

## WOMEN'S FIQIH ABOUT MENSTRUAL BLOOD, POSTPARTUM, AND ISTIHADOH

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### ABSTRACT

This paper examines the fiqh rules regarding women's blood—menstruation, postpartum, and istihadhah—issues that remain complex and often misunderstood in Muslim communities. The main research question explores how Islamic jurisprudence addresses the classification and legal implications of these types of blood, and how this knowledge is disseminated among women. Positioned as a library research using descriptive analysis, the study systematically reviews classical and contemporary sources to synthesize a comprehensive understanding. The findings reveal persistent gaps in women's understanding, which significantly impact religious practices and daily life. Importantly, the analysis highlights the necessity of integrating Gender Equality and Social Inclusion (GESI) perspectives into fiqh education, ensuring that women's experiences are acknowledged and their rights protected. This study contributes to the development of gender-responsive Islamic legal education and supports more inclusive religious practices in Muslim communities.

**Keywords:** *menstruation, postpartum, istihadhah, Islamic jurisprudence, GESI.*

### ABSTRAK

Jurnal ini mengkaji kaidah fiqh terkait darah wanita—haid, nifas, dan istihadhah—yang masih menjadi isu kompleks dan sering disalahpahami di komunitas Muslim. Pertanyaan utama penelitian ini adalah bagaimana fiqh Islam mengklasifikasikan dan menetapkan implikasi hukum dari jenis-jenis darah tersebut, serta bagaimana pengetahuan ini disebarluaskan di kalangan perempuan. Dengan metode penelitian kepustakaan dan analisis deskriptif, studi ini menelaah sumber klasik dan kontemporer untuk memperoleh pemahaman komprehensif. Temuan menunjukkan masih adanya kesenjangan pemahaman di kalangan perempuan yang berdampak pada praktik keagamaan dan kehidupan sehari-hari. Analisis juga menegaskan pentingnya integrasi perspektif Gender Equality and Social Inclusion (GESI) dalam pendidikan fiqh, agar pengalaman perempuan diakui dan hak-haknya terlindungi. Studi ini berkontribusi pada pengembangan pendidikan hukum Islam yang responsif gender dan mendukung praktik keagamaan yang lebih inklusif.

**Kata Kunci:** *haid, nifas, istihadhah, fiqh Islam, GESI.*

### INTRODUCTION

The issue of women in society, especially in relation to roles and authority, is still often colored by the belief that men have a higher position than women. Gender-based social inequality has long been a concern, but significant changes have not yet occurred, partly due to the theological legitimacy that is deeply rooted in culture and religious traditions. Max Weber emphasized that changes in a society's ethical system are closely

related to changes in the underlying theological system. In this context, negative perceptions of women, such as the narrative of Eve as the cause of Adam's descent to earth, have formed a stigma that places women in a subordinate position, even in the realm of worship and social life.

In the history of civilization, menstruation and female blood are often constructed as symbols of weakness or curse, both in Jewish, Christian and Islamic traditions. Myths surrounding menstruation are widespread, linking women's blood with misfortune, impurity, and even natural disasters, so women are often excluded from social life. From an Islamic perspective, the discussion of women's blood-menstruation, puerperium, and *istihadhah* is not only related to biological aspects, but also has significant *fiqh* legal implications. These laws regulate worship, *muamalah*, and the social status of women in society.

However, if examined through a gender analysis approach, it appears that a number of *fiqh* rules relating to women's blood are often the basis for restrictions on women's participation in the public sphere, education, and even in religious decision-making. Restrictions on women's activities during menstruation or postpartum, for example, are often extended to social stigma that hinders women's access to their basic rights. In fact, biologically, menstruation is a natural process that marks reproductive maturity and women's health. The same applies to postpartum bleeding and *istihadhah*, which are biological phenomena unique to women and require a fair understanding of the law so as not to cause discrimination.

In the context of *fiqh*, the discussion of menstruation, postpartum bleeding and *istihadhah* is indeed very important because it has a direct impact on the validity of women's worship and religious activities. However, without a gender-sensitive approach, the interpretation of *fiqh* law can reinforce inequality and social exclusion of women. Therefore, it is important to review the construction of *fiqh* law to make it more responsive to the principles of gender equality and social inclusion. This is in line with the efforts of a number of contemporary scholars who encourage the reinterpretation of women's *fiqh* to be more just and contextual.

This study aims to re-examine the understanding and practice of *fiqh* law on menstruation, *nifas*, and *istihadhah* from a gender perspective, and identify its implications for the equality and social inclusion of Muslim women. Using the method of literature research and descriptive analysis, this study examines classical and contemporary literature to find

opportunities for reformulation of fiqh law that is fairer for women. This study is expected to make a real contribution to the development of gender-responsive fiqh education and encourage the creation of a more just and inclusive Muslim society.

## **METHODS**

This research uses a library research method with a descriptive analysis approach. The main source of data comes from relevant literature, such as books, scientific articles, and documents that discuss the fiqh of women's blood, especially regarding menstruation, nifas, and istihadhah. Data collection is done by reviewing, comparing, and synthesizing various views from classical and contemporary sources. The analysis was conducted systematically to gain a comprehensive understanding of the themes discussed, as well as highlighting their relevance to the issue of Gender Equality and Social Inclusion (GESI) in Islamic education. Thus, this research produces an in-depth and contextualized study based on secondary data that has been academically verified.

## **RESULT AND DISCUSSION**

### **Menstruation, Nifaas and Istihadah in the Qur'an and Hadith**

In the Qur'an, the term "menstruation" is only mentioned four times, in two forms: Fil Mudrali and Ism Mashdar. The word "menstruation" itself does not have theological connotations like traditional religions or beliefs. Islam's view of menstruation as expressed in the Qur'an offers a different concept compared to the early Jewish tradition.

In Jewish tradition, menstruating women were considered unclean, jinxed, and had to be ostracized from society. They had to live in special huts and were not allowed to eat together or even touch food. Looking into a woman's eyes when she was menstruating was called the evil eye and could bring bad luck, so be careful. Therefore, a woman had to show certain signs during menstruation so that she could immediately recognize that she was menstruating. However, this negative theological view was later contradicted by the Qur'an and affirmed in the hadith. This is clearly seen from the Qur'an regarding menstruation (QS. al-Baqarah/2: 222).

In a hadith, a group of the Prophet's companions asked about the behavior of the Jews who would not eat with them at home or see their wives when they were menstruating, so a verse was born that emphasized the importance of "purifying oneself" in relation to menstruation. And then this verse appeared :

وَيَسْأَلُونَكَ عَنِ الْمَحِيضِ قُلْ هُوَ أَذَى فَأَعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ وَلَا تَقْرَبُوهُنَّ حَتَّى يَطْهُرْنَ فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَكُمُ اللَّهُ إِنَّ اللَّهَ يُحِبُّ التَّوَّابِينَ وَيُحِبُّ الْمُتَطَهِّرِينَ

Meaning: They ask you about menstruation. Saying: "Menstruation is an impurity". Therefore you should abstain from women during their menses, and do not approach them until they are pure. When they are pure, then mix with them where Allah has commanded you. Verily, Allah loves those who repent and loves those who purify themselves.

Prophet Muhammad's statement that men should not have sex with their menstruating wives sparked debate among the Jews. They thought the Prophet wanted to distinguish himself from the tradition of segregating menstruating women. The Prophet, however, rejected this tradition and believed that instead of menstrual blood being unclean, menstruating women were unclean. According to the Qur'an, menstrual blood is considered unnecessary and should be discarded as it can transmit diseases if left in the body.

Therefore, the Quranic statement does not demean menstruating women. In a hadith, the Prophet said: He also rejected the Jewish tradition of not eating with menstruating women. While the Prophet SAW. After drinking, he put his mouth on the glass that Aisha was using and bit the flesh that Aisha was biting. The Prophet SAW. In addition, menstruating women were allowed to attend sermons and celebrate Eid al-Fitr and Eid al-Adha, which was unusual at the time.

The Prophet's actions. By removing the restrictions of abstinence, companions could confidently ask and discuss about menstruation, puerperium, and istihadah without shame. It was this situation of dialog that led to the emergence of many traditions that talked about menstruation, puerperium, and istihadah. In these traditions, the scope of discussion about menstruation, puerperium and istihadah shifted to a more technical, operational and practical realm.

The provisions regarding menstruation, puerperium, and istihadah in the hadith are based on cases that occurred among women at the time, and the law was made with women's circumstances in mind. The Prophet's Legal Solution. About women undergoing Istihadah as evidence of the willingness and ability of the Prophet SAW. Listen to what women say. Almost every tradition on this subject states or at least indicates a dialog between the Revelation and the woman (through the Prophet's tradition) before the verdict is rendered. The Prophet. This does not give a universal answer, except for things that every woman can do in any case, such as continuing to pray as a pure person and making

ablutions every time she wants to pray. However, the Prophet said that bathing is obligatory. The Prophet asked and pointed out female companions who were SAW and gave different answers. Think seriously about the situation of women before deciding on a law against them, so that the law can be enforced properly in the end.

However, in the development of classical fiqh, the legal products that were born were often dominated by the perspectives of male scholars. This led to women's needs, experiences and voices often being overlooked. For example, the absolute prohibition of menstruating women entering mosques or reading the Qur'an was based more on fears of "najis" than on sound evidence. These rules reinforce stigma and limit women's access to religious education and socio-religious participation.

(Faqihuddin Abdul Kodir 2019) through the Mubadalah framework asserts that Islamic law should be built on the principles of reciprocity, justice, and empathy, so that women's experiences are not overlooked and the law does not become a tool of gender discrimination.

In addition, classical fiqh rarely connects the issues of menstruation, postpartum bleeding, and istihadhah with women's access to health services and reproductive justice. The social stigma attached to menstruation makes women reluctant to seek medical help when experiencing reproductive health problems. In many communities, restrictions on women's activities during menstruation also have an impact on women's psychological and social participation, especially from economically weak groups or remote areas.

### **Menstruation, Postpartum Bleeding, and Istihadhah in the Perspective of Fiqh**

Fiqh scholars have paid great attention to the issues of menstruation, postpartum bleeding (nifas), and istihadhah from a legal perspective. Figures such as Imam Haramain and Abu al-Falaj ad-Dalimi are among many who have written specific works on these subjects. In Islamic jurisprudence, women experiencing menstruation, postpartum bleeding, or istihadhah are not considered inherently impure or to be isolated from society. Rather, their status is seen as a major ritual impurity (hadath akbar), which requires a ritual bath before certain acts of worship.

Fiqh views the reproductive processes of women as part of their natural disposition (fitrah) that requires legal regulation. By equating menstruation, childbirth, and istihadhah with other ritual impurities, fiqh treats these conditions as normal, temporary, and contingent experiences shared by all people. However, some classical works, such as al-

Jahiz's al-Hayawan, reflect negative views by comparing menstruating women to animals, which is dehumanizing and fails to respect women's dignity.

Although there are differences of opinion among scholars, most laws regarding menstruation, postpartum bleeding, and istihadhah are complex and sometimes difficult for women to implement. This contradiction shows that, although these laws are made for women, many fiqh products do not fully consider women's real conditions. Some legal opinions are more accommodating, such as Imam Malik's view that any amount of menstrual blood, even if brief, is considered menstruation, which is more realistic for women with irregular cycles. Conversely, the Shafi'i school's strict minimum period of purity between two menstrual cycles can be burdensome, while other schools like Ahmad and Ishaq are more flexible.

Regarding istihadhah, the Shafi'i school is more lenient, requiring a major bath only when the bleeding stops, which is practical for women with prolonged istihadhah. The diversity of opinions in fiqh ultimately leads to careful and thorough legal considerations. Since fiqh is the result of ijtihad based on scholars' understanding of sacred texts and religious practices, and since ijtihad is context-dependent, it is natural that different legal instruments apply in different times and places. It is time for fiqh to address women's issues and involve women in the legislative process.

The inclusion of women's voices and experiences in legal reasoning is essential for producing fiqh that is just, relevant, and responsive to contemporary realities (Faqihuddin Abdul Kodir, 2019; Nurhayati, 2022).

Menstruation, postpartum bleeding, and istihadhah affect not only worship but also women's reproductive health and social lives. Medically, these conditions can cause challenges such as anemia, infection, or dysmenorrhea, affecting quality of life. Many women feel ashamed or afraid to discuss these issues, even with healthcare providers, limiting their access to reproductive health services, especially in poor and marginalized communities.

Social stigma and cultural taboos remain strong. In schools, girls who are menstruating often miss classes due to inadequate sanitation facilities or fear of being mocked. In the workplace, women with severe menstrual pain often do not receive fair treatment or leave. Stigma also makes it difficult for women to access health or educational programs because these issues are considered taboo.

The socioeconomic impact of this stigma is significant. Many women feel embarrassed or afraid to disclose their reproductive health status, making them reluctant to seek medical help. Restrictions on participating in religious activities during menstruation, for example, cause women to miss out on learning opportunities and community involvement. In families, women experiencing *istihadhah* are often seen as “ill” or “abnormal,” straining marital relationships and adding psychological pressure. From an economic perspective, women who frequently miss school or work due to stigma and health issues risk falling behind academically and economically, widening gender gaps and hindering women’s progress in various fields. Addressing stigma and promoting reproductive health literacy are crucial for improving women’s well-being and social participation (Arditya Prayogi & Siti Chofifah, 2022; Bastomi, 2023; Reed & Carr, 2018).

### **Reassessment of Fiqh, Implications, and Recommendations**

Reassessing fiqh rulings on menstruation, postpartum bleeding, and *istihadhah* is crucial to ensure that Islamic law does not perpetuate gender discrimination but instead serves as a means of empowerment and protection of women’s rights. In practice, many women still struggle to distinguish between different types of bleeding, affecting their worship and social activities. The lack of fiqh literacy among women, coupled with persistent patriarchal perceptions that position women as objects rather than subjects of law, exacerbates women’s vulnerability in social and religious life. Arditya Prayogi & Siti Chofifah (2022) emphasize that many Muslim women do not understand the differences between menstruation, postpartum bleeding, and *istihadhah*, leading to errors in worship and reproductive health decisions.

The Mubadalah framework and feminist fiqh offer new approaches to interpreting fiqh rulings on women’s blood. Mubadalah emphasizes reciprocal justice, empathy, and the active involvement of women in *ijtihad*. Feminist fiqh highlights the need for women’s lived experiences to be represented in legal reasoning and rejects gender-biased interpretations that are irrelevant to contemporary needs. Thus, laws that restrict women’s access to worship, education, and reproductive health must be critically and inclusively evaluated. Faqihuddin Abdul Kodir (2019) and Ulum (2021) assert that gender-just Islamic law must involve women as legal subjects and consider their experiences and needs in every legal determination.

The implications of this reassessment are broad, affecting social, religious, and health contexts. Gender-responsive fiqh will help eliminate social stigma, expand women's access to reproductive health services, and increase women's participation in education and religious-social life. This aligns with *maqashid sharia*, which prioritizes the protection of life, intellect, and lineage as the main objectives of Islamic law.

Nurhayati (2022) affirms that reforming women's fiqh based on gender justice and social inclusion is vital for eliminating discrimination and marginalization and supporting the protection of women's fundamental rights. Based on the findings and analysis above, the following recommendations are proposed:

1. Gender-Based Reinterpretation of Women's Fiqh

Reinterpretation of fiqh rulings on menstruation, postpartum bleeding, and *istihadhah* must involve women as legal subjects, using the *Mubadalah* and feminist fiqh frameworks, and grounding decisions in justice and empathy.

2. Strengthening Fiqh and Reproductive Health Literacy

Formal and informal education should include comprehensive materials on women's fiqh and reproductive health, enabling women to understand the status of their bleeding and its impact on worship and make informed decisions in daily life.

3. Improving Access to Health Services and Inclusive Advocacy

Governments, religious institutions, and communities must ensure the availability of women-friendly reproductive health services and promote dialogue and advocacy based on women's real experiences to reform discriminatory policies and fatwas.

4. Eliminating Social Stigma and Transforming Culture

Public education campaigns and the involvement of religious leaders are needed to eliminate social stigma surrounding menstruation, postpartum bleeding, and *istihadhah*, and to build a culture that supports gender justice and social inclusion.

Implementing these recommendations will foster a more gender-just and inclusive Muslim society, where women can exercise their rights in worship, health, education, and social life without structural or cultural barriers (Faqihuddin Abdul Kodir, 2019; Nurhayati, 2022).



## CONCLUSION

The discussion on menstruation, postpartum bleeding (nifas), and istihadhah in the Qur'an and Hadith reveals that Islamic teachings provide a more humane and inclusive perspective compared to earlier traditions, such as those in Judaism, which often marginalized women during their menstrual cycles. The Qur'an and the Prophet Muhammad emphasize that menstruation is a natural biological process and not a source of impurity or shame. The Prophet's attitude and legal rulings, which were responsive to women's real-life situations, demonstrate the importance of dialogue and empathy in addressing women's reproductive issues.

However, the development of classical fiqh was largely dominated by male scholars, resulting in legal products that often neglected women's experiences and needs. This has led to the emergence of rules that reinforce stigma, restrict women's participation in religious and social life, and fail to address the practical realities faced by women—especially regarding access to education, healthcare, and reproductive rights. In the fiqh discourse, there is a diversity of opinions regarding the laws of menstruation, postpartum bleeding, and istihadhah. While some schools of thought are more accommodating, others impose stricter regulations that can be burdensome for women. Furthermore, social stigma and cultural taboos surrounding menstruation and reproductive health continue to impact women's psychological well-being, social participation, and economic opportunities.

A reassessment of fiqh using the Mubadalah framework and feminist fiqh is essential. These approaches advocate for justice, empathy, and the active involvement of women in legal interpretation and decision-making. Gender-responsive fiqh will not only help eliminate social stigma but also expand women's access to reproductive health services, education, and active participation in religious and social activities. This aligns with the higher objectives of Islamic law (maqashid sharia), which prioritize the protection of life, intellect, and lineage. In summary, it is crucial to reinterpret fiqh rulings on menstruation, postpartum bleeding, and istihadhah by involving women as legal subjects, strengthening reproductive health literacy, ensuring inclusive access to health services, and eliminating social stigma. Implementing these recommendations will contribute to a more gender-just and inclusive Muslim society, where women can fully exercise their rights in worship, health, education, and social life without structural or cultural barriers.

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