

**A Reconstruction Of Women's Fiqih On Tawaf For
Menstruating Women
(Exploring Ibn Qayyim Al-Zawjiyah's Theory of Ijtihad)**

Sri Yunarti¹, Syarial Dedi²

Universitas Islam Negeri Mahmud Yunus, Batu Sangkar, Indonesia¹

Institut Agama Islam Negeri Curup, Indonesia²

Corresponding author: sriyunarti@uinmybatusangkar.ac.id

DOI: 10.29240/jhi.v11i1.12677

Received: 08/03/2025

Revised: 05/09/2025

Accepted: 15/12/2025

Cite this article:	Sri Yuniarti, Syarial Dedi (2026), A Reconstruction Of Women's Fiqih On Tawaf For Menstruating Women (Exploring Ibn Qayyim Al-Zawjiyah's Theory of Ijtihad Approach. <i>Al-Istinbath : Jurnal Hukum Islam</i> , 10 (2), 2025, 1-18 Doi : 10.29240/jhi.v11i1.12677
--------------------	--

Abstract

The aims in this study is to construct women's jurisprudence by examining Ibn Qayyim's ijtihad regarding the permissibility of menstruating women performing tawaf. This is very interesting because there are clear provisions in the texts (the Qur'an and hadith) that prohibit such practice. Tawaf must be performed in a state of purity, considering that the ritual is performed inside the mosque, while there is a prohibition on entering the mosque in conditions of major impurity. This clearly shows the conflict between the texts and the product of ijtihad. This paper is a normative research in the form of a study of figures and is classified as literature research, commonly called qualitative research, and is supported by the approaches of fiqh and ushul al-fiqh. The data used is secondary data. Data collection was carried out by reading books by the figures discussed, namely: *A'lam al-Muwaqqiin an rab al-'Alamin*, by including literature related to this issue. The data analysis is inductive, consisting of content analysis through data reduction, data display, and a conclusion. This study concludes that Ibn Qayyim's opinion, which permits women to perform tawaf during menstruation, does not negate sacred law or ignore the provisions of the texts and the opinions of scholars, but rather links the provisions of the texts with sharia principles. This line of thinking pays close attention to the social conditions of society. This legal fatwa is

still relevant to practice and can save women from the risks of consuming period-delaying pills.

Keywords: Ibn Qayyim, tawaf, menstruation, hajj

Introduction

Sharia law contains restrictions, commands, and prohibitions that are essentially within the limits of a Muslim's ability to implement. Allah SWT does not burden humans beyond their capacity, in order to achieve the common good. There are exceptions for certain parties from the generally accepted requirements. Sometimes these exceptions are explained by Allah SWT Himself in instructions that differ from previously established laws. From this perspective, the law is divided into two: *'azimah* dan *rukhsah*.¹

Talking about *rukhsah* dan *'azimah*, There was a case of a female Hajj pilgrim who started menstruating while performing tawaf (*ifadhah*), whereas tawaf is a pillar of hajj and must be performed in a pure state. Is there any dryness for menstruating women or not? This question was answered by Ibn Qayyim al-Jawziyah (d. 691-751 H) by allowing menstruating women to perform tawaf. As state in the hadith of the Prophet SAW: اصْنَعِي مَا يَصْنَعُ الْحَاجُّ غَيْرَ أَنْ لَا تَطُوفِي بِالْبَيْتِ (do by you (menstruating women) what the pilgrims do besides performing tawaf around the Kaaba), according to him, it is very wrong to understand it as generally applicable without sorting out the surrounding situation and conditions. He criticized the opinion of people who practice this hadith in a specific way *zhahir*.² He claims that the permission for menstruating women to perform tawaf in the Al-Haram Mosque is due to the necessary conditions and does not violate the rules of sharia, in fact it is very relevant to the rules of *syara*.³

This opinion is interesting to review, considering that the tawaf ritual is performed in the mosque, while menstruation is considered the same as junub, namely having a heavy menstrual flow, and verse 43 of Surah An-Nisa' prohibits

¹ *'Azimah* and *rukhsah* is a branch of wadh'i law. 'Azimah means something that is prescribed by Allah SWT according to its origin for the laws that apply in general regardless of the situation and conditions. While rukhsah is a dispensation that the sharia specifically gives to a mukallaf by considering the situation and conditions surrounding him. Sometimes rukhsah is the permission to do things that are forbidden due to the condition of dharurah or hajj, such as eating carrion. There is the permission to leave things that are obligatory, such as a sick person or a traveler may not fast Ramadan. There is an *istitsnayah* (exception) in some contracts due to hajj, for example, buying and selling greetings. There is also *nasikh* (abrogation) of some sharia laws that occurred in previous ummahs, such as cutting a cloth that was contaminated in the sharia of Prophet Moses. See 'Abd al-Wahhab Khalaf, *Ilm Ushul Al-Fiqh* (Kuwait: Dar al-Fikr, 1978), 121–25.

² Ibn Qayyim Al-Jawziah, *A'lam Al-Muwaqin an Rab Al-'Alamin*, Jilid 3 (Bairut: Dar al-Kitab al-Ilmiyah, 1996).

³ Al-Jawziah, 20.

women from entering the mosque when having a heavy menstrual flow (... ولاجنب; *And do not (approach the mosque) in a state of impurity....*). Meanwhile, waiting for women to finish their periods will take time and there is a fear that they will be left behind from the group. On the one hand, the implementation of tawaf (ifadah) is one of the pillars of hajj. Based on the rule, if the pillars are not fulfilled then the act is considered non-existent (void).⁴

Furthermore, with advances in medical science, various medications have been discovered to delay menstruation in women. According to Yusuf al-Qradhawi (d. 2002), using pills to regulate (prevent) menstruation is not prohibited, as long as the pills are proven to have no negative effects on women's health. Therefore, he recommends consulting an obstetrician (a specialist in reproductive health) before taking these pills. However, research conducted by S. Parker and colleagues found a surprising fact: using oral contraceptives to regulate the menstrual cycle to avoid menstruation during the main rituals of the Hajj carries the risk of breakthrough bleeding. Menstrual irregularities are more common in those who try hormonal menstrual manipulation than in those who do not. Health education on this topic needs to be integrated into pre-Hajj classes⁵ This of course massively pushes women to the brink of destruction. In terms of Sharia, it tries to keep away all forms of harm to humans. In fact, the rules of fiqh say that keeping away harm is more important than taking advantage (درء المفسد مقدم على جلب المصلح).

Based on the above arguments, what Ibn Qayyim has issued a fatwa on, it is very necessary to consider protecting the safety of women, so that they can carry out their worship peacefully without worry, just like men.

Many studies of Ibn Qayyim's thoughts have been conducted, including: Haris Muslim, "The Thoughts of Ibn Qayyim al-Jauziyah (d. 751 AH/1350 AD) on Changes in Fatwa and Their Relevance to the Implementation of Islamic Law in Indonesia", AL-MASHLAHAH; Journal of Islamic Law and Islamic Social Institutions, Vol 8, No 02 (2020). The article examines the thoughts of Ibu Qayyim regarding changes in legal fatwas caused by shifts in time, location, motivation, and local cultural wisdom. Khairuddin Hasbalhah and Rahmadani, "Study of Ibn Qayyim al-Jauziyah's Thoughts on Hakam and Its Relevance to Mediation in Religious Courts", SAMARAH; Journal of Family Law and Islamic Law, Vol 3, No. 1 January-June 2019. This article concludes that hakam is a judge who is given the authority to decide a case, not a husband-wife delegation. The difference with mediation is that the mediator is only given the authority to reconcile, not divorce. Dainori also wrote: "Maslahah as a Theory of Legal

⁴ Khalaf, *Ushul Al-Fiqh*, 118.

⁵ S Parker, S Omar, and OH Mahomed, "Menstrual Abnormalities amongst Female South African Hajj Pilgrims: A Cross-Sectional Study," *South African Family Practice* 60, no. 3 (June 22, 2018): 70–73, <https://doi.org/10.1080/20786190.2017.1397382>.

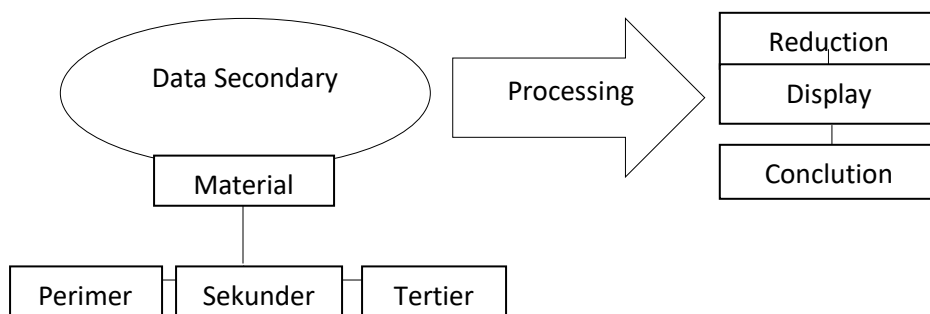
Determination: A Study of Ibn Qayyim al-Jauziyah's Concept": NIZAM, Vol. 8, No. 01, January-June 2020. He concluded that the benefit really pays attention to ta'lil ahkam, hikmah al-tasyri', the rules of kulliyah al-khamsah and jalb al-masalih wa dar al-mafasid.

There is also a journal entitled "Menstruation and the ṭawāf al-ifāḍa: A Study of Ibn Taymiyya's Landmark Ruling of Permissibility" written by Yahya Nurgat: Journal of Women of the Middle East and the Islamic World (2020), he explains that Ibn Taymiyya allowed menstruating women to perform tawaf al-ifadah, although official Saudi government scholars did not sympathize with this matter. The journal "Menstrual abnormalities among female South African Hajj pilgrims: a cross-sectional study" by S Parker, et al: Journal of South African Family Practice; 2018; 60(3): this journal concluded that using oral contraceptives to regulate the menstrual cycle to avoid menstruation during the main rituals of Hajj, carries the risk of breakthrough bleeding. Menstrual irregularities are more common in those who try hormonal menstrual manipulation compared to those who do not. Health education regarding this needs to be integrated into pre-Hajj classes.⁶

The journal "Menstrual Suppression Practice among Female Malaysian Pilgrims" by Rafidah MR, published in the IIUM Medical Journal Malaysia - January 2021, concluded that nearly one-fifth of Malaysian female Hajj pilgrims suppress their menstruation. Contraceptive use has previously been associated with the practice of menstrual suppression. Combined oral contraceptive pills are the most commonly used method, and the method is chosen based on the desired duration of menstrual suppression. Meanwhile, this paper highlights Ibn Qayyim's thoughts on the permissibility of menstruating women performing tawaf during the Hajj. This study clearly differs from the previous paper.

This research is a normative study in the form of a character study and is classified as library research, commonly referred to as qualitative research, and is supported by a fiqh and ushul fiqh approach. Therefore, the data used is secondary data, namely, data that has been prepared in the form of primary, secondary, and tertiary materials. Data collection was conducted by reading books by the discussed figures, namely, *A'lam al-Muwaqqiin an rab al-'Alamin*, containing thoughts about the subject being researched. Literature related to the problem was also read. Data analysis was inductive, using content analysis. Data processing began with summarizing and selecting data, known as data reduction. Data were then presented narratively. Conclusions were then drawn. This is further illustrated in the following figure:

⁶ Parker, Omar, and Mahomed, "Menstrual Abnormalities amongst Female South African Hajj Pilgrims: A Cross-Sectional Study."



Profile of Ibn Qayyim al-Jawziyah

Muhammad bin Abu Bakr bin Ayyub bin Sa'ad bin Huraiz al-Zar'i al-Dimasyqi, Syam al-Din Ibn Qayyim al-Jawziyah is an expert in fiqh and Ushul al-fiqh of the Hambali school, known as Ibn al-Qayim al-Jawziyah. He is also a hadith expert, nahwu, writer, lecturer and khatib. Born on 7 Safar in 691 AH/ 1292 AD in Damascus,⁷ precisely in Zar'i, a village in the Hawran region, about 55 miles southeast of the city of Damascus.⁸

He received his education in his birthplace, learning hadith from al-Taqiy Sulaiman, Abu Bakr 'Abd al-Dayim, Mut'im, Ibn Sirazi, Ismail bin Maktum, Arabic from Abu al-Fath, al-Majd al-Tunisi, fiqh from al-Majd al-Harani, science of faraid from his father, Abu Bakr, Usul fiqh from al-Safi al-Hindi, and Ibn Taymiyyah. Of all his teachers, Ibn Taymiyyah (d. 661-728 H) was the one he followed the longest.⁹ Many of Ibn Taymiyyah's thoughts and attitudes

⁷ Abdullah Mutofa Al-Maraghi, *Fiqh Experts Throughout History*, trans. Husein Muhammad (Yogyakarta: LKPSM, 2001), 255.

⁸ Haris Muslim, "The Thoughts of Ibn Qayyim Al-Jauziyah (d. 751 H/1350 M) on Changes in Fatwas and Their Relevance to the Implementation of Islamic Law in Indonesia," *Al-Mashlahah: Journal of Islamic Law and Islamic Social Institutions* 18, no. 02 (2020).

⁹ Ibn Taymiyyah's full name was Taqi al-Din Ahmad ibn Abd al-Halim ibn Abd Salam ibn Taymiyyah. He was born in Harran on January 22, 1263 CE (10 Rabiul Awwal 661 AH). He was a prominent figure in the Hanbali school of thought. Among his famous legacies is his understanding of market mechanisms. During the Mamluk era, prices were set in Dirhams (a legacy of the Ayyubid currency). Due to the public's pressing need for smaller denominations, Sultan Kamil Ayyubid introduced a new copper currency called Fulus. The governments of Sultan Kitbugha and Sultan Dzahir Barquq minted Fulus in vast quantities with a nominal value exceeding their intrinsic value. As a result, economic conditions worsened, triggering inflation. Market conditions were unstable, prices rose unfairly, and monopolies and injustice arose. Seeing this condition, Ibn Taymiyyah was called upon and even asked by the authorities to find a solution. This theory is what Western economics calls 'supply and demand.' Ibn Taymiyyah's brilliant solution is outlined in Majmu' Fatawa Shaykh al-Islam, as-Siyasah ash-Syar'iyyah fi Ishlah ar-Ra'i wa ar-Ra'iyah, and al-Hasbah fi al-Islam. To this day, Ibn Taymiyyah's economic thinking remains relevant for study and application. Ibn Taymiyyah died in Damascus in 728 AH and was buried in a Sufi cemetery. For further details, see Syarial Dedi, "Economics and

influenced him. In his daily life, Ibn Qayyim was known as a wara' (pious person), diligent in his worship, and steadfast in his beliefs.¹⁰ His courage to oppose the wrongdoings of the rulers led him to the same fate as his teacher; Ibn Taymiyyah who was tortured, oppressed and imprisoned. Ibn Qayyim and his teacher were once imprisoned for prohibiting the pilgrimage to the Ibrahim Mosque.¹¹

Ibn Qayyim had many students, including; Ibn Kathir, al-Hafidz Zainuddin Abu al-Fariz Abdurrahman, Shamsuddin Muhammad bin Abd Qahhar an-Nablisi, Ibn al-Hadi and others. Ibn Qayyim has written several books such as, *I'lam al-Muwaqqi'in 'an Rabb al-Alamin* (Ushul fiqh), *Hadi al-Arwah ila Dar al-Afrab*, *Ighasah al-Lahfan fi Masayid asy-Syaithan*, *Zad al-Ma'ad fi Hadi Khair al-'Ibad* (hadis), *Syifa al-Ghalil fi al-Qada' wa al-Qadar wa al-Hikmah wa at-Ta'lil* (tauhid), *at-Turuq al-Hukmiyah fi asy-Syiyasah al-Syar 'iyah* (fiqh), *at-Tibyan fi Aqşam al-Qur'an*, *Miftah Dar as-Sa'adah* dan *Mansyur Uluwiyah al-'Ilm wa Iradah*.¹²

Ibn Qayyim died on the night of Thursday, 23 Rajab 751 AH (1350 CE). His funeral prayers were held twice, first at the Jami' Mosque of Damascus (the Umayyad Mosque), then again at the Jami' Mosque of aj-Jarrah near his grave, in Bab as-Saghir, a suburb of Damascus.¹³

Tawaf and Divisions

Tawaf is taken from the root word "thaafa" which means to go around something, to go around.¹⁴ In its usage, the word "tawaf" is popular among jurisprudential scholars, especially in matters of Hajj and Umrah. They limit tawaf to the meaning of walking quickly around the Kaaba seven times. The obligation of tawaf is based on the words of Allah SWT in the letter of *al-Baqarah*: 158

أَن الصَّافَا وَ الْمَرَوَةَ مِنْ شَعَاءِ اللَّهِ فَمَنْ حَجَّ الْبَيْتَ أَوْ اعْتَمَرَ فَلَا جُنَاحَ عَلَيْهِ أَنْ يَطُوفَ بِهِمَا
وَمَنْ تَطَوَّعَ خَيْرًا فَإِنَّ اللَّهَ شَاكِرٌ عَلِيمٌ (القرة:185)

Indeed, shafa and marwa are part of Allah's teachings, so whoever goes on Hajj to Baitullah or Umrah, then there is no sin on him to perform Tawaf with them. And whoever does good, indeed Allah is Most Gracious and All-Knowing. (QS:2:185)

Rulers (Ibn Taimiyah's Thoughts on Market Mechanisms)," AL-FALAH: Journal of Islamic Economics 3, no. 1 (July 17, 2018): 73, <https://doi.org/10.29240/jie.v3i1.442>.

¹⁰ Al-Maraghi, *Fiqh Experts Throughout History*, 255.

¹¹ Rizal Darwis, "Ibn Qayyim Al-Jauziyah's Thoughts on the Paradigm of Legal Change," Adzkiya: Journal of Sharia Law and Economics 05, no. 1 (2017).

¹² Al-Maraghi, *Fiqh Experts Throughout History*, 255.

¹³ Muslim, "The Thoughts of Ibn Qayyim Al-Jauziyah (d. 751 H/1350 M) on Changes in Fatwas and Their Relevance to the Implementation of Islamic Law in Indonesia."

¹⁴ Louis Ma'luf, *Al-Munjid Fi Al-Lughah Wa Al-I'lam* (Bairut: Dar al-Masyriq, 1986), 543.

Tawaf during Hajj,¹⁵ *First, the ifadah tawaf, this tawaf is a pillar of hajj, not obligatory hajj,*¹⁶ and must be carried out by every Hajj pilgrim, if left out, the consequence is that the Hajj is invalid and must be repeated the following year. Because if a pillar is left out, the Hajj will be invalid.

*Second, tawaf wida', this tawaf is a farewell tawaf (asking for leave) from all Hajj pilgrimage activities, this can be understood from the hadith of the Prophet which reads:*¹⁷

لا ينفر احد منكم حتي يكون آخر عهده بالبيت

Let none of you pass away until his time has ended with the house (circumambulation of the Kaaba)

The law on performing tawaf wida' has different opinions among Islamic scholars. Some say it is obligatory, but others are of the opinion that it is sunnah.

Third, tawaf qudum, also known as tawaf al-wurud, at-tahiyyah because the Prophet Muhammad SAW performed tawaf when entering the city of Mecca, or it can also be said to be a congratulatory tawaf upon arriving in Mecca. The ruling on performing it is sunnah. The Prophet SAW was narrated by Ibn Umar in a hadith which reads:

قدم النبي صلى الله عليه و سلم مكة فطاف بالبيت ثم صلي ركعتين... (رواه البخاري)¹⁸

When the Prophet (PBUH) entered Mecca, he performed Tawaf around the Kaaba and then prayed two Rak'abs. (HR. al-Bukhari)

To perform tawaf, one must be in a pure state as explained by the Prophet said:

عن عائشة رض الله عنها قلت: قال رسول الله صلى الله عليه وسلم أفعلي كما يفعله الحاج غير ان لا تطوفي بالبيت حتي يكون آخر عهده بالبيت حتي تطهري (البخاري)¹⁹

¹⁵ Taqi ad-Din Abi Bakr Ibn M. al-Hasimi al-Hashmi, *Kifayah Al-Akhyar Al-Ghayab Al-Ikhtishar*, Juz I (Semarang: Toha Putera, n.d.), 225.

¹⁶ Pillars and obligatory Hajj are two terms used by all scholars of fiqh only in the Hajj pilgrimage. Both must be done equally, but there are differences between the two, although in many ways they are the same. Pillars in Hajj are something that cannot be left out in the sense that if one of the pillars is left out, the Hajj is invalid and by therefore it must be repeated next year. While the obligatory Hajj is an act that must be performed, if one of them is missed, it does not invalidate the Hajj; it is only obligatory to perform another act as a substitute. See Aziz Dahlan, ed., *Encyclopedia of Islamic Law*, Vol. 2 (Jakarta: Bachtiar Baru Van Hoeve, 1996), 466.

¹⁷ 'Abd al-'Aziz bin Abdullah bin Baz, *Tuhfah Al-Ikhwani Bi Ajwibah Muhimmah Tatallaq Bi Al-Arkan Al-Islam* (Riyad: Dar al-Faizin, 1995), 212.

¹⁸ 'Abd ar-Rahman bin Ismail al-Bukhari, *Shahih Al-Bukhari* (Bairut: Dar Sha'ab, n.d.), 286.

¹⁹ al-Bukhari, 286.

From 'Aishah R.A she said: The Messenger of Allah (PBUH) said: Do as the pilgrims do except for the Tawaf until you are pure. (HR.al-Bukhari)

Purity in this hadith is defined by jurists as purity from impurity (hadas) and impurity, whether on the body, place, or clothing. This purity issue is not particularly challenging for male Hajj pilgrims, but it is a different matter for women who menstruate during the Hajj. It is natural for women to menstruate.

During the time of the Prophet (PBUH), he waited for the woman who was menstruating until her period ended and then performed tawaf, as narrated by al-Bukhari from the narration of 'Aishah RA; that Shafiiyah was one of the wives of the Prophet (PBUH) who was menstruating and it was reported to the Prophet (PBUH), then Rasur asked, "*Can Shafiiyah stop us?*" They replied, "He has completed the tawaf ifadah." Hearing that, the Messenger of Allah (peace and blessings of Allah be upon him) said, "Then let us leave now."²⁰

Ibn Qayyim's opinion on Tawaf for Menstruating Women

Ibn Qayyim, before expressing his opinion, first explained the opinion of the ulama and then criticized it. This scientific dialogue begins by presenting the hadith of the Prophet said: اصْنِي مَا يَصْنَعُ الْحَاجُّ غَيْرَ أَنْ لَا تَطُوفِي بِالْبَيْتِ ((menstruating women) do what the pilgrims do other than perform tawaf around the Kaaba). According to him, some people understand this hadith to apply generally to all situations and conditions, without distinguishing between ability and inability. It also doesn't explain the circumstances under which it's permissible to wait until a woman has completed her period and perform tawaf, but rather to simply practice the apparent texts. There's also the opinion that tawaf is not permissible for menstruating women, as is prayer and fasting.²¹

Ibn Qayyim divided the opinions of these scholars into 2 groups: First, it is permissible to perform tawaf during menstruation. They do not consider menstruation as an obstacle to its validity, but they make it obligatory, *dam*,²² This is the opinion of Imam Abu Hanifah and Imam Ahmad in one narration. The reason is that the relationship between purity and tawaf is not like the relationship between conditions and masyrut, such as purity and prayer, but rather like the relationship between the obligatory Hajj and the Hajj itself. If an

²⁰ Al-Jawziah, *A'lam Al-Muwaqqin an Rab Al-'Alamin*, 20.

²¹ Al-Jawziah, 20.

²² *Dam* Linguistically means blood. The meaning is to slaughter certain animals as a sanction for violations or for leaving something that is commanded in the context of performing the Hajj and Umrah rituals or for prioritizing Umrah over Hajj (Hajj tamattu') or for performing Hajj and Umrah simultaneously (Hajj qiran). Sometimes people call dam al-hady. According to Wahbah az-Zuhaili, al-hady is more general than dam, because al-hady includes all forms of animal slaughter carried out in haram land, such as vows and sacrifices. See Wahbah az-Zuhaili, *Al-Fiqh Al-Islamiy Wa Adillatuh*, Jilid 3 (Damsiyq: Dar al-Fikr, 2008), 298.

obligatory Hajj is not performed, the pilgrim must pay for *dam*. Second, the opinion is that the relationship between the obligation to be pure and tawaf is the same as the obligation to cover the genitals when praying, meaning the relationship between the conditions and *masyrut*, this obligation is waived if a woman is unable or has an excuse to do so. They argue that during the time of the Prophet Muhammad and the caliphs, they waited until her period had finished and then performed tawaf, as told that Syafiyah (one of the wives of the Prophet SAW) experienced menstruation and complained about it to the Prophet SAW, then he asked, "*Can Shafiyah stop us*?" They replied, "He has completed the tawaf ifadah." Hearing that, He said, "Then let us leave now."²³ It's clear from this dialogue that the group's departure will be postponed if Shafiyah is still menstruating. This means that the tawaf ifadhah ritual requires a woman to be in a state of purity and wait until her period is over. At that point, the woman is in a state of purity, allowing her to perform the tawaf.

Ibn al-Qayyim held a different view regarding the above hadith. He stated that it could be implemented because it was possible at the time. However, today, going on the Hajj in groups and possibly waiting for the woman to finish menstruating before performing the tawaf is extremely difficult. Ibn al-Qayyim supported this legal basis with eight arguments. First, he ordered the woman to stay in Mecca until her menstruation had finished (she became pure) and then perform the tawaf. This argument is unacceptable because it is very dangerous for the woman's safety if she is left alone in Mecca. *Secondly*, Aborting the tawaf ifadah because it does not meet its requirements, this reason is not possible because the tawaf ifadah is one of the pillars of hajj and if the pillars are not performed, it will result in the invalidation of a person's hajj. Third, if the woman knows that her period is coming or is worried that her period will come, then she should perform the tawaf ifadah before it is due. This is the same as performing wuquf at Arafat before it is due. Thus, this is also forbidden. Fourth, waiting until her period ends (menopause) and then performing the hajj because before the menopause the obligation of hajj is no longer valid. If this is implemented, of course many women will not be able to perform the hajj, even though women are naturally granted menstruation every month. The hajj is not invalid because some of its conditions are weak and not because of some of its rulings. Five, the woman returns to the state of ihram and takes care not to do any forbidden acts when *ihram*,²⁴ until he returns at the time of purification and then performs tawaf, if his country is not too far from Mecca, if the distance is far from Mecca he comes next year, if next year he is

²³ Al-Jawziah, *A'lam Al-Muwaqqin an Rab Al-'Alamin*, 20.

²⁴*Ihram* is a condition related to the Hajj and Umrah pilgrimage which cannot be left out of all Hajj and Umrah activities, in this condition a person must wear white clothes without stitching and is strictly not allowed to do certain things such as hunting, marrying, killing animals and so on until he has completed the entire series of Hajj or Umrah pilgrimages. See Sayyid Sabiq, *Fiqh As-Sunnah*, Vol. 3 (Bairut: Dar al-Kitab, 1983), 567-74.

still not purification, wait for the following year. This is an unacceptable reason. If this is implemented, it will certainly cause various difficulties for women. Whereas the basic principle of Islamic law is to bring mercy, benefit, goodness and reject all forms of harm from the people. Sixth, at that time, menstruating women were exempted from the requirement of tawaf ifadah until she was pure, but it was imposed on her that whenever she was able, she was required to perform tawaf in a pure state. If we look at this reason, it is the same as making the Hajj obligatory for women who are subject to Hajj twice, in terms of the obligation to perform Hajj only once in a lifetime, as indicated by the hadith of the Prophet said:

عن ابن عباس أن رسول الله صلى عليه وسلم قام فقال أن الله تعالى كتب عليكم الحج فقال الأقرع ابن حابس التميمي كل عام يا رسول الله فسكت فقال لو قلت نعم لو جبت ثم أذا لا تسمعون ولا تطيعون ولكنه حجة واحد (رواه الناسي)²⁵

On the authority of Ibn Abbas, the Messenger of Allah (peace and blessings of Allah be upon him) said: Allah Almighty has said: Hajj is obligatory upon you. Aqra' Ibn Habis at-Tamimi (a friend) asked, "Every year, O Messenger of Allah." The Messenger of Allah remained silent and then said, "If I am telling the truth, it is obligatory upon me." Then at that time, they did not listen to them, nor were they able to do so, but Hajj is obligatory only once. (HR. an-Nasai)

Seventh, looking for someone who can replace her to perform the tawaf ifadhah. If this is applied, it means equating the condition of a woman who is menstruating with a ma'dhub - someone who is helped to perform the hajj by someone else because they are unable to do it themselves -, this equating is not correct in law and in reality. Because the person who is helped is someone who has given up hope of losing the unzur - the reason that encourages them to look for someone else as their replacement - and someone who can still hope to lose their kurunzur, then for that person there is no reason to look for a replacement. In fact, a menstruating woman is not a weak person, she just does not fulfill the sacred conditions to perform the tawaf ifadhah. Eighth, telling her to do what she is able to do from the rituals of hajj and exempting her from what she is weak in from the conditions and obligations. This is the same as the situation where the condition of covering the aurah for someone who is weak to do it in prayer is removed. Thus, a menstruating woman may perform the tawaf ifadhah and try her best so that the menstrual blood does not spill on the floor of the mosque which causes the mosque to be dirty because of the blood. The ability of menstruating women to circumambulate in the al-haram mosque is due to the condition of emergency and does not violate the rules of syar'iah,

²⁵Abd ar-Rahman bin Syu'aib bin 'Ali al-Khurasani an-Nasai, *Sunan An-Nasai*, Juz V (Bairut: Dar al-Kitab al-Ilmiyah, 1995), 80.

even that is very relevant to the rules of syariah. All obligations or requirements are void if there is no ability, and all prohibitions are lost when *dharurah*.²⁶

Ibn Qayyim's opinion that allows menstruating women to perform tawaf raises two issues: the prohibition on menstruating women entering the mosque and the prohibition on performing tawaf while menstruating. Both prohibitions are confirmed by the verses and hadith of the Prophet SAW. In response to this, Ibn Qayyim explains; first, the prohibition on menstruating women entering the mosque, and indeed tawaf is performed in the Grand Mosque. He said that a) in conditions of *dharurah*, menstruating and junub women are permitted to enter the mosque; b) tawaf is the same as passing (walking) in the mosque, and for menstruating women it is permissible to walk due to necessity as long as she is able to prevent her blood from dirtying the mosque; c) menstrual blood is positioned like *istahadhab* blood (sickness), *mustahadhab* are permitted to enter the mosque as long as they maintain the cleanliness of the mosque; d) the prohibition on menstruating women entering the mosque for tawaf is like the prohibition on *junub* people entering the mosque, both of which are tolerated if there is a *hajah*. The existence of *hajah* is positioned as *dharurah*, so it is permissible to do things that are forbidden (الحاجة تبيح المحظورات), then the hadith.. لا تطوف بالبيت... is not absolute. Purity is indeed one of the conditions for tawaf, this condition can be omitted if you are unable to do it, for example if your period has ended, but there is an excuse for bathing and tayammum, then tawaf is permitted according to the circumstances.²⁷

The second issue is the prohibition on performing tawaf while menstruating, as tawaf is tantamount to prayer. Ibn Qayyim refuted this, stating that tawaf is undoubtedly obligatory when one is in a state of purity and covers the genitals as explained in the hadith of the Prophet SAW... لا يطوف بالبيت عريان (Do not circumambulate the Kaaba naked)... Verse 31 of Surah al-A'raf says... خذوا زينتكم عند كل مسجد (wear your jewelry when entering the mosque)..., However, in urgent situations, performing tawaf naked is permitted. The prohibition on performing tawaf naked is affirmed by the Qur'an and Hadith. It is forbidden to expose the private parts during and outside of tawaf, and the prohibition on performing tawaf without clothing is abhorrent according to both sharia and reason. The prohibition on tawaf during menstruation is only established by Hadith. Therefore, performing tawaf during menstruation for Hajj is certainly more permissible. Tawaf and prayer do have similarities, but they have many differences. Reducing the number of rak'ahs of prayer invalidates the prayer, but reducing the number of tawafs, for example, to six, is considered valid and requires a dam. Prayer can be performed in various places as long as they are

²⁶ Al-Jawziah, *A'lam Al-Muwaqqin an Rab Al-'Alamin*, 20.

²⁷ Al-Jawziah, 20.

clean and pure, but tawaf is only valid in the Grand Mosque, and there are many other differences.²⁸

Analysis of Ibn Qayyim's Opinion

Nash It is indeed forbidden for menstruating women to enter the mosque, the tawaf activity is circling the Kaaba, while the Kaaba itself is inside the mosque. One of the hadiths of the Prophet SAW explains;

فَأَنِي لَا أَحِلُّ الْمَسْجِدَ لِحَائِضٍ وَلَا حَنْوَبٍ (رواه أبو داود)²⁹

It is not permissible to enter the mosque for those who are menstruating or for those who are junub. (HR. Abu Daud)

The hadith explicitly forbids people who are not pure from entering the mosque, whether due to *junub* or during menstruation, however in various fiqh books, the *fuqaha* state that in the case of *dharurah* conditions, it is permissible for people who are *junub* and women who are pure to enter the mosque, as stated in the rule: *الضرورة تبيح المحظورات* (*Conditions of necessity allow for doing forbidden things*). The prohibition in the above hadith only applies to those who intend to remain in the mosque, such as for prayer or I'tikaf—seclusion in the mosque with the intention of worship. However, those who perform tawaf (circumambulation) in the mosque are like those who pass by, not those who stay there, because tawaf itself implies "circumambulating the Kaaba," not staying in the mosque. This argument was also put forward by Ibn Qayyim.

Another thing is that the condition of a menstruating woman can be compared to that of a woman in *istihadah* a woman who continues to bleed who is permitted to enter the mosque to perform various acts of worship, provided she keeps her blood from polluting the mosque. Ibn Qayyim also supported his opinion with this reasoning.

Ibn Qayyim also acknowledged the prohibition on menstruating women from performing tawaf ifadah. It cannot be denied that tawaf must be performed in a holy condition and covering the private parts. This is based on the explanation of the hadith which reads :

لا يطوف بالبيت عريان (رواه البخاري)³⁰

²⁸ Al-Jawziah, 20.

²⁹ Abi Daud Sulaiman bin al-Asy'ats al-Sajastani al-Ajdi, *Sunan Abi Daud*, Juz I (Bandung: Maktabah Dahlan, n.d.), 60.

³⁰ al-Bukhari, *Shahih Al-Bukhari*, 257.

Do not perform tawaf around the Kaaba while naked. (HR.al-Bukhari)

Meanwhile, the sacred provisions are emphasized by the hadith from 'Aisyah which speaks directly about the issue of the prohibition of performing tawaf when a woman is menstruating.

عن عائشة رض الله عنها قلت: قال رسول الله صلى الله عليه وسلم أفعلي كما يفعله الحخ³¹ غير ان لا تطوفي بالبيت حتي يكون آخر عهده بالبيت حتي تطهري (البخاري)

From 'Aishah R.A she said: The Messenger of Allah (PBUH) said: Do as the pilgrim does, except for the circumambulation, until you are pure. (HR.al-Bukhari)

The law is indeed strict, but Allah SWT Himself is All-Wise, providing humans with the means to do so. This ease is known as *rukhsah*, as exemplified in the case of eating pork. Essentially, eating pork is forbidden because there is nothing else to ate not eating would be fatal for one's life. Therefore, in this situation, eating pork is permissible simply to satisfy one's hunger. Didn't Allah SWT Himself emphasize in the Quran:

فاتقوا الله ما استطعتم (التقابين 16)

So fear Allah as much as you can. (QS:16)

Likewise with the explanation of the Prophet SAW:

إذا أمرتكم بأمر فأتوا ما استطعتم (رواه مسلم)³²

So when I command you with a command, then do from it according to your ability. (HR. Muslim)

Ibn Qayyim also used nearly the same argument as previous scholars to establish the legal basis for menstruating women performing tawaf. However, Ibn Qayyim also put forward an argument not explicitly addressed by these scholars, namely, taking into account the circumstances and conditions involved in performing the tawaf is law of *nash*. Differences in situations greatly influence the understanding and practice of a text, and ultimately there will be a shift in legal fatwas. This theory was framed by Ibn Qayyim with the rule:

تغير الفتوي بتغير الأزمنة والامكنة والاحوال والنيات والعوداد³³

Fatwas change with changing times, places, situations, intentions and customs

What changes here is the fatwa, not the law, because law is the prerogative of Allah SWT, it is impossible for it to change since the time of eternity. As the sentence sounds:

أن الحكم الا الله يقض الحف وهو حير المصلين (الأنعام: 57)

³¹ al-Bukhari, 257.

³² al-Bukhari, 271.

³³ Al-Jawziah, *A'lam Al-Muwaqin an Rab Al-'Alamin*, 11.

Indeed, the right to establish the law is Allah's. He judges with truth, and He is the Knower of the truth, and He understands the best decision. (QS:7: 57)

Ibn Qayyim observed that the hadith text prohibiting tawaf during menstruation, and requiring women to wait until menstruation was over, could only be applied to the situation at that time. He argued that the hadith could not be used textually because the situation was not the same as in the time of the Prophet Muhammad, when Islam was still concentrated in Arabia, not far from Mecca. It was very different from the current situation where Islam has almost conquered a third of the world. Hajj pilgrims come from all over the world in groups (kloters) with predetermined departure and return schedules, which certainly makes things very difficult. Resolving legal cases demands a mastery of the texts, contextually rather than textually, so that the law does not create difficulties for the community. This requires the active role of mujtahids in reviewing past legal fatwas so that the law can address the community's evolving problems over time. Reform or renewal of fiqh and usul fiqh as its method is inevitable. Of course, this activity cannot be separated from the principles of knowledge from an Islamic perspective.³⁴

Implementation of the law if it is not possible by law *mantuq*,³⁵ even if it is forced it will cause difficulties for the people. This is certainly not in line with the maqasid of sharia itself. It is possible that a text has power in terms of its legal basis, but is difficult to apply in practice. Therefore, the wisdom and expertise of a mujathid are essential. This is what is known as the term *ijtihad tathbiq*³⁶ towards the implementation of *nash*. Ibn Qayyim has done so in the

³⁴Syarial Dedi, "Usul Fiqh According to the Paradigm of Philosophy of Science (Study of Ontology, Epistemology, and Axiology)," *Al-Istinbath: Journal Islamic of Law* 5, no. 2 (November 30, 2020): 290, <https://doi.org/10.29240/jhi.v5i2.1829>.

³⁵The word Mantuq is a maful isim from nataqa, meaning that which is spoken or pronounced. In the sense of ushul al-fiqh, dilalah mantuq is the designation of a word to a meaning in the area of speech/conversation. And this is known by using dilalah lafziah which includes two forms, first, dilalah mutabaqiyah, namely the designation of the word to its entire meaning such as the word human is directed at rational animals, while the second form is dilalah tadhammuniyah, namely the designation of the word to part of the intended meaning such as the word human to animals or rational ones only. See Muhammad Isa Ulwiyah Zahran, *Al-Munthakab Fi Ushul Al-Fiqh*, (Cairo: Maktabah al-Azhar, 1998), 7. Thus it is understood that dilalah mantuq is the designation of a legal nash based on what is written or spoken from the conversation itself.

³⁶*Ijtihad tathbiq*, namely the activity of ijtihad that is not to discover and produce new laws, but to apply the laws discovered by previous mujtahids to events that arise later. The legal problems in these events that arise later are determined by connecting them to the laws established by previous mujtahids. In this case, there does appear to be an effort to mobilize the power of ijtihad, but it does not produce new or original laws and does not use valid Islamic arguments as reference material but only refers to existing laws. See Amir Syarifuddin, *Ushul Fiqh*, Volume 2 (Jakarta: Logos Wacana Ilmu, 2001), 266.

ruling on performing tawaf for menstruating women with socio-cultural considerations.

Ibn Qayyim sometimes uses the terms *dharurah* and *hajjah*,³⁷ but what he meant by this case was *hajjah*, as understood from the explanation. So this case can be said to be a condition *hajjah*, because it has not reached the level *dharurah*. In the condition of *Hajjah*, there is ease from Allah SWT Himself. As stated in the rule: *الحاجة تنزل منزلة الضرورة* (*Hajjah sometimes occupies a dharurah place*).³⁸ Like the case of being able to pray while sitting or lying down if you are unable to stand.

This is where the eclecticism of Islamic law is seen, with its desire for convenience for the people as indicated in the word of Allah SWT:

يريد الله بكم اليسر ولا يريد بكم العسر (البقرة 185)

Allah desires ease for you and Allah does not desire hardship for you. (QS:2:185)

Ibn Qayyim emphasized that permitting tawaf during menstruation is a requirement of Islamic law (*اقتضاء قواعد الشرعية*). This is not intended to negate sacred law. The fatwa of the scholars, which stipulates that purity is obligatory, applies only in circumstances of necessity and possibility, not in situations of extreme necessity and weakness. Therefore, the fatwa on permissibility does not mean ignoring the texts and opinions of the scholars, but rather linking the provisions of the texts to sharia principles. Therefore, the permissibility of performing tawaf for menstruating women is seen as in accordance with *syaria* and its principles.³⁹ This line of thinking pays close attention to the social conditions of society, so that it has the potential to overhaul legal fatwas.

Ibn Qayyim's fatwa about the ability of menstruating women to perform tawaf is similar to the opinion of his teacher Ibn Taymiyah, only different in terms of the argumentation used. Ibn Taymiyah led to the cancellation of decisions based on sunnah, analogy (*qiyas*), and consensus (*ijma'*), which prohibited the state of great impurity to perform tawaf. Imam Malik (d. 179 H) and Imam asy-Syafi'i (d. 204 H) stated that ablution is necessary for tawaf to be valid, because they equate tawaf with prayer. Ibn Taymiyya refuted this analogy, arguing that it is based on a verse of the Qur'an and several hadiths and contradicts common sense. He argued that verse 26 of Surah al-Hajj, which establishes the alignment of tawaf and prayer, necessitating ablution for the perfection of both, is incorrect. The verse, according to Ibn Taymiyyah, is in

³⁷ *Al-hajjah* is a secondary need for human life, namely something that is necessary for life, but does not reach the level of *dharuri*. If this need is not met in human life, it will not eliminate or destroy life itself. Although it does not destroy life, its existence is necessary to make life easier. For further information, see Khalaf, *Ilm Ushul Al-Fiqh*, 200.

³⁸ Zainuddin bin Ibrahim bin Muhammad as-Sahar Ibn Nizam, *Al Asbab Wa Nazair Ala Mazhab Abi Hanifah An-Nu'man* (Bairut: Dar al-Kitab al-Ilmiyah, 1999), 78.

³⁹ Al-Jawziah, *A'lam Al-Muwaqqin an Rab Al-'Alamin*, 20.

which Abraham and his son, the Prophet Ishmael, are commanded by God to ‘purify My House for those who circumambulate it (tawaf), those who abide therein (i’tikaf), and those who bow and prostrate themselves in worship (salat).’ Here, the word ‘akifin appears, referring to those who perform ritual seclusion or retreat (i’tikaf) in and around the Ka’bah. Ibn Taymiyyah adds that tawaf is not invalidated by the same actions that invalidate prayer such as eating, drinking, or uttering words that are not part of the prayers of prayer and thus, tawaf is fundamentally different from formal worship. There are indeed similarities between tawaf and prayer, but these similarities are only in terms of the spiritual similarity between these two forms of prayer; both require concentration from the person praying.⁴⁰

If we relate it to the current context, where advances in medical and pharmaceutical sciences have discovered menstrual delay pills. This pill, if used with a doctor's instructions, allows women to carry out the complete *Hajj* rituals. However, research has revealed a surprising fact: using oral contraceptives to regulate the menstrual cycle and prevent menstruation during the main rituals of the Hajj carries the risk of breakthrough bleeding. 899 So, herein lies the real contribution of implementing Ibn Qayyim's fatwa, which could be a solution. ***Wallahu a’lam.***

Conclusion

This study concludes that Ibn Qayyim's opinion that allows women to perform tawaf while menstruating is very clear, this fatwa has a contribution to constructing women's fiqh. This permission does not mean eliminating sacred law and ignoring provisions *nash* and the opinions of scholars, but linking the provisions *nash* with sharia principles. This line of thought pays close attention to the social conditions surrounding the existence of a law. This legal fatwa remains relevant and can protect women from the risks of using menstrual-delaying drugs. Ibn Qayyim's interpretation, based on social phenomena, is both natural and much-needed, thus illustrating the elasticity of the fiqh that is being born. Law no longer appears rigid and lifeless, but lives within society and is capable of providing intelligent, down-to-earth solutions to the community's problems. As long as the interpretation remains within the framework of the protection of the spirit of *tasyri'*, Therefore, this must be continuously pursued, because concrete, undeniable evidence shows that the existence of fiqh as Islamic legal jurisprudence arose in a social context very different from current conditions. This clearly raises issues, especially for women. This situation demands the reconstruction of women's fiqh, making it easier and possible for women to carry out various religious activities as men do. Many people still ignore this issue, assuming it is something natural and commonplace in a social community. Finally, it is concluded that inequality of treatment seems legitimate.

⁴⁰ Nurgat, “Menstruation and the Ṭawāf Al-Ifāḍa.”

This is clearly a regression that has led fiqh to a valueless turas. Ibn Qayyim wisely inherited the principle of changing legal fatwas by considering the surrounding situation and conditions.

Reference

- al-Ajdi, Abi Daud Sulaiman bin al-Asy'ats al-Sajastani. *Sunan Abi Daud*. Juz I. Bandung: Maktabah Dahlan, n.d.
- al-Bukhari, Abi Abd ar-Rahman bin Ismail. *Shahih Al-Bukhari*. Bairut: Dar Sha'ab, n.d.
- al-Hashmi, Taqi ad-Din Abi Bakr Ibn M. al-Hasimi. *Kifayah Al-Akhyar Al-Ghayah Al-Ikhtishar*. Juz I. Semarang: Toha Putera, n.d.
- Al-Jawziah, Ibn Qayyim. *A'lam Al-Muwaqin an Rab Al-'Alamin*. Jilid 3. Bairut: Dar al-Kitab al-Ilmiyah, 1996.
- Al-Maraghi, Abdullah Mutofa. *Fiqh Experts Throughout History*. Translated by Husein Muhammad. Yogyakarta: LKPSM, 2001.
- al-Qaradhawi, Yusuf. *Fatwa-Fatwa Kontempore*. Translated by As'ad Yasin. 1st ed. Jakarta: Gema Insani, 2005.
- an-Nasai, Abd ar-Rahman bin Syu'aib bin 'Ali al-Khurasani. *Sunan An-Nasai*. Juz V. Bairut: Dar al-Kitab al-Ilmiyah, 1995.
- az-Zuhaili, Wahbah. *Al-Fiqh Al-Islamiy Wa Adillatuh*. Vol. 3. Damsyiq: Dar al-Fikr, 2008.
- Baz, 'Abd al-'Aziz bin Abdullah bin. *Tuhfab Al-Ikhwani Bi Ajwibah Mubimmah Tatallaq Bi Al-Arkan Al-Islam*. Riyad: Dar al-Faizin, 1995.
- Dahlan, Aziz, ed. *Encyclopedia of Islamic Law*. Vol.2. Jakarta: Bachtar Baru Van Hoeve, 1996.
- Darwis, Rizal. "Ibn Qayyim Al-Jauziyah's Thoughts on the Paradigm of Legal Change." *Adzkiya: Journal of Sharia Law and Economics* 05, no. 1 (2017).
- Dedi, Syarial. "Economics and Rulers (Ibn 'Taimiyah's Thoughts on Market Mechanisms)." *AL-FALAH: Journal of Islamic Economics* 3, no. 1 (July 17, 2018): 73. <https://doi.org/10.29240/jie.v3i1.442>.
- Dedi Syarial, Yunarti Sri. "Imam Ash-Shafi'i's Opinion on Hajj without a Mahram and Its Relevance to the Present Day" *Al-Istinbath : Journal of Islamic* Vol. 8. No. 2, November 2023, 535-552): <https://doi.org/10.29240/jhi.v8i2.7113>.
- . "Ushul Fiqih According to the Paradigm of Philosophy of Science (Study of Ontology, Epistemology, and Axiology)." *Al-Istinbath : Journal of Islamic Law* 5, no. 2 (November 30, 2020): 28.

<https://doi.org/10.29240/jhi.v5i2.1829>.

Ibn Nizam, Zainuddin bin Ibrahim bin Muhammad as-Sahr. *Al Asbab Wa Nazair Ala Mazhab Abi Hanifah An-Nu'man*. Bairut: Dar al-Kitab al-Ilmiyah, 1999.

Khalaf, 'Abd al-Wahhab. *Ilm Ushul Al-Fiqh*. Kuwait: Dar al-Fikr, 1978.

Ma'luf, Louis. *Al-Munjid Fi Al-Lughab Wa Al-I'lam*. Bairut: Dar al-Masyriq, 1986.

MR, Rafidah, Zuhra H, Harlina Halizah S, Azah AS, and Tan CE. "Menstrual Suppression Practice among Female Malaysian Pilgrims." *IIUM Medical Journal Malaysia* 20, no. 1 (January 5, 2021). <https://doi.org/10.31436/imjm.v20i1.1788>.

Muslim, Haris. "The Thoughts of Ibn Qayyim Al-Jauziyah (d. 751 H/1350 M) on Changes in Fatwas and Their Relevance to the Implementation of Islamic Law in Indonesia." *Al-Mashlahah: Journal of Islamic Law and Islamic Social Institutions* 18, no. 02 (2020).

Nurgat, Yahya. "Menstruation and the Ṭawāf Al-Ifāda." *Hanwa* 20, no. 3 (February 12, 2020): 256–75. <https://doi.org/10.1163/15692086-BJA10001>.

Parker, S, S Omar, and OH Mahomed. "Menstrual Abnormalities amongst Female South African Hajj Pilgrims: A Cross-Sectional Study." *South African Family Practice* 60, no. 3 (June 22, 2018): 70–73. <https://doi.org/10.1080/20786190.2017.1397382>.

Sabiq, Sayyid. *Fiqh As-Sunnah*. Jilid 1. Bairut: Dar al-Fikr, 1983.

———. *Fiqh As-Sunnah*. Vol. 3. Bairut: Dar al-Kitab, 1983.

Syarifuddin, Amir. *Ushul Fiqh*. Vol. 2. Jakarta: Logos Wacana Ilmu, 2001.

Wijaya, Abdi. "Logos of Scientific Discourse." *Al-Daulah* 6, no. 2 (2017).

Zahrān, Muhammad Isa Ulwiyah. *Al-Munthakab Fi Ushul Al-Fiqh*. Kairo: Maktabah al-Azhar, 1998.