230456 - Rules of `Iddah for Widows

the question

My husband died a short while ago, and I am now in the `Iddah period, adhering to what is required during this time. A few days ago I spoke to the mother of one of my friends, and she said that for them in Turkey, the matter is somewhat different with regard to the woman in `Iddah, and that the only thing she must refrain from is getting married, and nothing else; as for other matters, such as putting on perfume, adorning herself, or going out for necessary purposes, they do not see anything wrong with that. She attributed this to the Hanafi Madhhab that the people in that country follow. Is what she said correct? Is there a difference of opinion among the jurists of the four Madhhabs concerning the `Iddah of a recently-widowed woman? I would like to know these details, not only for myself, but so that I can offer advice to that woman.

Summary of answer

The recently-widowed woman observes mourning by refraining from adornment, perfume, kohl, skin cream (unless she has a legitimate excuse to use it), henna, and clothes dyed with safflower and saffron, if she is an adult and Muslim.

Detailed answer

Praise be to Allah.

What this woman has told you, and attributed it to the Hanafi Madhhab (school of jurisprudence) – that the recently-widowed woman only has to refrain from remarrying, and that anything other than that, such as adorning herself, is permissible for her and there is no blame on her if she does it – is not correct. The Hanafi jurists have stated that the recently-widowed woman must refrain from adorning herself.

As-Samarqandi (may Allah have mercy on him) said in Tuhfat Al-Fuqaha' (2/251): "Explanation of

mourning: it means avoiding everything that women adorn themselves with, such as putting on perfume, wearing clothing that has been dyed with safflower or saffron, putting kohl on their eyes, using skin creams, combing their hair, wearing jewellery, dyeing their hair, and so on."

In Tabyin Al-Haqa'iq Sharh Kanz Ad-Daqa'iq (3/34) by Az-Zayla`i (may Allah have mercy on him), it says:

"The recently-widowed woman observes mourning by refraining from adornment, perfume, kohl, skin cream (unless she has a legitimate excuse to use it), henna, and clothes dyed with safflower and saffron, if she is an adult and Muslim. That is because of the words of the Prophet (blessings and peace of Allah be upon him): "It is not permissible for a woman who believes in Allah and the Last Day to mourn for more than three days for someone who has died, except in the case of a husband, in which case she should observe mourning for him for four months and ten days ; she should not wear kohl, or wear any dyed garment except `Asb (an unattractive Yemeni garment), or use perfume except when she purifies herself [following menses], a little Qust or Azfar [types of perfume]." (Al-Bukhari and Muslim).

He (blessings and peace of Allah be upon him) also said: "The woman whose husband has died should not wear clothes dyed with safflower, or jewellery, or dye her hair, or use kohl." (Narrated by Ahmad, Abu Dawud and An-Nasa'i)

The Hanafi jurists (may Allah have mercy on them) regard it as permissible for the recently-widowed woman to go out during the day if there is a need for her to go out , such as earning a living, seeking medical treatment, and the like, on condition that she go home at night and spend the night at home.

It says in Al-Bahr Ar-Ra'iq Sharh Kanz Ad-Daqa'iq wa Minhat Al-Khaliq (4/166):

"The recently-widowed woman may go out during the day and part of the night in order to earn a living… But it is not permissible for her to go out to visit other people or for any other purpose, whether by night or by day.

To sum up, the only reason for which she is allowed to go out is if she has a need to in order to attend to her business or errands; once she does what she needs to, it is not permissible for her after that to spend time outside her house."

Al-Kasaani (may Allah have mercy on him) said: "With regard to the recently-widowed woman, she should not go out at night, but there is nothing wrong with her going out during the day to attend to her errands, such as if she needs to go out during the day to earn enough to cover her expenses, because she has no maintenance from her deceased husband; rather she is responsible for her own maintenance, so she needs to go out in order to earn that money. However, she should not go out at night, because there is no need for her to go out at night. This is in contrast to the recently-divorced woman, whose ex-husband is responsible for her maintenance, and thus she has no need to go out." (Bada'i` As-Sana'i` fi Tartib Ash-Shara'i`, 3/205)

With regard to staying in the house and avoiding adornment during the `Iddah period, there is virtual consensus among the four Madhhabs.

In the case of the Maalikis, Ibn `Abd al-Barr (may Allah have mercy on him) said in Al-Kafi fi Fiqh Ahl Al-Madinah (2/622): "Mourning is obligatory for the one whose husband has died, until her `Iddah is complete , either in terms of the requisite number of months or when her pregnancy ends.

Mourning means avoiding everything with which women adorn themselves , such as jewellery, cosmetics, kohl, dyeing the hair, or coloured or white garments worn for the purpose of adornment. ... As for jewellery, rings and so on, it is not permissible for the woman who is in mourning to wear them. The same applies to all kinds of perfume. If she has no choice but to use kohl, she should apply it at night and remove it during the day. She should not use any kind of perfumed oils. As for things that are not used for the purpose of beautification, there is nothing wrong with the woman who is in mourning using them."

In the case of the Shafa`is, Abu Ishaq Ash-Shirazi (may Allah have mercy on him) said in At-Tanbih fil Fiqh Ash-Shafa`i (1/201): "Mourning means avoiding adornment. So she (the woman who is in

mourning) should not wear jewellery, put on perfume, dye her hair, style her hair, or use kohl made of antimony. If she needs to use kohl, she should apply it at night and wash it off during the day. She should not wear red or bright blue clothes. She should not go out of her house unnecessarily, and if there is a need for her to go out, it is not permissible to do that at night. It is permissible for the recently-widowed woman to go out to meet her needs during the day."

In the case of the Hanbalis, Ibn Qudamah Al-Maqdisi (may Allah have mercy on him) said in `Umdat Al-Fiqh (1/107): Chapter on Mourning: "It (mourning) is obligatory for the woman whose husband has died, and it means avoiding adornment, perfume, kohl made of antimony, and the wearing of dyed clothes for the purpose of beautification …. She should stay at night in her house in which she is obliged to observe `Iddah and where she is living, if possible."

For more details, please see this category: Waiting Period of Widow or Divorcee

And Allah knows best.