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Dialectical Intersections of Islamic Legal Normativity and Local Wisdom in the Construction of Ihdād Practices

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Abstract: *This research aims to analyze the implementation of ihdad practices in Separah Village, Bangkalan, within the framework of Islamic law and its interaction with local culture ('urf). The main focus of the study is to examine the extent to which customary norms dominate the implementation of ihdad and how this influences religious understanding, gender justice, and the literacy of widowed women in traditional society regarding women's jurisprudence. The method used is a qualitative, case-study approach. Data was obtained through in-depth interviews with widows, religious figures, and village officials, as well as participant observation of social practices related to ihdad. The analysis was conducted descriptively-interpretatively, using data reduction, categorization, and narrative interpretation to uncover the cultural and legal meanings present in the practice. The research results indicate that the implementation of ihdad is more controlled by customary norms than by religious understanding. Women's fiqh literacy is considered low, and the role of religious figures tends to be passive. Ihdad is understood as a social obligation, not merely a spiritual act of worship, thus becoming an instrument of control over women. This research recommends Islamic legal education based on local culture as a solution.*
Keywords*: Ihdad, Islamic Law, 'Urf, Women's Fiqh Literacy*

Abstrak: Penelitian ini bertujuan untuk menganalisis implementasi praktik ihdad di Desa Separah, Bangkalan dalam bingkai hukum Islam dan interaksinya dengan budaya lokal (‘urf). Fokus utama kajian ini adalah menelaah sejauh mana norma adat mendominasi pelaksanaan ihdad dan bagaimana pengaruhnya terhadap pemahaman syar’i, keadilan gender, serta literasi fiqih perempuan janda dalam masyarakat tradisional. Metode yang digunakan adalah pendekatan kualitatif dengan jenis studi kasus lapangan. Data diperoleh melalui wawancara mendalam dengan para janda, tokoh agama, dan aparat desa, serta observasi partisipatif terhadap praktik sosial terkait ihdad. Teknik analisis dilakukan secara deskriptif-interpretatif melalui reduksi data, kategorisasi, dan interpretasi naratif untuk mengungkap makna budaya dan hukum yang hidup dalam praktik tersebut. Hasil penelitian menunjukkan bahwa pelaksanaan ihdad lebih dikendalikan oleh norma adat daripada pemahaman syar’i. Literasi fikih perempuan tergolong rendah, dan peran tokoh agama cenderung pasif. Ihdad dipahami sebagai kewajiban sosial, bukan sekadar ibadah spiritual, sehingga menjadi instrumen kontrol terhadap perempuan. Penelitian ini merekomendasikan edukasi hukum Islam berbasis budaya lokal sebagai solusi.
Kata Kunci: Ihdad, Hukum Islam, ‘Urf, Literasi Fiqih Perempuan

Introduction

The concept of ihdad in the Islamic tradition is not merely a legal practice, but also a spiritual and ethical expression in the face of the loss of a life partner.[1] Philosophically, ihdad reflects self-control (*al-man'u*) in line with the Sufistic approach—refraining from worldly elegance to draw closer to God.[2] This aligns with the principles of maqāṣid al-sharī'ah, which emphasize the protection of women's dignity and honor after the husband's death. This Sufi-ethical approach should be complemented by legal awareness (*taqwā al-'ilm*), not a culture of silence. This philosophical foundation facilitates the idea that the ideal form of ihdad practice is a harmonious, Sharia-compliant consumption that balances individual spirituality and collective social norms.

Ihdad practices are often carried out solely based on custom ('urf), not on an understanding of Sharia jurisprudence. The theory of legal pluralism states that religious norms interact with local customs, creating unique legal practices.[3] Customs merge with local interpretations—sometimes called 'urf'—and can become dominant over religious texts.[4] In this context, legal pluralism and cultural hermeneutics theories explain how Sharia norms and social norms interact at the same level of intensity.[5] This resulted in tension between what is considered culturally 'appropriate' and what is advocated by religious doctrine.

This issue is important because it involves aspects of gender justice and legal literacy for widowed women. Field data shows that the majority of women undergoing the ihdad period are motivated by social pressure: restrictions on beautifying themselves, leaving the house, and even accepting marriage proposals.[6] However, few understand the legal basis. There are also studies that note that a lack of understanding

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[1]Mensah Adinkrah, "Husbands Who Kill Their Wives," *International Journal of Offender Therapy and Comparative Criminology* 52, no. 3 (2008), https://doi.org/10.1177/0306624x07307119.; Wahyu Akbar et al., "Reposition of Ihdad Women's Multi-Career Perspective: Philosophical, Historical, Juridical, and Sociological Studies," *El-Usrah* 7, no. 1 (2024), https://doi.org/10.22373/ujhk.v7i1.23038; Muh Sholihuddin, Saiful Jazil, and Syamsun Ni'am, "Remarriage in the 'Iddah Perspective of Maqāṣid Al-Usrah: Study in Wedoro Waru, Sidoarjo, Indonesia," *Samarah* 8, no. 2 (2024), https://doi.org/10.22373/sjhk.v8i2.15061; Nuzulia Febri Hidayati, "Rekonstruksi Hukum 'Iddah Dan Ihdad Dalam Kompilasi Hukum Islam (KHI)," *Mazahibuna*, 2019, https://doi.org/10.24252/mh.v1i1.9663.

[2]Busriyanti et al., "Marriage Law Reform in Indonesia A Maqasid Al-Usrah Perspective on Legal Adaptation," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 2 (2025), https://doi.org/10.29240/jhi.v10i2.12739.

[3]Linda Firdawaty et al., "Yusuf Al-Qardhawi's Perspective of Ihdad and Its Relevance to Career Women's Leave Rights in Bandar Lampung," *Jurnal Ilmiah Al-Syir'ah* 21, no. 2 (2023), https://doi.org/10.30984/jis.v21i2.2343.

[4]Fajri M. Kasim et al., "The Protection of Women and Children Post-Divorce in Sharia Courts in Aceh: A Sociological Perspective," *Ahkam: Jurnal Ilmu Syariah* 22, no. 2 (2022), https://doi.org/10.15408/ajis.v22i2.28747.

[5]Ahmad Khoiri and Asyharul Muala, "'Iddah and Ihdād for Career Women from Islamic Law Perspective," *Journal of Islamic Law* 1, no. 2 (2020), https://doi.org/10.24260/jil.v1i2.71.

[6]Laili Izza Syahriyati, "The Concept Of 'Ihdad Husband Who Lived With Their Wife (Analytical Study Of Qiraah Mubadalah's Interpretation)," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 20, no. 2 (2020), https://doi.org/10.19109/nurani.v20i2.5536.

of the waiting period poses legal risks for elderly women and economic difficulties.[7] Other studies state that practices based on custom ('urf) often violate Islamic norms due to confusion between customary law and Islamic law.[8]

In a different study, Romi Adetio Setiawan highlighted legal pluralism in Indonesia across different domains, where religious practices are often shaped by the interaction of custom and Sharia.[9] In another aspect, Narendra Subramanian discusses the mechanisms of adapting customary norms within the Muslim legal system, particularly in the context of family and gender.[10] Meanwhile, Fauzi Dahrial et al. explored the conflict between Islamic law and secularism in the dimension of modernity, highlighting the importance of understanding local dynamics in family law reform.[11]

Building on the studies mentioned above, this research aims to elaborate on several aspects with the following research arguments: (1) the implementation of ihdad among rural communities is more based on customary social norms than on religious understanding; (2) there is a dialectical dynamic between Islamic law and local culture ('urf'); (3) women's fiqh literacy is still low, along with several findings that will be relevant to the topic discussed. Therefore, this approach contributes to inclusive and contextual Islamic family law thinking. By understanding real-world practices and local needs, policy recommendations can be formulated, culturally-based educational approaches that respect Islamic values and appreciate local wisdom.

This research uses a qualitative approach with a field case study type that focuses on the practice of ihdad in Separah Village, Bangkalan. This approach was chosen because it allows researchers to deeply understand the socio-cultural context underlying widows' behavior during their ihdad period. The main focus is not just on normative law, but on how that law is practiced and interpreted in real life. Contextual case studies are relevant in uncovering issues related to specific social facts, which, in the context of this research, are the community's responses to religious norms interacting with customs or 'urf.[12]

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[7]Yusna Zaidah and Raihanah Abdullah, "The Relevance of Ihdad Regulations as a Sign of Mourning and Human Rights Restriction," *Journal of Human Rights, Culture and Legal System* 4, no. 2 (2024), https://doi.org/10.53955/jhcls.v4i2.229.

[8]Abamfo O. Atiemo, "Punish My Husband but Not so Hard: Religion, Customary Values and Conventional Approaches to Human Rights in Ghana," *Religion and Human Rights* 7, no. 2 (2012), https://doi.org/10.1163/187103212X650059.

[9]Romi Adetio Setiawan, "Impact of Islamic Jurisprudential on Traditional Financial Customs and Legal Integration in Indonesia," *Journal of Islamic Thought and Civilization* 13, no. 2 (2023), https://doi.org/10.32350/jitc.132.13.

[10]Narendra Subramanian, "Legal Change and Gender Inequality: Changes in Muslim Family Law in India," *Law and Social Inquiry*, 2008, https://doi.org/10.1111/j.1747-4469.2008.00117.x.

[11]Mursyid Djawas and Sri Astuti Abdul Samad, "Conflict, Traditional, and Family Resistance: The Pattern of Dispute Resolution in Acehnese Community According to Islamic Law," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 4, no. 1 (2020): 65–84, https://doi.org/10.22373/sjhk.v4i1.5271.

[12]Shofiatul Jannah and Dwi Hidayatul Firdaus, "Reformulation of the Concept of Iddah in The Compilation of Islamic Law Perspective of Negotiative Hermeneutics," *De Jure: Jurnal Hukum Dan Syar'iah* 15, no. 2 (2023), https://doi.org/10.18860/j-fsh.v15i2.21065.

The research subjects are widows who are currently or have completed their ihdad period, local religious figures, and village heads as representatives of the social structure. Data collection was conducted through in-depth interviews, participant observation of widows' social lives, and documentation of customary practices prevalent in the community. The collected data were analyzed through reduction, categorization, and narrative interpretation to uncover emerging patterns of meaning. This technique was chosen because it is well-suited to dissecting symbolic, culturally based social practices.

The Hegemony of Local Customs in the Practice of Ihdad of Separah Village

This research yielded several key findings regarding the implementation of ihdad in Separah Village, Bangkalan, which demonstrate the interconnectedness between Islamic teachings and the socio-cultural practices of the local community. The findings are organized into several points based on the focus of the observations and interviews. The findings of this study will be presented simply and can be seen in the following analysis table, which will then be explained in detail in the subsequent discussion.

Table 1:
Analysis of Research Findings on the Implementation of Ihdad in Separah Village

Research Aspect	Key Findings	Social Implications	Proposed Solutions
Dominance of Local Customs in Ihdad	The practice of *ihdad* is predominantly governed by customary norms rather than Sharia awareness.	It generates increased social pressure and restrictive expectations on widows.	Revitalization of sharia-based understanding through engagement with respected local community leaders.
Women's Fiqh Literacy	A majority of widows demonstrate limited comprehension of fiqh regulations concerning *ihdad*.	This sustains practices inconsistent with Islamic legal principles.	Development of women's fiqh education programs contextualized to local socio-cultural realities.
Role of Religious Authorities	Religious leaders often remain passive, thereby allowing the dominance of customary practices.	This contributes to inadequate religious education and the perpetuation of non-Sharia practices.	Strengthening the proactive role of *ulama* in disseminating Islamic legal education and guidance.
Societal Perceptions of Ihdad	*Ihdad* is socially constructed as both a communal obligation and a mechanism of social control.	Widows who do not conform to customary *ihdad* face stigma and marginalization.	Implementation of awareness campaigns aimed at deconstructing widow-related stigma within communities.
Intra-Family Variations in Practice	The implementation of *ihdad* varies flexibly across different family settings.	Such flexibility reflects the relative and negotiable nature of customary interpretations.	Formulation of the *ihdad* guidelines that integrate fiqh principles with harmonious cultural values.

Most widows observe the ihdad period more due to social pressure and tradition than out of religious conviction. The practices include restrictions on adornment, prohibitions on leaving the house at night, and avoidance of social gatherings that could potentially lead to prejudice. Data shows that society prioritizes customary norms over religious principles, and in some cases, widows observe ihdad for more than four months and ten days due to pressure from family and the surrounding environment.

The research findings indicate that the practice of ihdad among widows in the study area is more influenced by local customary norms than by religious understanding derived from religious texts. The majority of respondents stated that the ban on adornment, restrictions on evening activities, and avoidance of social gatherings were not based on an understanding of fiqh provisions, but rather due to social pressure and fear of negative stigma from society. This indicates that custom has taken a hegemonic position in interpreting and directing religious practices, particularly regarding the ihdad period, which should be personal and spiritual.

Analysis of this phenomenon reveals cultural overdetermination, where customary values surpass the normative boundaries of religion.[13] In the context of traditional societies, religion often undergoes indigenization and adaptation to existing social structures.[14] In line with this, the findings of this study reinforce the findings of M. Hidayat et al., who stated that in society, customary rules are often the main reference in religious practices, which in this context applies to the religious aspects of women, including during ihdad, because they are considered more "socially binding".[15] In fact, in some cases, custom requires widows to observe ihdad for more than 130 days, exceeding the legal limit set in the Quran (Al-Baqarah: 234), which states the ihdad period is four months and ten days.

This condition also reflects the limitations of women's religious literacy in rural areas, which in turn creates subordination to patriarchal social structures. Therefore, in the same aspect, religious practices are highly dependent on social authorities such as traditional leaders or extended families, not solely on the authority of religious texts.[16] In this context, women have no room for negotiation regarding religious meanings that are supposed to be individual and rational. Therefore, the practice of ihdad, which should be an expression of grief and spiritual obedience, has instead become a mechanism of social control over women's bodies and freedom of movement.

Researchers believe that the dominance of custom in the practice of ihdad not only has implications for culturally biased religious interpretations but also for

[13]JANICE BODDY, "Spirits and Selves in Northern Sudan: The Cultural Therapeutics of Possession and Trance," *American Ethnologist* 15, no. 1 (1988), https://doi.org/10.1525/ae.1988.15.1.02a00020.

[14]Franz Benda-Beckmannn and Keebet von Benda-Beckmannn, "Changing One Is Changing All: Dynamics in the Adat-Islam-State Triangle," *Journal of Legal Pluralism and Unofficial Law* 38, no. 53–54 (2006).

[15]Mursyid Djawas et al., "The Integration Between Syara'and Ade'in Marriage Tradition Bugis Bone, South Sulawesi," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 18, no. 2 (2023).

[16]Khaled M. Abou El-Fadl, *Melawan Tentara Tuhan* (Jakarta: Serambi Ilmu Semesta, 2003).

women's personal rights to experience their ihdad period more autonomously and with dignity. This situation needs to be criticized because it contradicts the principles of maqāṣid al-syarī'ah, particularly in the aspects of ḥifẓ al-nafs and ḥifẓ al-'ird, which emphasize the protection of individual dignity and freedom. Recontextualization efforts regarding the practice of ihdad are important so that it not only follows customary structures but is also oriented toward gender justice and the values of mercy in Islam.[17]

Thus, progressive educational interventions and cultural approaches are needed to shift society's orientation from cultural compliance toward inclusive religious awareness. Community-based religious education, the involvement of moderate religious figures, and Islamic literacy campaigns with a women's perspective are important strategies for freeing women from customary practices that are not in line with the principles of justice in Islam.

Limited Fiqh Literacy and the Passive Role of Religious Figures on Ihdad Practice

The widows who were the subjects of the study generally did not understand the limitations of the fiqh of ihdad correctly. They knew that mourning was an obligation, but they didn't understand that the prohibition on adornment and social restrictions were not rigid necessities in Islamic jurisprudence unless there was clear evidence. The limited access to religious education, especially women's jurisprudence, is one of the main reasons for this low understanding.

On the other hand, local religious figures do not actively provide guidance or education to widows about ihdad. In some cases, religious figures themselves contribute to the preservation of customs by allowing local practices to continue without clarification. This strengthens the cultural legitimacy of being a primary norm in the implementation of mourning in society.

This finding reveals the crucial reality that the majority of widowed women in the study location have a low level of fiqh literacy, particularly regarding the rules of mourning. They generally only know that the mourning period is a form of religious obligation, but they don't understand the details of its legal limitations—such as that the prohibition on adornment doesn't mean a total elimination of social activities or emotional needs. The limited access to gender-sensitive religious education and the scarcity of learning spaces for women's jurisprudence lead to the practice of ihdad being carried out more based on tradition than on an authoritative and contextual framework of Islamic law.

This phenomenon indicates that women's religious literacy in rural Indonesia tends to rely on traditional and symbolic heritage rather than on a rational and textual understanding of Islamic sources.[18] In the context of Islamic jurisprudence, this

[17]Alfitri, "Protecting Women from Domestic Violence: Islam, Family Law, and the State in Indonesia," *Studia Islamika*, 2020.

[18]Agus Moh Najib, "Reestablishing Indonesian Madhhab 'Urf and the Contribution of Intellectualism1," *Al-Jami'ah* 58, no. 1 (2020).

triggers what is known as "taqlid adat," which is submission to cultural practices that gradually replace Sharia norms.[19] Low understanding of fiqh makes women lack the capacity to negotiate or question religious practices that limit their mobility and rights during bereavement.

On the other hand, religious figures who should be acting as agents of social transformation and spiritual guides are seen as passive, and in some cases even affirm customary practices without normative clarification. This non-involvement strengthens the position of custom as the primary source of legitimacy, rather than religious doctrine. This finding confirms the research by Wiwik Setiyani Setiyani and Citra Orwela, which shows that in some rural Muslim communities, religious authorities (kiai or ulama) tend to adopt a compromising attitude toward local customs for the sake of social harmony, even tho this risks preserving practices that are not based on fiqh.[20]

This condition indicates a dysfunction in the role of religious scholars in the context of women's fiqh education, as well as the failure of religious institutions to respond appropriately to the spiritual and knowledge needs of widows. From Paulo Freire's perspective on conscientization, or critical awareness, in this context, religious figures should be able to be facilitators of liberation—that is, to provide space for society, especially women, to understand religious teachings consciously, actively, and reflectively.[21] The passive role of religious figures in this context not only reinforces cultural bias against women but also weakens efforts to build knowledge-based piety.

Researchers believe that the low level of women's fiqh literacy and the passivity of religious figures on the issue of ihdad reflect the weakness of gender-based Islamic education. To change this situation, community-based women's fiqh education strategies are needed, along with a gender mainstreaming approach in religious study groups, and the active involvement of religious figures who have a perspective of mercy, justice, and the objectives of Islamic law (maqāṣid al-syarī'ah). Participatory and contextual fiqh literacy will help women rationally understand the boundaries of Islamic law, and enable them to go thru the mourning period peacefully, with dignity, and in accordance with the main objectives of Islamic law.

Ihdad as an Instrument of Social Control: Between Spirituality and Collective Pressure

Some findings indicate that the people of Separah Village view ihdad not only as a religious obligation but also as a social obligation to maintain the image of the family and community. A widow who does not observe the mourning period according to

[19]Ahmadi et al., "Legal Authority and Marital Identity: A Study on the Kalosara Tradition of the Tolaki People in Southeast Sulawesi," *Al-Manahij: Jurnal Kajian Hukum Islam*, October 2024, 317–32.

[20]Safira Mustaqilla et al., "Ritual Contestation in Contemporary Acehnese Islam," *El-Usrah: Jurnal Hukum Keluarga* 8, no. 2 (2025), https://doi.org/10.22373/ujhk.v8i2.27103.

[21]Juan A. Freire, "Conscientization Calls: A White Dual Language Educator's Development of Sociopolitical Consciousness and Commitment to Social Justice," *Education and Urban Society* 53, no. 2 (2021), https://doi.org/10.1177/0013124520928608.

custom is considered unethical and even faces social stigma. This makes ihdad an instrument of social control, not merely a religious spiritual practice.

The findings of this study indicate that the community in Separah Village interprets ihdad not merely as a personal religious obligation as stipulated in Islamic law, but as a form of social obligation inherent in the status of widowed women within the community structure. The practice of iddah in this context undergoes a transformation of meaning from spiritual worship to an instrument of social compliance, where women are required to observe the mourning period according to custom to maintain the family's good name and avoid stigma. Widows who do not adhere to this social construct are considered self-serving, immoral, and even "tainting" collective honor. This perception indicates that society interprets ihdad not only theologically but also symbolically and sociologically.

This phenomenon reflects the concepts of social surveillance and moral enforcement, which are widely discussed in the study of the sociology of religion. In this context, religious practices serve as a tool for legitimizing values and controlling the community over individuals, particularly women who are considered the guardians of collective morality.[22] Ihdad in this context is not just an act of worship, but also a marker of social identity and piety regulated by local norms. As demonstrated by Destya Salsabila and Setia Budhi, in traditional Indonesian society, collective pressure on widowed women is often stronger than their own religious motivation, so worship is performed to avoid social exclusion, not to consciously fulfilll God's commandments.[23]

Researchers also interpret this phenomenon as being closely related to patriarchal ideology, which places women as symbols of family and community honor in society. Within this framework, widowed women became the target of strict social regulation, and the practice of ihdad was used as a means to discipline their bodies and behavior. This view aligns with findings showing that in patriarchal societies, the status of a widow is often seen as a "vulnerable" position that needs to be controlled through socially constructed customary and religious norms. Thus, ihdad is not merely a form of spiritual obedience, but rather an expression of gender-based social control.[24]

This condition reveals a dissonance between the rational and humanistic nature of Islamic norms and the repressive social construction. In Islam, ihdad is a form of respect for the mourning period with clear duration and limitations, and not an

[22]Candace K. May and Julie Yingling, "Power & Moral Capital - A 'Theory of Access' for People Receiving Public Assistance in Rural USA," *Sociological Quarterly* 65, no. 3 (2024), https://doi.org/10.1080/00380253.2024.2321889.

[23]Destya Salsabila and Setia Budhi, "Antara Stigma Dan Realitas Sosial: Status Janda Dalam Pandangan Masyarakat Desa," *Huma: Jurnal Sosiologi* 3, no. 1 (2024), https://doi.org/10.20527/h-js.v3i1.210.

[24]Sheila Fakhria, Moh Shaleh Afyuddin, and Muhammad Nazir Alias, "The Indigenous Idea of Gender Equality: Husband-Wife Relationship in the Manuscript of Adābul Mu'āsyarah," *Juris: Jurnal Ilmiah Syariah* 22, no. 2 (2023), https://doi.org/10.31958/juris.v22i2.9475.

absolute restriction on individual mobility or expression.[25] However, in the social reality of Separah Village, iddah is understood and practiced more as a symbol of public morality, thus deviating from the spirit of maqāṣid al-sharī'ah, which emphasizes the protection of the individual's life, intellect, and dignity (*ḥifẓ al-nafs, ḥifẓ al-'aql, ḥifẓ al-'ird*).[26]

Researchers believe that public perception of ihdad as a social obligation needs to be constructively criticized so that religious practices do not lose their ethical and spiritual dimensions. A cultural-religious approach is needed that can recontexualize ihdad as a personal spiritual act of worship, not as a platform for social judgment. The roles of religious figures, educators, and religious institutions become very important in rebuilding public understanding in a more proportional and just manner. This strategy aligns with the spirit of Islam as a mercy to all mankind, which upholds the values of compassion, humanity, and respect for individual rights, including those of widowed women.

Variations in Practices Across Families and Social Environments

There is variation in the implementation of ihdad among families and social environments. Some families allow widows to attend certain events if it's very important, while others forbid widows from appearing in public during the mourning period. This variation shows that the customary interpretation of ihdad is flexible, depending on the collective norms and authority figures in the environment.

The findings regarding variations in ihdad practices among families and social environments in Separah Village indicate that the implementation of this tradition is not uniform, but rather highly contextual. In some cases, families grant widows permission to attend certain events considered important, such as tahlilan or core family gatherings, under the pretext that such actions do not violate the values of ihdad. Conversely, other families adhere to stricter prohibitions, including a total ban on widows' involvement in public spaces during the mourning period. This diversity reflects the flexibility in interpreting customs, which is heavily influenced by collective perceptions and the dominance of authority figures—whether religious leaders, traditional leaders, or heads of households—in the local environment.

This phenomenon of varying practices strengthens the argument that customs in traditional societies are not static entities, but are dynamic and often undergo negotiation of meaning in social interactions. In the sociology of religion, this is known as religious customization or the adaptation of religious practices to local social and cultural conditions.[27] In line with this, Farkhani et al. emphasize that in community-

[25]Zaidah and Abdullah, "The Relevance of Ihdad Regulations as a Sign of Mourning and Human Rights Restriction."

[26] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: IIIT, 2008).

[27]Deni Miharja, Kustana Kustana, and Khomisah Khomisah, "The Relationship Between Religion And Custom In Indigenous Communities In Sumedang-West Java And Tegal-Central Java Regencies,"

based societies, religious practices often merge with local norms and undergo adjustments based on power relations and social consensus.[28] In this context, ihdad is not practiced as a normative act of worship directly sourced from religious texts, but rather as a social practice legitimized by customary consensus.

Researchers interpret this variation in mourning practices as a reflection of the plural social structure within the community, where religious and customary values intersect and create hybrid practices. This diversity also shows that there is no single model considered correct for performing ihdad, but rather it depends on the value affiliations and symbolic orientations of each family. Thus, ihdad becomes a kind of "arena of meaning" where religious, cultural, and social values are negotiated based on the context and the authoritative figures that govern it. This phenomenon aligns with the findings of a study, which suggests that the interpretation of religious practices, particularly by women, is shaped not only by normative doctrine but also by social relations and daily experiences.

This condition also highlights the challenges in standardizing the understanding of ihdad based on normative fiqh. When society relies more on traditional figures or family members to determine boundaries and leniency during the mourning period, the orientation toward religious texts becomes blurred. The role of religious figures becomes crucial in building both normative and cultural awareness so that ihdad does not become a space for excessive restraint or a platform for aimless relativism of values.

Considering these variations in practice, the researcher believes it is important to develop an inclusive cultural-fiqh approach—one that respects local traditions while remaining grounded in the principles of justice and humanity in Islam. The practice of iddah should be a space for spiritual contemplation for widowed women, not a field of social judgment that restricts their mobility and personal freedom. Therefore, integration is needed between religious education, strengthening the role of community leaders, and involving women in religious discourse so that practices like ihdad do not lose their ethical substance and remain adaptable to ongoing social changes.

Conclusion

The results of this study indicate that the practice of ihdad in Separah Village, Bangkalan, is more influenced by local customary norms than by a deep understanding of Islamic law. Most widows observe the period of mourning as a response to social pressure and tradition, not out of a sense of religious obligation. This practice includes a ban on adornment, restrictions on social activities, and avoidance of public

Journal of Education Culture and Society 16, no. 1 (2025), https://doi.org/10.15503/jecs2025.2.1027.1042.

[28]Farkhani et al., "Converging Islamic and Religious Norms in Indonesia's State Life Plurality," *Indonesian Journal of Islam and Muslim Societies* 12, no. 2 (2022), https://doi.org/10.18326/ijims.v12i2.421-446.

interaction, which creates social stigma for widows who do not adhere to these norms. This finding underscores that ihdad has transformed into an instrument of social control that prioritizes the image of family and community, thereby obscuring the spiritual dimension of the practice.

The limited level of fiqh literacy among widowed women and the passive role of religious figures in providing religious education further strengthen the dominance of custom in the practice of ihdad. Many widows do not understand the precise boundaries of the fiqh of mourning, leading them to engage in practices that are not in accordance with Islamic principles. Religious figures who should be spiritual guides tend to allow traditional practices that are inconsistent with Islamic teachings, thereby strengthening the legitimacy of culture as the primary norm. Therefore, more inclusive and gender-sensitive educational efforts are needed to improve understanding of women's jurisprudence and to strengthen the role of religious figures in providing guidance that aligns with the principles of justice and humanity in Islam.

This research emphasizes the importance of recontextualizing mourning practices so that they not only adhere to customary structures but are also oriented toward the values of justice and compassion in Islam. By integrating community-based religious education, actively involving religious figures, and promoting religious literacy campaigns, it is hoped that the practice of ihdad can become a space for spiritual contemplation that respects the rights of widowed women and avoids repressive constraints. This is important to ensure that ihdad is not only a symbol of social compliance, but also an expression of genuine spiritual devotion.

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