## ORITA

## Ibadan Journal of Religious Studies

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L.O. Abbas\*

#### Introduction

Islam is the religion professed by the Muslims and named by the Creator'. Islam is not only a religion but also a way of life and takes care of both the spiritual as well as the mundane lives of man.

Among the fundamental purpose for human sojourn in life are legal union of male and female as husband and wife, and the multiplication of human race through procreation. This is divinely ordered so as to fulfill the intended purpose of the Creator. Thus, prophet Muhammad (SAW) encouraged the Muslims to "marry the loving, child bearing women for I shall have the largest numbers among the prophets on the day of Resurrection".<sup>2</sup>

As good as reproduction of human beings are to family, there must be good planning to ensure their proper care and satisfactory execution of this very important responsibility. Islam lays down rules and regulations that guarantee smooth execution of matrimonial duties. While Islam is not opposed to family planning or birth control, it frowns at unnecessary termination of pregnancy or promotion of promiscuity in the name of family planning.

#### **Family Life in Islam**

Islam recognises family unit as primarily comprising man and woman legally joined together as husband and wife. Such union once established, becomes one entity and breaks ethnic bias and racial sentiment. They henceforth live together and are guided by rules and

<sup>\*</sup> L.O.Abbas is a Senior Lecturer in Islamic Studies in the Department of Arabic and Islamic Studies, University of Ibadan, Ibadan.

M.T. Al-Hilaliand M.M. Khan. 1983. Translation of the noble Qur'an in the English Language. Q.5:3.

<sup>2</sup> F. Karim. 1939. Al-Hadis, English Translation and Commentary of Mishkat-ul-Masabih. Book II. 637.

regulations of Islam as spelt out in the Qur'an and the prophetic tradition. Each partner has his/her rights and obligations in the union and both collectively have joint roles for their offspring, which include socio-religious upbringing that benefits the family and the society at large.<sup>3</sup>

One of the important obligations of the couple is to plan for the size of family they want to raise and the frequency of having their children. They must be cognisant of the Islamic provisions which have taken into consideration, the economic position of the family and the health of the mother.

Islam as a way of life takes the holistic view of the nature of man, which makes some to be above other in status and position. It then behooves a reasonable individual to operate within the area he falls in. This is to say that while some have the capability of taking care of 8,10 or even more children conveniently, some may not be able to similarly care for more than 1 or 2 or 3. Definitely, God does not put a burden on one higher than what he can bear.<sup>4</sup>

#### **Family Planning**

As mentioned earlier, the task of planning for the size of the family rests with the couple. Both should realistically, using the Islamic provisions, examine their economic status, as may be able to carry the entire family. Much however, depends on the husband as the head and whose sole responsibility it is to fend for the family.<sup>5</sup>

In planning for one's family, Islam adopts a rule that generally takes care of man's needs on the subject. The Qur'an prescribes two full years between births which allow the mother an ample time to care for each one. It also takes care of the health of the mother since it takes a minimum of 18 months for the nursing mother to recover fully the lost blood and other important body ingredients.<sup>6</sup> The Qur'an states "The mothers shall give suck to their children for two whole years, (that is) for

Anon. 2011. A Survey of 3000 mothers in the UK Times of India. 17.

those (parents) who desire to complete the term of suckling ... "7

This is the most sound family planning method approved for humanity and it allows opportunity for the family to review the earlier stands. Medical scientists affirmed this divine revelation when they discovered at a later period that breast feeding and the length of lactational amenorrhoea is the time of most profound ovarian suppression. In the other words, the period of breast feeding is likely to extend the duration of amenorrhoea and infertility.<sup>3</sup>

#### **Birth Control**

By this we mean a concept designed to prevent an unwanted pregnancy from occurring. Various considerations like economic, social and health of the mother are always taken. Aside this, some ideologies and cultures adopt it for the fear of what they call "population explosion", which can result into high level poverty, hence, the limiting of one's children to certain numbers. To some, the fear of pregnancy in between the agreed time that may disorganise the planning is there. To achieve this objective, various methods are adopted. They are withdrawal or use of condom, abortion, sterilisation, use of contraceptive pills, rhythm and celibacy.

#### (i) Withdrawal ('Azl) or Use of Condom

This is a system whereby the husband (or male partner) withdraws from the wife (or female partner) at the time of release of sperm. This is difficult and may not be realistic. It is though permitted by Islam and was in practice during the prophethood of Muhammad (SAW). Even where possible, it deprives both sexes the full complement of sexual satisfaction. When done, it cannot be ascertained that some parts have not escaped into the woman, which may eventually fertilise her eggs.

As alternative to withdrawal, use of condom is introduced. This could be put on by either partner to serve as cover to prevent sperm from reaching the woman's egg. Islam does not disapprove this as long as it does not harm the woman. However, there is no guarantee medically of one hundred percent assurance of its potency.

<sup>3</sup> Al-Hilali and Khan, 1983. Translation of the Noble Qur'an... Q.4:34.

<sup>4</sup> Al-Hilali and Khan, 1983. Translation of the Noble Qur'an... Q.2:286.

<sup>5</sup> Al-Hilali and Khan, 1983. Translation of the Noble Qur'an... Q.4:34.

Al-Hilali and Khan, 1983. Translation of the Noble Qur'an ... Q.2:233.

<sup>8</sup> R.L.Kleinman. (ed.). 1988. Family planning handbook for Doctors. 194-195.

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#### Abortion (ii)

Abortion means the interruption of pregnancy or expulsion of the product of conception before the foetus is viable. It comes under various categories such as; being threatened, inevitable, incomplete or complete. In other words, abortion is the evacuation of what could become a human being or what is already a living being from a woman's womb. Islam frowns at deliberate killing of a soul. It could only be legal, according to jurists, on medical advice or done before the first four months of pregnancy and that is when soul has not been introduced to the embryo.10 However, whenever pregnancy occurs, it is better if allowed to stay, and one should have hope in God for provisions with which to care for the offspring. The Qur'an states:

> And do not kill your children for fear of poverty; We (Allah) give them sustenance and yourselves (too): surely to kill them is a great wrong."

On permissibility of abortion before it is four months old, scholars rely on both the Qur'an and Hadith provisions in the science of human creation that puts the embryo's life to begin at four months of its formation they are:

> And indeed, we created man (Adam) out of an extract of clay. Thereafter, we made him (the offsprings of Adam) as a Nutfah (drop) in a safe lodging (womb of the woman). Then we made the Nutfah into a clot, then we made the clot into a little lump of flesh, then we made the little lump of flesh bones, then we clothed the bone with flesh, and then we brought it forth as another creation. So blessed is Allah, the Best of creators.<sup>12</sup> (Q. 23:12-14).

- R.A.Haashim. 2011. Living by An-Nawawi's Forty Prophetic Traditions. No 4. 10
- Al-Hilali and Khan, 1983. Translation of the Noble Our 'an ... Q.17:31 11
- Al-Hilali and Khan, 1983. Translation of the Noble Qur'an... Q.23:12-14. 12

In a tradition of prophet Muhammad (SAW) the above was highlighted with specific period of forty days between one stage and another<sup>13</sup>.

#### (iii) Sterilisation

This is a process by which one's reproductive power is deliberately destroyed, usually through surgical operations. To be sterile could also be natural in which case one is born in that condition or as a result of sickness. In such a situation, one is not blamable and cannot blame anybody for his deficiency.

But when one does that trying to prevent pregnancy in order to control birth, it can amount to committing sin. This is because prophet Muhammad (SAW) in one of the Hadiths was quoted to have forbidden some early Muslim men to castrate themselves.<sup>14</sup> Besides, such surgical intervention into the human body, without need, alters the true nature of our bodies as Allah created them. Castration during the period of the Old Oyo was freely administered on those slaves who are very close to the King. It also serves as punishment inflicted for the crime of incest or of beastliness.<sup>15</sup> It can only be permissible in case of necessity.

#### (iv) Contraceptive Pills

It is the use of drug to prevent or frustrate conception. This is mostly done by women and Islam permits it as long as it will not inflict harm into the body chemistry of the woman. Drug is considered very effective method if the woman can remember to administer it as many a time, everyday at specified time. Also, if she can tolerate side effects that sometimes affect drug users. This method is generally considered safe for women under the age of 35 years who do not smoke.<sup>16</sup>

#### (v) Rhvthm

This is a birth control method. It is also called fertility awareness and it involves avoiding intercourse on days when women are most fertile.

13 I.A. Muhammad. 1997. Sahih Al-Bukhari Arabic and English, Vol. iv / no 3332:443 14

S.C. Smeltzeret al. 2010. Brunner & Suddarthis, Textbook of Surgical Nursing. Twelfth Edition. 9 1427.

Muhammad, I.A. 1997. Sahih Al-Bukhari Arabic and English. Vol. vii / no 5074:11 15

Johnson, S. 1897. The history of the vorubas in O. Johnson (ed.). 59-60. 16

ACOG - the American College of Obstetricians and Gynecologists. 1951. FAQ: Contraceptions. No 021. Retrieved on 31-07-2012 from http://www.acog.org.

This method requires good calculation on the part of the couple or partners as well as discipline as it looks safer if it can be endured. A careless couple runs a danger of unwanted pregnancy even with their simple negligence.

#### (vi) Celibacy

This is a situation where one refuses to marry either as a result of religious belief or some other considerations. Some people do engage in the act to avoid economic, social or religious responsibility attached to marriage. Some consider having a spouse a burden and will prefer single lifestyle.

Islam considers marriage as a religious duty and makes it compulsory for its adherents except in case of abnormality. Prophet Muhammad (SAW) considered he who refuses to marry as not part of him. The prophet was also quoted to have said of a married person as having completed half of his/her religion and that he should try with the other half.<sup>17</sup> This hadith underscores the importance of maintaining marriage at whatever cost. It means that an unmarried person is working on only fifty percent reward. He/she risks getting God's face on the day of judgement.

Marriage requires discipline, endurance, perseverance, consideration for others, and teaches patience, humility and fear of God.<sup>18</sup> It inculcates in one a sense of responsibility and anyone that runs away from such is not only acting against the divine instruction, he loses the immense divine benefits inherent in the union.

#### Why Islam Permits Birth Control

Islam approves of birth control mostly on the consideration of the health of the woman. It allows woman enough rest between pregnancies, and her health is guaranteed. For example, if she is already breastfeeding a child, it would be damaging for both her and the child to have another pregnancy.

17 Karim, 1939.Al-Hadis... 633.

As for the husband, if he is no longer able to support more children, he is not compelled. He can therefore find a means of preventing the occurrence of pregnancy using a legalised means. God does not impose on anyone the burden that is on one greater than what one can bear.<sup>19</sup> However, this does not mean that a person may willfully marry a sterile woman or engage in non-vaginal intercourse as they are referred to as primitive form of birth control, which Allah is seriously against.

#### Why Islam Forbids Birth Control

Islam as a realistic religion is made for the welfare of human beings without any sentiment. We would deduce from the above that permissibility of birth control is premised largely on the consideration of the health of the mother and the economic condition of the family. Islam inherently rejects any idea that premises birth control to curtail the population of Muslims in a particular state or country. It is widely suspected that the western world's propaganda on birth control is to diminish the numerical strength of the Muslims in order to maintain its hegemony. This, however, is not a license for a Muslim to continue to have children without consideration for his economic limitation. In this modern life, where the cost of education is enormous, it is advisable to limit one's children to the number he can conveniently manage.

Popularisation of the pill and other forms of contraception have contributed immensely to freer sexual mores in the west, or simply called immorality. This trend has spread to the third world like Nigeria where promiscuity has almost become symbol of civility and virtue. In Oyo State for instance, the First Lady, Mrs. Florence Ajimobi, who is also the chairperson of Oyo State Agency for the Control of Aids (OYO SACA), freely distributed condoms to people on a valentine day, in an attempt to create sexual awareness among the people of the state, with instruction that sexual behaviour should be demonstrated responsibly and with dignity.<sup>20</sup>

<sup>18</sup> Al-Hilali and Khan, 1983. Translation of the Noble Qur'an... Q.3:200.

Al-Hilali and Khan, 1983. Translation of the Noble Qur'an... Q.2:286.
Office of the First Lady. 2013. Valentine day calls for responsible shot

Office of the First Lady. 2013. Valentine day calls for responsible show of love. Retrieved on 16-07-2013 from http://www.mrsajimobi.com

This is perhaps the reason why the Muslim countries at the United Nations Conference on Population held in 1994, joined hands with the Vatican in opposing contraceptives and abortion.<sup>21</sup> There, the Muslim World League called a meeting chaired by the Saudi King, where a resolution was passed against the legalisation of abortion. Their stance was that birth control encourages sexual rights among adolescents and unmarried persons, which in turn, produces children outside wedlock, and eventually destroys the society.

Islam does not believe in the so-called population explosion. Indeed, population control is considered an insult to the Creator, who has provided for more than adequate resources for His created beings. God is therefore not blamable for squander maniac nature of people resulting in the mismanagement of Allah's free gift to man. That is why the Qur'an legislates against abortion or any form of killing for fear of poverty. It states:

> ...and do not slay your children for (fear of) poverty —We provide for you and for them – and do not draw nigh to indecencies, those of them which are apparent and those which are concealed, and do not kill the soul which Allah has forbidden except for the requirements of justice, this He has enjoined you with that you may understand.<sup>22</sup>

It is apparent that the world today experiences poverty in many countries and this is not due to natural scarcity of goods and materials; it is rather due to human incompetence of managing resources. Nigeria is a clear example where poverty has over stricken more than 70 percent of its citizens. Conversely, hardly can you read newspaper daily without headlines on billions of naira being stolen by those in authority.

21 USCCN – United States Catholic Conference News, 1994. Muslim and Catholic leadership issue joint statement on Cairo conference on population and development. Retrieved on 16-07-2013 from old-usccn.org/seia/is2.pdf.

22 Al-Hilali and Khan, 1983. Translation of the Noble Qur'an...Q.6:151.

#### Conclusion

One of the important acts of worship on which God will judge man on the Day of Judgment is marriage. It confers responsibility on both partners, part of which includes the raising and training of children. It is, therefore, necessary that one learns about the institution and not deny oneself of the bounties of the Creator.

However, if for any reason, one is incompetent to bear the responsibility of marriage, such should not dabble into it. This, however, does not mean that everybody must be made to have same children since man is no created equally.

There is need for distinction between the policy of limiting reproduction and the olicy of planning it, and that is between the societal compulsory laws and individual voluntary measures. Limiting reproduction to a minimum or maximum number is inimical to Islamic law and human reason, out family planning through the use of voluntary means to space or regulate the family size for economic or health consideration is lawful, and therefore, Islamic.

However, the Islami \_\_urists made lawful prevention of pregnancy by mutual consent of the couple temporarily or even permanently if the prospective children are likely to inherit disease of any parent.

We call on Nigerian government to ensure equal distribution of the God-given human and, material resources abundant in our society. If done, there may not be any poor Nigerian as done in Islam by Caliph Umar bin Abdul 'Azeez of the Umayyah Dynasty.

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