

Gender Equality, Family Planning and Reproductive Health (Islamic Perspective) ¹

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The concept of human beings as *khalifah fil ardh*

Islam has since the beginning proclaimed itself as defender of human rights, especially of the marginalized and oppressed groups. The Prophet's sermon in Mecca and Madina was wholly an effort to enforce the rights of the oppressed people (*al-mustadh'afin*). Islam came and liberated all human beings from the shackles of injustice, oppression, slavery, money-lending practices, and all discriminative, exploitative, and violent acts. Islam has come to uphold peace, the good and welfare of all human beings.

Moslems should not be hesitant to act and should not consider human rights as Western values. For, long before the Declaration, even before its existence, Islam has already proclaimed the importance of respecting human beings ((*karâmat al-insân*), the importance of defending the rights of vulnerable and marginalized groups called the *al-mustadh'afin* group.

Islam strongly teaches that human being is a noble creature entrusted with a special task to be *khalifah fil ardh* (manager and be responsible for the world). As *khalifah fil ardh*, every human being is obliged to uphold justice, prosperity, welfare, and peace in the universe. Islamic teaching proclaims the importance of respecting and honouring human beings as the creation of God who have dignity.

Islam also encourages all human beings of different ethnic, skin colour, languages and religions to work together, hand in hand and support each other in carrying out *amar ma'rûf nahyi munkar* (do good things and prevent wrongdoings). This concept covers all efforts concerning transformation and humanizing efforts in our life in order to create a civilized society with God's blessings, *baldatun thayyibah wa rabbun ghafur*.

Moslems must believe that the prophetic task to uphold *amar ma'rûf nahyi munkar* does not end with the passing away of the Prophet, but it must continue. That task is upon our shoulders, today's generation and the future generation, and it must continue until the end of time. *Amar makruf* covers all efforts in the process of humanization, urging people to respect each other and eliminating all forms of discrimination, exploitation and violence that would destroy the future of human civilization, while *nahy munkar* means all forms of self-transformation and transformation of the people towards a better and more civilized life. Moral values on equal rights for human beings are clearly stated in the *hadiths* of the Prophet Muhammad, such as: "*People are equal like the teeth of a comb. There is no claim*

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of merit of an Arab over a non-Arab, except for the quality of their faith.” and “Verily, Allah does not look to your bodies or your faces, but Allah looks to your heart and your deeds.”

The moral values about upholding human rights in Islam are very inspiringly elaborated by Abu Hamid al-Ghazali (w. 1111 M) through the concept of the five basic rights of humans (*al-huquq al-khamsah*). Al-Ghazali says, the main purpose of the Islamic *syaria* is social welfare or the good for human beings, and this can be achieved through protection of the five basic human rights, which are: protection of the right to life (*hifz al-nafs*); protection of the right of religious freedom (*hifz al-din*); the protection of the right to think and voice and opinion (*hifz al-aql*); the protection of the right to reproductive health (*hifz al-nasl*); and the protection of the right to property (*hifz al-mal*). In Al-Ghazali’s opinion, any efforts that can guarantee protection of those five basic rights are considered as Islamic duty.

Indonesia, as one of the members of the UN, has the obligation to comply with the UN Declaration on Human Rights so that every effort to protect, enforce and promote human rights can be effectively realized for the good of the nation and the people. The content of the Declaration is very much in line with *Pancasila* (the State Ideology), especially of the second principle: *A Just and Civilized Humanity*. Therefore, in the ideological, political and conceptual sense, human rights are perceived as implementation of the principles of the *Pancasila* that form the foundation of the state and the view of Indonesians in daily life.

How to understand Islam

I do believe that Islam is not a barrier to gender equality, family planning and reproductive health program. But the big question is how to understand Islam? Islam was passed down in the seventh century through the Prophet Muhammad at a time of ignorance (*Jahiliyah era*) where people embraced paganism, patriarchy, and feudalistic values. It was not surprising, therefore, that the moral messages of Islam were targeted more at eradicating all form of paganism, patriarchy, and feudalistic.

It is mentioned in many verses in the Qur’an that the main purpose of Islam is *rahmatan lil alamin* (to spread love and compassion to all beings in this universe). The presence of Islam should bring benefit for all human beings, and for every creature in the universe, not only for Moslems themselves. That is why every Moslem should make a commitment to be able to uphold justice and peace, spread love and compassion, not only for personal benefit, but for the benefit of their families, society and all human beings in this universe.

Moslems should come up with concrete solutions to many contemporary problems faced by modern human beings in these fast changing times, such as gender equality, family planning and reproductive health and rights.

Tawhid is a source of inspiration for gender equality and justice

I do believe that the essence of Islam is revealed in the humanistic values it embodies. The most complete expression of those values is the recognition by Islam of the fundamental equality of all human beings. All human beings are considered equal because

they are equally created by God. The only thing that differentiates one individual from another is the degree and quality of her devotion and obedience to God (*taqwa*). And the only one capable of judging the *taqwa* or the quality of human devotion is God Himself, not human being.

The core and foundation of Islam is the concept of *tawhid*. *Tawhid* is actually a conviction that there is only one God to worship and venerate, and that is Allah *swt*. *Tawhid* will bring human beings to the principle of equality and justice, including gender equality and justice between men and women. Islam is very vocal in campaigning gender equality and justice in relationships between human beings. Moral values on equal rights for human beings are clearly stated in the *hadiths* of the Prophet Muhammad SAW, such as: “*People are equal like the teeth of a comb. There is no claim of merit of an Arab over a non-Arab, except for the quality of their faith.*” and “*Verily, Allah does not look to your bodies or your faces, but Allah looks to your heart and your deeds.*”

Moslems must believe that the main mission of the Prophet is to liberate human beings from social diseases such as ignorance, poverty, famine, injustice and cruelty. Those are Islam’s true enemies. Islamic history shows that it was not an easy struggle for the Prophet to overcome this problem, it was often steeped with suffering, torture and sacrifice.

Tawhid is the basis for human devotion to God and guides humankind on how to establish harmonious relationships among themselves. In everyday life, *tawhid* is the principal point of reference which leads guides humans to act correctly, in both their relations with God and with other humans and the universe. The sincere practice of genuine *tawhid* will lead humans to a good life in this world and happiness in the hereafter.

The conviction that no human equals Allah and that He has no offspring or incarnation has given rise to the principle of the equality of humankind, as all humans are Allah’s creatures. No human is superior to any other; all are fundamentally equal. No human may be deified in the sense of being made the source of guidance and support, to be feared, prayed to, and regarded as unquestionably correct. A king cannot be a “god” to his people, a husband cannot be a “god” to his wife, a rich man cannot be a “god” to a poor man and so on. Because they are not “gods”, kings and leaders cannot be worshipped by their people like a god; an employee should not worship his or her employer; a wife should not worship her husband. Thus, fear of and unconditional obedience towards a king, a leader, an employer, or a husband that exceeds that which is accorded to Allah is a denial of the principle of *tawhid*.

On a social level, the power of the principle of *tawhid* gives us the courage to defend the oppressed people and those who were rendered structurally and systematically powerless, such as women, slaves, poor, and children, as well as those who were abused by their leaders and others who hold positions of power and hide their cruelty behind the name of God. It is apparent, therefore, that *tawhid* is not simply a static religious doctrine. It is an active force that enables mankind to recognize God as God and humans as humans. A genuine understanding of *tawhid* brings both salvation and prosperity to individuals and also forms the basis for a society that is moral, civil, humanitarian, and free of discrimination, injustice, cruelty, fear, and oppression towards individuals or groups.

Islam also provides broad and fair access for women to be active outside the household in the public sphere. Education, employment, trade, social activities and even politics are all open to women. As with men, these activities should be conducted respectfully and with dignity.

It is recorded that during the time of the Prophet 1,232 women received and transmitted *hadith* (Prophet's texts). The Prophet's wife, *Ummul Mukminin 'Aisyah*, was one of seven individuals who had the responsibility of maintaining collections of *hadith*. She also related 2,210 *Hadith*. Khadijah binti Khuwailid, the Prophet's first wife, was known to be a successful business woman. Asy-Syifâ' was appointed by Caliph 'Umar as supervisor of the market in the capital city of Medina, a major market at that time. Zainab, one of the Prophet's other wives, was a tanner whose profits were distributed among the poor as alms. And Zainab, the wife of Ibn Masud, and Asma' binti Abu Bakar, worked outside the house to earn an income for their families.

Many women also served on the battlefield, either behind the lines assisting the wounded and taking care of logistics, or at the front, carrying weapons and facing the enemy. Nusaibah binti Ka'ab, a woman, carried the Prophet's weapons at the Battle of Uhud, while several others, like Al-Rabi' binti Al-Mu'awwidz, Ummu Sinan, Ummu Sulaim, Ummu 'Athiyyah and a group of other women fought at his side.

These illustrations show that during the time of the Prophet, justice for all and for women in particular was not mere rhetoric but a social reality that was applied in the whole of society. The Prophet was committed to justice for women from the beginning and strove to create opportunity and access for women in all aspects of life. It is undisputed that social practice during the Prophet's lifetime was an implementation of the principle of *tawhid*.

Through *tawhid* women who were among the oppressed, were brought into the human community and assigned their just rights. In the context of the relation between men and women, justice eliminated discrimination and favouritism for one sex over another. It also gave equal weight to the rights and responsibilities of men and women. It prevented women from being assigned a lower social position under the power and domination of men. At the same time justice deprived men of the opportunity to exercise complete power over women. Justice cannot of course abolish gender differences, but it opposes the use of gender as a basis for differentiation between the sexes. This is what we learn from the Qur'an and the example of the Prophet with respect to the principle of equality and justice in gender relations between men and women.

The implementation of the concept of *tawhid* resulted in the elimination of all form of paganism, ending the worship of false gods, and eradicating of all form of patriarchal and feudalism, end even combating all form of discrimination against women. Through the concept of *tawhid*, the Prophet abolished all form of gender inequality and injustice, discrimination, exploitation and violence on any grounds in order to establish a prosperous, peaceful and harmonious society.

Ultimately, gender equality and justice must be implemented in all levels of human lives, whether within the family life or within the nation and state. Gender equality and justice according to Islam's perspective is aimed at creating harmony and synergy to ensure a society based on justice, equality, prosperity and welfare (*baladun thayyibah wa rabbun ghafur*).

Women's reproductive health and right

Islam seriously pays attention to woman's reproduction health. The Qur'an contains a great many verses reflecting the appreciation of God to those people properly abstaining from sex and they are categorized as believers who win. The Qur'an even expressly orders believing men to abstain from sex.

قَدْ أَفْلَحَ الْمُؤْمِنُونَ (1) الَّذِينَ هُمْ فِي صَلَاتِهِمْ خَاشِعُونَ (2) وَالَّذِينَ هُمْ عَنِ اللَّغْوِ مُعْرِضُونَ (3) وَالَّذِينَ هُمْ لِلزَّكَاةِ فَاعِلُونَ (4) وَالَّذِينَ هُمْ لِفُرُوجِهِمْ حَافِظُونَ (5) إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ (6)

“The true believers will be successful, who are humble in their service, who shun all frivolities, who strive for betterment, who guard their sex, except from their wives and women slaves of old are free of blame (al-Mukminun, 1-6).”

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَىٰ لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ. وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ .

“Tell the believing to lower their eyes and guard their private parts. There is for them goodness in this. God is aware of what they do. Tell the believing women to lower their eyes, guard their private parts, and not to display their charms except what is apparent outwardly, and cover their bosoms with their veils and not to show their finery (al-Nur, 30-31).”

We may have an impression that Islam takes precaution of reproduction organs health and their functions in extreme form, such as, banning pre-marital sexual intercourse, including all its prologues, whether or not based on agreement of both parties. They frequently lead to misunderstanding among modern people and they practically consider Islam old fashioned and outdated religion.

However, Islam also teaches that biological passion has to be fulfilled, and therefore, any kinds of ascetic life to avoid sexual desire are not actually recommended. Fulfilment of biological passion shall be within the religious corridors. Consequently Islam shall not tolerate free-sex and considers it unhealthy. It is only marriage that is agreeable for consummation.

Women in Islam have their rights of reproduction highly respected. God holds in high regard the painful struggle of a pregnant woman. The same is true when she is giving birth and breastfeeding her infant baby. Accordingly, God obliges every son and daughter to pay homage to and to be good to his or her parents (*Luqman*, 31: 14), especially to his or her mother “We have enjoined on human beings to be good to their parents (*al-Ahqaf*, 46: 15). So noble and honourable is the position of a mother in the eyes of God that is why many *hadiths* of the Prophet emphasize that a mother is entitled to three times as much as the respect paid to a father.

In addition there is also a proverb confirming that *Lord's Paradise lies at the mother's sole of foot*. Mothers who are suckling their babies also have their health and nutrients well looked after and secured. Men have to undertake to provide a fitting form of

living and life necessities to the breastfeeding women. In case that the mother is incapable of or is not willing to breastfeed her infant, it is the father who is held responsible for finding and engaging a wet nurse (*al-Baqarah*, 2: 233) and *al-Thalaq*, 65: 6). Due respect is also paid to the rights of reproduction of a woman who is having a period or undergoing a *nifas* (the 40-day period after childbirth which sexual intercourse is forbidden).

In contrast with the Jewish tradition which holds menstruating women as defiling filth which must be sent away from her native village land, Islam does not treat women in that inhumane fashion. Menstruation is viewed as a natural and recurrent monthly series of process. Even regular monthly periods are positive things, indicating that the women are healthy and normal. Therefore, menstruating women are not at all forbidden to mingle or get together with other people and are free to keep their husbands company, except having sexual intercourse. What is defiling filth is the blood discharged, and not the women. Consequently, what is forbidden is only having sexual intercourse, not others (*al-Baqarah*, 2: 222).

The Prophet himself, as revealed in many *hadiths* maintained ordinary relationship with his wife who was in her monthly period. He shared the same bedroom, plate, and glass. There was no discriminating act to the menstruating women. Should there be a prohibition to have sex during this period, it is essentially intended to keep the woman's reproductive organ healthy, since from clinical point of view, intercourse during the menstruation will put the man's and the woman's health at stake.

Furthermore, when women are not allowed to observe certain religious duties, such as performing prayers, obligatory fasting, *tawaf*, and *iktikaf* in their monthly period, it does not mean that women are discriminated. Observing the injunctions of God is of the same virtue as avoiding His interdictions.

Thus, if women are in defecation-free and normal condition, they deserve divine rewards because they observe the commands of God, and the same hold true when they are in monthly period and *nifas* because they consciously and wittingly keep away from His prohibitions. This is the justice of God, which take into consideration women's physical and mental conditions when they are undergoing their reproductive process.

Islam's positive influence on family planning

Islam per se is not incompatible with family planning. Many Moslems people, both men and women, are aware of Islamic verses on lactation amenorrhea, about which the Qur'an says: "*And mothers shall suckle their children two full years for those who wish to complete breast-feeding.*" (*al-Baqara*, 2:233). "And his weaning is in two years" (*Luqman*, 31:14). "His bearing and weaning is thirty months." (*al-Ahqaf*, 46: 15).

Mostly Moslems accepted the use of contraception for 'spacing' of pregnancies, but not for 'planning' the number of pregnancies and children." This is a common idea among Moslem people. However, in Moslem communities there are still many of whom regard children as gifts of God, thus not to be planned. This opinion is clearly in contradiction with the fatwa issued by the Grand Imam of Al-Azhar, Sheikh Jadel Haq Ali Jade Haq, in 1983, which states that "A thorough review of the Qur'an reveals no text prohibiting the prevention of pregnancy or diminution of the number of children"

Likewise, in Moslem communities, especially in Indonesia the sensitive introduction of family planning for birth spacing to protect the health of mothers and

children is more acceptable than emphasizing planning for a smaller family that will have a better future economically.

When Islamic teaching was mentioned in relation to family planning, many Moslems people agreed that Islam permits family planning on the grounds that it furthers the common good. Islam does not technically allow family planning, but if a family is very poor and unable to support more children, the use of family planning is justified.

About Islamic arguments in justifying contraception, my opinion is that: The Qur'an never says that using contraceptives is a sin against God. In addition, Islam has no objection to birth spacing because there are many verses encourage mothers to breast-feed their children for 30 months."

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