

## **An Epistemological Review of Islamic Law on Wahbah al-Zuḥaylī's Thoughts on the Concept of *Syibh al-'Iddah* for Men**

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### **Abstract**

The absence of an *iddah* period for husbands after divorce or the death of their wives means that husbands can remarry. However, when this is not carried out with social ethical considerations, it can cause problems. This qualitative study aims to identify the thoughts of Wahbah al-Zuḥaylī, a contemporary Syrian Islamic law expert, on the concept of *syibh al-'iddah* (resembling *iddah*) for men through the *maqāṣid al-sharī'ah* approach. This type of normative-philosophical Islamic legal research uses data from literature studies with a content analysis approach. The results of the study show that Wahbah al-Zuḥaylī's epistemological basis for the concept of *syibhul iddah* can be understood as an instrument for safeguarding benefits in the aspects of *ḥifẓ al-nasl* (protection of lineage), *ḥifẓ al-nafs* (protection of life and psychological well-being), and *ḥifẓ al-'ird* (protection of dignity). This study contributes to the assertion that divorce is not merely the end of a formal Islamic legal bond, but also a social event that requires consideration of various legal consequences.

**Keywords:** *Syibh al-'Iddah*, *Maqāṣid al-Sharī'ah*, Wahbah al-Zuḥaylī.

### **Abstrak**

*Tidak adanya masa iddah bagi suami pasca perceraian maupun ditinggal mati oleh isterinya, menjadikan suami dapat melangsungkan perkawinan yang baru. Namun ketika tidak dijalankan dengan konsideran etika sosial dapat menimbulkan problem. Penelitian kualitatif ini bertujuan untuk mengidentifikasi pemikiran pakar hukum Islam kontemporer asal Suriah bernama Wahbah al-Zuḥaylī tentang konsep syibh al-'iddah (menyerupai iddah) bagi laki-laki melalui pendekatan maqāṣid al-syarī'ah. Jenis penelitian hukum Islam normatif-filosofis ini menggunakan data studi kepustakaan dengan pendekatan analisis isi. Hasil penelitian menunjukkan landasan epistemologi Wahbah al-Zuḥaylī tentang konsep syibhul iddah dapat dipahami sebagai instrumen penjagaan kemaslahatan pada aspek ḥifẓ al-nasl (perlindungan nasab), ḥifẓ al-nafs (perlindungan jiwa dan psikologis), dan ḥifẓ al-'ird (perlindungan martabat). Penelitian ini berkontribusi pada penegasan bahwa perceraian bukan sekedar berakhirnya ikatan hukum formal Islam, melainkan juga peristiwa sosial yang menuntut konsideran berbagai kemaslahatan konsekuensi hukum setelahnya.*

**Kata Kunci:** *Syibh al-'iddah*, *Maqāṣid al-Syarī'ah*, Wahbah al-Zuḥaylī.

## INTRODUCTION

Islamic family law (*ahwāl al-syakḥṣiyyah*) is one of the most dynamic areas of Islamic law and continues to evolve in line with social, cultural and gender relations changes in society. However, along with these dynamic social constructs, Islamic family law is also often faced with increasingly complex legal issues in society.

One classic theme that remains relevant today is the issue of 'iddah, which is the waiting period required of women after divorce or the death of their husband. In classical fiqh (Islamic law) construction, 'iddah is positioned as an obligation exclusively imposed on women, while men are not known to have any post-divorce waiting period obligations. (Alfitri, 2024). In practice, this construction raises issues of relational justice, particularly when divorce is unilateral and men can easily remarry without a waiting period, while women are bound by the obligation of 'iddah.

The above issues have led to academic criticism of gender bias in the construction of Islamic family law, which is based on a historical and contextual understanding of fiqh. In this context, the concept of *syibh al-'iddah* for men has emerged, namely the obligation to wait under certain conditions before entering into a new marriage. This concept is not a form of standardization of obligations between men and women, but rather a reflection of the principle of legal and moral responsibility in marriage.

One contemporary scholar who has argued for the concept of *syibh al-'iddah* is Wahbah al-Zuhaylī. According to al-Zuhaylī, neither situation constitutes 'iddah in the terminological sense of Islamic law, but rather a normal waiting period that arises from the consequences of applying the provisions of Sharia. Al-Zuhaylī refers to this waiting period as *syibh al-'iddah*. He further explains that *syibh al-'iddah* for men is a waiting period before they are allowed to remarry, namely when a husband wants to marry a woman who is still mahram to his wife who has been divorced *raj'ī* (Wahbah al-Zuhaylī, 1996). Then, when a husband has four wives and divorces one of them because he wants to marry another woman, he must wait until the 'iddah period of the divorced wife is over. Only after the 'iddah period ends is he allowed to remarry (Sumarni et al., 2022).

The purpose of this study is to identify Wahbah al-Zuhaylī's epistemological construction of the concept of *Syibh al-'iddah* (resembling iddah) for men in the *maqāṣid al-syarī'ah* approach. As far as the author's research shows, studies on 'iddah in classical fiqh literature and in the construction of positive Islamic law in Indonesia are still dominated by discussions oriented towards women. Studies that specifically and systematically review the concept of *syibh al-'iddah* for men are relatively limited, and are generally only mentioned briefly and fragmentarily in contemporary fiqh works.

The novelty of this research lies in its attempt to present a comprehensive analysis of the concept of *syibh al-'iddah* for men in Wahbah al-Zuhaylī's thinking through the *maqāṣid al-syarī'ah* approach. This approach is expected to enrich the scientific knowledge of Islamic family law while providing a theoretical contribution to the development of a more equitable and responsive paradigm of Islamic family law. This article aims to examine the concept of *syibh al-'iddah* for men in Wahbah al-Zuhaylī's perspective using the *maqāṣid al-syarī'ah* approach. Therefore, this research is important to be conducted.

## RESEARCH METHODS

This research focuses on a conceptual analysis of the concept of *syibh al-'iddah* for men in Wahbah al-Zuhaylī's thinking as viewed from the framework of *maqāṣid al-syarī'ah*. This study is based on the view that *fiqh* is a dynamic product of *ijtihad* oriented towards *maslahah* (public interest), so Wahbah al-Zuhaylī's thought was chosen because of its integrative methodological approach between *naqli* arguments, rationality, and the objectives of sharia. This study is a normative Islamic legal study with a philosophical approach that examines the sources of knowledge, the method of *istinbāt*, and Wahbah al-Zuhaylī's framework of thinking in formulating restrictions on marriage for men.

The data for this study was obtained through a literature review of classical and contemporary *fiqh* works, particularly *al-Fiqh al-Islāmī wa Adillatuhu*, as well as literature on the epistemology of *fiqh*, *ijtihad*, and *maqāṣid al-sharī'ah* approach. Data analysis was conducted qualitatively using descriptive-analytical and interpretative methods, tracing the epistemological construction of Wahbah al-Zuhaylī's thinking and assessing the relevance of *syibh al-'iddah* to the objectives of sharia, especially in the context of Islamic family law reform oriented towards justice and benefit.

## RESULTS AND DISCUSSION

### The Concept of *Syibh al-'iddah* in Contemporary Fiqh Discourse

*Fiqh* is essentially a product of human *ijtihad* that is historical and contextual in nature. It is not identical to sharia, which is divine and absolute, but rather the result of scholars' understanding of the text through a specific methodology. This epistemological awareness is important for opening up space for the renewal of Islamic law, especially in the field of family law, which is greatly influenced by social and cultural structures. For example, in the context of *'iddah*, classical *fiqh* constructions were heavily influenced by patriarchal social structures, in which women were positioned as the party that had to bear the biological and social consequences of marriage. However, an epistemological approach requires a re-reading of the arguments for *'iddah*, taking into account the objectives of the law and the social context surrounding it (Bambang, 2024).

Terminologically, the concept of *syibh al-'iddah* for men refers to an obligation to wait (*iltizām bi al-intizār*) imposed on men in certain circumstances before they are allowed to enter into a new marriage contract. This obligation is not positioned as *'iddah* in the technical sense as required of women, either in terms of duration, legal consequences, or biological purpose. However, *syibh al-'iddah* can be understood as a form of normative temporal restriction, which arises from *fiqh* considerations and is based on the principles of caution (*iḥtiyāt*) and the regulation of *maslahat* in the institution of marriage (Umi Chaidaroh., 2013).

In classical *fiqh* literature, although the term *'iddah* is not explicitly attached to men, there are a number of legal provisions that substantially require men to postpone marriage. One example is when a husband pronounces a *raj'i* divorce on his wife. During the wife's *'iddah* period, the husband still has the right of *ruju'*, so he is not allowed to

marry another woman whose status would cause legal conflict or consequences of injustice for the wife who is still legally married. This prohibition essentially reflects the obligation to refrain and wait until the previous marriage is legally dissolved (Azis., 2023)

The discussion of *syibh al-'iddah* cannot be separated from the broader methodological debate on the relationship between text (*naṣṣ*), social context, and legal objectives in the tradition of Islamic jurisprudence. From a contemporary *usul al-fiqh* perspective, law is not understood solely as the result of a literal reading of normative texts, but rather as an *ijtihadi* construction born of a dialectical process between *nash*, social reality, and the orientation of *maslahah*. Therefore, the discourse of *syibh al-'iddah* occupies a strategic position in the discourse on the renewal of Islamic family law, because it directly touches on issues of relational justice, moral responsibility, and the balance of rights and obligations between men and women. (Khairuddin., 2024).

In contemporary discourse, many Islamic scholars and legal thinkers assert that family law is one of the areas most open to *ijtihad*. (Fahri & Rivaldhi, 2025). This is due to its highly dynamic nature and its close connection to changes in social structure, gender relations, and the development of human values and substantive justice. Changes in marriage patterns, increased awareness of equal responsibilities within the family, and the complexity of post-divorce issues require a reinterpretation of classical *fiqh* provisions to ensure they remain relevant and responsive to the needs of contemporary Muslim communities.

Within this framework, the study of *syibh al-'iddah* needs to be placed within a *fiqh* paradigm that views law as the result of an ongoing dialogue between *nash* and reality. This approach emphasizes that the absence of the term *'iddah* for men in classical *fiqh* literature cannot be understood purely in a textual-formalistic sense as the absence of a legal obligation. On the contrary, general principles of *fiqh*, such as the prevention of harm (*dar' al-mafāsid*), the realization of benefit (*jalb al-maṣāliḥ*), as well as the principles of justice and responsibility (*al-'adālah wa al-mas'ūliyyah*), actually open up space for the formulation of restrictions on marriage for men in certain conditions.

At this point, the concept of *syibh al-'iddah* can be understood as a form of legal responsibility that is situational and contextual in nature, rather than as a standardization of norms with women's *'iddah*. This concept serves as a normative instrument to maintain the order of family law, protect the rights of women and children, and ensure that men's freedom to marry does not cause injustice or social harm. In this context, *syibh al-'iddah* reflects the flexibility of Islamic jurisprudence in responding to social change, while affirming its orientation towards the objectives of *sharia* based on justice and public interest (Umi Chaidaroh., 2013).

### **Wahbah al-Zuḥaylī: Intellectual Diaspora, Works, and Religious Social Activities**

Wahbah al-Zuḥailī was born in the village of Dir 'Aṭiyah, Damascus, Syria, in 1351 AH/1932 AD. His full name is Wahbah bin al-Shaykh Muṣṭafā al-Zuḥailī. He came from a simple religious family. His father, Sheikh Muṣṭafā al-Zuḥailī, was known as a pious farmer who memorized the Qur'an, was diligent in worship, and loved to fast. His mother's name

was Hġ. Fāṭimah binti Muṣṭafā Sa'dah. His family and community environment, which was steeped in the scholarly traditions of the Hanafi school of thought, had a significant influence on the formation of Wahbah al-Zuḥailī's intellectual and spiritual character from an early age (Muhammadun & Daiwan, 2024)

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Furthermore, Wahbah al-Zuḥailī is one of the leading Muslim scholars (ʿālim ʿallāmah) who masters various Islamic disciplines (*mutafannin*). He is widely known as an influential contemporary fiqh scholar at the global level. His thoughts and contributions are widely disseminated throughout the Islamic world through his scientific works, which serve as key references in the study of fiqh, usul fiqh, and thematic tafsir with a fiqh orientation (Muhammad Shohib., 2024).

Although he is affiliated with the Hanafi school of jurisprudence, Wahbah al-Zuḥailī is not sectarian. He is known for his objective and moderate views, respecting differences of opinion among the schools of jurisprudence. This attitude is clearly evident in his works, especially when discussing verses of law (*āyāt al-aḥkām*), where he presents comparative views across schools of thought, accompanied by systematic and proportional arguments. Wahbah al-Zuḥailī's early education began with studying the Qur'an and basic education (*ibtidā'iyah*) in his hometown. He completed his ibtidā'iyah education in Damascus in 1946, then continued his studies at the Faculty of Sharia until he graduated in 1952. His passion for knowledge encouraged him to continue his education in Cairo, Egypt. There, he studied simultaneously at the Faculty of Arabic Language at Al-Azhar University and the Faculty of Law at Ain Shams University until he obtained his doctorate (Latif ur Rehman et al., 2025)

Wahbah al-Zuḥailī's academic career began as a lecturer at the Faculty of Sharia at Damascus University in 1963. He was appointed as a lecturer in 1969 and became a professor in 1975. As an academic, he was also active as a visiting lecturer at various leading universities in the Arab world, including the Faculty of Sharia and Law and the Faculty of Postgraduate Arts at the University of Benghazi in Libya, the University of Khartoum, the University of Umm Darman, and the University of Africa in Sudan. These academic activities reflect international recognition of his authority and scholarly integrity (Muhammad Shohib., 2024).

In the field of writing, Wahbah al-Zuḥailī is known to be very prolific. In addition to writing articles and scientific papers, he produced a number of monumental works that had a wide influence. Badi' al-Sayyid al-Laḥḥām, in his biography Wahbah al-Zuḥailī al-ʿĀlim, al-Faqīh, al-Mufassir, noted that he had written no less than 199 scientific works,

excluding journal publications. The breadth of his interests and depth of his mastery of various branches of knowledge made him an important reference for subsequent generations of academics. He also produced many prominent students, including Muhammad Farūq Hamdān, Muhammad Naʿīm Yāsīn, ‘Abd al-Sattār Abū Ghuddah, ‘Abd al-Laṭīf Farfūr, Muhammad Abū Layl, and his own son, Muhammad al-Zuhailī. (Dwi Aprilianto dkk., 2022)

In line with his scholarly productivity, Wahbah al-Zuhailī produced a number of works that have become key references in contemporary Islamic legal studies. Among his most influential works are *Uṣūl al-Fiqh al-Islāmī*, *al-Fiqh al-Islāmī wa Adillatuhū*, *Tafsīr al-Munīr fī al-‘Aqīdah wa al-Sharī‘ah wa al-Manhaj*, *Āthār al-Ḥarb fī al-Fiqh al-Islāmī*, *Dirāsah Muqāranah*, *Naẓariyyat al-Ḍamān aw Aḥkām al-Mas’ūliyyah al-Madaniyyah wa al-Janā’iyyah fī al-Fiqh al-Islāmī*, *al-Waṣāyā wa al-Waqf fī al-Fiqh al-Islāmī*, and *al-Qur’ān Sharī‘at al-Mujtama’*. These works enrich Islamic thought and strengthen Wahbah al-Zuhailī’s position as an encyclopedic scholar in the modern era. (Prabowo & Yuslem, 2025).

### **A Review of *Maqāṣid al-Sharī‘ah* Regarding the Epistemological Construction of Wahbah al-Zuḥaylī’s Thought on the Concept of *Syibh Al-‘Iddah***

From the perspective of Islamic family law, Wahbah al-Zuḥaylī’s thinking provides a strong conceptual foundation for the development of the idea of *syibh al-‘iddah*, especially in the context of realizing justice, benefit, and balance of responsibility between men and women after divorce. According to him, *syibh al-‘iddah* for men do men have ‘iddah? For men, there is no concept of iddah in the same sense as for women (Asiyah et al., 2024). After separating from his wife, a man can marry another woman without having to wait for the 'iddah period, as long as there are no sharia prohibitions preventing him from doing so, such as marrying a woman who is still in an invalid marriage or marrying a woman who is still a mahram, such as a sister, paternal aunt, maternal aunt, daughter of a brother, or daughter of a sister. A man may also marry a fifth woman during the 'iddah period of his fourth wife, until the 'iddah period of his fourth wife ends after the divorce. A man may also marry a woman who has been divorced three times before performing a tahlīl marriage (Wahbah al-Zuḥaylī, 1996).

According to Wahbah al-Zuḥailī, neither of these situations constitutes ‘iddah in the terminological sense of Islamic law, but rather a normal waiting period that arises from the consequences of applying the provisions of Sharia. Nevertheless, there are several conditions that require a man to undergo a waiting period that is substantially similar to ‘iddah. Wahbah al-Zuḥailī refers to this waiting period as *syibh al-‘iddah*. Among the forms of *syibh al-‘iddah* for men is the waiting period before he is allowed to remarry. First, if a man divorces his wife with *talak raj’ī* and wants to marry a woman who is still mahram to his wife who was divorced with *raj’ī* (Kementerian Wakaf Kuwait, 1990), like his wife's younger sister, then the man may not marry the younger sister until his divorced wife's 'iddah period has ended. Second, if a man has four wives and divorces one of them, then wants to marry another woman or make that woman his fifth wife, he must wait until the

'iddah period of the divorced wife has ended. (Ahmad Ali Mashuda., 2020). Only after the 'iddah period has ended is she permitted to remarry. (Sumarni et al., 2022).

The legal basis used by Wahbah al-Zuhailī in relation to the concept of syibh al-iddah is as follows.

First, in Islamic teachings, a man is prohibited from having more than four wives at one time. This provision confirms that polygamy is strictly limited by Sharia law (Yurizka Syahdani Nst, & NurAzizah. 2025). Therefore, if a man wishes to marry a woman for the fifth time, he must first divorce one of his four wives. However, after the divorce, he is not immediately allowed to remarry, but must wait until the 'iddah period of the divorced wife has ended. This obligation to wait is intended to ensure that, legally, he is not in a position of having more than four wives at the same time (Sumarni et al., 2022).

The normative basis for this provision is found in the Qur'an, namely QS. al-Nisā' [4]: 3, which stipulates a maximum of four wives on condition of fairness. The limitation of four wives in the Qur'an should be understood as a way of showing that in a social context where polygamy is very common, this limitation is very important. This restriction applies both in terms of number, namely a maximum of four wives, and in terms of quality, namely the morality of fairness (Mustafa.,2019).

Second, according to Islamic teachings, it is forbidden for a man to marry two women who are mahrams to each other. This prohibition is based on the words of Allah SWT in QS. An-Nisa' [4] verse 23. Then the Hadith of the Prophet Muhammad SAW said (HR. Muslim, no. 1408) Meaning: From Abu Hurairah, may Allah be pleased with him, the Messenger of Allah, peace and blessings be upon him, forbade a man from marrying both a woman and her paternal aunt, and a woman and her maternal aunt. Ibn Shihab said: So we see that the paternal aunt and the maternal aunt are in the same position (in terms of the prohibition).

Based on the two verses cited by Wahbah al-Zuhailī, it can be understood that the reasons he put forward are not merely normative, but also have a strong social dimension. These provisions aim to prevent psychological and social impacts, particularly jealousy, emotional pain, and potential conflict that may be experienced by women who have just been divorced. Therefore, it is considered necessary for a former husband to refrain from remarrying until the 'iddah period of his divorced wife has ended. This approach shows that Wahbah al-Zuhailī does not only read the text of the Qur'an literally, but also considers the objectives of the Sharia (*maqāṣid al-sharī'ah*), especially in maintaining dignity (*hifz al-'ird*), social harmony, and the welfare of the family after divorce (Sumarni et al., 2022).

Based on the normative theological foundation held by Wahbah Zuhaili, it can be understood that his reasoning is social and psychological in nature. The aim is to prevent feelings of jealousy in women who have just been divorced, so that the ex-husband must wait until the 'iddah period of the divorced wife is over before remarrying another woman.

Wahbah al-Zuhailī emphasizes that the waiting period obligation for men can be enforced under certain conditions that are *māni' syar'i*, namely the existence of legal obstacles that are normatively recognized by sharia. This view shows that the concept of the waiting period is not solely attached to the biological aspects of women, but is also

closely related to social, legal, and public interest dimensions (Ahmad Fauzan Arifin, 2025). Therefore, the prohibition of marriage for men in certain situations cannot be understood as a form of injustice or gender discrimination, but rather as a legal instrument aimed at maintaining the stability of family relations and social order (Sartina & Lilik Andaryuni., 2022).

According to Wahbah al-Zuhailī, these restrictions have strong legal rationality, particularly in the context of maintaining clarity of lineage (*hifz al-nasl*), preventing overlapping marital status, and avoiding social impacts that could potentially cause conflict and legal uncertainty. Within this framework, the waiting period for men is positioned as a preventive mechanism, not a repressive one, which serves to close the space for harm to occur before it actually materializes in social and legal practice.

Epistemologically, the concept of *syibh al-'iddah* offered by Wahbah al-Zuhailī is based on established fiqh principles, particularly the principle of *sadd al-dharī'ah* (closing the path to *harm*) and the rule of *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*. Based on this framework, the restriction of the waiting period for men does not stand as a new norm that is detached from the tradition of fiqh, but rather as the result of the development of *ijtihad* that remains within the corridor of valid and authoritative *usul fiqh* methodology.

In classical fiqh discourse, the concept of *'iddah* is consistently understood as an obligation attached to women after the termination of marriage, whether due to divorce or the death of the husband. The majority of *fuqahā'* from the four schools of thought formulated *'iddah* primarily on biological and textual grounds, mainly to ensure the emptiness of the womb (*istibrā' al-raḥim*) and to maintain the clarity of lineage. (Muttakin., 2016). Within this framework, *'iddah* is positioned as a legal norm that is both *ta'abbudī* and *ta'aqqulī* in nature, but its application remains limited to women and leaves almost no conceptual space for its application to men. (Ekawati Hamzah dkk., 2025). Nevertheless, classical fiqh tradition has actually provided a normative foundation for the development of the concept of waiting period beyond the formal meaning of *'iddah*.

Discourse on the prohibition of marrying certain women on a temporary basis, the obligation to wait in the context of combining lineage, and restrictions on marriage due to factors of *māni' syar'ī* indicate that Islamic law has, from the outset, recognized mechanisms for postponing marriage in order to preserve greater interests. Although not explicitly formulated as *'iddah* for men, this legal construction reflects the inherent logic of a waiting period in classical fiqh (Husna & Abu Bakar, 2025).

In the contemporary context, the debate on *'iddah* has expanded significantly in line with changes in social structures, increasing complexity in family relations, and growing demands for substantive justice in Islamic family law. Criticism of the purely biological interpretation of *'iddah* has led to the emergence of a *maqāsidī* approach that emphasizes the social, moral, and preventive functions of the institution of *'iddah*. It is at this point that Wahbah al-Zuhailī's thinking gains strong theoretical relevance (Setiawan & Fikri., 2024).

Wahbah al-Zuhailī did not deconstruct the classical concept of *'iddah*, but rather carried out a methodological reconstruction through the introduction of the concept of *syibh al-'iddah*. By basing his argument on universal fiqh rules and the principle of *sadd al-*



*dhari'ah*, he expands the function of *'iddah* from merely a biological mechanism to a preventive legal instrument that can be applied contextually, including to men in certain circumstances (Ekawati Hamzah dkk., 2025). This approach positions *'iddah* as a legal institution oriented toward protecting interests, not merely toward biological differences between men and women.

Thus, the concept of *syibh al-'iddah* can be understood as a meeting point between the continuity of classical fiqh tradition and contemporary family law needs. It does not sever ties with classical doctrine, but rather actualizes its normative potential through *ijtihad* that is strongly rooted in *usul fiqh* methodology and oriented towards the main objectives of sharia (*maqāṣid al-sharī'ah*). In this context, Wahbah al-Zuhailī emerges as an important figure who bridges the tension between textual conservatism and the demands of contextual justice in Islamic family law (al-Zuhailī, 1996).

Furthermore, the concept of *syibh al-'iddah* is also in line with the principle of relational justice in Islamic family law, namely justice that considers the balance of roles, responsibilities, and the impact of actions between parties in a marital relationship. Within this framework, post-divorce responsibilities are not entirely borne by women through the obligation of *'iddah*, but are also balanced by moral and social responsibilities on the part of men (Teresa & Kurniawan., 2023). Therefore, *syibh al-'iddah* can be understood as a normative instrument to balance the rights and obligations between men and women, without denying the natural differences between them, and remaining within the corridor of the main objectives of sharia, namely the realization of justice, benefit, and protection of human dignity (Sartina & Lilik Andaryuni., 2022). Thus, the concept of *syibh al-'iddah* for men should be considered as part of the discourse on contemporary Islamic family law reform. Its more systematic and contextual development is expected to encourage the realisation of Islamic family law that is responsive to social realities, sensitive to gender justice, and remains firmly rooted in the normative principles of Islamic law.

## CONCLUSION

This research concludes that the concept of *syibh al-'iddah* for men in Wahbah al-Zuhailī's perspective has an epistemological basis in Islamic law that does not conflict with the *maqāṣid al-sharī'ah*. From the perspective of *maqāṣid al-sharī'ah*, the concept of *syibh al-'iddah* for men serves as an instrument for comprehensive protection of interests, especially in the aspects of *ḥifẓ al-nasl* (protection of lineage), *ḥifẓ al-nafs* (protection of life and psychological stability), and *ḥifẓ al-'ird* (protection of honor and dignity).

The contribution of this study confirms that divorce is not only understood as the end of a formal legal bond, but also as a social event that demands ethical and moral responsibility from both parties, making the *maqāṣid sharia* approach urgent in addressing the legal consequences arising from divorce. However, this study has not yet identified the relevance of the concept of *syibh al-'iddah* to the construction of modern Islamic Family Law. This is important to be the subject of further research.

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