

# Comparison of Fatwas on the Use of Menstrual Delay Medications for Women During Ramadan Between Dar al-Ifta' al-Misriyyah and the Indonesian Ulema Council (MUI) from the Perspective of Maqasid al-Shari'ah

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## Abstract

*This study aims to compare the fatwa on the use of menstrual delay medicine for women in Ramadan issued by Dar al-Ifta' al-Misriyyah and the Indonesian Ulema Council (MUI) from the perspective of maqasid al-shari'ah. Both institutions play an important role in determining sharia law for Muslims in their respective countries. The main focus of this study is how the fatwas issued are in line with the principles of maqasid al-shari'ah, namely fulfilling the kulliyat al-khams and i'tibar al-maal. The comparative method was used to analyse the similarities and differences in the legal approaches taken by these two institutions. Data collection was carried out through documentation and comparison methods, while data analysis was also carried out through descriptive qualitative methods by making maqasid al-shari'ah the main measuring stick. The result of the study shows that the fatwa of Dar al-Ifta' al-Misriyyah tends to be more open in allowing the use of drugs to delay menstruation in the month of Ramadan with certain conditions that prioritise health safety. In contrast, MUI's fatwa is more cautious, emphasises the health aspect as a priority, and does not recommend the use of period-delaying drugs in Ramadan except in emergencies. This difference reflects the diversity of understanding of maqasid al-shari'ah in responding to contemporary needs regarding women's acts of worship. It is hoped that the results of this study will provide a deeper*

*understanding of the sharia implications of using a menstrual delay medicine in Ramadan and how maqasid al-shari'ah is applied in these fatwas.*

**Keywords:** *Dar al-Ifta' al-Misriyyah; Fatwa; Indonesian Ulema Council; Maqasid al-Shari'ah; Menstrual Delay Medicine; Month of Ramadan*

## INTRODUCTION

In Islam, fasting is a form of worship with profound spiritual significance. However, there are certain conditions under which women are prohibited from fasting, such as during menstruation or postpartum bleeding (nifas) (Pratama et al., 2023). This prohibition is not a form of discrimination but rather an aspect of Islamic law's attentiveness to the physical and health conditions of women (Buckley & Carland, 2023). Menstruation and nifas are natural biological processes experienced by women, during which the body requires adequate nutritional intake to maintain health and well-being. Consequently, Islam provides a concession (rukhsah) for women not to fast under these circumstances (Rahmadana et al., 2023). This ruling reflects the principles of justice and compassion in Islamic law, which take into account individual capacity in performing acts of worship.

This perspective is reinforced by a hadith of Prophet Muhammad (peace be upon him), which states that women who are menstruating are not obligated to fast but are required to make up the missed fasts on other days after their menstruation has ended (Ibn Kathir, 1997, p. 309).

As narrated by Abi Sa'id al-Khudri, a hadith explains certain differences between women and men, part of which states:

أَلَيْسَ إِذَا حَاضَتْ لَمْ تُصَلِّ وَلَمْ تَصُمْ قُلْنَ: بَلَى

Translation: "Is it not true that when a woman is menstruating, she does not pray and does not fast?" They (the women) replied, "Yes, that is so" (Al-Bukhārī, 1976, No. 304).

The next hadith is as follows:

عن معاذة قالت: سألت عائشة فقُلتُ: ما بالُ الحائِضِ تُقْضِي الصَّوْمَ، ولا تُقْضِي الصَّلَاةَ. فقالت: أَحْرُورِيَّةٌ أَنتِ؟ قُلتُ: لَسْتُ بِحَرْوَرِيَّةٍ، وَلَكِنِّي أَسْأَلُ. قالت: كَانَ يُصَيِّنَا ذَلِكَ، فَتُؤْمَرُ بِقَضَاءِ الصَّوْمِ، وَلا تُؤْمَرُ بِقَضَاءِ الصَّلَاةِ

Translation: Mu'adzah said, "I asked Aisha, saying, 'Why is it that a menstruating woman is required to make up her missed fasts but not her missed prayers?' Aisha replied, 'Are you from the Haruriyah sect?' I said, 'I am not from the Haruriyah, but I am simply asking.' She replied, 'We used to experience menstruation, and we were instructed to make up the fasts but not the prayers'" (Muslim, 1971, No. 335).

From the above hadith, it can be understood that women during the Prophet's time did not fast while menstruating. This demonstrates the flexibility of Islam in aligning religious practices with an individual's physical condition while upholding the *maqasid al-Shari'ah* the higher objectives of Islamic law (Shidiq, 2009; S. Zuhdi et al., 2024), such as preserving health and promoting the well-being of the community.

The prohibition of fasting for women in certain conditions reflects a balance between the obligation of worship and individual well-being. This aligns with the principles of *maqasid al-shari'ah* (Hakim et al., 2023), particularly the preservation of life (*hifz al-nafs*) and lineage (*hifz al-nasl*), which are fundamental objectives in Islamic law. Additionally, the prohibition of fasting for menstruating or postpartum women highlights Islam's respect for women's biological nature (Zainuddin MZ, 2021). By providing this concession, Islamic law ensures that acts of worship do not become burdensome or detrimental to a person's health or well-being (Pratama et al., 2023). Through this ruling, Islam demonstrates its flexibility and ease (*rukhsah*) in religious practices, enabling every woman to practice her

faith with comfort and awareness, without undue hardship ([Mukhtar et al., 2023](#)).

Muslim women, especially those who are aware of their duties and goals in life, sometimes feel very minimal in performing worship, even though some of them sometimes really want to perform worship as much as possible and as much as possible, but are hindered by an excuse, such as illness due to menstruation and postpartum conditions that are not allowed to fast in the month of Ramadan ([Zufriani et al., 2021](#)), that they experience, so that they cannot carry out the worship ([Caniago, 2014](#)).

Although Zahiriyah women have very little opportunity to perform worship, inwardly they have the same opportunity as men, because if they do not perform prayers or fasting when experiencing menstruation or postpartum bleeding, it means that they have obeyed and obeyed the provisions of Allah and the Messenger who forbade them to perform these acts of worship ([Zufriani et al., 2021](#)). This means that by not praying and fasting for women who are menstruating and postpartum, they will be rewarded. On the other hand, if they insist on praying and fasting when they have an excuse, they will be sinful. Therefore, it can be said that not praying or fasting for women who are menstruating and postpartum is an act of worship for them, because at that time they are prohibited from doing so ([Zufriani et al., 2021](#)).

Therefore, along with the development of the times and the advancement of the pharmaceutical industry, special drugs have now been found to delay menstruation for women ([Abrar, 2022](#)). Taking this medicine will make the female class not experience menstruation for a long period of time. So if the use of this medicine is required then women who wish to delay menstruation may take this medicine for certain purposes including to perform acts of worship in order to

obtain the reward promised to them ([Aswinda, 2020](#); [Ayu & Hakimah, 2024](#); [Budiman, 2023](#); [Herawati et al., 2025](#)).

Sharia view on the problem of postponing menstruation for the sake of collaboration with the methodology of *usul fiqh*, the Qur'an, and Hadith is universal ([Rahmadana et al., 2023](#)). Delaying the release of blood (*senggugut*) for the purpose of worship is a contemporary Islamic shari'ah problem included in the *ijtihadi* field, because this problem does not discuss this issue in detail in the Qur'an and al-Hadith ([Qotadah et al., 2022](#)). Although some of the previous scholars have discussed it, but the debate still has not stopped until now ([Abrar, 2022](#)). Then, according to Amiruddin Aminullah stated that classical and contemporary fiqh are justified as long as they do not have a negative impact regarding health (Aminullah, 2023). However, both journals do not discuss from the perspective of *maqasid al-shari'ah* in the use of menstrual delay medicine in the month of Ramadan.

Indeed, Muslims, especially Muslim women, want quality growth in various areas of life. There is no exception to the improvement of quality in worship of Allah SWT ([Aminullah, 2023](#)). Thus, not a few of them are racing in achieving the perfection of worship performed including when facing the holy month of Ramadan ([Aswinda, 2020](#)). In order to achieve the maximum benefits in the holy month of Ramadan and be free from being burdened with the *qada'* of fasting Ramadan in another month, some of the women choose to use menstruation delaying drugs in Ramadan ([Abrar, 2022](#)).

Basically, this study is a comparative study between the fatwa of *Dar al-Ifta' al-Misriyyah* and the Indonesian Ulema Council on the ruling on the use of medicine to delay menstruation in Ramadan from the perspective of *maqasid al-shari'ah*. Subsequently, the implications of the two fatwas will be the main focus of this study. This is because the use of menstrual delay drugs in Ramadan involves the

maintenance of *hifz al-nafs* and *hifz al-din* which are under *al-kulliyyat al-khams* (the interests of the five main things) and *i'tibar ala al-m'al*. From another angle too, both organisations although have almost the same rulings but the method of issuing fatwas and the use of those fatwas still have differences between each other due to their respective laws, police and popular communities.

## METHOD

This study employs a qualitative approach with a descriptive-analytical method to compare the fatwas on the use of menstrual delay medications for women during Ramadan issued by Dar al-Ifta' al-Misriyyah and the Indonesian Ulema Council (MUI). The research is conducted through several stages, starting with the collection of primary data: official fatwas issued by Dar al-Ifta' al-Misriyyah and MUI regarding the use of menstrual delay medications for women during Ramadan. Then, secondary data, consisting of supporting literature such as books, journals, scholarly articles, and other documents relevant to the topics of fatwas, *maqasid al-shari'ah*, and health.

Subsequently, a comparative analysis is conducted to examine and compare the legal foundations (*dalil syar'i*), the methods of legal reasoning (*istinbat al-hukum*), and the arguments employed by both institutions. This includes assessing the conformity of the fatwas with the principles of *maqasid al-shari'ah*, particularly concerning the protection of religion (*hifz al-din*), life (*hifz al-nafs*), and progeny (*hifz al-nasl*).

The *maqasid al-shari'ah* framework is used to evaluate the extent to which the fatwas issued by both institutions align with the objectives of Islamic law in the context of worship and health. Additionally, the study identifies the implications of these fatwas for women who choose to use or not use menstrual delay medications.

The differences and similarities are presented in the form of tables or descriptive narratives. This method enables an in-depth analysis of the two fatwas within the framework of *maqasid al-shari'ah*, allowing the findings to provide a contribution that is both theoretically and practically relevant.

## RESULTS AND DISCUSSION

### **The Development of Islamic Legal Fatwas of *Dar al-Ifta' al-Misriyyah* and MUI in Cross-History from the Perspective of *Maqasid al-Shari'ah***

Based on the history of the development of *usul fiqh* before al-Shatibi, the term *maqāṣid al-sharī'ah* or objective Shariah has not been clearly found ([Abu Bakar & Abdul Rahim, 2021](#); [Ishfaq Amin Parrey, 2024](#)). The concept is only found in the works of modern scholars inspired by his thoughts on *maqāṣid al-sharī'ah*.

The principle of *maqāṣid al-sharī'ah* stems from the idea introduced by al-Shatibi. Al-Mawardi explained that al-Shatibi was recognised as the *muassis al-'ulum maqāṣid al-sharī'ah* ([Al-Raisuni, 1995](#)). Hallaq explained that it was al-Shatibi who found the achievement of the point of clarity in *usul fiqh* developed by him. *Maqāṣid al-sharī'ah* became part of *usul fiqh* ([Hallaq, 1996](#)). Ibn 'Ashur stated that *maqāṣid al-sharī'ah* is a discipline of its own and evolved into an approach in all forms of science ([Fauzan, 2023](#); [Kabir Umar & Umar Gokaru, 2024](#)). Imam Ghazali was also one of the initiators of the principle of *maqāṣid al-sharī'ah*. According to him, in order to achieve the objectives of *shara'*, it is necessary to focus on the five principles of *ḍarūriyyāt*, namely protecting Religion, Soul, Intellect, Progeny, and Property. In addition, it is also necessary to apply *hajjayat* and *taḥsiniyyāt* as a complement to *ḍarūriyyāt* ([I. Amin et al., 2024](#); [Bhat, 2023](#)).

*Maqāṣid al-sharī'ah* is based on the paradigm that needs to be read in the context of solving and fulfilling three basic human needs, namely: *darūriyyāt* (primary), *ḥājīyāt* (secondary), and *taḥsiniyyāt* (implied) (Ibn Ashur, 2001).

### ***Fatwa of Dar al-Ita' al-Misriyyah***

*Dar Al-Ifta' al-Misriyyah* was the first fatwa institution established in the Islamic world. It was established in 1895 by a decree of the Egyptian Khedive Abbas Hilmi addressed to the Nid zarah Haqqaniyah No. 10 dated 21 November 1895. The letter was received by the Nidzarah concerned on 7 Jumad al-Akhir 1313 number 55 (Skovgaard-Petersen, 1997).

*Dar al-Ifta' al-Misriyyah* has its own methodology in issuing fatwas. This methodology involves adopting the four widely known Sunni schools of thought (Hanafi, Maliki, Shafi'i and Hanbali), while recognising other schools and making use of their views. In fact, sometimes these schools of thought are favoured because of the needs of society or to achieve *maqasid al-shari'ah*. The madhhabs followed by some Muslims in terms of ushul and furu' are: Ja'fariyah, Zaidiyah, and Ibadiyah, and even Zhahiriyah, which is followed by a group of scholars in various places (Faishal, 2019; Mustafa, 2019; Rahmadi & Firmansyah, 2024).

*Dar al-Ifta' al-Misriyyah* adheres to the decisions of Islamic institutions, especially the Majma' al-Buhuts al-Islamiyyah, which is affiliated with Al-Azhar al-Sharif, namely the Islamic Fiqh Council, which participated in the Islamic Council Meeting in Jeddah, and the Majlis Fiqh Islam, which joined Rabithah al-'Alam al-Islami in Mecca. This adherence is particularly notable in addressing general issues related to new problems, where the community urgently requires collective solutions (Indana, 2024; Irsyadi & Asmuni, 2023; Skovgaard-Petersen, 1997).



In addition, *Dar al-Ifta' al-Misiriyyah* may also refer directly to the rulings of the Sharia texts contained in the Qur'an and Sunnah, as the Sharia texts are broader than all of them, especially in matters not found in any of these references, or when they are present but do not suit the circumstances. It is broader than the eight madhhabs and the eighty mujtahids, and it encompasses the decisions of the fiqh councils (Skovgaard-Petersen, 1997). The condition is that these texts justify taking the law according to the expertise established by the ushul fiqh experts in this regard.

In his religious choices, his scope of reference often extends to include the schools of the great mujtahids such as al-Awza'i, al-Thabari, al-Laits ibn Sa'd, and others, of whom there were more than eighty in Islamic history. They consider these opinions and may favour them because of the strength of the evidence, the urgent need, the benefit of the ummah, or to achieve the noble *maqasid al-shari'ah*. This is the methodology accepted by the scientific community of our time, both in the East and West, and by the scholars of the various schools of Islam.

### ***Fatwa of the Indonesian Ulema Council***

The establishment of MUI was seen to be well received by Muslims and representatives of the two largest Islamic organisations in Indonesia. From 1975 MUI was established until 1986, there was no guidance in issuing fatwa which resulted in non-uniformity in fatwa issuance (Mudzhar, 1993, pp. 85–86). For example, one of the cases of MUI West Sumatra which legalised frog farming was convened on 21 July 1984. While MUI West Nusa Tenggara forbade frog farming. Seeing that symptom, the central MUI held a session on 12 November 1984 with the conclusion that frog farming is required on the basis of the Maliki school of thought and the prohibition of eating frogs on the basis of the Shafi'i school of thought (Mudzhar, 1993).

MUI, in its Decree No. U-596/MUI/X/1997, stipulates that in determining a fatwa, it is based on the strongest legal arguments and brings benefits to the people (article 2 paragraph 1) ([Majelis Ulama Indonesia, 1997](#)). In determining a fatwa, *maṣlaḥah* is the main footing. Any fatwa decision must not contradict the *maṣlaḥah of the ummah* ([Sam et al., 2011](#)).

In the methodology of determining the law, MUI uses the structure of the Qur'an, *Hadith*, *ijmā'*, and *qiyās* by relying on the opinions of the imams of the madhhab and *fuqaha*. In addition, MUI conducts research on the arguments and the face of *istidlāl* to get the strongest argument and more problematic for Muslims. If not found, then *ijtihād jamā'i* will be performed ([Majelis Ulama Indonesia, 1986](#)). MUI Indonesia also applies *ijtihād* methods such as *istiḥsān* approach, *maṣlaḥah mursalah*, *sadd al-dharī'ah* ([Jamaluddin et al., 2024](#); [Zahra, 2024](#)).

In determining legal fatwas, MUI is not only based on understanding the textual meaning of the verses of the Qur'an and *hadith*. The fatwa also considers the purpose of the legislation (*maqāṣid al-sharī'ah*) which is oriented towards upholding the interests of the people ([Majelis Ulama Indonesia, 1986](#)). In the process of determining fatwas, MUI studies the *mazahib al-Arba'ah* agreed upon by the Sunnis or *ahl al-Sunnah wa al-Jama'ah*: Imam Hanafi, Maliki, Shafi'i, and Hanbali, in addition to other considerations in accordance with the times ([Nafis, 2009](#)).

MUI's fatwa seeks to understand and resolve all current and future Islamic legal issues with the theoretical framework and method of *maqāṣid al-sharī'ah* approach, namely by focusing on the *maṣlaḥah of the people* and eliminating the harm of the world and the hereafter. To create *maṣlaḥah* and avoid harm requires knowledge of the wisdom and *illah* that accompany the law. Without knowing the wisdom and the *illah*, the intended *maṣlaḥah* cannot be found.

## Scholars' Views on Fasting in Ramadan and the Ruling on Delaying Menstruation in Ramadan

The act of fasting in Ramadan is one of the three pillars of Islam that is obligatory upon Muslim men and women. In fact, this worship has also been made obligatory on the people before the people of the Rasool s.a.w. as Allah said s.w.t.:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ.

Translation: "O you who believe, it is obligatory upon you to fast as it was obligatory upon those who were before you, that you may fear Allah." (QS. al-Baqarah 2:183)

It is further stated in the hadith of the Prophet:

حدثنا عبيد الله بن معاذ، حدثنا أبي، حدثنا شعبة، عن محمد بن زياد، قال: سمعت عن أبي هريرة رضي الله عنه يقول: قال رسول الله صلى الله عليه وسلم، صوموا لرؤيته وأفطروا لرؤيته، فإن غبي عليكم فأكملوا عدة شعبان ثلاثين

Translation: "Abu Hurayrah RA reported that the Messenger of Allah (SAW) said: Fast for the sighting of the moon and celebrate for the sighting of the moon; if the moon is lost from your sight, then complete the number of Sha'baan by thirty days" ([Muslim, 1971, No. 1081](#)).

The above verses of the Qur'an and hadith indicate that the obligation to fast the month of Ramadan for Muslims is a sign of a servant's devotion and closeness to Allah, and achieving perfect taqwa. From another angle, fasting also has various other benefits, including training in patience and feeling the distress of the weak and poor. Furthermore, fasting can also show the body and digestive system and help prevent some diseases such as cholesterol disease, heart disease, and others ([Tagde et al., 2022](#); [Tang et al., 2023](#); [Visioli et al., 2022](#)).

However, certain situations allow the fasting of Ramadan to be abandoned, including being sick, travelling, old people who find it

difficult to fast, pregnant women, nursing children, postpartum, and menstruation (Sabiq, 1987, p. 294).

فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ وَعَلَى الَّذِينَ يُطِيقُونَهُ فِدْيَةٌ طَعَامُ  
مِسْكِينٍ فَمَنْ تَطَوَّعَ خَيْرًا فَهُوَ خَيْرٌ لَهُ وَأَنْ تَصُومُوا خَيْرٌ لَكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ

Translation: "So whoever among you is sick or travelling, (he may break his fast), then he shall fast the number of days he broke his fast on other days; and it is obligatory upon those who are unable to fast (due to old age, etc.) to pay a fidyah, which is to feed a poor person. So whoever voluntarily gives more than the prescribed fidyah, it is a favour to him; and fasting is better for you than giving the fidyah, if you know (QS. al-Baqarah 2:184).

In principle, it is permissible to break the fast of Ramadan if one fulfils the legal requirements, but it must be made up after Ramadan based on the number of days missed (Al-Zuhaili, 2011, p. 100). However, if a person is unable to make it up, then he must pay fidyah (Sabiq, 1987, p. 295).

When compared to men, women who are not yet menopausal have a somewhat limited opportunity to observe the fast of Ramadan while they also have a high desire like men to be able to fully observe the fast of Ramadan. In fact, some feel a great loss especially at the end of ten Ramadan if they are not able to carry out the fast that promises lailatul qadar. But despite all that, Allah s.w.t. gives rukhshah (ease or relief). Their menstrual excuse is a heavenly excuse (Caniago, 2014). It is Allah's fitrah for women and not the will of man.

Although at its zahirah women do not have a fairly wide opportunity to perform certain worship, as it batiniyah they still have the same opportunities as men. This is because if they miss the five daily prayers or fasting when they are menstruating or postpartum (Hasim et al., 2016), they will still be rewarded for obeying the decree of Allah and the Messenger that forbids them from doing these acts of worship (Aswinda, 2020). This means that menstruating and postpartum women will be rewarded even if they do not pray or fast.

On the other hand, if they are forced to pray and fast during their period, they will be sinning. Therefore, women who are menstruating or postpartum are prohibited from performing prayers or fasting because it is considered an act of worship (Zufriani et al., 2021). However, the reward is not the same for men who perform them. Likewise, there are some advantages that are separated from them when they do not perform these worship services, such as Lailatul Qadr, fasting on the day of Arafah, and others. From another angle, the question arises as to whether it is permissible for Muslim women to use a menstrual delay medicine for the continuation of the worship of Ramadan, which has various advantages in the sight of Allah, the Almighty.

### ***Views of Scholars Who Require It***

The majority of scholars of the Shafi'i school of thought are of the view that it is obligatory to use a medicine to delay menstruation, on condition that it does not cause harm to oneself. In this regard, Al-Ramli stated (Al-Ramli, 1997, p. 217):

ثم إن المرأة متى شربت دواء وارتفع حيضها فإنه يحكم لها بالطهر

Translation: "Then, indeed, if a woman takes the medicine and her period stops, she will be declared pure.

Shaykh Muhammad bin al-Husayn al-Qammath also stated (Al-Khatn, 2000, p. 196):

وَفِي فَتَاوَى الْقَمَاطِ مَا حَاصِلُهُ جَوَازُ اسْتِعْمَالِ الدَّوَاءِ لِمَنْعِ الْحَيْضِ

Translation: "In Fataawa al-Qammath, it is concluded that it is permissible to use medicine to prevent the arrival of menstruation."

The above opinion explains that the use of period-delaying drugs can be used to prevent menstruation, but it must be with the decision of the doctor and the husband. Next opinion is the Malikiyyah view, as follows (Al-Jaziri, 1993, p. 103):

أَمَّا كَيْتُهُ قَالُوا: أَمَّا أَنْ تَصُومَ الْحَيْضُ بِسَبَبِ دَوَاءٍ فِي غَيْرِ مَوْعِدِهِ فَإِنَّ الظَّاهِرَ عِنْدَهُمْ أَنَّهُ لَا يُسَمَّى حَيْضًا وَلَا تَنْقُضِي بِهِ عِدَّتَهَا وَهَذَا بِخِلَافِ مَا إِذَا اسْتَعْمَلْتَ دَوَاءً يَنْقَطِعُ بِهِ الْحَيْضُ فِي غَيْرِ وَقْتِهِ الْمُعْتَادِ فَإِنَّهُ يُعْتَبَرُ طَهْرًا وَتَنْقُضِي بِهِ الْعِدَّةَ عَلَى أَنَّهُ لَا يَجُوزُ لِلْمَرْأَةِ أَنْ تَمْنَعَ حَيْضَهَا أَوْ تَسْتَعِجِلَ إِنْزَالَهُ إِذَا ذَلِكَ يَضُرُّ صِحَّتَهَا لِأَنَّ الْمُحَافَظَةَ عَلَى صِحَّةٍ وَاجِبَةٌ.

Translation: "The Malikis are of the view that if a woman fasts because of a medicine that prevents menstruation during her period, according to the correct view, it is not regarded as menstruation and does not end her `iddah period, unlike when she is menstruating and takes a medicine to stop her period at a time other than her usual time, then she is pure but her `iddah may be interrupted because it is not permissible for a woman to prevent or hasten the discharge of menstrual blood if it is harmful to her health because maintaining health is obligatory."

This view is seen as in line with the Shafi'is, but the view of the Maalikis is that a fasting woman may take a medicine to delay menstruation on condition that it does not harm her health when she uses it. Sa'id ibn Mansur narrated that Ibn 'Umar r.a. was asked about the ruling on a woman taking a medicine to stop menstruation so that she could perform tawaf ([Sabiq, 1987, pp. 145-149](#)). He ruled that it is obligatory for her to do so. Likewise, Muhibbuddin Tabari stated that, "If the cessation of menstruation in certain situations is acceptable, then it should also be acceptable for the calculation of 'iddah and other related matters. The same applies to taking medicine to stimulate menstruation, based on the similarities between the two."

Based on the above information, it can be seen that if it is valid to perform Hajj by taking a menstruation-preventing medicine, then it is also valid to fast Ramadan by taking a menstruation-preventing medicine ([Abrar, 2022](#)). Al-Bahuti ([Al-Bahuti, 1999, p. 96](#)) also equated the issue of delaying menstruation with the issue of *al-'azl* (delaying pregnancy). He stated that if it is necessary to delay pregnancy, then it is also necessary to delay menstruation.

Ibn Qudamah further states ([Ibn Qudamah, 1985, p. 221](#)):

رُوي عَنْ أَحْمَدَ رَحِمَهُ اللَّهُ، أَنَّهُ قَالَ: لَا بَأْسَ أَنْ تَشْرَبَ الْمَرْأَةُ دَوَاءً يَقْطَعُ عَنْهَا الْحَيْضَ، إِذَا كَانَ دَوَاءً مَعْرُوفًا

Translation: "It was narrated that Imam Ahmad (may Allah have mercy on him) said: "There is nothing wrong with a woman taking a medicine to prevent menstruation, so long as the medicine is good."

It is clear that a woman who uses menstrual delay medicine for the sake of worship is justified on the condition that it does not harm her health (Al-Qaradawi, 1996, p. 420). Furthermore, Yusuf al-Qaradawi, a contemporary scholar, also permits the taking of a menstrual delay medicine under the following conditions (Al-Qaradawi, 1996, p. 225):

- a. It is feared that the Hajj and fasting will be incomplete if menstruation is not cured.
- b. It is feared that it may be difficult to change the fast in the future.
- c. It does not cause any harm to her.

Al-Lajnah al-Da'imah fatwa allows the woman to take pills to prevent menstruation during Hajj if she thinks that her period will come during Hajj and 'Umrah. This should be done after receiving advice from a qualified doctor to protect her safety. The same applies with regard to fasting in Ramadan (Al-Sheef et al., 2020; Pratama et al., 2023; Rusli, 2016).

### **Views of Scholars Who Forbid It**

Al-'Utsaimin (1997, p. 33) stated that if a woman takes a menstrual delay pill in Ramadan, provided that it does not harm her health, then it is not forbidden for her to take it, provided she has the permission of her husband. For her, by nature, these pills can be harmful because they prevent menstrual blood from coming out

naturally. If this natural thing is delayed in time, it will have a negative effect on the body as well as may cause doubts when praying, having intercourse and so on. He did not rule that it is haraam, but he did not think that it should be done. The best of women need to accept the decree that has been determined by Allah SWT. According to him, in this matter women are advised not to use it either during Ramadan or in any other month. This is because according to medical experts, it will cause great harm to the uterus, nerves and blood so everything that causes harm is prohibited. Prophet Muhammad SAW has said:

لا ضرر ولا ضرار

Translation: "Do not do anything that harms yourself or others" ([Ahmad, 1994, No. 313](#); [Ibn Majah, 2009, No. 2341](#)).

In view of the fact that the majority of women who use this medicine will have their periods altered, the scholars have discussed the matter. Based on that, it is better not to use this medicine in Ramadan or any other month ([Aspandi, 2016](#)).

According to Al-Sha'rawi ([2000](#)), the use of menstrual aids by Muslim women during Ramadan is as if they are rejecting the *concessions* given to them by Allah. In addition, using menstruation-arresting drugs can damage the metabolism of the human body. Therefore, the use of period-arresting drugs for Muslim women, especially in Ramadan, should be avoided.

The truth is that period-preventing drugs were not recognised in the past. Some contemporary scholars conducted a study and finally they allowed the use of period-preventing pills. This is because in this global era it is very sophisticated, especially in the pharmaceutical field. Period-delaying drugs have been discovered and are able to delay menstruation for a long period of time. The administration of period-delaying drugs can be started on the 5th day of the menstrual cycle. To accelerate menstruation 6 days earlier than the upcoming



menstruation, then taking progesterone tablets starts on day 5 to day 19 of the menstrual cycle ([Astarto et al., 2012](#)).

### **Fatwa on the Use of the Ritual of Menstrual Abstinence for Women in Ramadan Between Dar al-Ifta' al-Misriyyah and MUI**

The development of modern knowledge and technology has given birth to a product that seeks to change the menstrual cycle, either to accelerate menstruation or to slow it down. Through the use of medication, a woman can experience menstruation earlier or avoid it altogether at the desired time. This can give women the opportunity to fast in Ramadan in accordance with the terms and conditions ([Djuantono, 2012](#)). In the perspective of the Fatwa of *Dar al-Ita' al-Misriyyah* and the MUI Fatwa Committee on the use of drugs to accelerate and delay menstruation, and the legal implications of using menstrual cycles on the implementation of Ramadan fasting.

#### ***Fatwa of Dar al-Ifta' al-Misriyyah***

The issue of postponement of menstruation is a separate intellectual problem that must be resolved by Muslim thinkers as well as the medical community, as this issue concerns the needs of Muslims in general ([Abrar, 2022](#)). From another point of view, they have the obligation to reinterpret the Quran according to scientific and objective guidelines. On the other hand, there is a moral interest in explaining the Quran according to current needs ([Abrar, 2022](#)). These two sides are not necessarily contradictory and supportive of each other, but rather like two sides that complement each other. Awareness of the presence of contemporary reality with various new problems sparked the emergence of new fiqh products to meet contextual scientific expertise.

The view of *Dar al-Ifta' al-Misriyyah* concerning the use of medicines to delay menstruation in Ramadan is that there is no legal prohibition on taking medicines or pills to delay menstruation, which

enables a woman to complete the fast of Ramadan without interruption. It is permissible for a woman to do this practice as long as her doctor determines that this will not harm her at any time. Fatwa issued on 25 September 2017. Fatwa No. 2409 as follows ([Dar al-Ifta' al-Misriyyah, 2017](#)):

يجوز لها ذلك شرعاً، بشرط أن يقرر الطبيب أنه لا ضرر عليها فيه، إلا أن وقوفها مع مراد الله تعالى، وخضوعها لما قدره الله عليها من الحيض ووجوب الإفطار أثناءه، أثوب لها وأعظم أجراً.

*Translation: The ruling must be in accordance with the Shariah, provided that it is confirmed by a doctor that the medicine does not cause any harm. However, the woman should surrender to the decree of Allah and obey what Allah has decreed for her regarding her menstruation. She must break the fast when she experiences it. She must break the fast when she experiences it, and this will bring her more reward.*

According to [Dar al-Ifta' al-Misriyyah \(2017\)](#), the use of postponement of menstrual rituals in the month of Ramadan is only temporary with the aim of perfecting his worship.

أما تعاطي المرأة ما يسبب إيقاف الحيض بشكل مؤقت؛ طلباً لتحصيل أداء تلك العبادة الموسمية فالأصل فيه الجواز، وقد نص على هذا من الفقهاء: السادة الحنابلة؛ قال صاحب "المغني" (1/ 221، ط. دار إحياء التراث العربي): [فصل: روي عن أحمد رحمه الله أنه قال: لا بأس أن تشرب المرأة دواءً يقطع عنها الحيض، إذا كان دواءً معروفاً] اهـ

*Translation: As for the use of medicine by women to temporarily stop their menstruation, in order to be able to perform seasonal acts of worship such as fasting, it is basically permissible. This was confirmed by the scholars of fiqh, including the scholars of the Hanbali school. The author of al-Mughni mentions: in another chapter: It was narrated from Imam Ahmad (may Allah have mercy on him) that he said: There is nothing wrong with a woman taking medicine that stops her period, if it is known and safe.*

This points to the fatwa of [Dar al-Ifta' al-Misriyyah](#) which is generally justified so long as the medicine does not harm health and is known to be safe to use. If it is harmful, then it is forbidden to take

a menstruation-pending medicine because of the ruling that states "Do no harm, and do no harm in return", and because preserving health is one of the *matlamat* of *syara'*. Therefore, although it is obligatory for a woman to suspend her menses in order to fast Ramadan, it is better for her to obey the command of Allah S.w.T. and submit to His decree, as this gives her a greater reward.

### ***Fatwa of the Indonesian Ulema Council***

The MUI Fatwa Session on 12 January 1979 had made the following decision:

- a. The use of anti-period pills for Hajj occasions is permissible.
- b. It is *makrooh* to take anti-period pills with the intention of making up a whole month's fast in Ramadan. The same applies if it is difficult to make up the fast on another day
- c. The ruling on the use of anti-period pills other than the two mentioned above depends on one's intention. If it is used in a way that leads to violating religious laws, it is *haraam* ([M. Amin et al., 2015](#)).

Furthermore, in the same year MUI fatwa No. 2 of 1979 was issued stating that postponing the menstrual period in Ramadan fasting with the intention of completing the Ramadan fast is *makruh*. However, if the intention is to violate religious norms, then the law is *haram* ([M. Amin et al., 2015](#)). In summary, it can be concluded that the MUI Fatwa Commission requires the use of drugs to delay menstruation in Ramadan, but must comply with the conditions set by the MUI Fatwa Commission ([M. Amin et al., 2015](#)).

This opinion is based on the fatwa of the Indonesian Ulema Council (MUI) No. 4 of 2003 concerning the ruling on the use of menstrual delay medicine. In this fatwa, MUI explains that the law of using a menstrual delay medicine to perform Hajj is *mubah*. This is

because Hajj is a once-in-a-lifetime obligation that has certain conditions, one of which is being pure from menstruation (Irfani, 2023; Muallif, 2023).

The ruling on using a medicine to delay menstruation in order to be able to fast the whole month of Ramadan is makruh (Adham, 2023). This is because fasting Ramadan is a yearly obligation that can be replaced on another day if there is an inconvenience such as menstruation. However, for women who find it difficult to make up the fast on another day due to certain reasons, such as illness or pregnancy, the ruling is *mubah*. However, in the practice of taking period-delaying drugs, one must first seek advice from a doctor in order to be safe and not endanger one's health. However, the ruling on using a period-delaying medicine for purposes other than these two, depends on one's intentions. If the intention is good and there are no things that are prohibited in sharee'ah or are harmful to health, then it is obligatory. If the intention is bad, or some things are forbidden in sharee'ah or are harmful to health, then it is not required.

The opinion of Ibn Baz, a prominent scholar from Saudi Arabia also supports this MUI fatwa. He stated that there is no issue for women to use period-preventing drugs in Ramadan, in order to observe fasting with other Muslims (Mukhtar et al., 2023; Rosidah, 2020). However, he emphasised that the medicine must be safe and not harmful to a woman's health. As a good Muslimah, it is natural to think wisely when deciding to do this by considering aspects of fiqh law and also health aspects so that regrets do not arise in the future. If it is in a state of necessity and does not bring harm and bring benefit.

### **Similarities and Differences between the Fatwa on the Use of a Menstrual Ablution for Women in Ramadan from the Perspective of Maqasid Shari'ah**

The use of menstrual ablution is required for worship only without causing negative effects on human health (Mukhtar et al.,

2023; Rosidah, 2020). The relief granted by the Shariah needs to be utilised to the best of its ability without exceeding the limits. The ruling on taking the medicine for menstrual cycles is still not agreed upon by the fuqaha'. There are different views among the Salaf and contemporary fuqaha'. These differences provide space for the current scholars to perform their respective ijtihad in accordance with current desires and developments. This can be done by reviewing the normative text and the context of the text, the *usul fiqh* and *maqāṣid al-sharī'ah* approaches, and the recent development of the issue of taking the menstrual cycle remedy. Such information will contribute to the determination of the current ruling. That is why it is very important for the current scholars and scholars of Islamic law to do so (Aspandi, 2016).

The issue of delaying the arrival of menstruation is a separate intellectual issue that needs to be resolved by Muslim thinkers including medical experts, because it involves the benefit of the ummah. From one angle they have the duty to reinterpret the Quran in accordance with the scientific and objective guidance of Syarak. While from another angle, there is a moral imperative to explain the Quran in accordance with these current needs.

In Islam there are certain categories of needs that need to be outlined in order to produce *maslahah* for the ummah. These include basic needs (*daruriyyah*), secondary needs (*hajiyyah*) and complementary needs (*tahsiniyyah*) (Khalaf, 1991, p. 290). The *darūriyyāt* needs are those that are indispensable for achieving the benefits of a happy human life in this world and in the Hereafter. If this primary goal is not achieved, it may result in the loss of life and limb and bring misery to life in this world and in the hereafter (Al-Shâtibî, 1920, p. 10; As-Siddiqy, 1993, p. 89). *Hajiyyah* is everything that is needed by humans in order to eliminate all the narrowness and ease the burden of life, facilitate the methods and obstacles faced (Al-

Shâtibî, 1920, p. 109). The *tahsiniyyah* is also anything that can be used as a tool to move the situation from the first and second objectives, both in the hereafter and in the worldly life, as long as it is within normal limits and does not violate the shar'i law (Khalaf, 1991, p. 290).

After knowing the distinction between the three maintenance of needs between *darûriyyah*, *hajiyyah*, and *tahsiniyyah* in order to achieve benefit, it can be stated that the maintenance of basic needs takes precedence because, without it, other needs cannot be fulfilled. Therefore, when there is a conflict between a matter of principle and a matter of public interest, the matter needs to be prioritised, such as the issue of postponing menstruation for the sake of worship.

In the Qur'an and hadith, the issue of delaying menstruation for the sake of worship is not explained. It was discussed by contemporary scholars when medical advances led to the discovery of methods for delaying menstruation (Muhlisin, 2021). Delaying menstruation is intended to provide convenience for women who have the desire to worship. In addition to the positive effects of taking such drugs, there are negative effects on their users, including endangering health.

The assessment of *maslahah* and *mafsadah* can be used as the main principle in determining the actual ruling. If the *maṣlaḥah* is dominant over the *mafsadah*, then taking the *maslahah* is required (Abd al-Salam, 1994, p. 14; Al-Shâtibî, 1995, p. 129) as is the ruling on taking this menstrual delay medicine. If the *mafsadah* is more dominant than the *maslahah*, then the rejection of the *mafsadah* should be prioritised (Abd al-Salam, 1994, p. 14; Al-Shâtibî, 1995, p. 129) as in the case of the prohibition of women who are at high risk of taking menstrual delay medicine in Ramadan. This is in line with the fiqh principle of *درء المفاسد* (Avoiding harm should take precedence over attracting benefit) (Al-Suyuti, 1983, p. 87; M. Zuhdi, 1996, p. 29).

Everything that clearly brings *mafsadah* should not be done because it will bring regret. This is because everything commanded by Allah has its own wisdom and purpose. Al-Amirah (commandments) are *qat'i* and *kulli*, not merely *hajah* and emergency, nor are they specific to one class of people. The original ruling that Allah has commanded is eternal and cannot be removed except by an equal ratio as follows: *Firstly*, the haram ruling is changed because there is a text (Qur'an or hadith) that permits it. *Secondly*, the change is also permissible if there is a need for it, such as maintenance and the like. *Thirdly*, the reason and purpose of the change is supported and justified by the Sharia. *Fourthly*, it is required that there are no side effects that harm human life.

Basically, the ruling on taking a menstrual delay medicine based on the fatwa from *Dar al-Ifta' al-Misriyyah* Fatwa MUI can be summarised as follows:

- a. Period-delaying drugs such as Primolut N and Lutonel should be taken only when necessary and with the permission of the husband and a specialist.
- b. It is not required in the absence of the husband's permission and without the advice of a doctor because the use of such drugs may cause harm, for women who have certain diseases such as *migraine*, *thrombophlebitis*, cancer of the vessels, bleeding from the vagina of unknown cause, impaired liver function, jaundice, pre-eclampsia in pregnancy, heart disease, abnormal blood vessels, diabetes, severe hypertension, depression and others (Arifin & Wahidah, 2018, p. 232).

Furthermore, the ruling on using a menstrual delay medicine according to *Dar al-Ifta' al-Misriyyah* and the MUI Fatwa is also seen in terms of the nature of the medicine, whether it is made from halal or haram elements. If it is made from *haraam* ingredients, then it is *haraam* to use it in the same way as using other *haraam* things. If it is

made from halal ingredients, then the ruling on it is the same as using other halal goods. In addition, the fatwa of *Dar al-Ifta' al-Misriyyah* and the Fatwa of MUI also examine the effects of the drugs used. If it does not harm the health of the body according to doctors, then the law is obligatory. Whenever the effect of the medicine may harm health, then the ruling is haram.

Similarly, the period-delaying medicine used must not break offspring. If the delaying medicine leads to infertility, then the ruling is haraam because cutting off offspring is one of the haraam actions according to the views of *Dar al-Ifta' al-Misriyyah* and the MUI Fatwa.

For a woman who has married, it is necessary to get approval from the husband because the use of menstrual delay drugs can prevent from getting zuriat. The husband is entitled to get zuriat from their marriage. Vice versa, the husband is not allowed to use a menstrual delay drug against his wife without the wife's consent ([Muhlisin, 2021](#)). According to the classical fuqaha' and contemporary fiqh scholars, the position of fasting when one stops menstruating due to a menstruation-preventing drug is the same as fasting when one is not menstruating. This is because what prevents fasting is menstruation. Therefore, when menstruation has stopped, it means that they are free from the previous hindrance, so their fasting is considered valid and rewarded.

According to the fatwa of *Dar al-Ifta' al-Misriyyah* and the fatwa of the MUI, the main reason why it is permissible to use a medicine to delay menstruation is that there is no clear text that prohibits delaying menstruation. Therefore, postponement of menstruation during Ramadan fasting is permissible, provided that it is certain that the use of the medicine will not cause any harm to the health of the body. There is also no fear that if the medicine is not used to delay menstruation, the act of worship will not be completed and it will be difficult to replace it in another month. Furthermore, the husband's



permission is required to take the medicine (Abrar, 2022). From this point of view, all three organisations unanimously agreed that it is obligatory to use a menstruation-prolonging medicine in Ramadan. Their main principle is to fulfil the *maslahah* of Muslim women who are affected by not being able to fully fulfil their fasting obligations in Ramadan. But the need also has a rather strict condition that it must not result in a greater *mafsadah* than the *maslahah* of fasting. All three organisations are unanimous on this point as it complies with the principles of *maqāṣid al-sharī'ah* (المفاسد ودرء المصالح جلب), *usul al-fiqh* (المرسلة المصالح) and the principles of *fiqh* (المصالح جلب على مقدم المفاسد درء).

The difference between the organisations only exists from the point of view of the *makruh* ruling and must be based on their respective legal considerations as stated before. If judged against the two organisations, MUI's fatwa, namely *makruh* to take a medicine to delay menstruation for the sake of completing a month of fasting in Ramadan, is more in line with *maqāṣid al-sharī'ah*. This is because the condition of the obligation to fast is still maintained based on the original obligation. The scholars also did not need to encourage the taking of such medicine because it violates the nature of events and the lives of real women. If the reason is to gain an advantage in the month of Ramadan is to the extent of encouraging it so that it becomes a habit for a woman. Although the law of encouraging it is not stated, but the necessity based on the advantages of fasting the whole month seems to encourage the act. The fact that many women do it after this makes it a culture and a habit in the month of Ramadan. This would violate the practice of fasting that was practised at the time of the Prophet, the Sahabah, the Tabi'in and the fuqaha mazahib.

### Consideration of Problems with *Mafsadah*

In dealing with this issue, the fatwas of *Dar al-Ifta' al-Misriyyah* and MUI rely on *fiqh* reality, which is *fiqh* based on the consideration of *maslahah* and *mafsadah*. The purpose of using period-delaying

medicine for Muslim women is to complete the month-long fast. Likewise, the month of Ramadan is a month to improve the quality of spiritual and social life, multiply other acts of worship that are promised multiple rewards, a month to increase devotion which can be evidence of the blessings of Ramadan. This only happens once a year for Muslims. Taking medicine to delay menstruation can fulfil the desire of Muslims, especially to get the night of lailatul qadar. The necessity of taking this medicine with a clear purpose that is not contrary to Syarak then convinces Muslims that Islam is easy and does not burden any of its people, in fact there are references to the texts of the Qur'an and hadith that call for convenience (Al-Qaradawi, 1996, p. 231).

From the point of view of *maqāṣid al-sharī'ah* the taking of such medicine in a safe situation will prove that any progress in various fields when used to achieve benefits in this world and in the hereafter, it is justified and falls under the principle of *maqāṣid al-sharī'ah* i.e. *jalb al-maṣāliḥ wa dar' al-mafāsid* i.e. for the sake of human benefit while avoiding *mafsadah*, both in this world and in the hereafter (Abd al-Salam, 1994, p. 13).

Furthermore, from the point of view of *usul al-fiqh*, taking a medicine to delay menstruation falls under *masalih mursalah*. *Maṣlaḥah* is the strongest evidence of Shariah, as stated in the fihiyyah principle (Al-Zuhayli, 2007, p. 775; Rahman, 1976, p. 71):

الحكم يتبع المصلحة الراجح

Translation: "The law follows the strongest benefit."

One of the requirements of *maṣlaḥah mursalah* is the absence of a specific text that forbids it. In the issue of the ruling on the use of menstruation delaying drugs, there is no text that states it clearly, but the scholars in carrying out legal istinbat through the *maṣlaḥah mursalah* method. This is in accordance with the fiqh principle, namely

الأصل في الأشياء الإباحة حتى يدل الدليل على التحريم

Translation: "The original law of a thing is that it is obligatory until there is an argument that forbids it" (Al-Suyuti, 1983, p. 60).

Based on the above-mentioned principle, the ruling should prioritise the positive and ignore the negative. Delaying menstruation is a matter of urgency; if one is not careful in dealing with it, it will cause harm to the user. It is only permissible if it is urgent, such as in the case of Hajj and Ramadan fasting. This is inseparable from the concept of legal istinbat of the Fatwa of *Dar al-Ifta' al-Misriyyah* and the MUI fatwa, that preventing *mafsadah* takes precedence over taking *maṣlahah*, and minor *mafsadah* is borne in order to obtain a greater *maṣlahah*. All the commands and prohibitions of Allah SWT and His Messenger are virtues that need to be upheld by the people as proof of obedience in line with the times.

Scholars have concluded that *maṣlahah* is the fundamental purpose of Islamic rulings. The Qur'an's attention to this issue begins with an affirmation of the background and purpose of why and for what mankind was created by *al-Khaliq*. Islamic law is made in such a way only to bring its people to the right life, to achieve the life of the world, moreover the life in the hereafter. As explained in QS; al-Maidah (5): 15-16, that the Prophet Muhammad SAW was sent to the world to be a mercy for all people, namely Islamic law brought to the world as a mercy for mankind, even for the entire universe. However, grace does not exist by itself, unless the Islamic law has been actually realised in a form that suits the benefit of mankind.

The necessity or impropriety of taking this menstruation-delaying medicine is based more on *fiqh al-Waqi'i*. This is because it did not apply before this. According to al-Qaradawi *fiqh al-Waqi'i* was developed based on the following considerations:

- a. The consideration of one *maṣlaḥah* over another is in terms of its size and scope, its depth and impact, and its permanence and sustainability. The *fiqh* aspect is seen in terms of virtue and necessity for a particular situation.
- b. The consideration of one *mafsadah* over another is seen in the light of what has been stated in the first section, and the consideration of which must take precedence and which must be ended and discarded.
- c. Consideration of *maṣlaḥah* and *mafsadah* when they are in conflict, so as to recognise the necessity of preventing *mafsadah* rather than taking *maṣlaḥah*, and the necessity of taking *mafsadah* in order to obtain *maṣlaḥah*.

Similarly, the Fatwa of *Dar al-Ifta' al-Misriyyah* and the Fatwa of the MUI also point to the *maṣlaḥah* of delaying menstruation. The aim is to gain the wisdom of fasting during Ramadan, especially during the *lailatul qadr*, which cannot be achieved at other times. Both organisations also look at the effect of the drugs used, because if it leads to a negative effect on health and offspring, then contemporary *fiqh* scholars also do not approve. If analysed, this is contrary to the principles of Islamic law which are in line with the interests of Muslims. If it is analogous to the issue of postponing menstruation during Ramadan, then it can be concluded that menstruation is a habit that is always experienced by a woman, through which she can fulfil her obligations. Therefore, if this normalcy is hindered, then there will be a concern that can interfere with the health of a woman. This is because the safety of the soul and body takes precedence over the performance of obligations, in line with the legal principle of *al-Darar yuzal* that the harm needs to be eliminated (Saleh, 2018).

## Maqāṣid al-Sharī'ah Relating to the Application of the Theory of I'tibar al-Ma'al and the Precautionary Use of Medication for Delaying Menstruation in Ramadan

In applying the theory of *i'tibar al-ma'al*, there are several methods put forward by Imam al-Syatibi, including the methods of *al-zari'ah* and *istiḥsān*. *al-zari'ah* is also prohibited (*sadd al-dharī'ah*) and some are allowed (*fath al-dharī'ah*) (Al-Shâtibî, 1920, pp. 111-112). According to the scholars of *usul fiqh*, *sadd al-dharī'ah* means closing all paths that lead to harm (Al-Shâtibî, 1920, p. 144). For example, the prohibition of the use of menstrual delay medication in Ramadan was ruled by the organisation because it causes more harm than good, resulting in damage to the limbs. *Fath al-dharī'ah* on the other hand, means opening up all avenues that lead to the benefit (Al-Shâtibî, 1920, p. 144). For example, the use of medication to stop menstruation is permissible as long as it is safe from harm or adverse side effects. Health and safety remain the top priority in the implementation of the perfect Ramadan fast, provided that it does not harm health and is done under the supervision of a trusted and expert doctor. If the menstrual blood has stopped, then the woman is considered pure, so the benefit is more dominant than the mafsadah.

According to Abu Ishaq al-Shatibi, *istiḥsān* is the taking of a benefit that is *juz'i* in response to a proposition that is global" (Syafe'i, 2007, p. 111). For example, the fatwa on the use of period-delaying drugs during Ramadan is in line with the principles of *maqāṣid al-sharī'ah*, which aims to achieve the benefit of Ramadan fasting. However, the use of drugs to delay menstruation as long as it does not have a negative effect on health based on the results of expert examinations and does not lead to infertility and the drugs taken are sourced from halal elements, then there is no problem (allowed). The postponement of menstruation for the purpose of fasting according to classical *fiqh* is permissible, because among the conditions for the

validity of fasting according to classical and contemporary fiqh scholars is freedom from menstruation, without stating whether the absence of menstruation occurs naturally or is attempted by taking any specific medicine.

Following on from the fatwa of *Dar al-Ifta' al-Misriyyah* and the MUI's fatwa on the sick and travellers who are granted leniency not to fast and may make up for it on another day, leniency should also be granted to women in Ramadan. This is because the scope of menstruation is wider and more serious for women. Menstruation is a common situation for every adult woman. When they miss the fast of Ramadan, they need to be made up on another day for the number of days missed. If a medicine to delay menstruation does not cause any side effects (harm), then its use is justified. This is because there is no specific text that prohibits or permits it. The purpose of using this medicine is to complete the number of fasts, as well as to fulfil the multiple deeds of Ramadan.

*The Maqāṣid al-sharī'ah* is more cautious if the makrooh ruling is given to those who only want to fulfil the month of Ramadan. This is because if it is ruled as permissible only, then it may become a convention and lead to other issues, for example, a husband may order his wife to take menstruation-arresting drugs to nurture his lust so as not to be trapped in adultery. In this case, it would be more in line with the *maqāṣid al-sharī'ah* if the ruling on the use of postponement medicine is makrooh and not obligatory except for other reasons that are not merely to fulfil the month of fasting in Ramadan. Likewise the period of use of the medicine should be temporary only and not used in excessive quantities.

Here it is clear the use of the concept of *i'tibar al-Ma'al* through *sadd al-dharī'ah* and *istiḥsān* with the same goal of being more prudent from the preservation of *hifz al-nafs*. The fatwa between must and makruh with certain exceptions is an action that fulfils the method of

*i'tibar al-Ma'al*. If a comparison is made actually in the issue of the use of menstruation delaying drugs in the month of Ramadan, MUI's Fatwa is stricter than *Dar al-Ifta' al-Misriyyah*. The Fatwa of *Dar al-Ifta' al-Misriyyah* although issuing the law must be provided that it does not cause negative effects regarding health based on the decision of the expert doctor's examination, does not cause infertility, and the medicine used is sourced from halal materials. In this case the MUI fatwa approach seems to be maintenance of *hifz al-nafs* from the angle of *i'tibar al-Ma'al*.

## CONCLUSION

A comparison of fatwas on the use of a menstrual delay medicine for women in Ramadan between *Dar al-Ifta' al-Misriyyah* and the Indonesian Ulema Council (MUI) from the perspective of *Maqasid al-Shari'ah* emphasises the aspects of preserving religion (*hifz al-din*) and health (*hifz al-nafs*). Both institutions emphasise the importance of fasting for women, but differ in their approach. *Dar al-Ifta' al-Misriyyah* condones the use of a menstruation-delaying medicine provided there is no harm to health. This approach emphasises the *maqasid* of health and individual welfare. The fatwa allows women to complete fasting without physiological impediments, provided that medical advice is taken into account to avoid harm. In contrast, MUI is more cautious and emphasises that the use of period-delaying drugs is only justified if absolutely necessary and does not harm health. This shows that MUI is more focused on the *maqasid* of health maintenance as well as avoiding the risks that may arise from the use of such drugs without an urgent need. Overall, both fatwas try to balance the needs of worship and health preservation, with *Dar al-Ifta' al-Misriyyah* being more flexible while MUI is more conservative in its approach.

### **Authors Contribution**

Conceptualization: A.H., R.A., & S.M.J.S.J.; Data curation: A.H., R.A., & S.M.J.S.J.; Formal analysis: A.H., R.A., & S.M.J.S.J.; Funding acquisition: A.H., R.A., & S.M.J.S.J.; Investigation: A.H., R.A., & S.M.J.S.J.; Methodology: A.H., R.A., & S.M.J.S.J.; Project administration: A.H., R.A., & S.M.J.S.J.; Resources: A.H., R.A., & S.M.J.S.J.; Software: A.H., R.A., & S.M.J.S.J.; Supervision: A.H., R.A., & S.M.J.S.J.; Validation: A.H., R.A., & S.M.J.S.J.; Visualization: A.H., R.A., & S.M.J.S.J.; Writing – original draft: A.H., R.A., & S.M.J.S.J.; Writing – review & editing: A.H., R.A., & S.M.J.S.J.; All authors have read and agreed to the published version of the manuscript.

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Informed consent was not required for this study.

### **Data Availability Statement**

The data presented in this study are available upon request from the corresponding author.

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### **Conflicts of Interest**

The authors declare no conflict of interest.



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