before the husband and wife live long within the framework of the household. If something happens that requires the dissolution of the marriage, then in order to realize that sustainability is maintained, one must be given a place to think about and pay attention to the losses.

- e. Merely worshiping Allah and obeying His commands contained in the Qur'an, where the commands are intended for Muslim women (Nurnazli, 2018).

The wisdom of applying 'Iddah in principle is not only aimed at women, but also that the existence of 'Iddah benefits males (husbands), as Islam lowers the rules of 'Iddah for the benefit of all parties, including husband, wife, and second family. Thus, 'Iddah is intended to provide an opportunity for both parties of a divorced husband and wife to re-knit the marriage bond that was shattered and fractured as a result of the divorce, so that each party has the chance to correct their respective weaknesses and shortcomings. In addition, to uphold the values of a marriage by assembling sage individuals to examine the issue and giving both parties time to reflect.

## Conclusion

In the process of the *Iddah* period, the purity of the woman's uterus serves as an *illat* in the implementation of the *Iddah* period, which is three times the *qurū'* for divorced women, as stated in QS al-Baqarah 228. Therefore, in light of technological advancements and the availability of ultrasound in the medical field, it is feasible to determine the condition of a woman's uterus quickly and accurately, thereby eliminating the *illat* condition of uterine cleanliness during the *Iddah* period. However, if the cleanliness of the uterus is true as *'illat*, then technological advancements, particularly in the medical field, make it possible to determine pregnancy in a relatively short amount of time and with relatively accurate results; therefore, the issue of *'Iddah* can be resolved with modern technological sophistication, which is currently an impediment to the implementation of *'illat*. Even if it is scientifically believed that the wife's uterus is clean, the development of ultrasound technology that can detect the uterus swiftly and accurately will have little impact on the *Iddah* determination in the Qur'an and Sunnah.

In addition, because the secret wisdom of determining the *Iddah* is not only from one perspective, but there are also several things that are behind the sharia *'Iddah*. First, is to clean the uterus or to determine the emptiness of the uterus from the fetus so that it does not mingle lineage. As a form of respect for a deceased husband (*Iddah* left by death), and as a place for reflection or mental recovery after facing a divorce due to a problem that cannot be solved other than by requiring separation from the husband, whether in the context of a contested divorce or talak divorce, as well as a form of worship for *ta'abbudi*, it means solely to carry out the orders of Islamic law. Thus, *'Iddah* is intended to provide an opportunity for both parties of the divorced husband and wife to re-knit the marriage bond that was shattered and fractured because of the divorce, so that each party is afforded the chance to correct their respective weaknesses and



shortcomings.

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