

ISLAMIC LAW REVIEW
USE OF SEX TOYS

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Abstract : *This study aims to uncover how Islamic law observations of the tools used to meet the biological needs of humans, called sex toys, are lately used by many groups, both Muslim and non-Muslim, both inside and outside Indonesia, in this article the author will discuss the sex toys law in view of Islam starting from; First, the opinions of scholars in the four schools of thought on the use of sex toys as a medium to meet human biological needs in various conditions. Second, examine the arguments put forward by these schools and the way istidlal or istinbath law. Third, analyze the opinions that are most relevant to be held today with logical and istidlal arguments that are the closest to the truth between the proposition and the reality faced by people in this modern era.*

Keywords: *Islamic law, sex toys*

Abstrak: Penelitian ini bertujuan untuk menyingkap bagaimana pandangan hukum Islam terhadap alat-alat yang digunakan untuk memenuhi kebutuhan biologis manusia yang disebut dengan *sex toys* yang belakangan ini marak digunakan oleh banyak kalangan, baik muslim maupun non-muslim, baik di dalam maupun di luar negeri Indonesia, dalam artikel ini penulis akan membahas hukum *sex toys* dalam pandangan Islam bertolak dari; *Pertama*, pendapat ulama-ulama dalam empat mazhab terhadap penggunaan *sex toys* sebagai media untuk memenuhi kebutuhan biologis manusia dalam berbagai kondisi. *Kedua*, mengkaji dalil-dalil yang dikemukakan oleh mazhab-mazhab tersebut serta cara *istidlal* atau *istinbath* hukumnya. *Ketiga*, menganalisa pendapat yang paling relevan untuk dipegangi pada zaman sekarang ini dengan argumen-argumen yang logis dan *istidlal* yang paling mendekati kebenaran antara dalil dan realita yang dihadapi masyarakat di era modern ini.

Kata Kunci: Hukum Islam, Sex toys

I. INTRODUCTION

Allah SWT. created humans with the same relative instinct in the matter of biological necessity. Everyone has an urge to meet those needs. As explained in the Qur'an:

رُيِّنَ لِلنَّاسِ حُبُّ الشَّهَوَاتِ مِنَ النِّسَاءِ... (ال عمران: ١٤)

"It has been decorated for humans like lust of women ..." (Surah Al 'Imran: 14)¹

Islam as a comprehensive religion that has been providing solutions to the problem of biological compliance with the Shari'ah married. Marriage in this case occupy a very important position, as described in the hadith of the Prophet:

عَنْ جَابِرٍ، أَنَّ رَسُولَ اللَّهِ ﷺ رَأَى امْرَأَةً، فَأَتَى امْرَأَتَهُ زَيْنَبَ، وَهِيَ تَمْعَسُ مَنِيئَةً لَهَا، فَقَضَى حَاجَتَهُ، ثُمَّ خَرَجَ إِلَى أَصْحَابِهِ، فَقَالَ: «إِنَّ الْمَرْأَةَ تُفِيلُ فِي صُورَةِ شَيْطَانٍ، وَتُذْبِرُ فِي صُورَةِ شَيْطَانٍ، فَإِذَا أَبْصَرَ امْرَأَةً فَلْيَأْتِ أَهْلَهُ، فَإِنَّ ذَلِكَ يَرُدُّ مَا فِي نَفْسِهِ»²

Jabir, the real Prophet. saw a woman, and then he went to his wife, Zainab, who was busy washing animal skins for dicamak, then he meets his business, then came out and said to his companions: "Verily women come in the form of demons and go into demon form, therefore, if any one of you look at women; let him come to his wife, because it would ease what there is in him "(Muslim).

The scholars explained that the intent of the comings and goings of women in devil form is a cue to their lust and solicitation to commit defamation arising from their situation, because Allah. has made within the male proclivity towards women and pleasure when looking at them, so that its influence has in common with a vicious act that always tempt people.³

In addition to marry serves as a means to meet the biological needs of man, this teaching also has other objectives are no less important, is to produce and maintain the descent for the sake of continuity and survival of humankind as a vicegerent on earth. The purpose of this kind, then known as al-nasl hifzu.

However, the Shari'ah married to function and the purpose overview of contrastto the order of sex toys, especially by those who are Muslims; the presence of sex toys because it can inhibit those who are still single for a wedding and also inhibit those who are married to reproduce offspring.

In addition, sex toys also has various negative impacts on health even though there are positive impacts. The reasons for this being the legal debate between pro and cons.

II. RESEARCH METHODS

This study uses a qualitative method. This type of research is the research library. Sources of primary data from this study are book by Imam al-Syaukani entitled *Bulug hukmi fi al-Muna al-Istimna*, Secondary data from this study is the classic book has discussed many themes on *istimna*. Data collection through the documentation is the gathering of data related to the theme *istimna*. The collection of good literature data sourced from primary materials, secondary and tertiary done using documentation technique. Methods of data analysis used in this study is a content analysis (content analysis).

III. RESEARCH AND DISCUSSION

A. Review use of Sex Toys

1) Definition and History of Sex Toys

Sex toys consists of two words that *sex* means sexology, sex or gender⁴, While the *toys* is the plural form of the word meaning toy toys⁵, Then sex toys are toys that resemble human genitals that are made specifically for sexual satisfaction the man himself, whether made in the form of a doll with artificial female genitalia or resembling genital male models and sizes.

At first, sex aids as sex dolls created for prisoners and sailors France and Spain are a long way cross ocean. The tool is made of fabric or garments worn clothes. Then the production of these tools through the various stages of technology, especially in the late 20th century AD.

In 1970 the product of raw materials is then changed to vinyl and silikon. Slikon materials specifically provide a level of similarity sex dolls are very similar to the original man.

Then in 1982 the British tried to put an end to the existence of these goods by means of large-scale imports to be destroyed and finalize the legislation relating to the prohibition of importing objects that are not feasible. However, these efforts met with resistance from those who objected to elevate the case to the European Court, thus the British were forced to withdraw the ban on import of

these objects that previously they had been committed to stand in his way free trade.

Daili mail about the future of Britain reveal sex doll expected by the international community will dominate human life by replacing the position of the wife. Immediate future will witness their ability to choose the voice, personality and all the properties of sex dolls by simply pressing a button.

One British artist named Tyger Drew-Honey released his latest documentary on the BBC to know the future production of sex with Matt McMullen encounter one of the biggest sex doll producers and specialists in trouble invention latest model of robot sex. Matt McMullen explained that the immediate future will witness a sex doll that can live and connect with a smartphone application to make it easier for users to arrange it as expected. Which sex doll's brain will be programmed into the application.

Matt McMullen asserted; that customers come from all walks of life, with a sense of community among the different willing to buy these sex dolls. For indeed, this doll is very helpful, especially when it is not their desire to establish a relationship of love with a human, and it is suitable for men who lose their wives and not ready to start a new relationship, therefore they are forced to look for other alternatives to choose this doll , Meanwhile, Matt McMullen sue for not issuing a law prohibiting and against the existence of this sex doll. According to more advanced modern technology can make sex doll as a friend living is right for every person who is looking for love and refuses to fall as victims of the solitude. Matt McMullen also asserted,⁶,

While the industry has long embodied artificial penis either for decoration, for pleasure, to satisfy sexual desire or even to worship. Sex toys and dildos are an integral part of human history.

Artificial penis first discovered by paleontologists from the Stone Age, made of polished stone with caution, and there are differences of opinion about whether they are designed for religious rituals or for personal enjoyment.

Turning to the Greeks and Romans who worshiped several gods, namely: the god of wine, fertility god, the god of maturity, sex god, and others. When

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worship the god of sex, they go out into the streets to march and carry-made large penis as a symbol of divinity. At the end of the religious festival, a virgin woman will come out and lay a wreath at the artificial penis.

In fact, men and women of the Roman use sex toys like dildos is for pleasure, especially in wartime, in which the women of artificial penis exchange among themselves to satisfy their lust without their partner in times of war.

The Romans also discovered what is called a double rod used in places of pleasure or with a friend. The Greeks are the first to put the skin or gut on artificial rods to increase the fun and adorn his touch. Some say that Cleopatra was the first to use an artificial penis that vibrates with a hollow rod filled with bees which it will shake the bees and used.

The Chinese have their own creativity to satisfy a craving, especially for women belonging to the prince, in which the prince has a lot of women who took satisfaction for their desires, then the Chinese create artificial penis of metals such as bronze and has a special cavity to allow the discharge of the woman's vagina during use.

The use of artificial penis is very popular in some civilizations, but there are civilizations that have never used it, using only natural elements such as bananas and pumpkins as a sex toy.

In the twentieth century, much of the material for the manufacture of artificial penis is introduced, such as rubber, silicone, and others, to create hundreds of different sex toys. And has also been created vibrating rod (vibrator) that uses electric power to increase pleasure and ecstasy. Until finally artificial penis in our time has become very similar to the shape, taste, and use the original penis, thanks to the technological, scientific and industrial development.⁷

Regarding Vibrator, its appearance has long been associated with the treatment of what was previously called the "hysteria" in England in Victorian days, but the Victoria is not the first to use the "massage pelvis" as medical care, apparently, the history of the vibrator Sexual much older than that.

The term "hysteria" - from the Greek term Hysteros, which refers to the uterus - dating from about 2,500 years ago and is used to describe a set of

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symptoms that have suffered exclusively by women, such as fatigue, nervousness, and depression. Hippocrates believed that these symptoms are caused by a "womb-moving", if you look at the level of science that existed at that time, opinion is merely assumed "logical" as possible on other problems.

From it came the sexual vibrator as an answer and solution to this problem, this tool is found in places that have roots to the ancient past. In ancient Egypt, for example, the myth has been circulating that Queen Cleopatra fill the pumpkin with bees live and then use it to stimulate her clitoris, maybe this is just a myth that is newly created, but Queen Cleopatra may actually have to use a vibrator, just like the other women in his time ,

From the Middle Ages to the Renaissance, hysteria was considered by the physician as a sign of sexual deprivation, and from it they encourage married women who have been addicted to using a vibrator for sexual intercourse with a partner in order to achieve a strong recovery. In fact, reaching sexual climax for women is a necessity that is far more important than we think: even during the Victorian era, a counselor sexually promoting that sexual climax for women is very important for the realization of the pregnancy, if someone wants an heir, he just needs to making her reach the top of the climax, with no neglect of heating such as a kiss before.

The Victoria even adopted the term sexual climax, Hysterical paroxysm, or "hysterical climax". This clinical Naming add some sort of scientific legitimacy for this trial, but has a fierce competitor that is the prevailing belief that masturbation is a mistake and harmful to health. (Although some doctors admit that it is permissible for women during their menstrual period).

As if a "hysterical patient" not married, or not interested in a sexual relationship is strong, it has yet to reach "peak hysterical" therapeutic with one way or another.

Initially, midwives and doctors-which usually is the male-female genitals rubbed by hand on their clitoris area to deliver them to the "peak hysterical" and indeed this method actually produced results, because every woman who tried again to do so.

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After a while, doctors and therapists face a new challenge: the hand and wrist they became very tired, and in some cases, some of them severely injured by the repetition of the same movement for a long time.

The need for automated sequencer is because the birth of her first sexual vibrator in the world, especially the steam-powered vibrator enormous need one full room, known as the Manipulator. The most famous of these was the discovery Vibrator designed by Dr. Mortime Joseph Granville in 1880 and an electric vibrator.

Granville intention is not to "cure hysteria," but to treat muscle and bone pain in men, but note that this device helps to reduce the time it takes a woman to achieve "peak hysterical". And very quickly become smaller and portable, thus opening the door wide for new inventors outside of the medical field to develop and produce it.

In an interview with The Daily Beast in 2012, sex historians say that in 1899, battery-operated vibrators began appearing in Sears Catalogs for \$ 5 for domestic use at a price of five dollars and is being promoted as a destination. "After a while, the patient realized that if they could order one of vibratorini at a price of \$ 5, why did they have to go into treatment sessions with a doctor to spend two or three dollars visiting?".

At the beginning of the twentieth century, women were able to treat "hysteria" that befell them with total independence in their homes, which eliminates the need to frequently visit the doctor, who in turn free from harmful wrist with injury and fatigue, and scratches quickly at that describe sexual vibrator as: "the tools that will be appreciated by every woman."

As soon as vibrators are widely available, the range of use is increasing rapidly. In the 1920s, vibrators began appearing in prostitution and later in the film, and in 1952 "The American medical community" renders the term "hysteria" from the list of diagnostic terms.

This term may no longer be used after that, but the attitude of the health of women and the fulfillment of sexual needs remain: Once it became clear that the

vibrator has an explicit sexual function, they disappear from the consumer market as quickly as they appear.

However, the sexual revolution that emerged in the 1970s paved the way for the emergence of a more open approach to the vibrator-vibrators, and from it comes the concept of creating goals that are specifically meant for the use of sex - especially for the use of female sexual - and continues for the development of social status and political women.

From the foregoing, we find that although sex toys have been around for centuries, only use is still silent, except today, when a sex toy became available publicly and explicitly in certain shops in many places in this world.

Today, the toy is available in a variety of forms well above the imagined, in terms of size, shape, color, and intensity, and its use has become very widespread, when a study published in the "Sexual Medicine Journal" concluded that half of the women who entered in the questionnaire have used a vibrator before in their lives or they still use it.⁸

2) Types of Sex Toys

There are many kinds of sex toys offered by the manufacturer, especially in the online stores are as follows:

a. *dildo*



Sex toys that resembles a male sex is usually used for vaginal or anal stimulation. There is also a vagina-shaped dildo that is created for the man.

Traditional forms, dildo made of rubber material and designed so that in a simple form whose sole purpose in order to get into the vaginal opening with ease. But many dildo which has a dual function, namely as a vibrator.⁹

b. *anal plugs*



This form of sex toys like dildos, it's just that this toy was created specifically for anal play as depicted by its name. Toys have created with versions in terms of its function vibrator. vibrator version is more stimulating than the regular version. On the other hand, anal plug can serve as a tool to loosen the anus which can make it easier for perpetrators of sexual intercourse homosexual.

In contrast with dildos, anal plugs have a wide enough base section which allows the tool is not fully inserted into the anus. Because if it happens, user may be exposed to danger experience blockage of the anal sphincter or anus; so make discharges in the digestive system.¹⁰

c. vibrator



Vibrator means a tool that serves as a vibrator. This tool is the same as the dildo terms, diversity of shapes, sizes up the material used to create this sex toy.

In some sources, the fans vibrator sex toys in particular, it is suggested to use a vibrator made of hard plastic material compared with a vibrator that has a soft material; because the more hard vibrator that can give the sensation of stimulation. The use of a vibrator is supported with the progress and the technological sophistication of the present time, so that vibrators can even be controlled using a smartphone, providing an easier to use and attractive.

d. anal beads



Anal beads, Meaning anal beads, the tool is designed to be inserted into the anus slowly pairs. At the time of reaching orgasm, sex toy user is required to remove the beads from the anus one by one by way slowly so it does not result in discomfort to the couple.¹¹

e. Ben wa balls



This tool is similar to the anal beads, only this sex toys is designed to provide stimulation to the vagina. In using these two balls sex toys, it is recommended to moisten it with a lubricant to facilitate entry into the vagina. By doing Kegel exercises (Kegel exercises), ben wa balls will be easier to get into the vagina.

Peroses entry movement will give pleasure to the users. Users who are beginners, usually not able to play this sex toy properly, so the ball will easily fall, but with a lot of practice so that users can hold it for a longer time.¹²

f. Cock rings



Sex toy which has a shape similar to the ring used by putting it on the base of the penis. The way it works is to resist the blood flow to the penis thus giving a longer ability of sexual intercourse and stronger erections. Coupled with the ability to cock rings that can provide a different sensation, and orgasm are more intense for its users.¹³

g. The artificial orifice



This one is a kind of sex toys made of

plastic shaped vaginal opening and the anus. This toy is intended for the men and the middle is made of a material similar to human skin in terms of softness to provide penetration as the original.

How to use is enough to insert the penis into this toy for masturbation behavior or it could be done with a partner to get a deeper sense in a way to move s it. Even some brands which sell sex toys with sucking features.¹⁴

h. Sex dolls



These toys are created for a development of a particular sex toy for men before, to give a sense of a more real sex sensation as if being in touch with the native women. In general, sex dolls discount two kinds of variations, namely dolls and doll realistic blown.

Differences between the variation lies in the price and the resulting sexual sensation. Inflatable dolls are generally used for novice users, while the realistic dolls are very similar to humans even have a sensation, usually used by people who are already experienced. But that is not affected by many diseases sex dolls must be cleaned intensively.¹⁵

3) Effect Sex Toys

a. Positive effects

Although the sex toy has been widely spread, but still many people who reject and do not use them. While the reason why a person is not using sex toys is quite varied, for some men, sex toys may seem castrate. On the other hand, women generally have an easier opportunity to own, use, and fully enjoy sex toys.

Dr. Chris DONAGHUE¹⁶, An expert on sex, writer and ambassador TENGA said: "There are interesting facts related to a number of good

psychological benefits associated with sex toy enter into relationships and self-indulgence".

As noted by Dr. DONAGHUE, many men, both in the US and abroad who feel distress in order to perform at the best level in the bedroom. This pressure that can prevent men experiment with sex toys, either alone or with their partner. For example, the Global Self Pleasure report TENGA 2018 (*Tenga Self-Pleasure 2018 Global Report*) found that nearly half of the millennial men (47 percent) feel they have been pressured to act in certain ways, including to remain silent on the habit of masturbation, hiding emotions, and get rid of curiosity to know their bodies better. According to Dr. DONAGHUE, it directs them to avoid the use of sex toys as a tool to play with a partner or amuse themselves, because they think that reflects one's virility is his ability to make the couple feel satisfied with achieving orgasm without tools.

Here are some mental health benefits of using sex toys in the bedroom.

1. Sex Toys Leads More Sexual Satisfaction

DONAGHUE states: "People who use sex toys reported more satisfied with their sex lives in all metrics, including quality of orgasm and masturbation quality". The more someone is exploring her body and experiment with sex toy, the more likely he or she will know how to free themselves when playing alone or with a partner.

According DONAGHUE, Americans reported a 90 percent level of satisfaction when they sleep with men who use sex toys. As for the man who shied away from toys and do not use it, the satisfaction level is 76 percent.¹⁷

2. Use of Sex Toy Properties Helps Growing Confidence

The human body is a work of art created by well. The fact that the clitoris exists solely for pleasure, is a remarkable thing. According DONAGHUE, people who masturbate every week are more likely to feel positive about the looks and the body than those who did not. Sex toy allows one to experiment with different sensations, area simultaneous stimulation and pleasure points in a safe manner, given the talent and

knowledge of what makes a person feel good. Then, this sex toy users can repeat the experience map to return enjoyed alone or with a partner.

3. Sex Toys Can Help Sleep Better

Sleep is essential for human well-being. Among the benefits that can result from sleep is to strengthen the immune system, maintain normal cognitive abilities, reduce depression and anxiety, and increased libido or at least prevent the reduced libido.

DONAGHUE stated, "Sex and masturbation can help overcome insomnia and anxiety. Because this activity releases oxytocin and endorphins, it can help people feel calm and experience less stress. Both men and women report that their sleep is better after entering masturbation into a routine their night, and using sex toys can help a person achieve orgasm before sleep more quickly and effectively ".¹⁸

4. Sex Toys Helps In Relationship Satisfaction

According DONAGHUE, couple that incorporate variation in the bedroom more likely to stay together in the long term, and be open and honest about their desires. Attempting to commit a new sexual alleviate boredom, reduce the possibility of fraud, and generally improve communication between couples.

When a person is opening up to new things, it will generate good communication between couples whose role is very important for the satisfaction and well-being of the couple.

According DONAGHUE, sex toys are safe and reliable way to keep bad things in bed. After feeling comfortable inserting sex toys in the bedroom, couples and individuals can continue to explore the category of sex toys on offer.

5. Sex Toys Helps In Sexual Dysfunction

Sexual dysfunction is real, both men and women can suffer from it. This is where the sex toy can help. According to Dr. DONAGHUE, research has found that "masturbation tool" really can help a common sexual problem, like erectile dysfunction and performance anxiety.

The Womanizer Deluxe, for example, be used to help women who struggle to orgasm. If men and women can learn to make themselves peaked through the use of toys during masturbation, it will make them more confident in achieving orgasm with a partner, because their minds will feel comfortable.

Although orgasm should not be the only goal during sex, but the positive effects of sex toys can both look at mental health.¹⁹

6. Sex toys can rejuvenate the vagina

Some of the symptoms of menopause are the most uncomfortable are gynecological. Decreased estrogen levels can cause tightness, dryness and vaginal atrophy. It can cause painful intercourse and decreased sex drive. But a vibrator can alleviate these symptoms by improving the tone and elasticity of the vaginal walls and increase sexual sensation, and also increase vaginal lubrication.

Sex toys can also be useful after gynecologic surgery or even after delivery to keep the vaginal tissue remain flexible, preventing it from becoming too tight and also increases blood flow to the area to speed healing, says Evans.²⁰

7. Not Just About Sex Penetration

There is a reason the sex expert stressed the importance of warming. Most women can not orgasm just through penetration, no matter how active they are. Stimulating the clitoris may be the key to achieving a satisfying climax and sex toys can be made easier. Vibrator can be very useful for painful conditions such as vulvodinia vulvar where penetration can be difficult to achieve.

By being aware of how you feel intimate body through massage and use vibrators and lubricants exploration and relaxation techniques, a woman suffering from vulvodinia can be more relaxed and comfortable with her body and the symptoms may be reduced. It also allows sex intimate when penetration is not possible.²¹

8. Vibrator Could Better Than Medical Dilator For Vaginismus

Vaginismus, a condition in which a woman's vaginal muscles tense involuntarily, when penetration is attempted is generally treated using medical dilators with increasingly large size to allow patients start with a dilator thinnest and slowly progresses to the next size. But not all women do this anymore, said Evans.

Women's health physiotherapist Michelle Lyons said she often tried to make sexual health patients using a vibrator instead of a standard dilator.

According to him, studies have shown that low-frequency vibrations can be a sedative for the pelvic floor muscles, while the higher frequency is more stimulating. Anyway, sexual rehabilitation clients goal is to return to sexual pleasure, not only to 'tolerate' the presence of something in their vagina.²²

b. Negative effect

In addition to the positive effects of its use, sex toys also have many negative effects and hazardous to health or otherwise, between the negative effects that can be caused by sex toys are:

1. Tools of sex toys (sex toys) are often made not by professionals or false. Normally rough and sharp shape so as to make the sex organs can be injured during use.
2. If it is not clean and is used continuously, it will make the sex organs become infected.
3. Sharing tools is satisfying sex toy with a partner can lead to contracting sexually transmitted diseases (STDs).
4. A lot of content in the means of satisfying the sex toy that makes allergic reactions and burning sensation of the sex organs.
5. Studies have found that synthetic materials used contain carcinogens that can cause cancer cells.
6. There are many reported cases of satisfying the tools is actually left in the sex organs and require the help of a doctor to remove it.

7. By using the tools of satisfying the continuous toy section G-Spot makes women lose sensitive level.²³

B. The law of sex toys according to four schools of thought

If you look at its definition, sex toys are an extension of *istimna* '(masturbation or masturbation), which *istimna*' it can be done by hand or using a direct *secarala perantaraseperti* sex toys. Therefore, the laws applicable to *istimna* 'can be applied as well intact to the use of sex toys coupled with legal considerations because of the effects caused by sex toys either a positive effect or a negative effect as well as the *maqasid al-shari'ah* or benefit consideration.

Before discussing the law *istimna*'further, important to note the meeting point and the difference between the opinions of the scholars to produce a clear law that can held up. The rally point and the difference between the opinions are as follows:

1. Mahallul Ittifaq (Meeting point)

There are several problems associated *istimna* 'in which the scholars agree on the law, namely:

- a. *Istimna* 'forbidden done if there is no barrier to get married and not afraid to fall into fornication.
- b. *Istimna* 'performed by a husband to his wife using the hands is permissible, because *istimna* '(take pleasure) of the whole body of legal wives are allowed in Shari'ah besides rectal absolute and special *qubul* at the time of menstruation. Likewise the law with a wife if doing *istimna* 'with her husband's hand.
- c. *Istimna* 'conducted using other people's hands either by men or women law is clear forbidden²⁴,

2. Mahallul Ikhtilaf (Location of the difference)

Outside the three problems mentioned above, there are some differences of opinion among the scholars, among others, as follows:

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- a. *Istimna* 'unclean carried unanimously, this opinion was quoted by the imam Shafi'i and Anas bin Malik from among the Prophet's companions. Even Anas bin Malik stated that the person who did this will get the anathema of God ".
- b. *Istimna* ' may be performed as an emergency (emergency exit) as the fear of falling into fornication, and shall not be outside of these conditions, this opinion was quoted by the Mujahid, al-'Ala 'ibn Ziyad, al-DaHHak bin MuzaHim, Hasan al-Basri, 'Amr ibn Dinar, and Ibn Jurayj. Even Abdul Razzaq in *Mushannafnya* book quotes a comment from Mujahid that the ancients told their young people to do *istimna* 'to avoid fornication. These comments are becoming more powerful with a comment from al-'Ala 'ibn Ziyad:

لَا بَأْسَ بِذَلِكَ قَدْ كُنَّا نَفْعُهُ فِي مَعَارِينَا

"It's okay doing the deed (istimna '), once we have done in our wars."

From among the Prophet's companions, Ibn Abbas stated: "*Istimna*

'better than fornicate and married a slave better than *istimna*'.²⁵

- c. *Istimna* 'unlawful if done to provoke lust, allowed if done to defuse the volatile lust and do not have a legitimate partner in terms of distribution, and mandatory if the fear of falling into fornication. This opinion was stated by Shaykh Ibn 'Abidin of schoolsHanafi.²⁶

3. Study Proposition

To reinforce his opinion; then each of the above groups have put forward the arguments that serve as the legal basis *istimna* 'as follows:

- a. Proposition group has claimed *istimna* 'absolutely forbidden to do, among others:

- 1) The way that God put on the Al qur'an to channel the sexual desire is simply to get married and milkul Yamin (slave), as Allah says:

وَالَّذِينَ هُمْ لِأُزُوجِهِمْ حَافِظُونَ إِلَّا عَلَىٰ أَرْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ
فَمَنْ أَبْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ (المؤمنون: ٧-٥).

"And those who keep their genitals, except for their wives or their right hands possess; then surely they are not to blame. Whoever

looking behind it then they are the ones who exceed the limit ". (Al-Mukminun: 5-7).²⁷

This paragraph describes the two types of ways in which to channel the sexual desire of man, which is an authorized manner and way that is not allowed. Authorized manner that distribute sexual desire to the wife or slave. While that is not allowed, and is also referred to as a way of transgressors is channeled to other than wives and slaves, including *istimna* '.

Imam al-Baghawi interpret "those who exceed the limit" mentioned in this verse: "Those who do wrong that goes beyond anything lawful to something unlawful".

Meanwhile, in explaining this verse, imam Shafi commented as follows:

"This verse describes the believers guard against their genitals except against wives and their slave. Then God streng it with the word: "Anyone looking behind it then they are the ones who exceed the limit". Therefore it is not lawful to use pubic except to wives and slaves, and unlawful conduct *istimna* ' "²⁸,

- 2) The command to keep the sanctity of self ('iffah) for every person who has not been able to get married, as Allah says:

وَأَلَيْسَ لِّلَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّىٰ يُغْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ (النور: ٣٣).

And those who are not able to marry let chastity (self) it, thus enabling them with the grace of God his, (Al-Nur: 33)²⁹,

This verse shows *istimna* illegitimate 'from two sides:

- a) In this verse Allah commands to 'iffah, while according to the rules of *usul fiqh*; show it each command is mandatory; then 'iffah is mandatory. If 'iffah obligatory; then all behavior that could damage 'is also required *iffah* avoided and forbidden to do, such as adultery, homosexuality, *istimna*' etc.
- b) In this verse Allah requires 'iffah to any person who has not been able to get married and God does not say that something is positioned

between marriage and 'iffah. It demanded illicit istimna', because if in case istimna' should definitely be described here; because this is the right position, by reason of a man otherwise very need to istimna 'when he can not get married, especially when his desire for intercourse peaked. Istimna silence when God 'in this position, it indicates that the behavior istimna' is unlawful. This is in accordance with the rules of usul fiqh which states should be silent on the position that there is no explanation; indicate the restrictions. That is silence shari'ah 'about istimna' in this position indicates that it is justified only limited to marry and 'iffah.

- 3). The Prophet orders to fast for people who have not been able to get married, as in the following hadith:

يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَغْضُ لِلْبَصَرِ وَأَحْصَنُ
لِلْفَرْجِ وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وَجَاءٌ (رواه البخاري).³⁰

O youth, who is capable of you to meet a living then let him get married, for it will be more close up view and keep the pubic, and who have not been able to let him fast, because fasting is for him indeed was the castle, (Bukhari).

Rasulullah through this hadith provide clues to fast when a young man could not marry. If istimna 'is a Prophet may certainly going to explain this position. however, the Prophet did not explain it, then it indicates that the behavior is forbidden. Because the rules of usul fiqh assukutu maqam al-bayan fi al-hasr yufidu. Silence in the position it would have no explanation shows their limitations. That is, the silence of the Prophet about istimna 'when describing a solution for people who have not been able to get married, shows that the exposure is just what has been mentioned only.

- 4) Istimna according to medical science led to many dangers, such as weakening the power of vision, weakens the reproductive organs, debilitating nerve in general, hinder the growth of the limbs, especially the genitals, resulting in pain in the spine, resulting in semen culprit

dilute, and others coupled with hazards the use of sex toys specifically as described previously, while the rules of usul fiqh said:

الأصل في المضار التحريم، والأصل في المنافع الإباحة³¹,

Legal origin for all the harm is forbidden, and the legal origin of all that helpful is permissible,

- b. Proposition opinions to the two who say that istimna 'don'ts during an emergency include: Analogous to berbekam and blood donors, as may bleed at the bruise and blood donors so too by releasing semen, because both constitute something more in the human body. Prophet's deeds, as narrated that the companions do istimna 'when they are travelers and while in battle.
- c. Proposition opinion to three, the same as the first argument of the opinion and the second, only here added that istimna 'become compulsory because he is lighter than adultery³², As the rules of jurisprudence:

إِذَا تَعَارَضَ مَفْسَدَتَانِ رُوِيَ أَعْظَمُهُمَا ضَرَرًا بَارِئًا بِأَرْكَابِ أَحَقَّهُمَا³³

If the two mafsadat contrary, a larger dihindarilah madharratnya by doing lighter.

IV. CONCLUSION

From the descriptions above it can be concluded that the opinion of the most powerful in terms of the proposition is forbidden to use sex toys apart by the couple who used it to their partner not to decide descent. This conclusion is built on the foundations of the following:

1. *Sex toys* used by an unmarried person can deliver it to the point of addiction that can lead to feeling no need to marriage, whereas Islam has ordained marriage to multiply the descendants of those who are Muslims and this will be hampered by the use of sex toys with the condition.
2. How are authorized by God through the Koran to meet human biological needs only to marriage and slavery (milkul Yamin) that exist in ancient times, while in addition to these two have been decided as a way that goes beyond the limits that God has set, as mentioned in the letter al-Mukminun paragraph 5 to 7.

3. Prophet. has provided an alternative syar'i when a person can not perform weddings or milkul Yamin with emphasis on fasting serves a Muslim away from fornication and very effective for someone closer to Allah. as the main purpose of human life on this earth.
4. The analogy proposed by the opinions of the two can be rebutted with the following arguments:
 - a) The analogy is contrary to the arguments that have been mentioned in the letter al-Mukminun verses 5-7 and traditions of the Prophet on the recommendation married and fasted for people who have not been able to do so. Classical fikh rule states "analogy is contrary to the text of the Qur'an or hadith called imperfect al-i'tibar (not to be held down).
 - b) In analogize one problem with another required the similarity degree between the origin and far ', whereas the proposed analogy there is a clear difference between the origin and far'nya, that semen is not the rest of the body such as blood bruise and blood donors, arguing that Allah SWT. not to mention a favor and give it to the man of the things despised as the remnants of something, but God gives favor to men with something noble and great.
 - c) From the other side is different from the semen of blood ejected with berbekam or blood donor, because semen released with pleasure, while cupping blood and blood donors are not.
5. As for the suggestion istimna 'may be required because it is the lightest option than to commit adultery can be argued that there are other options better to avoid adultery when not able to marry that with fasting as in the words of the Prophet that have been mentioned.

While the opinion that would enable it when an emergency such as in war is indisputable that the a^lct was an ijti^had of a friend or tabi'in, not mandatory especially clear from the Qur'an and the Hadith that the action pertained excesses.

endnote

¹(Religious Affairs)Al-Qur'an and translation, (Bandung: Diponegoro), p. 51.

²(Al-Naisaburi)Muslim ibn al-Hajjaj Al-Naisaburi, Ma'a Muslim Sahih Muslim Syarh Wa Al-Suyuti, vol. 2, (Beirut: Dar Ihya Al-Turas Al-'Arabi), p. 1021, no. 1403.

³Abu ZakariaYahya bin Neural Muhyiddinibn al-Nawawi, al-MinhajSharhSaheeh Muslim ibn al-Hajjaj, vol. 8 (Beirut: Dar Ihya al-Turath al-'Arabi, H. 1392), p. 178.

⁴John M. Echols and Hassan Shadily, EnglishAn Indonesian Dictionary, (Jakarta: PT GramediaPustakaUtama, 1996), p. 516.

⁵John M. Echols and Hassan Shadily, EnglishAn Indonesian Dictionary, p. 599.

⁶al-Raghib, MA (2018). al-Duma wa al-Jinsiyah Adawatiha Mu'ashirah fi al-Mizan al-Shari'a al-Islamiya. Egypt, p. 208-210

⁷(Al-Huri, 2016)Dakhlak Batu'rof, "Al-Qadhib Istikhdam Al-Istishna'i Juzun min Al-Tarikh Al-Bashari" <https://dkhlak.com/use-of-artificial-penis-is-a-part-of-human-history/>, Uploaded 12 November 2016.

⁸Abby Norman, Ati, The Strange, Surprising History Of The Vibrator, <https://allthatsinteresting.com/history-of-the-vibrator>, Uploaded, January 26, 2016. Sufyan 'Asyi, Dakhlak Batu'rof, Date Ikhtira' al-Hazzaz Wa al-sabab al-haqiqi wara'a Dzalik,<https://dkhlak.com/the-weird-story-behind-the-invention-of-the-vibrators/>, Uploaded, 5 September 2018.

⁹Abraham Herdyanto, IDN TIMES, Sex Toys: Toys Maid your sexual activity, this 8 Piece Moving,<https://www.idntimes.com/health/sex/abraham-herdyanto/8-macam-sex-toys-yang-membantu-kegiatan-seksualmu/full>, Uploaded 28 September 2018.

¹⁰Abraham Herdyanto, IDN TIMES, Sex Toys: Toys Maid your sexual activity, this 8 Piece Moving

¹¹Abraham Herdyanto, IDN TIMES, Sex Toys: Toys Maid your sexual activity, this 8 Piece Moving.

¹²Abraham Herdyanto, IDN TIMES, Sex Toys: Toys Maid your sexual activity, this 8 Piece Moving

¹³Abraham Herdyanto, IDN TIMES, Sex Toys: Toys Maid your sexual activity, this 8 Piece Moving.

¹⁴Abraham Herdyanto, IDN TIMES, Sex Toys: Toys Maid your sexual activity, this 8 Piece Moving.

¹⁵Abraham Herdyanto, IDN TIMES, Sex Toys: Toys Maid your sexual activity, this 8 Piece Moving.

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¹⁷Amanda Chatel, Bustle, 5 Mental Health Benefits Of Using Sex Toys In The Bedroom, <https://www.bustle.com/p/5-mental-health-benefits-of-using-sex-toys-in-the-bedroom-13213875>, Uploaded 29 November 2018.

¹⁸Amanda Chatel, Bustle, 5 Mental Health Benefits Of Using Sex Toys In The Bedroom.

¹⁹Amanda Chatel, Bustle, 5 Mental Health Benefits Of Using Sex Toys In The Bedroom.

²⁰Natalie HealeyNet Doctor, 5 Health Benefits Of Sex Toys, <https://www.netdoctor.co.uk/healthy-living/sex-life/a28288/sex-toys-health-benefits/> uploads, February 14, 2019.

²¹NaNatalie HealeyNet Doctor, 5 Health Benefits Of Sex Toys.

²²Natalie HealeyNet Doctor, 5 Health Benefits Of Sex Toys.

²³Muhammad Syadri, JawaPos.com, 7 Hazards of Use Sex Toys At Love 4 April 2017, <https://www.jawapos.com/nasional/04/04/2017/7-bahaya-penggunaan-sex-toys-saat-bercinta/>

²⁴Abdul Malik Abdul Rahman al-Sa'di, al-'Alaqa al-Jinsiyah Gair al-Syar'iyah wa 'fi al-Shari'ati Uqubatuh wa al-Qanun, vol. 1, (Bagdad: Dar al-Anbar, 1989), p. 167.

²⁵ Abu Ja'far Muhammad bin Jarir al'Tabari, *deviation al-fuqaha* ', (Cairo: Daar al-Pole al-'Ilmiyah), p. 303.

²⁶ Muhammad Amin ibn 'Umar Ibn' Abidin, *al-Radd al-Muhtar 'Ala al-Durr al-Mukhtar*, vol. 4, (Beirut: Dar al-Fikr, 1992), p. 27.

²⁷(Religious Affairs)

²⁸Muhammad ibn Idris al-Shafi'i, *al-Um*, vol. 5, (Beirut: Dar al-Ma'rifah, 1990), p. 101 - 105.

²⁹(Religious Affairs)

³⁰Al-Ju'fiy Muhammad ibn Ismail al-Bukhari, *Sahih al-Bukhari Ma'a Syarh Ta'liq wa Mustafa Dib al-Biga*, vol. 7, (Dar Al-Najah Thauq: H 1422), p. 3, no. 5065.

³¹Abdullah bin Muhammad bin al-Siddiq al-Hasani al-Idrisi, *al-Istiqsha 'li Adillati Tahrim al-Istimna' aw al-'Adah al-Sirriyah min al-Nahiyataini al-Diniyah wa al-Shihhiyah*, (Cairo: Maktabah al -Qahirah), p. 28.

³² Muhammad Amin ibn 'Umar Ibn' Abidin, *Radd al-Muhtar 'Ala al-Durr al-Mukhtar*, vol. 2, (Beirut: Dar al-Fikr, 1992), p. 399.

³³Abu al-Abbas Ahmad ibn Muhammad Makki al-Hamawi al-Hanafi, *Ghamzu 'Uyun al-Bashair fi Sharh al-Asybah wa al-Nadhair*, vol. 1, (Cairo: Dar al-Pole al-'Ilmiyah, 1985), p. 286.

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