IS BIRTH CONTROL PERMISSIBLE BY ISLAMIC LAW (SHARĪ‘AH)?

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Discussion on birth control or family planning (tanzīm al-usrah) in Islamic law is primarily concerned with contraception (‘azl).

1 We have to bear in mind that there is no clear specific reference to ‘azl in the Qur’ān. But this does not mean that one should abandon it altogether, as Allah (s.w.t.) provides basic guidelines to it in the Qur’ān. Thus, scholars are duty bound to examine Quranic verses to derive legal injunctions. With regard to the rule relating to family planning, one Qur’ānic verse determines the fundamental policies of Islam as: “Allah wants ease (yusr) for you and He does not want constraint (‘usr) for you”. This basic principle has to be qualified by ahādīth of the Prophets due to the apparent fact that the Qur’ān is generally silent about contraception or birth control. There are a number of ahādīth regarding contraception in the form of sunnah al-qawl (express sayings of Prophet Muḥammad (s.a.w.) and sunnat al-taqrīr (tacit approval, i.e., something done in the Prophet’s presence and which is not prohibited by him). The following are among examples of authentic ahādīth on al-‘azl.

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1 In the Sharī‘ah’s context, most religious scholars have clearly distinguished between ‘azl and ijtihād or saqīf. ‘Azl, literally, means removal, insulation, dismissal, separation or segregation. Legally, ‘azl stands for birth control. Some people believe that ‘azl is a specific word signifying strictly a particular method of birth control; namely coitus interruptus (contraception), or withdrawal of the penis from the vagina just before ejaculation to prevent the entrance of semen into the vagina. Thus, the main purpose of al-‘azl is to prevent fertilisation of the egg by the sperm. By analogy other methods which achieved the desired outcome (i.e., prevention of pregnancy) are the same nature with ‘azl. In the light of this discussion, the permissibility of ‘azl, contraceptive pills, condoms, IUD which are the most frequently used and effective methods of contraception should be based on the textual legal texts decreeing ‘azl validity or otherwise. This is due to the fact that ‘azl’s goal is to prevent fertilisation of the egg by the sperm which can also be achieved by the aforementioned methods.

2 Al-Baqarah (2): 185.

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A HĀDĪTH ON THE PERMISSIBILITY OF AL-`AZL

These can be listed below:

1. On the authority of Jābir b. `Abdullah he said: “We (the Companions of the Prophet) used to practice al-`azl during the time of the Prophet (s.a.w.) while the Qur’ān was being revealed.”

2. On the authority of Jābir who said: “We used to practice al-`azl during the time of the Prophet (s.a.w.). The Prophet (s.a.w.) came to know about it, but did not forbid us.”

3. On the authority of Abū Sa`īd: The Prophet was queried about al-`azl and he said: “Not out of all the semen a child is formed, and if Allah willed to create something nothing would stop him from doing it.”

4. On the authority of Jābir b. “Abdullah who said: “A man came to the Prophet (s.a.w.) and said: I have a mate and I practice al-`azl with her”. The Prophet said: “This will not prevent something that Allah wills”. The man came back (after a time) and said: “Messenger of Allah! The mate that I mentioned to you has conceived.” The Prophet said: “I am Allah’s slave and messenger.”

5. On the authority of Zā’idah b. ‘Umar who said: “I asked Ibn ‘Abbas about al-`azl and he replied: ‘you have overdone it (repeatedly asking about al-`azl), if the Prophet has said something about it, it should be as he has ordained. If he has’t, I say: Your wives are as tilth unto you (harth lakum), so approach your tilth as you please, you are free to practice al-`azl with them if you wish or do not practice al-`azl if you wish.”

6. We practice contraception, but our Jewish neighbours say that this is a lesser infanticide. The Prophet said: “They are lying, it is not a lesser infanticide; you may practice it, but if God has pre-determined for a child to be born, it will be born”. After some time, the man reported that his wife had become pregnant, upon which the Prophet said: “Did I not tell you that if a child is pre-determined by God to be born it will be born?”

HĀDĪTH ON THE PROHIBITION OF AL-`AZL

On the authority of Judāmah binti Wahb al-Asadiyyah (sister of ‘Ukkāshah), who said: “I was among others in the Prophet’s audience while he was saying: ‘I almost

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4 Muslim, Ṣaḥīh Muslim, Kitāb al-Nikāh, Bāb ḥuṃ al-`azl, hadith no. 1440.


6 Muslim, Ṣaḥīh Muslim, Kitāb al-Nikāh, Bāb al-`azl, hadith no. 1439.

7 Al-Hākim, al-Mustadrak.

8 Abū Dāwūd, Sunan Abī Dāwūd, Kitāb al-Nikāh, Bāb mā jā’ fi al-`azl, hadith no. 2171.