

ISLAMIC PERSPECTIVE ON BIRTH CONTROL: ISSUES AND PROSPECTUS

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Abstrack

Birth control also known as contraception and fertility control are the methods or devices used to prevent pregnancy. Planning, provision and use of birth control is called family planning. The History of birth control is as old as Islam itself. The Arabs used to practice it during the days of Jahaliyah. After the advent of Islam, the muslims continued the process and is said to have got permission with moderation from the prophet SAW. The moderation he did was to approve the practice of Azl as a measure to birth control. Birth control or family planning is not a new issue rather it has remained a burning issue from the advent of Islam as it is today. It is a concept for all people and all nations of the world irrespective of people's religious alienations.

Keywords, Birth control, Islamic Perspective,

A. INTRODUCTION

*Nikah*¹ or lawful marriage is the union of two souls for love and two bodies for procreation and legalizing of children. Marriage is the basis for family

formation in Islam and husband and wife are the principles of family formation. Their relationship in marriage is described in Quran as being made up for two main attributes: love on the one hand and mercy on the other hand within the overall objective of tranquility. The Quran Says surah Ar-Rum (30:21): *“And among His signs is this that He created for you mates from among yourselves, that you may dwell in tranquility with them, and He has put love and mercy between your hearts”*

Procreation is also one of the paramount advantages of marriage namely to contribute through legitimate means to the continuity and preservation of human race. The sexual urge serves the function of bringing the mates together for the fulfillment of this basic objective. The Quran states surah An-Nahl (16:72): *“And Allah has made for you mates of your nature, and made for you out of them sons and daughters and grandchildren, (and provide for you sustenance of the best).”*

Different families make a community, different communities make a state, different states make a nation and different nations of the different areas of geographical locations constitute the cosmopolitan world. Since the family forms the basis of the nuclear composition of the world, the issue of birth control if it will affect the global world must start at the family levels. Hence, birth control is the spacing of child given birth to by individual nuclear family system within a reasonable period of time to enable the mother give adequate care and effective weaning to a child before another one is born. It is also referred to as the proper planning and structuring of a number of children a family unit will give birth to within a period of time.

B. RESULTS AND DISCUSSION

1. General Description of Birth Control:

Birth control, also known as contraception and fertility control are the methods or devices used to prevent pregnancy. Planning, provision and use of birth control is called family planning. Birth control methods have been used since ancient times, but effective and safe methods only became available in the 20th century.

The most effective methods of birth control are sterilization by means of vasectomy in males and tubal ligation in females, intrauterine devices (IUDs) and implantable contraceptives. This is followed by a number of hormonal contraceptives including oral pills, patches, vaginal rings, and injections. Less effective methods include barriers such as condoms, diaphragms and contraceptive sponge and fertility awareness methods. The least effective methods are spermicidal and withdrawal by the male before ejaculation. Sterilization, while highly effective, is not usually reversible; all other methods are reversible, most immediately upon stopping them. Safe sex, such as the use of male or female condoms can also help prevent sexually transmitted infections. Emergency contraceptives can prevent pregnancy in the few days after unprotected sex. Some

regard sexual abstinence as birth control, but abstinence-only sex education may increase teen pregnancies when offered without contraceptive education, due to non-compliance.

2. History of Birth Control in Islam

The History of Birth Control is as old as Islam itself. The Arabs used to practice it during the days of *Jahaliyah*.² After the advent of Islam, the Muslims continued the process and is said to have got permission with moderation from the prophet SAW. The moderation he did was to approve the practice of *Azl* ³ as a measure to birth control. According to a tradition Prophet SAW is reported to have allowed the practice of *Azl*, as narrated by a companion: *We (the companions of the Prophet) used Azl during the time of the Prophet. The Prophet came to know about it, but did not forbid us.*⁴

Although other forms of medical contraceptives present today were not in existence during the time of Muhammad but this is not enough reason to condemn or object to their uses because a lot of other discoveries which are in existence today but which were not in existence during the Prophet's life have nothing to do with the direct faith of Muslims if such a discovery would bring ease and lessen the burden on the part of the people.

3. Justification for Birth Control in Islam

The preservation of human species is unquestionably a primary objective of marriage, and such preservation requires continued reproduction. Accordingly, Islam encourages having many children and has blessed both male and female progeny. However, it allows Muslim to plan due to exceptionally valid reasons and recognized necessities. The common method of contraception at the time of Prophet SAW was coitus interrupts (*Azl*) or withdrawal of male sexual organ from his spouse's genitals just before ejaculation.⁵ Birth control is not an attempt to terminate the pregnancy but an attempt to plan for wanted or expected births i.e. to make adequate preparation for the incoming child. This preparation includes what the mother will need, how to take care of the pregnancy to ensure its gradual and progressive development. How to ensure that the pregnancy will not result into premature birth? To prepare for the safe delivery of the baby, its clothing and feeding, how the baby will be nursed and the likes? It is part of the preparation to make plan for the educational carriers of the child so that at every stage of the child's development, the child will not lack anything. It is this planning that Islam refers to as birth control or family planning.

Supporters of birth control, rely on the fact that contraception in the form of coitus interrupts (*Azl*) and the spacing of children by breast feeding are explicitly mentioned in the *Hadith* and are therefore both acceptable within Islam.⁶ Islam prioritizes human life, so being able to space out births allows a mother time to

care for each child. Some scholars have argued that any method that has the same purpose and effect of *Azl* – i.e. preventing contraception using condoms and diaphragms – is acceptable, as long as it does not have a permanent effect. Any method that causes sterilization that is not for medical reasons is forbidden partly because it prevents children permanently and partly because of text forbidding men to castrate themselves. As well, birth control methods that disrupt the natural hormonal or menstrual cycle of a woman, such as the pill or the patch, in order to prevent pregnancy are usually prohibited in Islam unless there is a medical reason for doing so and the husband agrees.⁷

Birth control is also a necessity in Islam to regulate intervals during which pregnancies are to be conceived. Medically, it has been proved that pregnancies should be spaced to give the mother a long lifespan as it has been proved that pregnancies at short intervals endangers the life of the mother and put health of the children at risks. Quran supports this move as it says verily Surah Ar-Ra'd (13:11); *“Allah will never change the condition of a people until they change it by themselves”*.

Another Quranic verse talks about the spacing of births and pregnancies and in this case two years is fixed as a period for weaning and breastfeeding of a child. Another reason why birth control may be expedient in Islam can be attributed to the inability of responsible parenthood. Quran says surah Al-Baqarah (2:184): *“Allah wants to ease your problems. He does not want to be harsh upon you.”*

As a result, if the father who is the head of the family does not have the financial capability to maintain his family due to its large number, the jurists recommend birth control for such a father.

Muslim scholars express the view that birth control is necessary to preserve the wife's beauty and physical fitness to enable her remain attractive to her husband always. Also to avoid economic hardship of caring for a larger family which may compel parents to resort to illegal activities, to avoid the danger of children being converted from Islam to any other religion.

4. Fatwas of prominent Institutions and Scholars

a. Islamic Fiqh Academy, India

The following is a resolution regarding birth control issued by the Islamic Fiqh Academy of India which we concur with:

- 1) If due care and nourishment of a child seems not possible due to immediate pregnancy of the mother, then temporary birth control devices can be adopted to maintain a considerable time space.
- 2) Permanent birth control devices for women are prohibited save an exceptional case: In the opinion of reliable and expert doctors, if a woman is feared to lose life or might defect an organ due to delivery, then, a vasectomy operation can be performed to prevent future pregnancy.

- 3) Under the following exceptional circumstances use of temporary birth control devices or taking medicine for that purpose is permissible for men and women:
- a) If a woman is too weak to bear the rigors of pregnancy and the apprehension is that it would be risky for her life if she conceives a child.
 - b. If a woman is feared to undergo tremendous unbearable pains at the time of delivery. In both the cases the opinions of the expert and reliable doctors are must.⁸

b. Islamic Fiqh Academy, Jeddah

Islamic Fiqh Academy, Jeddah in its 5th seminar held in Kuwait from 1 to 6 Jumada al-Awl 1409 H (10 to 15 December 1988); Having reviewed papers presented by the members and experts, on "Birth control" and having listened to the discussions on the subject; Bearing in mind that, according to Islamic *Shari'ah*, the purpose of marriage is procreation and conservation of the human race, and that it is not permissible to ruin this objective because such a destruction is a violation of *Shari'ah* rules and directives urging for birth increase, preservation and conservation of human race, since procreation is one of the five commandments, the protection of which is prescribed by divine rules.

RESOLVES

First: It is not permissible to issue a general law restricting the freedom of a married couple in the field of procreation. *Second:* It is strictly forbidden by religion to deprive a man or a woman of his or her physical capacity to procreate, known as sterilization, except in case of necessity according to the criteria set by *Shari'ah*. *Third:* It is permissible to control temporarily the procreation in view of spacing the pregnancy periods or to interrupt it for a fixed duration in case of necessity recognized by *Shari'ah*; this should be done at the discretion of the married couple according to their mutual agreement and after consultation, provided that no prejudice is caused and that the method to be used is legal, without any harm to an ongoing pregnancy.⁹

c. Dr. Yousf al-Qardawi

In 1980, Dr Yusuf Qardhawi said that a Muslim is allowed to plan his family for reasons such as the delivery may endanger the mother's health; the burden of children may strain the family's means to the extent that the couple might accept or do something *Haram* to satisfy their needs and the children's health and upbringing may suffer. He says that modern contraceptive methods are allowed by analogy (*Qiyas*).¹⁰

5. Birth Control Measures and Methods Approved by Islam:

Consequent upon the established approved of birth control by Prophet Muhammad SAW the following have been identified as the medically birth control methods approved by Islam.

- **'Azl.** *Azl* refers to the coitus interrupts. This is the withdrawal of the man's genital organ from the vagina of the woman when the man reaches orgasms before ejaculation to prevent sperms from being deposited into the female's ovary organ. The rationale for this method is that for pregnancy to come into being it requires the meeting together of the male's sperms and the female's discharge in the ovary. But where this is prevented, pregnancy is not likely to result. This method was approved by the Prophet and it seemed to be the only method of birth control that was available during the lifetime of Prophet Muhammad SAW.

Al-Ghazzali is of the opinion that there was no basis for prohibiting *'azl*. For, prohibition in Islam was possible only by adducing an original text (*nass*), an explicit provision in the Qur'an or *hadith* or by analogy with a given text. In the case of contraception, there was no such text, nor was there any principle on which to base prohibition. In his view, coitus interrupts was permitted (*mubah*) and this permission could be ratified by analogical reasoning. A man could refrain from marriage; or marry but abstain from mating or have sexual mating but abstain from ejaculation inside the vagina--*'azl*. Although it was better to marry, have intercourse, and have ejaculation inside the vagina, abstention from these was by no means forbidden or unlawful.¹¹ Al-Ghazzali made a distinction between infanticide and contraception. He said that a child could not be formed merely by the emission of the spermatic fluid, but by the settling of semen in the woman's womb; for children were not created by the man's semen alone but of both parents together. So contraception could not be compared with infanticide which was the killing of an existing being while contraception was different.

- **Safe Period.** Safe period is also known as the calendar rhythm method and is the oldest method. This method is based on the menstrual cycle of a woman. A woman who has attained the age of puberty is to naturally experience, bloodshed through her private part if she does not conceive. When, she does not have any meeting with a male counterpart. To make use of this method as a measure for birth control, the woman's menstrual cycle is to be studied for about six months. The probable period of her fertility and infertility is to be calculated and based on this calculation. Some scholars consent to the fact that ovulation will always occur in women two weeks before the onset of the following menses. This perhaps is what prompts some scholars to express the view that a woman will naturally be within her safe period two weeks before menstruation and two weeks after menstruation. By this, it is believed that, if a man has sexual intercourse with his wife within this period, the wife is not

likely to conceive; hence it serves as a good method to birth control. Other scholars have however expressed the view that to be on the safe side five days before the menses and five days after menses could be a better safe period because some women do react faster to others

The bottom-line of discussion here is that there is what is called safe period through which a couple could have some meeting and yet even if the man ejaculates in the woman's vagina, she is not likely to get pregnant because the eggs to fertilize the sperm from the man would not have been formed. And if the eggs are not formed, the sperm will drop out. With this method of birth control, maximum enjoyment is achieved by both parties and no one is at any disadvantage.

- **The Temperature Method.** It is a method which depends on the fact that a woman's temperature taken before rising each morning is normally 0.20 to 0.40F higher after ovulation, and remains high until the next menses. It is a very good indication that ovulation has taken place and shows the late infertile days which start after the third rise in temperature.
- **Barriers Methods.** These are the methods that prevent pregnancy by keeping the sperm from reaching the egg e.g. use of condom (for men and women), the diaphragm (for women), spermicide (contraceptive foam, tablets, jelly or cream). Diaphragm is a soft rubber dome stretched over a flexible ring; the dome is filled with a spermicidal cream or jelly. This diaphragm is inserted into the female part and placed over the cervix no more than 3 hours prior to intercourse.
- **Hormonal Methods:** These are methods that prevent woman's ovary from releasing egg, makes it harder for the sperm to reach the egg and keep the lining of the womb from supporting a pregnancy; they are pills, injections and implants.

6. Un-Islamic Methods of Birth Control

- **Sterilization.** Sterilization is the permanent loss of fertility. All the schools of thought in Islam go against sterilization. This is because some jurists equate sterilization to castration. Classical jurists consider sterilization as a crime that is punishable by law and likened it to a murder act which requires that blood money would be paid. The argument put across by some scholars is that castration will lead to celibacy and this contradicts the teaching of Prophet Muhammad (SAW) that says, "*There is no celibacy in Islam*"¹²
- **Abortion.** Abortion is termination of a formed fetus; it is the termination of pregnancy by a deliberate act to get rid of such pregnancy. Abortion is used by some people as a method of birth control and family planning. This is not approved in Islam for the Quran has said surah Al-Isra (17:31): "*And kill not your*

children for fear of poverty. We (Allah) shall provide for them and for you. Surely, to kill them is great sin."

Muslim scholars hold two views on abortion. The *Maliki* School states that abortion is absolutely forbidden while the *Hambali* School states that abortion could be carried out if it is done within the first 120 days that the woman conceives. This school bases its argument on the premise that it is after 120 days that the soul enters the fetus. Quran says surah Al-Haj (22:5): *"O mankind, if you are in doubt as to the resurrection, that we have created you of earth; then of semen; then of a blood clot, then of a lump of flesh, formed or not formed, so that we may demonstrate to you (our power) and we establish in wombs what we will, till a stated term then we bring you out as infants."*

The stages of development expressed in the above verse have been identified to be three by the scholars according. This view is further supported by a *Hadith* which goes like this; the Prophet is reported to have said, *"Each of you is constituted in your mother's womb for forty days as semen, then it becomes a blood-clot, for an equal period, then a lump of flesh for another equal period, then the angel is sent, and he breathes the soul into it."*¹³

Following this reasoning, the jurists hold the belief that aborting the fetus within the first 120 days would be permitted. A few of the jurists hold the belief that aborting the fetus will be permitted within the first 40 days. It has to be pointed out that whether it is done within 40 or 120 days, it should not be used as a measure for birth control or family planning. It can only be done where there are certain cogent reasons like; health of the mother is at risk. It is further added that under a compelling reason such as threat to the mother's life, harm to the child or a deformed fetus, abortion can be performed anytime. Khalid Farooq Akbar expressing the views of the *Hanafi* scholars which permitted abortion until the end of the four months says: *"According to them, a pregnant woman could have an abortion without her husband's permission, but she would have reasonable grounds for this act. One reason which was mentioned frequently was the presence of a nursing infant. A new pregnancy put an upper limit on lactation, and the jurists believed that if the mother could not be replaced by a wet nurse, the infant would die."*¹⁴

So, even though abortion is not approved in Islam but where the lives of both the mother and fetus is in danger, Islam permits that it should be undertaken for the safety of the mother so as not to lose two souls at a time.

C. CONCLUSION

Birth control or family planning is not a new issue rather it has remained a burning issue from the advent of Islam as it is today. It is a concept for all people and all nations of the world irrespective of people's religious alienations. Birth control if we failed to adopt can have disastrous effects on the family as well as on

the society. A family having more number of children may suffer from the inadequacy of balanced diet, low standard of education and health problems etc. It has been established that when a family gives birth to more number of the children they can cater for, some of them will be abandoned. These ones that are abandoned from different families constitute nuisance to the society. They form the group of drop outs who could not complete their education; some of them turn to robbers, smugglers, drug peddlers and killers etc.

Suggestions

1. The birth control campaign should be run through print and electronic media to aware the people, but only *Islamically* approved measures should be propagated.
2. Each religious group should take up the task to educate the followers of benefits to be derived in it and the dangers if not adhered to.
3. Seminars and workshops should be organized on this topic before now, it seems those ones do not have much affects yet, so, these should be further intensified within the academic environments.
4. *Khateeb*s of different mosques should make Birth Control their topical issue during Fridays sermons when large congregation is in attendance. It is believed that this could change the perception and orientation of Muslims in particular and people in general so that they could have a change of attitude and exploit the benefits embedded in birth control

Notes and References

1. *Nikah* is Arabic word for Marriage.
2. Age of Ignorance
3. *Azl* is the Arabic term for contraception which refers to withdrawal before ejaculation or also known as coitus interrupts. The jurists from the four major Sunni Schools follow this *hadith* which indicates that *Azl* was allowed.
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