A Netnography and Contemporary Islamic Family Law Studies on the Controversy of Period Sex Trends on Social Media Twitter (X)

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Abstract: This study discusses the conversations of cyber citizens, specifically the social media Twitter (X), about the phenomenon of menstrual sex trends and how Islamic family law responds to netizens' discussions about the trend. This research is a normative-empirical legal research. The results of this study show at least two main findings. First, the form of netizens' responses to the thread raised by Andrea Gunawan (@catwomanizer) varies. The first group states that even with the help of a device that prevents menstrual bleeding during sexual intercourse, it does not abort haram. Another group's response stated otherwise, if women who have more potential to be disadvantaged have been declared to be close to zero risk, as long as there is consent from both parties, then sexual intercourse can be carried out. Meanwhile, many other groups responded to this trend by asking the thread owner again and showing a neutral attitude of not judging the arguments made by the account owner. Second, Islamic law has clarity of attitudes and rules related to sexual behavior. There are no exceptions regarding the rules of sexual intercourse during menstruation. Normatively, Islamic law states that women who are menstruating should not be approached by their partners. Approaching in this case means sexual intercourse with the meeting of two genitals. Even if it is under the pretext and excuse that medical risks have been dealt with with the presence of certain tools, it still does not invalidate the original law.

Keywords: Menstrual Sex, Twitter, Contemporary, Islamic Family Law

Abstrak: Penelitian ini membahas percakapan warga dunia maya, khususnya media sosial Twitter (X), tentang fenomena tren seks menstruasi dan bagaimana hukum keluarga Islam menanggapi diskusi netizen tentang tren tersebut. Penelitian ini merupakan penelitian hukum normatif-empiris. Sisi normatif dapat dilihat dari penyajian beberapa peraturan tekstual terkait isu utama, sedangkan sisi empiris diwakili oleh tanggapan warga dunia maya di twitter media sosial tentang tren menstruasi saat menstruasi. Hasil penelitian ini menunjukkan setidaknya dua temuan utama sebagai jawaban atas dua rumusan masalah yang disajikan di awal. Pertama, bentuk tanggapan netizen terhadap utas yang diangkat oleh Andrea Gunawan (@catwomanizer) bervariasi. Kelompok pertama menyatakan bahwa bahkan dengan bantuan perangkat yang mencegah perdarahan menstruasi selama hubungan seksual, itu tidak menggugurkan haram. Respon kelompok lain menyatakan sebaliknya, jika perempuan yang lebih berpotensi menjadi pihak yang kurang beruntung telah dinyatakan mendekati risiko nol, selama ada persetujuan dari kedua belah pihak, maka hubungan seksual dapat dilakukan. Sementara itu, banyak kelompok lain menanggapi tren ini dengan bertanya lagi kepada pemilik utas dan menunjukkan sikap netral tidak menghakimi argumen yang disampaikan oleh pemilik akun. Kedua, hukum Islam memiliki kejelasan sikap dan aturan terkait perilaku seksual. Tidak ada pengecualian terkait aturan hubungan seksual saat menstruasi. Secara normatif, hukum Islam menyatakan bahwa wanita yang sedang menstruasi tidak boleh didekati oleh pasangannya. Mendekati dalam hal ini berarti hubungan seksual dengan pertemuan dua alat kelamin pasangan. Meskipun dengan dalih dan alasan bahwa risiko medis telah ditangani dengan adanya alat tertentu, tetap saja tidak membatalkan hukum aslinya.

Kata Kunci: Seks Menstruasi, Twitter, Hukum Keluarga Islam Kontemporer

Introduction

Family harmony and sustainability often depend on the quality of sexual relations between husband and wife. Religious courts in Indonesia often face family problems whose bottom line is the element of sexuality, with the husband as the party who feels disadvantaged or vice versa. The Judge of the Martapura Religious Court, in one of his decisions, explained that harmony and family integrity are motivated by healthy sexual relations between husband and wife. In the decision, the judge gave the obligation to pay mental maintenance from the husband's side to the wife's side which was not given during the seven years of the marriage relationship.2

The quality of the sexuality of married couples and the Quality of Life (QOL) are closely related. Because for the majority of people who view marriage as something that will eventually be lived at some point in their lives, the marriage period is the longest period in their lives. So it is not surprising that OOL for a group of people depends on; personal relationship, health status and sexual activity.3

In Islamic jurisprudence, sexual conduct is tightly regulated, including the prohibition of sexual intercourse during menstruation.⁴ This opens a broader discourse about how these religious regulations are contested and reinterpreted in modern social media spaces. The online debate often juxtaposes traditional religious prohibitions with modern views on sexual autonomy, thereby creating a tension between cultural practices and religious interpretations.

Islam cares deeply about and pays attention to women in detail. This is not to say that Islam curbs or limits women's behavior in daily life. Instead, it protects and respects women because it is related to purity in carrying out daily worship activities. In Islam, the sexual behavior of husbands and wives has boundaries that need to be considered. Islam is seen as a religion that has a concept that tends to be repressive on the one hand and open on the other hand regarding the sexuality of husband and wife. The repressive side of Islam is reflected in several verses of the Qur'an that prohibit a woman from being able to express her sexual needs to more than one partner, in contrast to men who get the openness side of Islam.⁵ Not to mention the LGBTQ+ issue that is increasingly being discussed in various Muslim countries, Islam is required to immediately provide solutions and legal umbrellas. How the two sides of repression and openness owned by Islam can be integrated and reinterpreted so that the spirit of *reform* can produce fresh air.

Social media platforms like Twitter (now X) allow for rapid dissemination of personal opinions, including sensitive topics like menstruation and sexual activities during this period. The emergence of such discussions online raises questions about the authority of traditional scholars versus social media influencers in shaping Islamic family law. Cyberspace has become an emerging discursive space for challenging, reinterpreting, and sometimes contradicting long-standing religious norms regarding gender and sexuality. This shift reflects how the Internet is transforming the regulation and perception of family law, particularly with the engagement of women and their rights.⁶

Amy C Lodge and Debra Umberson, "All Shook up: Sexuality of Mid-to Later Life Married Couples," Journal of Marriage and Family 74, no. 3 (2012): 428-43.

² Martapura Religious Court, "0189/Pdt.G/2015/PA. Mtp" (2015).

³ Janice G Robinson and Anita E Molzahn, "Sexuality and Quality of Life," Journal of Gerontological Nursing 33, no.

[,]أبو الحسن على بن محمد بن محمد بن حبيب البصري البغدادي الماوردي, الحاوي الكبير في فقه مذهب الإمام الشافعي وهو شرح مختصر المرنّي, الأولى 4 vol. 9, 17 vols., بيروت - لبنان: دار الكتب العلمية) الأولى , n.d.).

⁵ Abdessamad Dialmy, "Sexuality and Islam," The European Journal of Contraception & Reproductive Health Care 15, no. 3 (June 1, 2010): 160-68, https://doi.org/10.3109/13625181003793339.

⁶ Shaheen Sardar Ali, "Cyberspace as Emerging Muslim Discursive Space? Online Fatawa On Women and Gender Relations and Its Impact on Muslim Family Law Norms," International Journal of Law, Policy and the Family 24, no. 3 (October 1, 2010): 338-60, https://doi.org/10.1093/lawfam/ebqoo8.

The demand *for law reform* against Islam is also implicitly raised by the phenomenon of *menstrual sex trend*, which surprisingly became a *viral discussion* in the cyberspace of social media. The verse that talks about menstruation in Islam has clearly explained that *menstrual sex* is a prohibited act in religion, and requires couples to wait for a clean period to be able to resume sexual activity. The clarity of the Islamic attitude is required to be dialectical with several interests conveyed on online social media that boil down to the fulfillment of sexual needs, husband and wife.

Menstrual *sex* is a foreign term that indicates sexual activities and expressions that are carried out when a female partner is menstruating. Sexual activities and expressions carried out during menstruation can take various forms, from those that are only limited to *cuddling* and *kissing* without involving *intercourse* elements to activities that involve *intercourse*. In this article, what will be discussed is *menstrual sex* which is discussed on social media Twitter (X) related to sexual relations that already involve *intercourse elements*.

In doing *intercourse* when a female partner is menstruating, many couples use tools that function to increase comfort when having sex. Among the aids that have recently spread on the market is *the Flex Menstrual Disc*, which is also the object of research in this article that is mentioned a lot and has become the subject of discussion among netizens. The public discussion of what is considered a private matter in Islamic culture, such as sexual practices during menstruation, challenges traditional views on modesty and privacy. In Islamic family law, certain topics are usually regulated within the framework of family and religious scholars, and public discussion of such matters can lead to the questioning of these frameworks, pushing the boundaries of acceptable discourse in Islamic communities.

Flex Menstrual Disc is a device used to accommodate menstrual blood. This tool is a substitute for sanitary napkins that have a round shape like a ring, are made of rubber or silicone, and have a hook that is at the base of the cervix. It is used by inserting it into the cervical area, namely by pinching the center of the disc with a clean hand, then pushing it under the pubic bone.⁸

This tool is a product made from the United States, and was first introduced to Indonesia through twitter with a user account named Andrea Gunawan, although actually on youtube there were many tutorials on its use about a year ago. In her writing, Andrea Gunawan stated that *the Flex Menstrual Disc* is an effective tool used by women to have sex during menstruation. This device can accommodate menstrual blood more effectively than other menstrual blood collection products, such as menstrual cups which are shaped like funnels that hold blood by absorbing, causing the device to grow larger and cause discomfort, if used for a long time.

Because it is still relatively new, and not many Indonesia netizens know about the sex aid, Andrea Gunawan's tweet on his account @catwomanizer related to *menstrual sex* went viral. Millions of netizens are involved in conversations, and come up with interaction patterns when viewed based on what is conveyed by netizens. This article tries to take a deeper look at the social interactions that occur online as they intersect with the concepts that exist in contemporary Islamic family law.

This article seeks to see the responses of netizens to the controversial issue brought to the surface by Andrea using a netnography study approach. Several articles and other scientific papers have been written by many researchers on netnography and several social media platforms. Among them are; the article is titled "Netnographic Study Of Online Gender-Based Violence (KBGO) On Twitter" written by Rita Lismini, Sri Narti and Vethy Octaviani.9

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⁷ Kerwin Kaye, "Sexual Intercourse," in *Introducing the New Sexuality Studies* (Routledge, 2011), 129–34.

⁸ Erika Erilia, "What is Flex Menstrual Disc and the Risks of Making Love During Menstruation," (June 6, 2023), tirto.id, accessed June 15, 2023, https://tirto.id/apa-itu-flex-menstrual-disc-dan-risiko-bercinta-saat-menstruasi-gLuD.

⁹ Rita Lismini, Sri Narti, and Vethy Octaviani, "Netnographic Study Of Online Gender-Based Violence (Kbgo) On Twitter," Scientia Journal 12, no. 02 (2023): 1645-61.

This article discusses gender-based violence that is talked about on social media Twitter. The research was carried out using a netnography study, with the object of the research being the interactions that occurred on Twitter social media with the theme discussed being genderbased violence. This study aims to find out online gender-based violence through online sexual harassment (Cyber Sexual Harassment) on Twitter. This research uses the theory of CMC (Computer Mediated Communication), and the type of research used is qualitative research using the netnography method. The results of this study show that there are six categories of sexual harassment in cyberspace, the first is the direct threat of sexual or physical violence which is any effort, both physical and verbal, that leads to a person's sexuality or sexual organs without obtaining consent and has elements or threats. Second, online harassment is an act of sexual harassment through unwanted messages, attention and contact or things intended to embarrass the victim. Third, abusive comments are negative words that can even be read or shared by others without censorship. The four hate speech of sex are acts that invite and even spread untruthful news that allows influencing others on social media to influence others regarding the act of spreading negative content. The fifth is Victim Blaming, which is the perpetrator trying to make the victim feel a continuous negative attack on social media and the sixth is the use of indecent images is the act of spreading inappropriate things that should not be shared on social media, especially Twitter

Another social media study titled "Netizens' Positive Comments on the Movie 'Like & Share' (Netnography Study of Instagram Accounts @Filmlikeandsahre)" written by Ghea Rae Sabrina and Nawiroh Vera. Among the conclusions of this article are; Instagram @filmlikeandshare is a promotional account dedicated to promoting movies and spreading the word about likes and sharing movies so that their existence is known and known. Second, media documents found on Instagram contain various information and publications in the form of photos, videos, images, memes and captions/statuses, which are often commented on with positive comments as well as likes and shares with the support of publications and movies. Third, in this Instagram activity, the researcher looked at interactions that occurred with other users in the Comment column. This activity invites other users to share positive comments and support @filmlikeandshare Instagram account. Fourth, at the level of media experience on this fan page, the researcher saw that there were still many positive comments and supportive posts and comments. Although this Instagram post is about video editing and filmmaking, many media outlets are very eager to show their movies and don't forget to support Like & Share Movie.10

The article with the title "Instagram as a Medium of Message for the Single Mother Community in Indonesia (Netnography Study on Instagram @singlemomsindonesia Account) was written by Ade Noviani and Sri Wijayanti. The results of the study show that the theme of the message that often appears is the story and message for single mothers with the message function, namely the social function and the form of the message that often appears conveyed in the form of a poster. The response of Instagram @singlemomsindonesia show a positive response through messages uploaded on Instagram, the informant feels supported by other parties. The SMI community on Instagram is the right place to convey messages to marginalized groups and maintain the existence of the community in the digital era, as evidenced by the SMI community as one of the virtual single mother communities that has the most followers compared to others.¹¹

An article titled "Netnography as a Method of Lead User Identification" by Frank-Martin Belz and Wenke Baumbach. In this paper, we propose netnography as a new method of key

¹⁰ Ghea Rae Sabrina and Nawiroh Vera, "Positive Comments from Netizens on the Film 'Like & Share' (Netnography Study of Instagram@ Filmlikeandsahre Accounts)," Innovative: Journal Of Social Science Research 3, no. 5 (2023):

¹¹ Ade Noviani and Sri Wijayanti, "Instagram as a Medium of Messages for the Single Mother Community in Indonesia (Netnography Study on Instagram@ Singlemomsindonesia Account)," Journal of Communication Netnography 1, no. 1 (2022): 1-13.

user identification. Netnography, which consists of the internet and ethnography, is an approach to systematically analysing online communities. Empirical results from our exploratory study of online community utopias show that 9 of the 40 most active members of online communities have key user attributes (22.5 percent). Therefore, we can conclude that netnography is a viable method for identifying key users, which relies on external assessment of self-assessment and may be less expensive than mass inspection.¹²

The article with the title "Hatenography On Twitter During the Covid-19 Pandemic in Indonesia: Hate Speech Case Against Anies Baswedan" was written by Atwar Bajari and Dedi Erlandia. This study aims to analyze the tendency of Anies Baswedan's expressions. Expressions related to the handling of COVID-19 in the discussion of netizens in the Twitter room and collecting patterns of hate speech about Anies Baswedan on pro-government and anti-government accounts related to his COVID-19 handling policy. This study uses a virtual ethnographic method of hate speech involving verbal, written messages, and communication objectives from Twitter users (influencers) who comment on Anies' Baswedan policy in handling Covid-19. The data collected came from two groups of accounts, namely government supporters and opposition.¹³

Netnography studies are a development of ethnographic studies, with the intention of accommodating social interactions that occur in the digital world which has become a new trend today. Various kinds of social media available in the digital world are in demand by millions of people as a new forum to just socialize or even discuss something *urgent*. This research raises a theme that is discussed by many netizens so that it can be considered a viral issue related to *the trend of menstrual sex*. It was first brought to the surface by a netizen who is also a person who expresses his sexuality needs with his partner during menstruation. A sexual expression that received a sharp response from other netizens.

Research Methods

This research employs a normative-empirical legal research approach, which integrates the characteristics of normative legal studies with empirical data. The normative aspect involves analyzing concepts of Islamic family law derived from both written sources (such as legislation, fatwas, and judicial decisions) and unwritten sources (such as customs or urf). The empirical aspect involves gathering and analyzing data from social media, focusing on the interactions and opinions of netizens regarding Islamic family law.

The steps in conducting the normative analysis include a doctrinal study of primary and secondary legal materials, such as legal texts and scholarly interpretations.¹⁴ The empirical research, on the other hand, follows a netnographic approach as defined by Robert Kozinets in 'Netnography: Redefined,'15 which involves observing, collecting, and analyzing data from online interactions and discussions. Both the normative and empirical components are applied systematically to build a comprehensive understanding of the research subject.

Result and Discussion

The Concept of Haidah and Related Laws in Women's Figh

Menstruation is blood that comes out of a woman's uterus, but it does not come out because of illness, but generally comes out once a month in good health. In addition to menstrual blood that comes out of a woman's *farji*, there are events called puerperium and istihadhah. Both events occur in different events or causes, can occur at the same time, but both are outside of the woman's *farji*. Puerperium is blood that comes out due to childbirth.

¹² Frank-Martin Belz and Wenke Baumbach, "Netnography as a Method of Lead User Identification," *Creativity and Innovation Management* 19, no. 3 (2010): 304–13.

¹³ Atwar Bajari et al., "Hatenography On Twitter During the Covid-19 Pandemic in Indonesia: Hate Speech Case Against Anies Baswedan.," *Review of International Geographical Education Online* 11, no. 5 (2021): 12–22.

¹⁴ Prof Dr Mahmud Marzuki, *Penelitian Hukum: Edisi Revisi* (Prenada Media, 2017).

¹⁵ Robert V. Kozinets, Netnography: Redefined (SAGE, 2015).

There is no limit to the postpartum period, sometimes postpartum occurs after childbirth only and after that the puerperal blood has stopped from the woman's genitals. If that happens, then all that must be done is a big bath. After carrying out a big bath, it is mandatory to carry out obligatory worship.¹⁶

Not always the blood that comes out of the woman's farji is menstruation and puerperium, but there is also istihadhah blood. Istihadhah blood goes out due to a disease or body condition that is not good (abnormal). Istihadhah blood goes out when menstruation or puerperium has passed the maximum limit. The maximum limit of menstruation is 15 days, while the maximum limit of postpartum is 60 days.¹⁷

Blood that goes out before fulfilling the holy period, then it cannot be said to be menstrual blood, but istihadhah blood. The minimum period of female holy age is 15 days. For example, a woman who experiences purity from menstruation less than 15 days later goes out of the blood again, then the blood cannot be said or categorized as menstrual blood but the blood is istihadhah blood, because the blood that goes out should still be included in the woman's holy period. The status of women who experience istihadhah is still categorized as a holy woman.18

Menstruation occurs when a woman's egg does not fertilize, so there is a thickening of the uterine wall which over time the thickening will decay, and result in blood coming out of the woman's genitals or pharynx.¹⁹ In the words of Allah SWT:

"They ask you about menstruation. Say, "He is an unclean (unclean)". Therefore, you should stay away from women in the place of their menstruation (genitals). And do not approach them, until they are pure." (QS. Al-Bagarah: 222)

In this verse, it shows that the final limit of menstruation is the holy period, or after the blood has dried, so it does not depend on the number of days, which determines menstruation or not, namely the existence of menstruation itself. Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) added that if there is indeed a limit to a certain day during menstruation, then there must be a sharia nash from the Qur'an and the Sunnah that explains this. Shaykh Islam Ibn Taymiyyah (may Allah have mercy on him) said:20:

"In principle, every blood that comes out of the uterus is menstruation. Unless there is evidence that the blood is istihadhah."

Every woman needs to know the nature or characteristics and color of menstrual blood. Menstrual blood in each condition has different properties and colors, because sometimes it can change at any time, depending on the condition of each woman's body when the menstrual cycle takes place in the body. The Prophet Muhammad PBUH said:

"From 'Aisyah, that Fatimah bint Abi Hubaisy once wastihadhah, the Prophet PBUH said to her: Indeed, menstrual blood is the famous black blood. So if anyone is like that, stop praying; But if there is anything else, perform ablution and pray." (HR. Abu Dawud and An-Nasa'i)

According to Imam Syaukani, the hadith distinguishes between menstrual blood or not menstrual blood, which is seen by the color of the blood. If the blood that goes out is black, then the blood is menstrual blood. If it is not black, then the blood is istihadhah blood.²¹ All figh experts agree that menstrual blood that goes out on ordinary days every month, namely

¹⁶ Shaykh Hasan Ayyub, Fiqh Worship (Central Jakarta: Al Kautsar, 2003), 104.

¹⁷ Lutfi Rahmatullah, "HAID (MENSTRUATION) IN A REVIEW OF HADITH," PALASTREN: Journal of Gender Studies 6, no. 1 (March 31, 2016): 23-56, https://doi.org/10.21043/palastren.v6i1.977.

¹⁸ Ismawati, *Blood of Istihadah* (South Jakarta: Rumah Fiqih Publishing, 2019), 7.

¹⁹ Nonon Saribanon et al, Menstruation and Health According to Islamic Teachings (Jakarta: Graduate School of National University, 2016), 16.

²⁰ Sutaman, A. Samsul Ma'arif, and Tamim Mulloh, "The Urgency of Women's Blood Figh Training for Lowokwaru Communities," JOURNAL OF QUR'AN SCIENCE AND TAFSIR NURUL ISLAM SUMENEP 7, no. 1 (January 30,

²¹ et al, Menstruation and Health According to Islamic Teachings, 22.

black, red, yellow and cloudy (light brown). Um 'Atiyah conveyed about the color of the blood which reads "We do not consider the color of cloudy and yellow after purity as menstrual blood".²² That is, if after we purify from menstruation and the outside of the liquid is cloudy, then it is not categorized as menstrual blood.

The scholars of Shafi'iyah and Hanafiyah each have an opinion about the color of menstrual blood, according to Shafi'iyah scholars there are five types of menstrual blood colors, namely, black and red, between red and golden, yellow and turbid (a mixture of yellow and white). Meanwhile, according to Hanafiyah scholars, there are six colors of menstrual blood, namely, black, red, yellow, greenish and earth-like colors. Green menstrual blood usually occurs due to the condition of the body that is experiencing malnutrition. He properties of menstrual blood conveyed by the Prophet Muhammad (saw) are 4 properties. First, the color of the menstrual blood is concentrated. Second, the blood has a thick texture and is a little like burning due to overheating. Third, because of its thick texture, this menstrual blood comes out slowly from the woman's genitals and does not flow as fast as the liquid that is poured. Fourth, menstrual blood has an unpleasant odor with a dark black blood color, and is very red. The unpleasant smell is the result of the rot of the eggs that have not undergone fertilization. The fourth property is the main characteristic of menstrual blood. Second

The opinion of the majority of scholars about menstrual age is that the minimum age for the onset of menstruation is 9 years old for women. This number of scholars refers to life or reality that has happened, in the reality of this life there has never been a woman who has experienced menstruation under the age of 9. If there is, the number must be small. In the science of fiqh, all problems that are not determined by the Shari'ah, refer to the real life that often occurs. Because the law cannot be established while the object of the problem is rare. If there is blood that comes out of the woman's farji' and the woman has not yet reached the age of 9 years, then the blood has not been categorized as menstrual blood but disease blood.²⁶ The jurists disagree about the limit on the completion of menstruation, which is commonly called *menopause*. This happens one after another because there is no nash or evidence that explains something like this. Therefore, we return to taking the law by looking at the reality of life that has already happened. Madzhab Shafi'i, Hanafi and Maliki have different opinions regarding the determination of the age of a woman who has gone *through menopause*.²⁷

According to madzhab Shafi'i, a woman who experienced *menopause* was at the age of 62. According to madzhab Hanafi, the age of *menopause* is between the ages of 55 and 60 years. Meanwhile, the Maliki madhhab sets the age of menopause at 70 years old, on the grounds that women still want to have sex or have sex at the age of 50 to 70 years. ²⁸ The end of menstruation when the blood is already white, is the same as vaginal discharge that is clear white. By rubbing cotton into the vagina. With that, to know whether the blood is still coming out or not. This has happened during the time of the Prophet PBUH, as it is mentioned that

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²² Ardhia and Tera, Everything About Menstruation, Puerperium and Istihadhah, n.d., 18.

²³ Sheikh Muhammad Nuruddin, *How Women Deal with Menstruation, Puerperium, and Istihadhah According to the Qur'an and Hadith* (South Jakarta: Al-Kausar Prima, 2018), 16.

²⁴ et al, Menstruation and Health According to Islamic Teachings, 23–24.

²⁵ Nuruddin, How Women Deal with Menstruation, Puerperium, and Istihadhah According to the Qur'an and Hadith, 17.

²⁶ et al, Menstruation and Health According to Islamic Teachings, 19.

²⁷ Mohd Farouq Nukman Zamri et al., "Exploration of Fiqh Methods in the Debate of Fiqh of Menstrual Blood: A Study of the Book of al-Ibanah Wa al-Ifadhah Fi Ahkam al-Haid Wa al-Nifas Wa al-Istihadhah 'Ala Mazhab al-Imam al-Syafi'I: Islamic Legal Maxim Exploration in Fiqh Debate for Menstrual Blood: A Study of the Scripture al-Ibanah Wa al-Ifadhah Fi Ahkam al-Haid Wa al-Nifas Wa al-Istihadhah 'Ala Mazhab al-Imam al-Shafi'i," *Journal of Muwafaqat* 5, no. 1 (April 30, 2022): 71–87, https://doi.org/10.53840/muwafaqat.v5i1.108.

²⁸ Nuruddin, How Women Deal with Menstruation, Puerperium, and Istihadhah According to the Qur'an and Hadith.

in the past women came to Aisha (may Allah be pleased with her) by showing her cotton with vellow liquid, and then Aisha said:

لاَ تَعْجَلْنَ حَتَّى تَرَيْنَ القَصَّةَ البَيْضَاءَ

"Do not rush until you see a white blob." (This atsar is found in Saheeh Bukhari).

As for Istihadah blood, many women have not been able to distinguish this blood from menstrual blood because both have almost similar characteristics, but both are distinguished by the number of days. Istihadhah blood is not blood that comes out during menstruation or blood that comes out during childbirth, but this blood that comes out due to a disease, because in general this blood comes out for more than 15 days. Imam Nawawi (may Allah have mercy on him) said that istihadhah is blood that flows from a woman's genitals which is not in time and comes out of the veins.29

Istihadhah blood has the same blood as menstrual blood, the color is fresh red, dilute and not thick, and has no smell. This blood has no time limit, so if this blood stops, then the blood of istihadha that he has experienced has ended. A woman who experiences istihadhah is punished the same as a holy woman, so she still has to pray, fast, and can have sexual intercourse with her husband. Imam Bukhari and Imam Muslim narrated from 'Aisha (may Allah be pleased with him):30

Fatimah bint Abi Hubaisy came to the Prophet (peace and blessings of Allaah be upon him) and said: "O Messenger of Allah, I am indeed a woman who has experienced istihadhah, so that I cannot be holy. Should I leave prayer?" So the Prophet PBUH replied: "No, it is actually (from) a muscle, and not menstruation. So, when the menstruation comes, then leave the prayer. Then when the measure of time has run out, then wash the blood from your body and pray."

Puerperium is blood that comes out of a woman's uterus after a woman gives birth. This blood is of course the easiest to recognize, because the cause is certain, namely due to the birth process. Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) said that puerperal blood is blood that comes out due to childbirth, either at the same time as the delivery process or before and after childbirth which is generally accompanied by pain. This opinion is in line with the opinion of Imam Ibn Taymiyah who stated that the blood that comes out with pain and is accompanied by the process of childbirth is puerperal blood, while if there is no childbirth process, then it is not puerperium.³¹

Puerperium does not have a minimum time limit. In general, puerperium comes out 40 days after a woman gives birth, but if this puerperium stops before 40 days, then the woman is required to purify by taking a big bath. Then it is permissible for the woman to carry out worship activities that do not contradict religion. As for the maximum limit, scholars differ in opinion about it.32

- The majority of Shafi'iyyah scholars are of the opinion that generally the postpartum period is 40 days in accordance with the habits of women in general, but the maximum limit is 60 days.
- b) The majority of the Companions such as Umar bin Khattab, Ali bin Abi Talib, Ibn Abbas, Aisha, Um Salamah (may Allah be pleased with him) and the Ulama such as

³² Sutaman, Ma'arif, and Mulloh, "The Urgency of Women's Blood Figh Training for the Lowokwaru Community," 112.

²⁹ Jamilah, As'ad Badar, and Alang Sidek, "The Ruling of Reading the Qur'an for Menstruating Women from the Perspective of the Hanafi School and the Maliki School (Istihsan Review)," Journal Smart Law 2, no. 2 (March 31, 2024): 161-71.

³⁰ Humidatun Nisa', "Meski Sama-Sama Cokelat, Inilah Perbedaan Darah Istihadhah Dengan Flek Haid," accessed June 20, 2023, https://www.haibunda.com/kehamilan/20220411133652-49-272482/meski-sama-sama-cokelatinilah-perbedaan-darah-istihadhah-dengan-flek-haid.

³¹ Zamri et al., "Exploration of Figh Methods in the Debate of Figh of Menstrual Blood."

Abu Hanifah, Imam Malik, Imam Ahmad, At-Tirmizi, Ibn Taymiyah (may Allah have mercy on him) agreed that the maximum limit for the discharge of puerperal blood is 40 days, based on the hadith of um Salamah he said, "Women who were in puerperium in the time of the Messenger of Allah (peace and blessings of Allah be upon him), They sit (do not pray) after their puerperium for 40 days or 40 nights." (HR. Abu Daud no. 307, At-Tirmizi no. 139 and Ibn Majah no. 648). This hadith is disputed in terms of its degree of hasan. However, Shaykh Albani (may Allah have mercy on him) assessed this hadith as Hasan Saheeh. Wallahu a'lam.

c) There are some scholars who argue that there is no maximum limit to the postpartum period, even if it is more than 50 or 60 days, it is still punished as puerperium. However, this opinion is not famous and is not based on a valid and clear postulate.

Women who experience puerperium are also not allowed to do things that are prohibited when the woman is menstruating, such as performing prayers, fasting, tawaf, touching mushaf, and having sex with her husband because it will cause the appearance of several diseases. Because basically the discharge of menstrual and puerperal blood excretes feces from the woman's uterus. However, touching the mushaf is still allowed as long as there is an intermediary that prevents the skin from coming into direct contact with the mushaf.³³

There are not many records that discuss the difference in the nature of postpartum blood and menstrual blood. However, based on the experience and confession of several respondents and the references we read, generally this postpartum blood is more abundant and more hefty than menstrual blood, and the color is not too black, the viscosity of postpartum blood is almost the same as menstrual blood, but the smell is stronger than menstrual blood.³⁴

Social Interaction of Netizens regarding *Menstrual Sex* in the Eyes of Robert Kozinets Netnography

In fact, *menstrual sex* is not a new thing to do for couples in several countries, including countries with Muslim populations. That way, practically, the risks and consequences are consciously borne by each couple who continues to practice them, with all kinds of rules that he knows. However, this became controversial and viral in cyberspace, when the practice of a couple was uploaded on social media and elements of efforts to normalize the practice of limited groups were found for the wider community.

That's what Andrea Gunawan, through the Twitter account (X) catwomanizer, is trying to normalize the practice of menstrual intercourse with the help of a tool she also promotes called *the flex menstrual disc*. To the naked eye, the shape and material are not much different from *menstrual cups* that have been widely circulated in the Indonesia market. Even so, Andrea stated that this tool is much more effective than other tools in an effort to prevent menstrual blood from coming out when used for moderate to extreme activities. Therefore, he said this tool is close to *zero risk* for two couples who have intercourse during menstruation.

Figure 1. Illustration of Flex Menstrual Disc

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³³ Jamilah, Badr, and Sidek, "The Ruling of Reading the Qur'an for Menstruating Women: The Perspective of the Hanafi School and the Maliki School (Istihsan Review)."

³⁴ Ernawati Sinaga Ernawati Sinaga et al., "Menstrual Health Management," 2017.



In more detail, *the Flex Menstrual Disc* is a device used to accommodate menstrual blood. This tool is a substitute for sanitary napkins that have a round shape like a ring, are made of rubber or silicone, and have a hook that is at the base of the cervix. It is used by inserting it into the cervical area, namely by pinching the center of the disc with a clean hand, then pushing it under the pubic bone.³⁵ This tool is a product made from the United States, and was first introduced to Indonesia through twitter with a user account named Andrea Gunawan, although actually on youtube there were many tutorials on its use about a year ago. In her writing, Andrea Gunawan stated that *the Flex Menstrual Disc* is an effective tool used by women to have sex during menstruation. This device can accommodate menstrual blood more effectively than other menstrual blood collection products, such as menstrual cups which are shaped like funnels that hold blood by absorbing, causing the device to grow larger and cause discomfort, if used for a long time.³⁶

Flex menstrual disc was created as an innovative step to overcome problems arising from the use of tampons and pads, This is because this tool works by collecting blood that comes out, so that in its use it still feels comfortable and light. In addition, it is said in an article that many people are of the opinion that using this tool can reduce stomach cramps due to its soft texture. This device is also formed so that it can be used as a blood reservoir that can hold blood out of the cervical area during sexual intercourse, so that when having sex, menstrual blood will not spread and hit the male genitals. Flex menstrual disc is a disposable product that has a durability of up to 12 hours to collect menstrual blood, and is designed to hold blood, equivalent to the function of three tampons to collect blood. With a demikiam, this tool is safe if used for various activities, such as sports and swimming.³⁷

The disadvantage of using this tool is that even though it is flexible so that it can be used for sexual intercourse, this tool does not work like a male genital protector (condom) that is commonly used for sexual intercourse, and is not a guarantor of safety from the onset of sexually transmitted diseases. In addition, its small and rubber-like shape, resulting in it taking a long time to be right when used. This tool is not effective if used while traveling, if you want to replace it with a new one, because of the long installation process.³⁸

Table 1. Internet Based Interactions

³⁵ Erika Erilia, "What is Flex Menstrual Disc and the Risks of Making Love During Menstruation," (June 6, 2023), tirto.id, accessed June 15, 2023, https://tirto.id/apa-itu-flex-menstrual-disc-dan-risiko-bercinta-saat-menstruasi-gLuD.

³⁶ Mohammad Ali, Siti Sariroh, and Rumawi Rumawi, "Social Construction of Widow's Marital Rights without Finishing Waiting Period (Idah) in Indonesia," *Studia Iuridica Lublinensia* 30, no. 5 (December 17, 2021): 13–28, https://doi.org/10.17951/sil.2021.30.5.13-28.

³⁷ Jane Van Dis, MD, Jacog, "Ask an OB-GYN: How Safe Are Menstrual Discs? | The Fornix | Flex," February 13, 2022, https://blog.flexfits.com/is-flex-disc-safe/accessed June 26, 2023

³⁸ Takenya, "Is The Flex Disc A Viable Alternative To Tampons & Pads", March 12, 2020, https://kenyarae.com/flex-menstrual-disc-review-is-it-a-viable-alternative-to-tampons-pads/accessed December 3, 2023.

X Account	Tweet	Statu s	Reason	
Adnardn	Eastern/Asian cultures have more	Cons	Cultural	
Adilaidii	common sense compared to the West	Cons	Differences	
Sapiens	Western culture that deviates from the	Cons		
Supiciis	local culture is unacceptable to the	Cons	Differences	
	thinking of eastern people.		Binerences	
Zato	Andrea leans more towards boasting	Cons	Cultural	
	about western culture		Differences	
Ember	that the tweet posted is a sensitive matter	Cons		
Anti Pecah	for Indonesian netizens, and suggested			
	that it be deleted immediately, because			
	the thinking of Indonesian netizens is			
	different from Western thinking			
Zabian	included evidence to strengthen the	Cons	Cons Religious Value	
Official	argument, namely Q.S. Al-Baqarah verse			
Store	222 regarding the verse of the Qur'an that			
	prohibits sex during menstruation			
Dea Firdha	having sex during menstruation causes	Cons	ons Health	
Thayeb	pain in women, even to the point of			
	experiencing sexually transmitted			
	diseases.		** 11	
	can cause the risk of blood entering the	Cons	Health	
	vessels, thus causing the blood vessels to			
	be blocked, because of pressure from the			
	vagina, this is due to menstruation when the blood vessels are open			
Rifka	having sex during menstruation is	Cons	na Crima Aat	
KIIKa	included in domestic violence.	Cons	Crime Act	
Ophie_Ko	What is conveyed is not straightforward,			
cheng	in the form of prohibitions or	al		
cheng	encouragements, but a sentence that	ui		
	gives suggestions to the word "even			
	though there are many benefits"			
Uly Siregar	having sex during menstruation can still	can still Pro Yes with Notes		
	be done with caution			
	that the ability to have sex with women	Pro	Stigma of	
	can remove the stigma that women are		Women	
	"dirty"			
andrisuper	The use of the tool can be useful for	Pro	For Limited	
ior	couples who have a husband who is a		Groups	
	sailor, or a nomad who returns home in a			
	short period of time	D	T	
	The tool can be used when the husband	Pro	For Limited	
	returns home while the wife is in a		Groups	
AOC	menstrual state	Duc	A and amin	
AOC	Submit several American articles about	Pro	Academic	
	the safety and benefits of menstruating			
	There is no health reason to avoid sex	Pro	Academic	
	during menstruation, but using condoms	110	Academic	
L	daring mensuration, but using condoms	<u> </u>	l	

or other barrier methods will help
prevent pregnancy and the transmission
of Sexually Transmitted Infections (STIs)

Based on the tweet written by Andrea Gunawan above, it has received a variety of pro, con, and neutral comments. We will begin to elaborate the narrative of the contra group. Some of the counter opinions regarding the use of such tools tend to corner western culture that is not in accordance with eastern culture, as conveyed by @adnardn Account.

Figure 2. Popularity of Menstrual Sex



This account gives rise to the perception that eastern/Asian cultures have more common sense compared to the West which creates various technologies to violate existing rules. This is because eastern culture understands that having sex during menstruation is not common, an argument that is in line with the @Sapiens account, which often gives arguments around psychology, regarding cultural culture that is coherent with religion. This account describes local culture that cannot accept unique arguments, and is not common, local culture prioritizes emotions, and what is considered prevalent in local culture. Thus, western culture that deviates from local culture is unacceptable to eastern thinking.

Zato's account mentions that western culture cannot be blended with eastern culture, and mentions that the tweeter is more inclined to boast about western culture. This comment was continued by the owner of the jingllog captain account, according to him, western culture emphasizes more on experiments on something that has been determined to be incorrect, the creation of such a device can still cause venereal viruses. The Ember Anti Burst account, stated that the tweet posted was a sensitive matter for Indonesian netizens, and suggested that it be deleted immediately, because the thinking of Indonesian netizens is different from western thinking. The majority of opponents argue that account owners support western culture, and that it is inappropriate to apply to eastern culture.

In addition, some counter opinions correlate western culture with Islamic law, namely regarding the prohibition of intimate relations when entering menstruation, and then view that this includes mixing haram matters, with permissible (mubah), which is something that is haram justified by advanced technology. The Zabian Official Store account includes evidence to strengthen the argument, namely Q.S. Al-Baqarah verse 222 regarding the verse of the Qur'an which prohibits sex during menstruation. The majority of the opposing opinions are related to health science, they mention that there is no research that confirms that having sex with such a device during menstruation is safe.

Figure 3. Netizens' Counter Response



The journal of research results in Indonesia states that having sex during menstruation causes pain in women, even to the point of experiencing venereal diseases. The @Dea account Firdha Thayeb argues that basically having sex during menstruation can pose a risk of blood entering the vessels, thus causing blood vessels to blockage, because of pressure from the vagina, this is because during menstruation the blood vessels are open, the owner of the Rifka account stated that having sex during menstruation is included in domestic violence.

As for the neutral opinion of several people who did not declare contra, or pro to the tweet shared by Andrea Gunawan, their opinion is more inclined to the impact of social media, because Andrea's role already has many followers, for them all forms of tweets that Andrea conveys are very influential on other twitter users, they do not give an opinion on the discussion of the content of the tweet. While the @Ophie_Kocheng Account emphasizes on

the language style used by Andrea Gunawan, according to his assessment, what is conveyed is not straightforward, in the form of prohibitions or recommendations, but a sentence that gives suggestions to the word "even though there are many benefits", but then gives a choice to others with the word "yes it's up to you" to do it or not, the sentence raises an interpretation that makes the reader doubt the safety of using the tool, when having sexual intercourse during menstruation. The majority of comments are neutral, many give advice related to the education to post minor effects arising from the use of the tool during menstrual sex. As an educational material, because in the upload it has not been explained in detail about the recommendation to use the tool, when having sex as a prevention of the onset of sexually transmitted infections.

Although there are many people who disagree with Andrea Gunawan's statement, there are also accounts that express pro opinions on the education conveyed by Andrea, such as on @uly Siregar's account stating that having sex during menstruation is still permissible with caution, her assumption that the ability to have sex with women can eliminate the stigma that women are "dirty", and have shame with their partners when menstruating. The owner of @andrisuperior account stated that the use of the tool can be useful for couples who have a husband who is a sailor, or a nomad who returns home in a short period of time, the tool can be used when the husband returns home while the wife is in a menstrual state.

While the owner of @AOC account provided some important data that supported Andrea's post, the account sent several American articles containing the safety and benefits of having sex during menstruation, in his comments the account also stated that, there is no health reason to avoid sex during menstruation, but using condoms or other barrier methods will help prevent pregnancy and the transmission of Sexually Transmitted Infections (STIs). The following is the content of the discussion of the supporting journal sent by the account against its argument.

The first article shared was an article written by Chaunie Brusie, is a Registered Nurse who is the author, and editor, she has experience in critical care, long-term care, and midwifery care, and her work has appeared everywhere from The New York Times to The Washington Post to Good Housekeeping. In the article, the author provides some tips to prevent pregnancy or STIs when having sex during menstruation, namely by removing the tampon before having sexual intercourse, because if it is not removed, it can push the tampon deep into the uterus, and it may not be able to take it back. Some menstrual cups and discs can be safely worn during penetrative vaginal sex, and be sure to wash and sterilize the menstrual cups after sex. Having oral sex during menstruation is also safe if the couple is comfortable.39

A 2020 qualitative study of 40 women, found that among those who reported sexual activity during menstruation, many said masturbation was more pleasurable than other types of sex. They argue that this may be due to increased blood flow and hormones, which can make menstrual sex more pleasurable. However, having oral, anal, or vaginal sex without a condom or other barrier method, there is a risk of STI transmission. The American College of Obstetricians and Gynecologists explains that STIs can be transferred between sexual partners through bodily fluids or contact with the skin, mouth, penis, vagina, or rectum. Menstrual blood will not prevent the transmission of STIs, so it is necessary to carry out the same protective measures as those carried out during non-period sex. 40

The second article by Lori Smith, Lori holds a bachelor's degree in nursing from Wilkes University and a master's degree in nursing from the University of Pennsylvania. She practiced as a gynaecological oncology nurse practitioner for 7 years, she provided care to women with benign and malignant female reproductive diseases. Lori is an accomplished

⁴⁰ Chaunie Brusie.

³⁹ Chaunie Brusie, "Is Sex During Your Period Safe? Benefits, Pregnancy Risk, and STIs," January 31, 2023, https://www.healthgrades.com/right-care/womens-health/sex-during-period/.

freelance health and fitness writer and has been published in print and online, in her article, the author explains that there is a risk of infection during oral, anal, or vaginal sex, or any form of skin-to-skin genital contact, even during menstruation. unless someone is using a protector such as a condom or other genital barrier. There are two types of infections that may occur as a result of sexual activity: STIs and problems caused by changes in the normal flora of the vagina, such as fungal infections and bacterial vaginosis. While yeast infections can also occur without engaging in sexual activity, people may have a higher risk of developing yeast infections due to hormonal changes over a period. Vaginal-penile sex can also spread fungal infections, causing the head of the penis to become inflamed. This condition is called balanitis. The Centers for Disease Control and Prevention (CDC) estimates that there are 20 million new sexually transmitted infections each year in the United States alone.⁴¹

The only way to protect against STIs is with barrier methods such as condoms or menstrual blood reservoirs. However, these protective measures do not guarantee that a person will not contract the infection, but they can significantly reduce the risk when used correctly. However, if you are on your period, it does not mean that having sex is an option, it is important to remember that people can still get pregnant or get STIs while menstruating.⁴²

Table 2. Netnograpgy Study General Findings

Status	Main Characteristics	Key Words	Discussion Symbols
Pros	Support individual freedom	Freedom, women's rights,	Use empowering language.
	Empowering women	No need for taboos	Focus on the desacralization of menstrual taboos.
	Removing menstrual stigma		Encourage open discussion about menstrual and sex issues.
Cons	Based on moral and religious arguments	Unethical, violating sharia,	Respondents are vocal in expressing disagreement.
	Medical concerns	unhealthy	Emphasizing adherence to religious and cultural norms.
	Maintaining social and health norms		Using strong narratives related to ethics and religious law.
Neutrals	Interested in discussion and education	Need to learn more,	Focus on deep understanding.
	Not taking a firm position	What is the impact?, health	Ask questions and seek clarification.
	Prioritizing clarification and understanding		Tend to be constructive and moderate in discussions.

⁴¹ Lori Smith, "Is It Safe to Have Sex during Menstruation?," April 30, 2019, https://www.medicalnewstoday.com/articles/321667/.

⁴² Lori Smith.accessed June 15, 2023

HaidarA Netnography and Contemporary Islamic Family Law Studies on the Controversy of Period Sex Trends on Social Media Twitter (X)

a) Pro Responses: Progressive Community

Netizens who support Andrea Gunawan's views can be identified as part of a progressive online community, often centered on issues of human rights, feminism, and women's empowerment. These communities see the internet as a space to drive social change and challenge traditional norms. These communities tend to share values that support individual freedom, inclusivity, and the elimination of stigmas related to menstruation and women's sexuality. They use social media as a tool to disseminate information and mobilize support. Posts in support of Andrea are usually accompanied by hashtags related to feminism or reproductive health.

Members of this community often share articles, scientific studies, or personal experiences to support their arguments. They also encourage public education about reproductive health and women's rights. Discussions in these groups tend to be collective and collaborative, with the aim of creating awareness and changes in social perceptions. Through the lens of netnography, this yes response can be seen as part of a broader cultural movement that seeks to reconstruct narratives about women's bodies in digital contexts. The community uses online platforms to express their identity as supporters of women's rights and challenge social taboos that limit discussion about menstruation.

b) Cons Response: Conservative Communities and Norm Maintenance

Netizens who disagree with Andrea Gunawan can be classified as part of a conservative community that upholds religious and cultural norms. These communities often have a strong presence in online spaces, where they serve as guardians of traditional values. These communities prioritize adherence to religious teachings and social norms, which they believe to be an important foundation for social stability.

Members of these communities tend to use moral and religious narratives in their discussions, often citing religious texts or the views of scholars to support their positions. Netizens in this group are active in maintaining and strengthening religious norms in the digital space. They may use social media to remind or reprimand community members who are perceived to deviate from religious teachings.

Interactions within these groups tend to be defensive and protective, with the aim of maintaining the integrity of traditional values that they consider to be the moral basis of society. From a netnography perspective, this disagreement response can be seen as an expression of cultural concern over the rapid change in social norms mediated by technology. These communities use digital platforms to reinforce and disseminate conservative norms, and seek to block progressive influences that they perceive to threaten existing moral and religious structures.

c) Neutral Response: Community of Intermediators and Information Seekers

Neutral netizens usually consist of individuals who are looking for a deeper and more balanced understanding of this issue. They may not be tied to a particular community, but are interested in education and balance in online discussions. This community is oriented towards knowledge and clarification. They tend to value rational, data-driven discussions.

Members of this community often ask questions, ask for sources of information, or make moderate arguments to get a more comprehensive view. Neutral netizens are more involved in critical discussions, trying to understand arguments from both sides before drawing conclusions. They may share resources or ask for expert opinions to inform their decisions.

Interactions in this group tend to be calm and analytical. They are more interested in the process of understanding the issue than arguing or taking sides emotionally. In the framework of netnography, a neutral response can be understood as an attempt to maintain balance in an often polarizing digital discussion. These communities serve as mediators that seek to reduce tensions by encouraging information-based and educational discussions. They are leveraging digital spaces to seek clarification and encourage a more inclusive and productive dialogue.

Conclusion

From various kinds of netizens' responses to Andrea's upload, which then forms a kind of interaction between one user and another, it is categorized into three main groups. That is, those who agree with the practice of menstrual sex, those who do not agree and those who choose neutrality do not "agree" nor "disagree". The community uses online platforms to express their identity as supporters of women's rights and challenge social taboos that limit discussion about menstruation. These communities use digital platforms to reinforce and disseminate conservative norms, and seek to block progressive influences that they perceive to threaten existing moral and religious structures. And these communities serve as mediators that seek to reduce tensions by encouraging information-based and educational discussions. They are leveraging digital spaces to seek clarification and encourage a more inclusive and productive dialogue.

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