



Legal Views on Menstrual Delays in Ramadhan

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Received: 02-01-2023

Reviewed: 05-01-2023

Accepted: 01-25-2023

Abstract

Fasting during Ramadan is obligatory for every Muslim/Muslimah who is mature, intelligent, clean from menstruation and childbirth for women, and who does not have a valid reason, such as travelers and sick. Meanwhile, menstruation is a natural process that occurs in every woman. With the current breakthroughs in medical science, drugs have emerged that can delay menstruation experienced by women, making it possible to carry out Ramadan fasting without obstacles. This type of research is library research (library research). With a historical approach. The data collection method is using a literature study, in which in this section the author will collect MUI fatwas and fiqh books on the topic being researched. Then read and trace the legal istinbath method. The results of the study show that the negative impact of this drug affects the body's work system, so its use in an inappropriate place is not recommended. While the positive impact on health, the authors assume there is no. Because this drug aims to block the natural cycle that occurs in women. Then the use of drugs that are not on target or used in the long term or made from inappropriate ingredients, will certainly have implications for the body. Meanwhile, Nash has not yet regulated the legal status of delaying menstruation. So ijtihad is needed in this case by looking at the benefits. If you delay your menstrual period using drugs, you will examine the side effects. If it causes harm to the body, it is better to avoid it. However, if it does not cause harm then it is permissible. As stated in the MUI fatwa No. 2 of 1979.

Keywords: Menstrual delay, Ramadhan, MUI Fatwa

Introduction

Worship is etymologically that is to humble oneself or submit, while in terms of terminology, it is a name that includes everything that is liked by Allah SWT and is blessed by Him, both in the form of words and deeds, both openly and secretly. (Di Cagno et al., 2012)

There are five pillars of worship in Islam namely; shahadah, prayer, fasting, zakat, and hajj. These five pillars are also referred to as the pillars of Islam, so adherents must carry them out with their respective provisions. And the consequences for those who do not fulfill it are punished with sin. As an example of fasting in the month of Ramadan, every believing Muslim is required to fast. This provision is contained in the word of Allah SWT in Surah Al-Baqarah: 18. (Golez, 2020)

Menstruation is an absolute cycle that occurs for the health of the body in female reproduction. However, with the discharge of blood from a woman's genitals, there are syar'i rules that limit it, especially in worship. Women experience menstruation because they have egg cells and a uterus, which is why they can get pregnant, so menstruation is one of the biological evidence as a sign of sexual maturity from them. (Nobles et al., 2022)

Menstruation is a common thing that happens to women. Indicates that the woman is physically healthy and is a sign of turning heads in carrying out the commands of Allah SWT. This commonplace can be something that has a bad impact when there are things that get in the way (Sujono et al., 2022). In the context of fasting in the month of Ramadan, it is forbidden for women who are menstruating to fast. However, the problem is what if a woman does something like; take menstrual delay medication to delay menstruation so that she can perform the obligatory worship? His actions certainly violated the normal/habits that occur in a woman's body. Which gradually will harm his health. (Leible et al., 2021)

If you look closely, this is contrary to the principles of Islamic law which are in line with the interests/benefits of Muslims. That the formation and development of Islamic law are in line with the benefit of mankind. If it is analogous to the problem of delaying the menstrual period during Ramadan worship, it can be concluded that menstruation is a normal thing that is always experienced by a woman, by doing so she can cancel the obligation. So if the habit is blocked, there will be worries that can interfere with the health of a woman. Because the safety of the soul and body takes precedence over the implementation of obligations. In line with the rule of law "الضرر يزال" the danger must be eliminated. (Ayatollahi & Jahangard, 2021)

Responding to the above issues, MUI issued fatwa No. 2 of 1979 that "the use of Anti-Menstrual PIL to be able to fulfill the full month of Ramadan fasting, the law is makruh. However, if a woman who is difficult to make up her fast on another day, the law is mubah." The MUI fatwa No. 2 states that "the use of Anti Menstrual PIL apart from the two things mentioned above, the law depends on the intention. If actions lead to violations of religious law, the law is unlawful. MUI's View on Delaying Menstruation During Ramadan Fasting. The MUI Fatwa No. 1-3 of 1979 at the meeting of the MUI Fatwa Commission on January 12, 1979, made the decision:

1. The use of anti-menstrual pills for the occasion of the pilgrimage is permissible.
2. The use of anti-menstrual pills to fulfill the full month of Ramadan fasting is considered makruh. However, if a woman finds it difficult to make up her fast on another day, it is permissible
3. the use Anti Menstrual PIL apart from the two things mentioned above, the law depends on the intention. If actions lead to violations of religious law, the law is unlawful.

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Based on MUI fatwa No. 2 of 1979 that the delay in the menstrual period in the fasting month of Ramadhan was disallowed to perfect the fasting of Ramadhan. However, if it is intended to violate religious norms, it is illegitimate. (Wang et al., 2021)

Research methods

This type of research is library *research*. The research conducted is doctrinal Islamic law research which is *qualitatively analytic*. It is said so because this discussion examines the delay of the menstrual period during Ramadhan fasting according to MUI fatwa No. 3 of 1979. Method data collection in this legal study research begins with collecting literature: *First*, literature study, in which in this section the author will collect MUI fatwas and fiqh books on the topic under study. Then read and trace the legal *istinbath method*. *Second*, exploring other people's works on the topic to be researched. This data analysis technique is carried out by working with data, organizing data, sorting it into manageable units, looking for and finding patterns, finding what is important and what can be learned and deciding what can be told to others, finally making conclusions.

Results and Discussion

1. Health Analysis About Use of Menstrual Delaying Drugs

The emergence of menstrual regulation drugs as a breakthrough in medical science is used to regulate the arrival of menstruation in women, depending on the desire by advancing or delaying the menstrual period. One of the drugs commonly used to regulate the menstrual cycle is *Primolut N*. Because the menstrual cycle is influenced by *the hormone estrogen*. This medicine is taken about seven days or ten days before menstruation comes. And if this drug is consumed in excess, it means that it will not have an effect at the specified time side effects, namely bleeding from the uterus, blood streaks in the uterus, slight menstrual discharge, headaches, nausea, and swelling in the body. Umar Zein, SpPD, MHA, said that in the medical field, menstruation can be pushed back and forth as desired. For women before using menstrual delay drugs, they must first know their menstrual cycle(Fei et al., 2021)

Delaying or advancing the arrival of your period using drugs that contain hormones. Usually used is the hormone *progesterone*. *Many of the progesterone* hormones used so far are derivatives of *testosterone*, a *synthetic masculine* hormone that when used in the long term can cause *masculinization* or what is called masculinity in women. Therefore, *an alternative is sought* that does not have the impact of *masculinization*. Thus the use of this hormone certainly affects the hormone gland system (*endocrine system*) of human reproduction so users who are not in their place are not recommended.

There are two ways to use menstrual delay drugs. First, if this drug is used to delay menstruation, then *progesterone* is given 10 days before menstruation or 7 days before the next menstruation. Menstruation usually comes 2-3 days after stopping the drug. The recommended dose of *medroxyprogesterone acetate*, or *MPA*, is 10 mg. However, giving *Progesterone* can be given for weeks and side effects are usually rarely encountered, provided that you first see the contraindications. Then the second way is to advance menstruation. This method is rarely used because generally women want to postpone menstruation for certain things. Even so, menstruation can be brought forward no later than 6 days. You do this by giving *Progesterone*

from day five (5) to day nineteen (19) of the menstrual cycle. After using this drug, it can cause spotting, this doesn't need to be given any medication, but if this bothers you, it can be given 10 mg again, if bleeding continues this will not interfere with worship. The blood above is not menstrual blood. (Antypkin et al., 2021)

Based on the analysis of the health expert, the use of menstrual delay pills must pay attention to the indications of the drug. If the drug is made from materials that can damage the health of the body, its use must be avoided. However, if there are no side effects, then its use is permissible. However, the use of these drugs must be consulted with medical personnel, so that their use is on target.

2. MUI Fatwa Analysis No. 2 of 197 concerning Postponement of Menstrual Period in Ramadan Fasting Worship

Chastity is a requirement for women to carry out the obligation to perform fasting in the month of Ramadan as determined by Allah and His Messenger. Because a woman's nature has a menstrual cycle, which of course will get obstacles when carrying out the worship to coincide with the arrival of menstruation. At the time of menstruation, women are exempted from all obligatory acts of worship such as prayer, fasting, and other obligatory acts of worship. To overcome this, of course, we as humans are given reason by God to think about how to overcome the problems above. (Ramadhani, 2021)

In the early days of Islam, there were no drugs to delay menstruation so that they could carry out all religious practices such as fasting and pilgrimage and others. So that according to Islamic law, there is no clear text (shariah) indicating whether or not it is permissible to postpone the arrival of menstruation for the smooth running of worship. Therefore, according to Islamic law, delaying menstruation is a contemporary problem that requires in-depth and comprehensive study. Because this is a legal issue that does not exist in the two sources of Islamic law, the solution to solving the law is done using *ijtihad*.

According to Islamic law, menstruation is dirty blood that comes out of the womb of a healthy woman without any reason, it is forbidden for her to perform worship. *Istiḥādah* blood is the blood that comes out of a woman's womb that is not menstrual blood, so women are obliged to perform worship. So therefore if there is spotting while using the menstrual delay drug according to Islamic jurists it is classified as *istiḥādah blood* so it does not hinder worship. So if a woman wants to pray, she may do so, but before performing ablution first wash or clean the genitals and around it, and after that to make it even safer, it is accompanied by wearing sanitary pads, after that only washing, and spotting after using the drug is not need to be followed by a junub bath. (Salih bin Abdullah Al-Laahim, 2011)

The issue of delaying menstruation for religious purposes is not regulated in *the text*. The Al-Quran only discusses menstruation in general, as in Surah al-Baqarah: 222. This verse explains the meaning of menstruation and the prohibition of intercourse between husband and wife during menstruation until they are clean. By looking at the verse, there is no clear provision for delaying menstruation for the sake of worship, such as fasting, for example. So thus the use of menstrual delay drugs that aim to worship such as fasting is to look at the beneficial aspects. It is necessary to consider the use of these drugs, are there greater benefits or harm? (Rosyid, 2019)

Every Islamic law that Allah SWT imposes on humans has a goal, which is called *maqâsid shari'ah*. According to Satria Efendi, *maqâsid shari'ah* is the goal of Allah SWT and

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His Messenger in formulating Islamic laws. This goal can be traced in the verses of the Qur'an and the Sunnah of the Prophet as a logical reason for the formulation of a law that is oriented to the benefit of mankind. In line with that, Abu Ishâq Syâtibi (w.790H) explained the laws ordained by Allah SWT to realize the benefit of mankind, both in this world and in the hereafter. The benefit is divided into three levels, namely *dharuriyât* needs, *hajiyyât* needs, and *tahsîniyyât* needs.

As the rule of fiqh states:

درء المفساد مقدم علي جلب المصالح

Meaning: Rejecting something that causes damage must take precedence over doing good.

Everything that has brought damage should be abandoned because everything that is arranged by Allah SWT certainly has its wisdom and purpose. Al-Amidi stated that a person must decide a problem based on the will of benefit in conflict with *the texts* if there is an emergency that is *qat'I* and *kulli*, in the sense that it is not merely an emergency, not only hard suspicion or prejudice and not only specific to one group. man. (Nur Wahid, 2009)

Based on the explanation above, the scholars agree that Muslim women who menstruate during the month of Ramadan are not required to fast. As a consequence, he must make up his fast in another month. If he fasts, his fast will not be accepted and he must make up for it as many days as he missed. Then, if seen from *the texts* about people who get *rukhsah* not fasting as in sura al-Baqarah 185;

شَهْرُ رَمَضَانَ الَّذِي أُنزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ فَمَن شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ ۖ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ ۗ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ ۗ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَيْكُم وَلَعَلَّكُمْ تَشْكُرُونَ

Meaning: Whoever is sick or on the way (then he breaks his fast), then (he must fast), as many days as he has left, on other days. Allah wants ease for you and does not want hardship for you.

Based on the verse above that people who are sick and travelers are given relief not to fast and replace it with another day. Then menstruation is more than that because menstruation is a normal condition that occurs in every adult woman. When he leaves the fast of Ramadan, he must replace it with another day as much as he missed the fast. However, if the menstrual delay drug does not cause side effects (*harmharat*), then its use is permissible. Because there are no specific *texts that prohibit or allow it*. The goal is to use the drug to complete the number of fasting and at the same time do double the practices in the month of Ramadan.

Based on the two reasons above, some allow and those prohibit, the view of the Shari'a on the problem of delaying menstruation for the benefit of carrying out a universal collaboration of ushul fiqh methodologies, the Koran, and Hadith. So that it can be concluded that the original law of changing the nature of Allah SWT is unlawful and cannot be eliminated except by a balanced comparison as follows:

- a. The forbidden law can change at any time if there is a textual argument that allows it. *Second*, changes are also permitted if there is a need such as treatment or disability. *Third*, the reasons and goals, and changes are supported and justified by the Shari'a. Fourth, it is prescribed that there are no harmful side effects.

- b. At the meeting of the MUI Fatwa Commission on January 12, 1979, the decision was made:
1. The use of anti-menstrual pills for the occasion of the pilgrimage is permissible.
 2. The use of anti-menstrual pills to fulfill the full month of Ramadan fasting is considered makruh. However, if a woman finds it difficult to make up her fast on another day, it is permissible.
 3. The use of Anti-Menstrual PIL apart from the two things mentioned above, the law depends on the intention. If actions lead to violations of religious law, the law is unlawful.

Based on MUI fatwa No. 2 of 1979 that the delay in the menstrual period in the fasting month of Ramadan was disallowed to perfect the fasting of Ramadan. However, if it is intended to violate religious norms, it is illegitimate. The use of anti-menstrual pills for the occasion of the pilgrimage is permissible. (Rafi, 2018)

Because of this principle of eliminating difficulties, Islam provides leeway/ease for Muslims (*rukhsah law*) when facing emergencies or needs. It is also included if a woman who is in a state of difficulty in making up her fast is subject to mubah in using menstrual pills. However, if the use of menstrual pills is in matters that are prohibited by religion, then the law is unlawful.(Antypkin et al., 2021)

Conclusion

The conclusion from this study is that the delay in menstruation during Ramadan fasting in terms of Islamic law is to look at the benefits. If you delay your menstrual period using drugs, the side effects of these drugs are examined. If it causes harm to the body, it is better to avoid it. However, if it does not have side effects that can cause harm then it is permissible. The use of menstrual delay pills has an impact, if analyzed from the negative impact, this drug is consumed in excess meaning that not at the specified time there will be side effects, namely bleeding from the uterus, blood spots in the uterus, etc. While the positive impact on health, the authors assume there is no. Because this drug aims to block the natural cycle that occurs in women. MUI issued fatwa No. 2 of 1979 that the use of anti-menstrual pills to be able to fulfill the month-long Ramadan fast is makruh. However, if a woman has difficulty making up her fast on another day, the ruling is mubah. Using anti-menstrual pills apart from the two things mentioned above, the ruling depends on her intention. If actions lead to violations of religious law, the law is unlawful.

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