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### FIQH STUDY OF POWDERED BREAST MILK FROM THE PERSPECTIVE OF THE MALIKI AND SHAFI'I SCHOOLS IN THE NUSANTARA

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**Abstract.** This study explores the differing views of the Maliki and Shafi'i schools on whether breastfeeding using powdered breast milk (ASI Bubuk) establishes a mahram relationship. It also examines how this issue fits within Islam's social and cultural context in the Nusantara region. One of the key questions is whether transforming breast milk into powder changes its essential characteristics: color, taste, and smell. Using a comparative descriptive approach, this research highlights that both schools agree that powdered breast milk can create a mahram bond if its core properties remain unchanged, even when mixed with food, drinks, or medicine. However, they set different conditions. The Maliki school holds that a single feeding session is enough, whether the milk enters through the mouth or nose, as long as it reaches the stomach and provides nourishment. On the other hand, the Shafi'i school requires five separate breastfeeding sessions, all within the first two years of a child's life. Beyond the legal debate, this study also considers powdered breast milk's social and health implications in determining mahram relationships. Given the evolving ways breast milk is processed and used, further research involving other schools of thought could offer deeper insights into how Islamic law adapts to modern developments.

**Keywords:** Mahram Relationship in Breastfeeding, Powdered Breast Milk, Maliki School, Shafi'i School, Islamic Law, Nusantara

#### A. Introduction

Breast milk is a complex liquid of different layers that can be separated through centrifugation into a cream layer, a watery phase, and a portion containing milk cells. It has countless benefits for mothers and babies (Iswandi, 2022). One of the most significant advantages for infants is that it provides the perfect balance of nutrients they need to grow, including proteins, fats, carbohydrates, salts, minerals, and vitamins. On top of that,



breast milk contains essential substances that help protect babies from infections (Dian Aruni Kumalawati & Zidni Amaliyatul Hidayah, 2022).

Over time, how we understand nursing-based kinship (mahram through breastfeeding) has changed significantly. In the past, this bond was formed naturally through direct breastfeeding, creating both a biological and emotional connection between the baby and the nursing mother. However, with modern advancements like freeze-dried breast milk, breastfeeding has become more convenient and flexible, though it no longer involves direct contact. This raises new questions about how much nursing is required to establish kinship (radha'ah) and how Islamic law adapts to these new methods (Maimun, 2021).

Lately, social media has been buzzing with discussions about freezing and turning breast milk into powder (freeze-drying). Freeze-drying is a preservation method that helps maintain the quality of dried products (Nofriani, 2013). A member of the breastfeeding task force recently shared insights about the purpose, benefits, and potential risks of this method for babies. Essentially, the freeze-drying process (also called lyophilization) extends the shelf life of breast milk from the usual six months in a freezer to up to three years. This makes it easier for moms to store their milk, saves space, and is a game-changer for mothers who travel a lot but still want to provide breast milk beyond their maternity leave.

The idea of powdered breast milk, or the freeze-drying method, is a groundbreaking innovation that turns breast milk into powder while keeping all its nutrients intact. The process involves freezing the milk at extremely low temperatures and then removing the water through sublimation, leaving behind a powdered form that can be stored for much longer and used easily. This is especially helpful for moms who face challenges with direct breastfeeding, and it also makes storing and distributing breast milk to those in need much more practical (Morrow, 2018).

One previous study, titled *Law of Trading in Mother's Milk: Perspective of the Shafi'i Madhhab* (Arsy, Muhammad, 2024), explored the legal and ethical dimensions of the breast milk trade. It mainly focused on the commercial aspects of such transactions. In contrast, this research centers on the fiqh of powdered infant formula from both the Maliki and Shafi'i perspectives, delving into questions of permissibility, health implications, and its effects on child development. While the earlier study addressed a specific area within Islamic law, this research offers a broader and more contemporary analysis of how Islamic legal principles apply in today's context. Though different in focus and approach, both studies contribute valuable insights into Islamic jurisprudence.

Research on the implications of powdered breast milk in nursing-based kinship (radha'ah) is crucial, especially when looking at the perspectives of the Maliki and Shafi'i schools of thought. These two schools have different views on the conditions required to establish kinship through breastfeeding. The Maliki school is more flexible, while the Shafi'i school has stricter requirements stating that a baby must be nursed at least five times for the relationship to be legally recognized (Nadhras Aina Rusdiyah & Sa'adah, 2023). This research aims to clarify how each school interprets this modern method and whether powdered breast milk can fulfill the religious requirements for radha'ah. By understanding these perspectives, Muslims can apply Islamic teachings correctly in

today's world, ensuring that religious guidelines remain relevant while helping to prevent unintentional violations due to a lack of awareness.

## B. Method

This study adopts a descriptive-comparative approach, a research method that describes and compares two or more phenomena or variables (Sugiyono, 2016). In this research, the descriptive-comparative method is applied to analyze and contrast the perspectives of the *Maliki and Shafi'i* schools regarding *radha'ah* (breastfeeding) using the powdered breast milk method. Using this approach, the study identifies the similarities and differences between the two schools while exploring the underlying reasons for their differing interpretations. The choice of the Maliki and Shafi'i schools in studying powdered breast milk in Nusantara is significant due to their permissive views on trading and the sanctity of mother's milk. Both schools emphasize milk transactions' legal and ethical dimensions, providing a framework that aligns with contemporary issues surrounding milk banks and breastfeeding practices. This research is significant as it offers more profound insights into how both schools apply the laws of *radha'ah*, considering modern technological advancements (Creswell, 2014). To ensure the accuracy and reliability of the findings, this study uses data triangulation—a method that combines various sources and approaches to cross-check the consistency of information. This includes comparing scholarly views from classical and contemporary fiqh texts, academic journal articles, and official fatwas from recognized religious institutions. (Moleong, 2017)

Some of the key references in the Maliki school include Al-Mudawwanah Al-Kubra by Sahnun, Al-I'tisham by Abu Ishaq ibn Musa Al-Shatibi, and Mukhtashar Khalil 'ala Matan Al-Risalah by Ibn Abi Zaid Al-Qayrawani, with commentary by Sheikh 'Abd Al-Majid Al-Sharnubi Al-Azhari. These works serve as important foundations for understanding Maliki jurisprudence. Some of the significant works in the Shafi'i school of thought include Al-Majmu' Sharh al-Muhadhdhab by Imam al-Nawawi, the well-known hadith commentary *\*Fath al-Bari\** by Ibn Hajar al-Asqalani, *\*Al-Fiqh al-Islami wa Adillatuhu\** by Wahbah al-Zuhaili, and the foundational text *\*Al-Umm\** by Imam al-Shafi'i himself. These books continue to serve as essential references for scholars and students of Shafi'i jurisprudence.

This study uses a qualitative approach, specifically library research. This method involves gathering relevant information from books, journals, and other academic sources to support the research (Denzin, Norman K., & Lincoln, Yvonna S, 1994). The qualitative research approach deeply explores a phenomenon within its context by analyzing non-numerical data, including interviews, observations, and document studies (Bogdan, R. & Biklen, S.K., 2007).

## C. Results and Discussion

### **Mahram Relationship Due to Breastfeeding (*Radha'ah*) Using the Freeze-Drying Breast Milk Method According to the Maliki School**

In breastfeeding just as blood relations prohibit marriage due to birth, the same applies to breastfeeding. If a woman breastfeeds a baby boy, she becomes forbidden (haram) for him because she is considered his mother. Likewise, all her daughters,

whether breastfed before or after him, also become forbidden for him because they are considered his sisters (Al-Maliki, 1997).

Regarding the term "woman's milk," Qadhi Iyadh mentioned that, according to linguistic scholars, the word "laban" (milk) is not used to refer to human milk, especially that of women. The more appropriate term for non-human milk is "laban." However, in many hadiths, different terminology is used from this linguistic perspective, as explained in the book *At-Tawdih* (Al-Maliki A.-H. A.-R., 1992).

In the Maliki school of thought, there are several conditions for breast milk to establish a mahram (prohibited) relationship between the baby and the nursing woman:

a. The Color of the Milk

The milk must be white to be considered valid. If the milk is yellow or red, it does not fulfill the conditions for establishing a mahram relationship. Ibn Al-Qasim, in the book of Ibn Sahnun, stated:

*"If a yellowish fluid is expressed from a woman's breast, it does not make the nursing relationship haram. The prohibition only occurs if the milk functions as nourishment and replaces the baby's need for food."* (Al-Lakhmi, 2011).

b. Milk Must Reach the Baby's Stomach

The milk must enter the baby's stomach through direct breastfeeding or pouring it into the baby's throat. In *Al-Mudawwanah*, Ibn al-Qasim explained:

*Breastfeeding through the sa'ut method (introducing milk through the nose) establishes a mahram relationship if the milk reaches the stomach. The same applies if milk is administered via injection and serves as nutrition.* (Al-Maliki A. '-M., 1994).

If milk enters through the upper pathways, such as the nose, it does not need to be nutritive; simply reaching the stomach is enough to establish the mahram relationship.

c. Mixing Breast Milk with Other Substances

If breast milk is mixed with food, drink, or medicine, it establishes a mahram relationship only if the milk remains dominant. However, suppose the milk is less in quantity than the substance it is mixed with, or its characteristics (taste, color, smell) are completely masked. In that case, it does not establish a mahram relationship ('Alysh, 1984). Ibn Rashid and Ibn Abdus Salam Ibn Naji stated that if a woman's milk is mixed with other substances, it only becomes haram if it reaches the stomach and remains dominant. However, if another substance overpowers the milk so that its taste, smell, or effect disappears, it does not establish a mahram relationship.

If one woman's breast milk is mixed with another woman's breast milk, then the baby is considered a child of both women, regardless of whether the amounts are equal or one dominates over the other.

Allah's words that indicate the prohibition due to breastfeeding include:

وَأُمَّهَاتُكُمُ اللَّيِّ أَرْضَعْنَكُمْ

"And your mothers who nursed you."

The verses above indicate that only human women (adamiyyah) possess maternal qualities. In general, this verse explains that breastfeeding from a woman, whether alive, deceased, or still a child—through drops, the nose, or injections, as long as it serves as nutrition or is mixed but not overpowered by other substances, establishes a mahram relationship. However, this does not apply to yellowish fluids, animal milk, or dairy products. The verse also clarifies that living and deceased women can establish a mahram relationship through breastfeeding.

However, hadiths explain that the mahram relationship due to breast milk is not limited to cases where a baby nurses directly from a woman's breast. It also applies when the milk reaches the baby's stomach by other means.

عَنِ ابْنِ الزُّبَيْرِ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: لَا رَضَاعَ إِلَّا مَا فَتَقَّ الْأَمْعَاءَ

"According to Ibn Zubair, the Messenger of Allah (SAW) said: Breastfeeding does not establish a prohibited relationship unless the milk reaches the intestines."

This hadith explains that the prohibition (tahrim) occurs when breast milk enters the baby's stomach through the mouth or nose rather than only through direct suckling from the breast. Administering milk through the nose, such as using the sa'ut method (where something is introduced through the nasal passage), is even more effective than through the mouth. It is similar to medicine placed in the corner of the mouth or directly fed as food—if it reaches the stomach or is converted into fat, it is sufficient for the prohibition to take effect. The same applies if the milk is frozen (like cheese) or mixed with other substances unless the mixture overpowers the milk. However, if milk from another species becomes dominant in the mix, it does not establish a mahram relationship. Conversely, if human milk remains the dominant component, it remains prohibited, even if it has turned into cheese or butter and is consumed by the baby as part of that mixture (As-Sawi, 1952).

According to the Maliki school of thought, understanding the physical changes in breast milk when it transforms into a solid or powdered form—such as through the freeze-drying method—is crucial in fiqh.

According to Maliki scholars, if breast milk changes into a frozen or cheese-like state, it is still considered milk as long as its fundamental nature remains intact. In the case of freeze-dried breast milk, even though its physical state changes to powder, its essential properties do not undergo a substantial transformation. Therefore, the ruling on *radha'ah* (breastfeeding) remains valid if a baby consumes breast milk that has been freeze-dried or frozen. The Maliki school holds that physical changes like freezing or drying do not alter its legal status as milk as long as its essential characteristics are preserved. Thus, if a non-mahram child consumes freeze-dried or frozen breast milk, it remains prohibited (*haram*), following the general rulings of *radha'ah*.

However, if breast milk is mixed with other substances to the point that its dominant nature as milk is lost, the prohibition may change depending on the mixture's proportion. If the additional substance is more dominant, the milk is no longer considered pure breast milk, and its ruling may differ. Ibn Al-Qasim stated that if breast milk is mixed with medicine or food and then given to a baby, the prohibition applies if the milk remains the primary component. However, if the food or medicine overpowers the milk, then the ban does not apply.

In this context, it is essential to ensure that freeze-dried breast milk is not mixed with other substances that alter its fundamental nature to remain according to the legal rulings of \*radha'ah\* in the Maliki school.

On the other hand, regarding the mahram relationship established through breastfeeding, there is generally no difference between pure milk and mixed milk as long as the milk remains the dominant component. However, if another substance overpowers the milk, it does not establish a mahram relationship. Some scholars, including Mutarrif, Asyhab, and Abdul Malik, hold that milk still establishes a *mahram* relationship even if it is not the dominant component in a mixture. This view is also supported by Al-Lakhmi (Ad-Damiri, 2013).

Another key factor in the Maliki school regarding the minimum amount of breastfeeding that establishes a *tahrim* (prohibited) relationship is that there is no specific limit on the quantity of milk; even a small amount is sufficient. This ruling is based on a hadith of the Prophet (SAW):

عن عائشة أن رسول الله صلى الله عليه وسلم قال : أَمَّا الرِّضَاعَةُ مِنَ المِجَاعَةِ

"From Aisha (RA), the Messenger of Allah (SAW) said: 'Breastfeeding occurs due to hunger.'"

عن ابن مسعود عن النبي صلى الله عليه وسلم قال : لَا رِضَاعَ إِلَّا مَا أَثْنَرَ الْعَظْمَ وَأَثَبَتَ اللَّحْمَ

From Ibn Mas'ud (RA), he said: "No breastfeeding establishes a prohibited relationship (*mahram*) except the kind that strengthens the bones and grows the flesh."

The two hadiths mentioned confirm that whether a small or large amount of breast milk reaches the baby's stomach, the effect remains. Likewise, milk that undergoes a freezing process (*freeze-drying*) is still considered breast milk. Even if breastfeeding happens only once, regardless of the quantity, it still establishes a *mahram* relationship between the nursing woman (*murdhī*) and the baby (*radhī*).

Surah An-Nisa' (4:23) reinforces the prohibition of *mahram* relationships due to breastfeeding, even if it happens only once. The verse is general and does not distinguish between a single feeding or multiple feedings. If a baby nurse once and the milk reaches its stomach, the mahram relationship still applies even if it later vomits. Furthermore, the book Al-Fiqhu Al-Maliki wa Adillatuhu mentions that a single nursing session relieves hunger and contributes to the baby's physical growth.

This ruling is based on the following hadith, as quoted by Imam Malik in *Al-Muwatta'*:

وحدثني عن مالك, عَنْ ثَوْرِ بْنِ زَيْدٍ الدَّيْلِيِّ, عَنْ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ أَنَّهُ كَانَ يَقُولُ: مَا كَانَ مِنَ الرِّضَاعِ فِي الْحَوْلَيْنِ فَإِنَّهُ يُحَرِّمُ، وَإِنْ كَانَتْ مَصَّةً وَاحِدَةً، ثُمَّ قَالَ ابْنُ أَبِي زَيْدٍ: أَجْمَعَ أَهْلُ الْمَدِينَةِ وَعَمَرُهُمْ أَنَّ الْمَصَّةَ الْوَاحِدَةَ رِضَاعٌ

Additionally, I was informed by Thawr bin Zayd al-Diyali, from Abdullah Ibn 'Abbas, that Imam Malik said: "Breastfeeding that occurs within the first two years, even if it is just one sip, establishes a *mahram* relationship (prohibiting marriage with the woman who nursed the baby)."

In the hadith above, Ibn Abbas, Sa'id bin Al-Musayyib, and Urwah bin Az-Zubair stated:

*"If breastfeeding occurs within the first two years, even a single sip is enough to establish a mahram relationship. However, if it happens after two years, it does not create such a prohibition."* (As-Siqilli, 2013).

Based on hadiths, the Maliki school of thought does not set a minimum amount or number of nursing sessions for infants under two years old. As long as the breast milk reaches the baby's stomach in a small or large quantity and occurs even once, it is sufficient to establish a *mahram* relationship between the nursing woman and the child. Therefore, in the Maliki school, there are no specific requirements regarding the amount of milk or the number of nursing sessions needed. However, Imam Malik emphasized that what truly matters is that the milk reaches the baby's stomach during the breastfeeding period.

### **The Prohibition of Breastfeeding (*Radha'ah*) Using Freeze-Dried Breast Milk According to the Shafi'i School**

Breast milk has legal implications, such as prohibiting marriage, nullifying existing marriages, requiring a dowry (or a portion of it), or entitling compensation, as further detailed later. It also establishes *mahram* relationships, allowing for permissible physical interaction (such as *mahram* relatives being able to see each other without hijab), and does not invalidate ablution, according to the stronger opinion (Al-Iraqi, 2011). However, the prohibition due to breastfeeding only applies if the milk comes from a living woman at least nine years old. If the milk is expressed while the woman is alive and later given to a child after her death, the prohibition still applies, according to the stronger opinion (Muhyiddin, 2005).

The Shafi'i school differs from the Maliki school in terms of the conditions for breast milk (*laban*) to establish a *mahram* relationship. According to the Shafi'i school, the conditions are as follows:

1. The quantity and frequency of breastfeeding

A *mahram* relationship is only established if the baby nurses at least *five separate times* within two years. If there is uncertainty about whether the nursing occurred within the two years, it is considered a doubtful case. The classification of a nursing session follows general norms: If a baby suckles and then stops, or if they nurse for an extended period in one session, or if they switch from one breast to the other, it is counted as one session of nursing. If there is a long pause between sessions beyond the usual time for breastfeeding, then it is counted as multiple separate feedings (As-Sulami, 2016).

2. Breastfeeding must occur within the first two years of life

As narrated by Abdullah ibn Mas'ud (RA), he said: *"No breastfeeding (that establishes a prohibited relationship) occurs except within two years, as it is what strengthens the bones and grows the flesh."* (Al-Bayhaqi, 2015)

3. The milk must enter the baby's body in a way that provides nourishment

The milk must reach the baby's stomach through ingestion or absorption into the body. According to *Nihayat al-Muhtaj*, if breast milk is mixed with other substances—whether in a dominant or non-dominant proportion—and the mixture is consumed, it still establishes a *mahram* relationship. Similarly, suppose the milk

is directly administered into the throat or nose, reaching the brain. In that case, it still establishes a *mahram* relationship because it serves as nourishment. If the milk is given after the mother's death, it still creates a *mahram* relationship, as the milk remains connected to the woman who produced it and retains its legal status. However, it does not establish a *mahram* relationship if administered through injections or ear drops, as these methods do not function as nourishment (Asy-Syafi'i, 1950).

In the Shafi'i school of thought, the amount of breast milk that can establish a *mahram* relationship is five separate and definite nursing sessions. If a nursing woman is uncertain whether she has completed five feedings, then the *mahram* relationship cannot be established. Breastfeeding that involves doubt cannot be a valid legal basis for *radha'ah* (kinship through nursing).

It is important to note that the milk does not have to remain in its original liquid form when separated from the breast to establish a *mahram* relationship. If the milk turns sour, curdles, boils, or transforms into cheese, dried milk, butter, ghee, whey, or cream, and the baby consumes it, the prohibition still applies as long as the milk reaches the baby's stomach and provides nourishment (Asy-Syafi'i, 2012).

This concept is also mentioned in the work of Abu Ibrahim Ismail bin Yahya Al-Muzani, *Mukhtasar Al-Muzani*, where he quotes Imam Shafi'i: "*If the milk curdles (into cheese) and is then given to a child to drink, it is considered the same as breastfeeding.*" (Al-Muzani, 1983).

Imam Shafi'i's statement clarifies that if a woman's milk curdles or turns into cheese and is then consumed by a child, it is legally equivalent to direct breastfeeding. This means that even though the physical state of the milk has changed from liquid to solid, its legal ruling remains the same as if the baby had nursed directly from the mother's breast.

In *Mukhtasar Al-Muzani*, Imam Shafi'i reiterates that if a woman's milk solidifies into cheese and is then given to a child, it is legally treated as breastfeeding. This ruling emphasizes that a change in the milk's physical form does not affect its legal status regarding *radha'ah*. This concept is particularly relevant to modern practices such as freezing or drying breast milk, which are commonly used to store milk in powdered or frozen form. Freezing or drying breast milk involves removing water content to extend its shelf life without compromising its nutritional value. When this frozen or powdered breast milk is later reconstituted and fed to a child, it is still considered *breast milk* in terms of its nutritional content. Imam Shafi'i states that this act remains legally equivalent to breastfeeding, even if the milk has transformed in form.

Thus, breast milk is not required to remain in its original liquid state when separated from the breast to establish a *mahram* relationship. If it turns sour, curdles, is boiled, transformed into cheese, dried milk, butter, or curd, and then fed to a child, the prohibition applies as long as the milk reaches the baby's stomach and provides nourishment.

In Islamic law, the *mahram* relationship remains valid as long as the milk originates from a human mother and meets the established conditions (such as the child being under two years old). Freezing or drying the milk only affects its physical form, not its legal essence. Therefore, even if breast milk is transformed into curds, frozen, or powdered, the *radha'ah* ruling remains valid as long as the nursing child consumes the milk.



Imam Shafi'i also states: *"If milk turns into curds (cheese), freezes, or is powdered, or if its butter is extracted, the prohibition still applies because the milk enters the stomach and provides nourishment."* (Asy-Syafi'i, 2011).

Suppose the milk remains dominant in the mixture but loses its three main characteristics—taste, color, and smell—and the entire mixture is consumed. In that case, the stronger opinion is that the prohibition still applies. This is because the essence of the milk has entered the body. However, the opposing view argues that if the milk's characteristics are lost, it no longer retains its legal effect. This debate is discussed in *Syarh al-Saghir* and applies to cases where it is unclear whether the milk has been fully absorbed.

For example, if a drop of milk falls into a bucket of water and a portion of the water is consumed, the prohibition is uncertain. However, if it is certain that the milk has dispersed in the mixture and some of it enters the body, or if the remaining mixture contains more milk than other substances, then the prohibition *applies* (Al-Mulqin, 2001).

The scholars do not specify a particular quantity of cheese or other derivatives that would establish the prohibition. By analogy, the same standard applies as in direct breastfeeding: five confirmed nursing sessions are required. The separations between sessions must be clear at the beginning and end. However, the child does not need to be fully nourished with each feeding; what matters is that the total number of sessions meets the legal requirement for breastfeeding.

Thus, one or two nursing sessions are insufficient to establish a mahram relationship, as Imam Shafi'i explicitly set the minimum at five separate nursing sessions. This ruling is based on the hadith quoted by Imam Shafi'i in *Al-Umm*.

عَنْ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: لَا تُحْرِمُ الْمَصَّةُ وَالْمَصْنَانِ وَلَا الرُّضْعَةُ وَلَا الرُّضْعَتَانِ.

According to Abdullah bin Zubair, the Prophet (peace be upon him) said: *"Breastfeeding does not establish a forbidden (mahram) relationship if it only occurs once or twice, or with just one or two nursing sessions."*

In this hadith, the Prophet (peace be upon him) instructed a woman to breastfeed Salim five times so that he would become mahram to Abu Hudhaifah through her milk. This ruling is based on the principle that breastfeeding is insufficient to establish *mahram* status unless it meets the minimum number of nursing sessions.

It was narrated by Imam Ahmad, who stated: *"A breastfeeding relationship does not become forbidden (haram) unless it reaches five nursing sessions. This is the most authentic narration on this matter"* (Al-Qaffal, 1988). Furthermore, several scholars have referenced Imam Shafi'i's statement in *Al-Umm*, which emphasizes this ruling.

وَلَا يُحْرِمُ مِنَ الرُّضَاعِ إِلَّا خَمْسَ رَضَعَاتٍ مُتَفَرِّقَاتٍ

*"A mahram relationship through breastfeeding is only established if there are five separate nursing sessions."*

This means that when a newborn baby is nursed by a woman who meets certain conditions, and the nursing session stops, it is considered valid as long as it is confirmed that the milk has reached the baby's stomach, whether in a small or large amount.

On the other hand, *Imam Shafi'i* explained that establishing a *mahram* relationship depends on the state of the milk and how it reaches the baby's stomach. He specified that the milk must enter the stomach or brain through the mouth by being poured down the throat, through the nose by dripping it in, or through any passage that directly reaches the brain. In these cases, the *mahram* relationship applies. However, suppose the milk enters the baby's stomach using an injection through the genital (*qubul*) or rectum (*dubur*), or reaches the brain through the ear or genital tract. In that case, these methods do not establish a *mahram* relationship.

*Imam Shafi'i* did not require the milk to remain in its original liquid form. Even if the milk is processed into cheese or another form and then consumed by the baby, it establishes a *mahram* relationship. Likewise, if the milk is turned into cheese or butter and then fed to the baby, it remains *haram* (prohibited for marriage) because it is still considered a source of nutrition. If the milk is mixed with other liquids or solid ingredients, the prohibition applies if it is dominant, meaning its color, taste, or smell is still noticeable. Even if the baby only drinks part of the mixture, it is still considered *haram* because the milk remains a significant food component (Ar-Ramli, 1984).

### **Differences and Similarities in the Mahram Relationship Through Breastfeeding (Radha'ah) Using the Powdered Breast Milk Method (Freeze-Drying) According to the Maliki and Shafi'i Schools**

#### **1. Similarities Between the Maliki and Shafi'i Schools**

As explained in the previous section, this study found differences and similarities in how the Maliki and Shafi'i schools determine *mahram* relationships. This is particularly relevant when assessing the level of *radha'ah* using powdered breast milk (also known as preserved breast milk). Therefore, the researcher can draw the most relevant conclusions regarding *radha'ah*, as its legal implications are highly significant in Islam. The key similarities between *Imam Malik* and *Imam Shafi'i* regarding *mahram* relationships through breastfeeding are as follows:

- a. Breastfeeding from a man or an animal does not establish a *mahram* relationship. The Maliki and Shafi'i schools agree that if a baby were to nurse from a man or an animal, even multiple times, regardless of the amount of milk consumed, it would not create a *mahram* relationship. *Imam Malik* narrated that such breastfeeding does not lead to prohibition. This is because milk is a product of childbirth, exclusive to women. This milk is not intended for infant nutrition, so it does not create a *mahram* bond like other bodily fluids (Al-Qazwini, 1997). The maternal relationship is unique to human women (*Adamiyyah*).
- b. Breast milk entering through the nose or mouth creates a *mahram* relationship – Both schools agree that if breast milk reaches the baby's stomach through the nose or mouth, it establishes a *mahram* relationship.
- c. Breastfeeding from a woman, regardless of her marital status, creates a *mahram* relationship– The Maliki and Shafi'i schools both affirm that when a baby breastfeeds from a woman, it results in a *mahram* relationship, regardless of whether the woman is married, widowed, or a virgin. This ruling applies whether she is a woman who can be legally engaged in marital relations (*mawthu'ah*) or one who is not eligible for such relations (*ghairu mawthu'ah*).

- d. Breast milk transformed into cheese or powdered form (freeze-dried) retains its ruling. Both schools agree that if breast milk transforms into a solid form (such as cheese) or is freeze-dried into a powder, it still establishes a mahram relationship when consumed by a baby as long as the milk remains the dominant substance. However, the ruling may change if mixed with another substance that alters its original nature.

## 2. Differences Between the Maliki and Shafi'i Schools

While the Maliki and Shafi'i schools share similarities in determining the amount of breastfeeding (radha'ah) required to establish a mahram relationship, they also hold differing views on certain aspects. The main points of disagreement between Imam Malik and Imam Shafi'i are as follows:

- a. Breast milk administered through injection – Both schools acknowledge that breastfeeding can create a mahram relationship but differ on whether milk given via injection has the same legal effect. Imam Malik maintains that injecting breast milk into a baby's stomach establishes a mahram bond **\*\*only** if the milk provides sufficient nourishment and reaches the stomach. Imam Shafi'i, on the other hand, argues that injected breast milk does not lead to a mahram relationship, even if it nourishes the baby and reaches the stomach. In *Manhaj At-Thalibin*, it is explained that, in the Shafi'i school's traditional perspective, a mahram bond is only formed when there is direct contact between the baby's lips and the mother's breast, as this physical interaction strengthens the emotional mother-child relationship. In the modern era, when breast milk is preserved through freezing and turned into powdered form, both schools agree that feeding it to a baby through the mouth or nose establishes a mahram relationship, provided that the milk's color, smell, and taste remain unchanged. However, in the Shafi'i school, the more authentic opinion (as noted by An-Nawawi, 2005) states that injecting breast milk does not create a mahram relationship, even if it reaches the stomach and satisfies the baby's hunger.
- b. Age limit for breastfeeding to establish a mahram relationship. The Maliki school sets the maximum breastfeeding age, establishing a mahram relationship at two years and two months. The Shafi'i school also considers two years and two months as the cutoff age for breastfeeding to result in a mahram relationship. This ruling is derived from the Qur'an, where Allah commands:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنِمَّ الرِّضَاعَةَ .

The Maliki school emphasizes that the two-year duration mentioned in the verse does not set an absolute limit for breastfeeding. According to Imam Malik, the verse does not restrict a child's breastfeeding period to only two years. Instead, he allows mothers to complete the breastfeeding phase beyond this timeframe if necessary.

This interpretation is further supported by a hadith recorded by *Imam Malik* in his book *Al-Muwatta*.

عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ، أَنَّهُ سَأَلَ سَعِيدَ بْنَ الْمُسَيَّبِ عَنِ الرِّضَاعَةِ، فَقَالَ سَعِيدٌ: «كُلُّ مَا كَانَ فِي الْحَوْلَيْنِ، وَإِنْ كَانَتْ قَطْرَةً وَاحِدَةً فَهُوَ مُحَرَّمٌ، وَمَا كَانَ بَعْدَ الْحَوْلَيْنِ فَإِنَّمَا هُوَ طَعَامٌ يَأْكُلُهُ» قَالَ إِبْرَاهِيمُ بْنُ عُقْبَةَ، ثُمَّ سَأَلْتُ عُرْوَةَ بْنَ الزُّبَيْرِ فَقَالَ: مِثْلَ مَا قَالَ سَعِيدُ بْنُ الْمُسَيَّبِ

The Shafi'i school establishes that the age limit for a baby to create a mahram relationship through breastfeeding is exactly two full years. If the child exceeds this age, even by a little, the mahram ruling no longer applies.

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنِمَّ الرِّضَاعَةَ

This ruling is based on the words of Allah SWT, which serve as its foundation. According to the Shafi'i school, this verse indicates that a baby must be exactly two years old for breastfeeding to establish a mahram relationship. From this explanation, it is clear that the Shafi'i school sets a strict age limit (tahdid) for breastfeeding to determine whether the mahram ruling applies.

The Shafi'i school's interpretation of this verse is further supported by a *hadith*, which states:

وَعَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا "لَا رِضَاعَ إِلَّا فِي الْحَوْلَيْنِ. رَوَاهُ الدَّارِقُطِيُّ، وَابْنُ عَدِيٍّ مَرْفُوعًا وَمَوْفُوفًا، وَرَجَّحَا الْمَوْفُوفَ

- c. The Number of Breastfeeding Sessions. According to the Maliki school, a mahram relationship is established even if a baby breastfeeds only once. In contrast, the Shafi'i school holds that for a mahram bond to be created, the baby must be breastfed five separate times. This difference stems from the fact that each school bases its ruling on different sources of evidence (dalil), leading to varying legal interpretations. The Maliki school takes a more flexible approach by allowing milk kinship to be established after just one breastfeeding session. However, this ruling could also restrict marriage possibilities, as it increases the number of women who become mahram to the child based on a single instance of breastfeeding, as determined by Imam Malik.

The differences between the Maliki and Shafi'i schools in interpreting Qur'anic verses on breastfeeding are influenced by each imam's background. Geographical location, education, and social environment significantly shaped their interpretation and legal reasoning methods.

**Table 1:** Comparison of Issues Between the Maliki and Shafi'i Schools Regarding Breastfeeding (Radha'ah)

No	Issue	Maliki School	Shafi'i School
1	<b>Powdered Breast Milk (Freeze-Drying ASI)</b>	Remains <b>mahram</b> (establishes kinship) as long as breast milk is the dominant component when mixed with food, drinks, or medicine.	The same ruling applies if the milk remains dominant and retains its characteristics.
2	<b>Required Amount of Breastfeeding</b>	One feeding session is sufficient to establish <b>mahram</b> kinship.	Five separate nursing sessions are required to establish <b>mahram</b> kinship.
3	<b>Child's Age Limit for Nursing</b>	Breastfeeding is only effective in establishing kinship if done <b>before the child reaches two years and two months</b> .	Breastfeeding must occur <b>within two years</b> to establish kinship.
4	<b>Breastfeeding Through a Syringe</b>	It still establishes <b>mahram</b> kinship as long as the milk <b>nourishes the baby and reaches the stomach</b> .	<b>It does not establish mahram</b> kinship because feeding through a syringe <b>does not meet the natural conditions of suckling</b> .

No	Issue	Maliki School	Shafi'i School
5	<b>Milk from Animals or Men</b>	If a man or an animal produces milk, it <b>does not establish mahram kinship</b> because milk results from childbirth, which is exclusive to women.	The same ruling applies; only a woman's milk can establish <b>mahram</b> kinship.
6	<b>Breastfeeding Through the Nose or Mouth</b>	Both methods <b>establish mahram kinship</b> as long as the breast milk reaches the baby's stomach.	The same ruling applies; kinship is established after the milk is digested.
7	<b>Breastfeeding from Two Different Women</b>	<b>Establishes mahram kinship</b> , whether the women are married or unmarried, whether they have had intercourse or not.	The same ruling applies; both women become the child's <b>milk mothers (Umm al-Radha'ah)</b> .

#### D. Conclusion

Establishing a mahram relationship through breastfeeding (radha'ah) using freeze-dried breast milk (ASI powder) is considered valid according to the Maliki and Shafi'i schools, as well as several scholars, as long as the breast milk maintains its original characteristics and nutritional value. This method serves as a practical and safe alternative for mothers who cannot breastfeed directly, ensuring both health benefits and adherence to Islamic teachings.

1. The viewpoint of the Maliki School. According to the Maliki school, one sip of breast milk—as long as it stays white—can create a mahram connection. The milk must remain the main ingredient in the mixture, even if combined with other ingredients like food, beverages, or medications. The milk must also reach the baby's stomach, whether by injection, the throat, or the nose. Furthermore, nursing should not last longer than two years and two months. As with any other non-mahram person, marriage is still acceptable if this time limit is exceeded and the child is not regarded as a milk sibling.
2. Shafi'i School's View. The Shafi'i school asserts that a mahram relationship through freeze-dried breast milk is only established if the baby is fed five times, each feeding sufficient to nourish. The milk must come from a living woman (mother), not a man or an animal. If the milk is mixed with food, drinks, or medicine, it must still be the dominant element in the mixture. Additionally, the milk must enter the baby's stomach through the nose or throat. The breastfeeding period should not exceed two years, based on the principle that "breastfeeding does not establish kinship after two years." If the child is fed beyond this period, they are not considered a milk sibling, and marriage remains permissible, just as with any other non-mahram individual.

Future studies are encouraged to look deeper into how local fatwas in the Nusantara address the use of powdered breast milk. It would be valuable to compare how the Maliki and Shafi'i schools are applied in local cultural settings and to explore how modern scholars view breast milk preservation technology. This could help ensure that Islamic legal perspectives stay relevant in addressing today's health and parenting challenges.

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