



## Menstrual Regulation in the Perspective of Islamic Fiqh: An Examination of Sharia Laws and Limitations

<sup>1</sup>Naufal Rizky Fadhilah, <sup>2</sup>Tasya Afrianti, <sup>3</sup>M. Yusuf Alamsyah Hrp

<sup>1,2,3</sup>Universitas Islam Negeri Sumatera Utara

E-mail: <sup>1</sup>[naufalfadhilah2019@gmail.com](mailto:naufalfadhilah2019@gmail.com), <sup>2</sup>[tasyafrianti@gmail.com](mailto:tasyafrianti@gmail.com), <sup>3</sup>[yusufalamsyahrp@gmail.com](mailto:yusufalamsyahrp@gmail.com)

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### Abstract

This study discusses the study of fiqh on *Menstrual Regulation* or menstrual regulation as a form of Family Planning (KB) practice in an Islamic perspective. In the modern era, the regulation of the menstrual cycle through drugs or medical interventions is often used by women for the sake of health, pregnancy planning, and the implementation of worship. This raises questions about its validity in Islamic law. This research uses a qualitative method with a library *research approach*, namely by examining classical and contemporary literature, including the Qur'an, hadith, fiqh books, and fatwas from religious institutions. The results of the study show that Islam basically allows the use of family planning methods, including menstrual regulations, as long as it meets several fiqh requirements, including: does not cause harm to health, is carried out on the basis of legitimate needs, and does not contradict the principles of sharia. Fiqh principles such as *la dharara wa la dhirar* (no harm) and *maqashid syariah* (the purpose of sharia), especially in safeguarding the soul and offspring, are the legal basis that allows this action. Thus, *Menstrual Regulation* is acceptable in Islam as long as it is carried out with medical considerations and sharia ethics.

## I. INTRODUCTION

The rapid increase in human population in recent decades has presented a variety of multidimensional challenges, both in the social, economic, and health realms. The surge in population not only has an impact on limited natural resources, increasing poverty rates, and inequality in access to education and health services, but also has direct implications for the quality of life of humans themselves. This condition is experienced not only by developing countries, but also by developed countries that face problems of population density, extreme urbanization, and the burden on social welfare systems (Rahmatika et al., 2024). In this context, the policy of birth control or Family Planning (KB) is one of the strategies adopted by many countries in the world as an effort to control population growth in a planned and sustainable manner.

Family planning policies in practice are realized through various methods, ranging from the use of conventional contraceptives, hormonal contraceptives, permanent methods such as sterilization, to certain medical procedures that are more complex (Rohman & Kep, n.d.). One of the methods that then caused serious debate was Menstrual Regulation (MR). Menstrual Regulation

is medically understood as a procedure that aims to regulate or stop the menstrual cycle, generally performed in the early phases of menstrual delay, with the aim of preventing or terminating the possibility of pregnancy before it can be clinically ascertained (Simanjuntak, 2025). In reproductive health practice, MR is often placed in the gray area between contraception and early abortion, raising complex ethical, legal, and religious issues.

In the context of Muslim society, the issue of Menstrual Regulation cannot be separated from the framework of Islamic law (fiqh) which strictly regulates the issues of reproduction, the protection of the soul (*hifz al-nafs*), heredity (*hifz al-nasl*), and human honor (Wahdi, 2022). Islam views pregnancy and childbirth as part of the sunnatullah and the purpose of human creation, but at the same time it also provides space for human efforts in maintaining the benefits of life. Therefore, the practice of family planning, including Menstrual Regulation, cannot be simply assessed as halal or haram, but requires an in-depth, contextual, and based fiqh study based on sharia principles.

In classical and contemporary jurisprudence, scholars have diverse views on the ability of birth control. Some scholars allow the practice of family

planning on the grounds that there is a precedent for the practice of 'azl (coitus interruptus) during the time of the Prophet Muhammad PBUH, which shows tolerance for efforts to prevent pregnancy as long as it does not cause harm and is carried out on the basis of willingness (Djawas et al., 2019). In subsequent developments, some contemporary scholars extended this ability to modern contraceptive methods, provided that they were not permanent, did not endanger health, and did not violate the basic principles of the Shari'a.

However, Menstrual Regulation occupies a more problematic position than other birth control methods. This is due to its association with the potential for early abortion of pregnancy, which in Islamic jurisprudence has very sensitive legal limitations, especially related to the initial concept of human creation, the blowing of the soul, and the strict prohibition of the loss of life without a justified reason under the Shari'ah. Some scholars reject MR because it is considered to be close to the practice of abortion and contrary to the nature and purpose of protecting offspring in Islam. On the other hand, there is a more moderate view that MR can be permissible under certain conditions, such as a medical emergency, a serious threat to the mother's health, or a strong consideration of the benefits, as long as it is done before a certain stage of fetal development and based on strict fiqh rules.

This difference of views shows that the issue of Menstrual Regulation is not solely medical, but also touches on theological, ethical, and juridical aspects in Islam. This is where the role of fiqh becomes very important as a normative instrument that not only serves to determine the status of the law, but also establishes the limits of sharia so that the practice of reproductive regulation does not deviate from the basic values of Islam. Fiqh is required to be able to dialogue with the development of modern medical science without losing the orientation of maqāṣid al-syarī'ah, which is to realize benefits and prevent damage.

Along with the advancement of medical technology and changes in the social conditions of the Muslim community, the study of fiqh on Menstrual Regulation has become increasingly relevant and urgent. The practice of MR is now not only carried out on the basis of medical reasons, but also influenced by socio-economic factors, family planning, and even certain structural pressures. Without a comprehensive understanding of fiqh, this practice has the

potential to be abused or even rejected absolutely without considering the reality of the benefits and emergencies faced by the ummah.

Based on this background, this article aims to examine Menstrual Regulation from the perspective of Islamic jurisprudence in a comprehensive and holistic manner, by examining the legal foundations, differences in the views of scholars, and the limitations of sharia that must be considered. This study also seeks to integrate normative aspects of fiqh with ethical, social, and health considerations, so as to provide a proportionate framework of understanding for the Muslim community in responding to the practice of Menstrual Regulation as part of birth control policies.

## **II. RESEARCH METHODS**

This research is a qualitative research with a library research approach. This approach was chosen because the object of study is normative-theological, namely examining the construction of Islamic law related to Menstrual Regulation as part of the Family Planning (KB) policy. The focus of the research is not directed at empirical practices in the field, but rather at the analysis of fiqh thought and arguments sourced from nash, Islamic law rules, as well as the opinions of scholars, both classical and contemporary, in formulating the legal status and sharia limits on these practices (Rukhmana et al., 2022).

The data sources in this study consist of primary and secondary legal materials. Primary legal materials include the Qur'an and the Sunnah of the Prophet Muhammad PBUH which are related to the issue of reproduction, protection of the soul, heredity, as well as prohibitions and abilities in intervening in human biological processes. In addition, classical fiqh books from various schools, ulama fatwas, and the results of contemporary ijihad are also used as the main reference in understanding the spectrum of fiqh views on birth regulation and menstrual regulation. The secondary legal materials in the form of books, scientific journal articles, research results, and relevant medical literature are used to enrich the analysis and provide social context and scientific developments that affect the dynamics of Islamic law in the issue.

Data collection is carried out through documentation studies by searching, critically reading, taking notes, and classifying various literature relevant to the research topic. This process is carried out systematically to obtain a

complete understanding of the concept of Menstrual Regulation, the basics of scholars' arguments, differences of views between schools, and the framework of contemporary fiqh used in responding to the development of modern medical technology. The literature that has been collected is then selected based on relevance and scientific authority so that the data used has academic validity.

The data analysis technique was carried out qualitatively using a descriptive-analytical approach. The data that has been collected is analyzed by describing the concept, comparing the views of scholars, and examining the legal arguments used in assessing the practice of Menstrual Regulation. This analysis also considers the rules of fiqh and the principles of *maqāsid al-syarī'ah*, especially those related to the protection of the soul (*ḥifz al-nafs*), heredity (*ḥifz al-nasl*), and the benefit of the *ummah*. With this approach, the research is expected to be able to explain the limitations of sharia proportionally, not only textually, but also contextually in accordance with social realities and scientific developments.

### III. RESULTS AND DISCUSSION

#### A. The Regulation of Reproduction in the Perspective of Islamic Fiqh: From the Classical Tradition to Contemporary Discourse

In the treasures of Islamic jurisprudence, the issue of reproductive regulation has never been positioned as a stand-alone issue, but has always been associated with the great goals of Islamic sharia in safeguarding human welfare. Islam views reproduction as part of the *sunnatullah* that regulates the sustainability of human life, but at the same time also provides space for humans to make efforts in managing family life responsibly (Habibi, 2022). Therefore, the discussion of the regulation of reproduction in fiqh is not black and white, but develops dynamically according to the social, cultural, and scientific context in each era.

In the classical fiqh tradition, the issue of regulating pregnancy is more discussed through the concept *'azl* (*coitus interruptus*). *'Azl* It is understood as a traditional method to prevent pregnancy by pulling the genitals before ejaculation (Djawas et al., 2019). Discussion on *'azl* has important significance because this practice has been known since the time of the Prophet Muhammad PBUH and his companions, so that it has become a normative precedent in the

fiqh discourse on birth control. Hadiths that explain the practice *'azl* during the time of the Prophet, it became the basis for scholars to formulate laws related to the ability to regulate pregnancy in general.

The majority of scholars from the four schools of Hanafi, Maliki, Shafi'i, and Hanbali in principle allow the practice of *'azl*, although with different formulations of conditions. Wife's consent is an important condition because *'azl* is directly related to women's reproductive rights and sexual enjoyment. In addition, the *'azl* It is also limited by considerations of harm, both physical, psychological, and social. The difference in emphasis between schools shows that classical jurisprudence has developed an ethical approach that is sensitive to the relationship between husband and wife and family welfare, rather than simply establishing laws formalistically (HASIBUAN, 2020).

The ability of *'azl* in classical fiqh also emphasizes that Islam does not view pregnancy control as a form of absolute rejection of Allah's will. Rather, the reproductive arrangement is understood as a part of human endeavor that remains within the framework of Divine destiny. In this perspective, fiqh establishes a balance between belief in Allah's provisions and human responsibility in planning family life rationally and dignifiedly.

Menstruation in classical jurisprudence is understood as a biological phenomenon that has very broad legal implications, especially in the fields of worship, *muamalah*, and family relations. Menstruation is an important indicator in determining the status of chastity, the obligation of worship, the *iddah* period, and the time allowed or prohibited for sexual intercourse. Nevertheless, in classical times, menstruation was not positioned as an object of medical intervention that could be engineered or deliberately regulated. The limitations of medical and technological knowledge make classical jurisprudence more focused on legal arrangements that are reactive to natural biological conditions, rather than on active regulation of women's reproductive cycles (Musyafaah, 2016).

Significant changes have occurred along with the development of modern medical science and technology. The invention of hormonal contraceptives and medical methods that are able to delay, regulate, or temporarily stop menstruation gave birth to the concept of

Menstrual Regulation (MR). This phenomenon challenges the classical fiqh framework that has never been directly confronted with such a form of intervention (Wahdi, 2022). As a result, contemporary scholars are required to perform a new *ijtihad* that not only relies on classical texts, but also considers the medical, social, and psychological realities of modern women.

Contemporary fiqh's response to Menstrual Regulation shows a more contextual approach and is based on *maqāṣid al-shari'ah*. Fatwa institutions such as the Indonesian Ulema Council (MUI), Dar al-Ifta' Egypt, and fatwa councils in various Muslim countries tend to take a moderate position by allowing menstrual regulation within certain limits. This ability is generally based on the principle that there is no danger to women's health, the existence of needs that are justified by sharia such as for the sake of worship, medical treatment, or birth spacing and are not permanent or completely damage reproductive function.

The thought of contemporary scholars such as Yusuf al-Qaradawi reinforces this approach by asserting that birth control is not a form of rejection of the gift of offspring, but rather part of human responsibility in managing family life. According to this view, what is forbidden in Islam is not the arrangement of birth itself, but the attitude of rejecting offspring absolutely or making interventions that eliminate the potential of life without a valid reason. Thus, the boundaries between the permissible and the prohibition in the reproductive arrangement are largely determined by the intentions, methods, and impacts they cause.

Overall, the discourse of fiqh on the regulation of reproduction shows that there is an epistemological continuity between classical fiqh and contemporary fiqh. Islamic jurisprudence is not hostile to medical progress, but rather seeks to integrate it into the framework of sharia values that emphasize a balance between human endeavor, respect for the nature of creation, and protection of the welfare of individuals and society. It is in this context that Menstrual Regulation must be understood, not solely as a medical technical issue, but as an ethical and legal issue that demands *ijtihad* wisdom and sensitivity to the social reality of the people.

## **B. Menstrual Regulation in the Perspective of Islamic Fiqh: Concepts, Laws, and Limitations of Sharia**

Menstrual Regulation in the perspective of Islamic jurisprudence is a contemporary issue that requires an integrative reading of the law between normative texts, the principles of *ushul fiqh*, and modern medical reality. Although the terminology of Menstrual Regulation is not known in classical jurisprudence literature, its practical substance is the intervention of the menstrual cycle through certain methods that can be analyzed through an analogous approach (*qiyās*), the rules of fiqh (*al-qawā'id al-fiqhiyyah*), and the framework of sharia goals (*maqāṣid al-shari'ah*). This approach is important to avoid reducing Islamic law to the textual dimension only, while ensuring its relevance in answering women's reproductive health issues today (Waid & Lestari, 2020).

In Islamic jurisprudence, menstruation is understood as a natural biological phenomenon inherent in the nature of women, as well as having clear legal implications in worship and *muamalah* (Anggraeni et al., 2024). Menstrual status causes the cancellation of the obligation to pray and the postponement of fasting, as well as the prohibition of sexual intercourse until the holy woman returns. This provision shows that the Shari'ah does not view menstruation as a condition that must be "fought", but rather as a state that is normatively accommodated by the principles of ease (*taysir*) and the lifting of difficulties (*raf' al-ḥaraj*). Therefore, any form of intervention on menstruation must be positioned carefully so as not to contradict the wisdom of sharia in regulating women's biological rhythms.

Menstrual Regulation as a modern medical practice can include a variety of actions, ranging from menstrual timing, temporary menstrual delay, to stabilizing abnormal menstrual cycles. From the perspective of jurisprudence, the legal assessment of this practice is not singular, but contextual, depending on the purpose, method, and impact it causes. The basic principle that is the main foundation is the principle of *lā ḍarar wa lā ḍirār*, which emphasizes that no action should cause harm, either physically, psychologically, or in the long term to the reproductive function of women. Thus, credible medical validation is an important prerequisite in determining the ability of Menstrual Regulation.

In addition to the aspect of harm, Islamic jurisprudence also considers the dimension of

benefit (Nabilah & Hayah, 2023). Menstrual regulation can be justified if it aims to maintain reproductive health, overcome hormonal disorders, or prevent more serious medical complications. In the context of worship, some contemporary scholars also open up the space for menstrual regulation to allow the implementation of certain worship, such as fasting Ramadan or Hajj, as long as it does not pose a health risk and is not carried out excessively. At this point, the rules of *al-ḍarūrāt tubīḥ al-maḥzūrāt* and *al-ḥājah tunazzal manzilat al-ḍarūrah* can be applied proportionally, while maintaining the principle of prudence (*iḥtiyāt*) (Nainunis, 2021).

However, Islamic jurisprudence sets strict ethical and moral limits. Menstrual Regulation is not justified if it is done solely to avoid sharia obligations without a valid reason, or is used as a means of manipulating religious law. Furthermore, this practice should also not lead to a purpose that is contrary to *maqāṣid al-syarī'ah*, especially in the aspects of *ḥifẓ al-nasl* (protection of offspring) and *ḥifẓ al-nafs* (protection of the soul). Therefore, menstrual regulation that has the potential to damage reproductive function or cause long-term medical dependence should be seen as a problematic action according to sharia.

The dimension of intention (*niyyah*) also has a central position in the legal assessment of Menstrual Regulation. In *fiqh*, an act is not only judged by its outward form, but also by the purpose and moral orientation of the perpetrator. If menstrual regulation is carried out with the intention of maintaining health, household harmony, or benefits recognized by sharia, then the action can obtain legal legitimacy. On the other hand, intentions that deviate from the values of the Shari'a can abort abilities even if technically the action appears neutral.

Thus, Menstrual Regulation in the perspective of Islamic jurisprudence is in a dynamic jurisdiction, not black-and-white, but also not completely value-free. Islamic jurisprudence provides room for adaptation to the development of medical science, but still places the limits of sharia as a normative fence so that the practice does not violate the principles of protection of women's dignity, reproductive health, and the basic purpose of Islamic law. This holistic approach shows that Islamic jurisprudence is not repressive on women's bodies, but rather seeks to balance biological needs, medical advances, and ethical-spiritual values that are the foundation of sharia.

### **C. Ethical, Social, and Health Implications of Menstrual Regulation in the Perspective of Islamic Fiqh**

In addition to normative legal aspects, the practice of Menstrual Regulation (MR) has multidimensional implications that cannot be separated from the ethical framework and the grand purpose of Islamic law. Islamic jurisprudence not only functions as an instrument for determining halal and haram laws, but also as a normative-ethical tool that aims to maintain the balance of human life and realize overall benefits. In this context, MR cannot be understood solely as a medical measure or family planning policy, but rather as a complex phenomenon that directly intersects with human dignity, social relations, family structure, and individual and collective moral responsibility (Djawas et al., 2019).

From a social point of view, the practice of MR is often faced with strong pressure of norms and stigma, especially in Muslim societies that uphold the values of family, descent, and continuity of *nasab*. Decisions related to MR often do not stand in the private space alone, but intersect with social expectations, power relations in the household, and cultural constructions about women's roles. When MR is carried out without communication and agreement between husband and wife, the potential for domestic conflict and family disharmony becomes even greater. From the perspective of Islamic jurisprudence, this condition emphasizes the importance of the principles of deliberation, mutual pleasure, and shared responsibility in reproductive decision-making, because the presence of offspring is not only a biological mandate, but also a social and spiritual mandate that is carried collectively by married couples.

From a psychological and ethical dimension, MR can give rise to mental distress, guilt, anxiety, or even trauma, especially when the decision is made in a situation of coercion or without adequate social support. Islamic jurisprudence, which is oriented towards the protection of soul and intellect, cannot ignore this aspect. The principles of *raf' al-ḥaraj* and *daf' al-mafāsid* require that any policy or practice related to reproduction consider its impact on women's mental health and psychological well-being, not just its physical aspects. In this case, an empathetic and contextual approach to *fiqh* is very relevant so that the law does not actually burden women's moral and social burden.

From an economic perspective, MR often arises in response to financial limitations, income instability, or increased living burdens in the family. Islamic jurisprudence recognizes economic reality as part of the real and dynamic human condition, but at the same time emphasizes that economic factors cannot be used as the sole basis for ignoring the principle of safeguarding life and posterity. Therefore, MR in the context of family planning policy must be understood as an effort to manage the family responsibly and proportionately, not as a form of rejection of the mandate of heredity or the reduction of the value of human life to mere material considerations. This is where *maqāṣid al-syarī'ah* acts as a balancing framework between economic needs and the protection of the fundamental values of life.

From a health perspective, MR has potential benefits as well as risks that cannot be simplified. Islamic jurisprudence views health as a mandate that must be maintained, so every medical action must be based on the principle of prudence, high safety standards, and recommendations of competent medical personnel with integrity. The physical and psychological risks that may arise from the practice of MR are an important consideration in the determination of the law, because Islamic law expressly rejects actions that cause greater harm than the expected benefits. In this context, the rules of jurisprudence such as *dar' al-mafāṣid muqaddam 'alā jalb al-maṣāliḥ* become the normative basis in assessing the feasibility and limitations of MR practice (Wahyuddin et al., 2023).

Overall, Menstrual Regulation from the perspective of Islamic jurisprudence must be understood comprehensively and holistically, taking into account the close relationship between legal, ethical, social, economic, health, and humanitarian aspects. A fiqh approach that focuses only on formal legality risks ignoring the realities of contemporary Muslim women and families. Therefore, a fiqh approach based on *maqāṣid al-sharī'ah* is the key to ensuring that the practice of MR is placed in a just, humane, and contextual sharia corridor, and is truly oriented towards the realization of the benefits of the ummah as a whole, both in the worldly and ukhrawi dimensions.

#### **IV. CONCLUSIONS AND SUGGESTIONS**

##### **A. Conclusion**

In the study of Islamic fiqh, Family Planning (KB) and Menstrual Regulation (MR) have different views, depending on the purpose and accompanying conditions. Generally, Islamic fiqh allows the practice of family planning if it is done for legitimate reasons, such as to maintain the mother's health, regulate birth spacing, or economic reasons. The use of temporary contraception, such as birth control pills or condoms, is allowed as long as it does not cause harm to health and is done with the consent of both partners.

Meanwhile, Menstrual Regulation (MR), which in most cases deals with abortion, has a more complex position in Islamic fiqh. In general, Islamic fiqh prohibits abortion, except in emergencies, such as to save the life of the mother or if the pregnancy is the result of rape. Abortions performed before the fetus is 120 days old may be considered acceptable under certain conditions.

The practice of MR is often considered contrary to human nature in Islam, because life that begins in the womb must be respected and maintained according to the will of Allah. From the perspective of fiqh, MR without a valid reason can be considered as a denial of the basic principles of life that have begun since the process of conception.

##### **B. Suggestions**

Departing from the above discussion, the suggestion that can be put forward is the need for caution in the implementation of Family Planning policies, especially those related to the practice of Menstrual Regulation, so as not to exceed the limits of Islamic law. The active role of scholars, medical personnel, and policymakers is needed to provide comprehensive education to the public about the difference between permissible contraceptives and actions that have the potential to lead to abortion. In addition, any practice of reproductive regulation should be based on valid reasons according to shari'i, clear medical considerations, and deliberation between husband and wife, so that the goal of maintaining the health and welfare of the family remains in line with the principles of protection of the soul and offspring in Islam.

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