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HIV AND ISLAM; SOCIAL AND MEDICAL ASPECTS OF REGULATIONS SPECIFIED FOR MARITAL RELATION IN ISLAM

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ABSTRACT

OBJECTIVE: To study the social and medical aspects of regulations specified for marital relation in Islam from a Quranic perspective and also to analyze the worldwide prevalence of AIDS. **MATERIAL & METHODS:** Among 38 sub-Saharan African countries, the HIV Prevalence was quite low among the Muslim population of these countries. A survey of published articles containing data on HIV prevalence and the religious associations comparing the prevalence in the people from different backgrounds and analysis of the global key findings of WHO and UNAIDS report on HIV prevalence throughout the world was carried out. **RESULTS:** The analysis of the global key points of WHO on HIV incidence and prevalence worldwide indicated a negative relationship between HIV prevalence and the Muslim population. Additional studies on the relationship of risk factors to HIV prevalence gave evidence of a negative effect on HIV prevalence by following Islamic codes of life. **CONCLUSION:** Islam gives us a complete code of life that is in favor of human nature. Homosexuality and short-term sexual relations have ruined the society in the West while Islam has strictly forbidden these things. Thus, Muslims should follow the teachings of Islam to avoid these serious emerging problems and to set a high standard and example for other nations.

INTRODUCTION

ALLAH shaped man as an ultimate center of creation most beautiful and perfect way as ALLAH says in the Holy Quran:

” لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي أَحْسَن تَقْوِيمٍ ” (Qur'an 95:4)

"Surely We created man in the best mold"

For man, ALLAH created women from his kind so that he can have a friend and attraction has been placed in human nature for the opposite sex as ALLAH says in the Holy Quran:

فَأَقِمْ وَجْهَكَ لِلدِّينِ حَنِيفًا فِطْرَتَ اللَّهِ الَّتِي فَطَرَ النَّاسَ عَلَيْهَا لَا تَبْدِيلَ لِخَلْقِ اللَّهِ ذَلِكَ الدِّينُ الْقَوِيمُ وَلَكِن كَثُرَ
النَّاسُ لَا يَعْلَمُونَ (Qur'an 30:30)

O Prophet and his followers turn your face single-mindedly to the true belief and adhere to the true nature on which ALLAH has created human beings. The mold shaped by ALLAH cannot be altered. That is true, straight faith although most people do not know.

Islam is a belief that favors human nature. It gives us a planned and powerful marital system ensuring a stable society. Since sexual needs are a part of human nature, Islam promotes and encourages marriage enabling humans to fulfill these needs. Like all other religions, Islam provides us an ethical code for sexual satisfaction i.e marriage. (*Family rules in Islam p 34*)

In the glorious Quran, Islam pays specific attention to marriage, showering it with such distinctive veneration that makes it unique among all human agreements.

Marriage is a divine blessing that ALLAH bestows on His servants.

وَاللَّهُ جَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا وَجَعَلَ لَكُمْ مِنْ أَزْوَاجِكُمْ بَنِينَ وَحَفَدَةً وَرَزَقَكُمْ مِنَ الطَّيِّبَاتِ أَفِي الْبَاطِلِ
يُؤْمِنُونَ وَيَنْعَمَتِ اللَّهُ هُمْ يَكْفُرُونَ

And ALLAH has given you partners from your kind, and has granted you through your partners, sons and grandsons, and has provided you healthy things as sustenance. (After knowing all this), do they still believe in a lie and deny ALLAH's bounty (Qur'an 16:72)

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ
يَتَفَكَّرُونَ

And of His Signs is that He has created a partner for you from your kind that you may find agreement in them and He has set between you love and kindness. Surely there are symbols in this for those who reflect (Qura'n 30: 21)

وَأَنْكِحُوا الْأَيَامَى مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُعْزِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ
عَلِيمٌ

Tie the knot with those of you that are single, (whether men or women), and those of your male and female slaves that are virtuous. If they are poor, ALLAH will enhance them out of His Bounty. ALLAH is greatly resourceful and well-informed (Qura'n 24:32)

وَلَيْسَتَغْفِبَ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّى يُعْزِيَهُمُ اللَّهُ مِنْ فَضْلِهِ وَالَّذِينَ يَبْتَغُونَ الْكِتَابَ مِمَّا مَلَكَتْ أَيْمَانُكُمْ
فَكَاتِبُوهُمْ إِنْ عَلِمْتُمْ فِيهِمْ خَيْرًا وَأَتَوْهُمْ مِنْ مَالِ اللَّهِ الَّذِي آتَاكُمْ وَلَا تُكْرَهُوا فَتِيَاتِكُمْ عَلَى الْبِغَاءِ إِنْ أَرَدْتُمْ
تَحَصُّنًا لِنَبَاتِكُمْ أَعْرَضَ الْحَيَاةِ الدُّنْيَا وَمَنْ يُكْرِهُنَّ فَإِنَّ اللَّهَ مِنْ بَعْدِ إِكْرَاهِهِنَّ غَفُورٌ رَحِيمٌ

Let those who cannot have enough money to marry keep themselves innocent until ALLAH supplements them out of His bounty, and write out a deed of manumission for such of your slaves that wish their freedom instead of expense - if you see any upright in them- and give them out of the wealth that ALLAH has given you. And do not force your slave-girls to prostitution for the sake of

the welfares of worldly life the while they desire to remain innocent. and if anyone compels them to prostitution, ALLAH will be most pardoning, much merciful (to them) after their subjection to such pressure (Qura'n 24:33)

Since attraction for the opposite sex has been placed in human nature, therefore man has been given moral encryption in the form of marriage or nikah to fulfill these requirements. Without marriage, man will try to fulfill this desire through wicked means. Thus marriage protects a person from immoral conduct resulting from sexual permissiveness. After marriage, a person is satisfied with what ALLAH has lawfully provided for him or her and would not go beyond those limits.

'Alqama stated: While I was walking with Abdullah at Mina, Uthman happened to meet him. He stopped there and began to talk with him. Uthman said to him: Abu Abd al-Rahman, should we not marry you to a young girl who may evoke to you some of the past of your by gone days; thereupon he said: If you say so, ALLAH Messenger (may peace be upon him) said: O young men, those among you who can sustenance a wife should marry, for it restrains eyes from casting (evil glances). and preserves one from wickedness, but those who cannot devote themselves to fasting for it is a means of monitoring sexual desire (*Muslim 3231*) Jabir heard Allah's Apostle (may peace be upon him) say: When a woman attracts any one of you and she captivates his heart, he should go to his companion and have intercourse with her, for it would repel what he feels (*Muslim 3242*)

Thus, Islam is the religion of nature permits its followers to enjoy and practice sex fully within marriage. The Quran has limited sex to marriage and extramarital sex is prohibited and is a prohibited transgression.

Thus, marriage is a legal bond for the physical aspects of sexual relations. It will avoid various problems that arise from sex external to marriage such as paternity issues, illegal abortions, and sexually transmitted diseases.

وَالَّذِينَ هُمْ لِأَفْوَاجِهِمْ حَافِظُونَ

Who strictly protect their private parts (*Qura'n 23:5*)

فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ

"As for those who seek external to that, they are lawbreakers (*Qura'n 23:7*)

One of the serious issues the modern world is facing nowadays is the extensive spread of sexually transmitted diseases. Among which the common one is acquired immunodeficiency syndrome instigated by HIV i.e human immunodeficiency virus. More than 1.2 million people in the United States are living with HIV, and 1 in 8 of them don't identify it.

Since sexual transmission plays a major role in the spread of this disease, therefore those with many sexual partners, Gay and bisexual men are most affected.

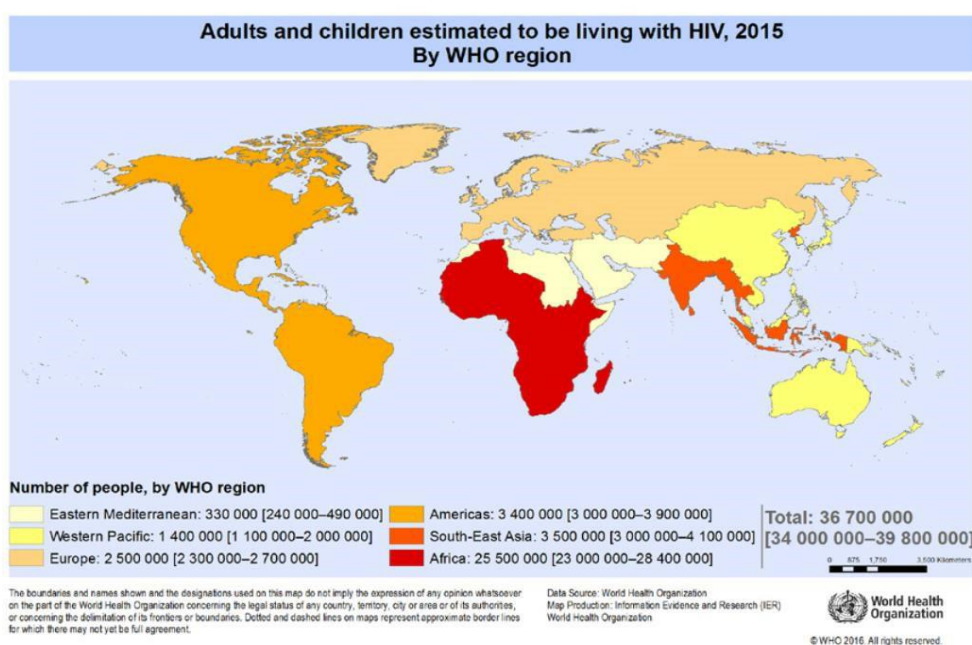
In 2014, an estimated 44,073 people were detected with HIV infection in the United States. The number of new HIV diagnoses fell nineteen % from 2005 to 2014. Since there is an increase in targeted HIV prevention efforts and also accurate indicative measures are taken, thus the drop in the diagnosis of HIV suggests decreased occurrence of the disease with time. However, progress remains uneven and from 2005 to 2014, diagnoses have amplified among a few groups Gay and bisexual men accounted for an estimated 83% (29,418) of HIV diagnoses among males and 67% of all diagnoses.

In 2014, likely 20,896 people were diagnosed with AIDS. Since the epidemic began in the early 1980s, an estimated 1,210,835 people have been identified with AIDS.

In 2013, there were an estimated 12,963 expiries (due to any cause) of people with diagnosed HIV infection ever classified as AIDS, and 6,955 expiries were attributed directly to HIV. The Joint United Nations Programme on HIV/AIDS), an estimated 270,000 public were living with human immunodeficiency virus (HIV) in the countries of the Middle East and North Africa (MENA) region in 2012. Pakistan has an estimated 97,400 HIV cases (<0.1% overall population prevalence NACP and UNAIDS estimations) and the epidemic is rapidly developing in risk groups such as injecting drug users, male sex personnel (*HIV facts" by WHO updated july 2017*) 36.7 million people living with HIV/AIDS worldwide in 2015.

1.1 million people expired of AIDS-related illnesses worldwide in 2015 low- and middle-income countries reported a total of 150 million people tested in 2014.

The Arab region indeed has a low occurrence of infection however, it has the fastest rising epidemic in the world," (rights/gender/civil society HIV AIDS.)



The susceptible populations at higher risk include men-who-have-sex-with-men, female and male sex personnel, and injecting drugs users

Acquired immune deficiency syndrome (HIV/AIDS) is a spectrum of symptoms and conditions produced by infection with the human immunodeficiency virus (HIV). In the initial stage of the illness, the person may not experience any indication or may experience a brief period of influenza-like complaint⁽¹⁴⁾ Typically, this is followed by a latent period which is an extended period with no symptoms. As the disease progresses, the function of the immune system is highly decreased, increasing the risk of common infections like tuberculosis, as well as other cunning infections, and tumors that rarely affect people who have working immune systems. These late symptoms of infection are referred to as AIDS. This stage is often also linked with weight loss (*About HIV/AIDS". Centre of disease control, December 6, 2015. Retrieved 11 February 2016*)

The major ways of transmission of HIV are unprotected sex (including anal and oral sex), filthy blood products transfusions, hypodermal needles, and from mother to kid during pregnancy, delivery, or breastfeeding (*Environmental and occupational medicine*) Some bodily liquids, such as saliva and tears, do not spread HIV (*HIV and Its Transmission*) Keeping in mind the routes of transmission, the preventive measures include safe sex, needle exchange programs, treating those who are infected, and male circumcision. Infection in a newborn kid can be limited by giving both the mother and child, an antiretroviral pill.

There is no treatment or vaccine; however, antiretroviral treatment can sluggish the course of the disease and may lead to a near-normal life probability (*UNAIDS "The quest for an HIV vaccine".published May 18,2012*) Treatment is suggested as soon as the diagnosis is made (*HIV by WHO. 2015. P.13*) Without management, the average existence time after infection is 11 years. (*UNAIDS, WHO (December 2007). "2007 AIDS epidemic update*) HIV can be transmitted in the following ways:

1. Unguarded sex i.e without using condoms, extramarital sex, and sex with multiple partners.
2. By using unsterilized tools such as syringes and other surgical types of equipments.
3. By infected blood and other blood products, e.g., plasma or Factor 8.
4. Through organ transplants without prior screening for HIV.
5. Through artificial insemination with HIV-infested semen.
6. From an infected mother to her kid (either in the uterus, during delivery, or through breastfeeding).

The most common mode of spread of HIV is through sexual contact with an infected person. Commercial sex workers, homosexuals are at greater risk of HIV.

MATERIAL & METHODS

Among 38 sub-Saharan African countries, the percentage of Muslims within nations screened for HIV was studied, which exposed low HIV occurrence among the Muslim population. A survey of published articles containing data on HIV prevalence and religious association i.e., occurrence in people belonging to different backgrounds and analysis of the global key conclusions of WHO and UNAIDS report on HIV occurrence throughout the world was carried out.

RESULTS

The analysis of worldwide key points of WHO on HIV incidence and prevalence worldwide indicated suggestively low HIV prevalence in the Muslim dominant populations. Supplementary studies on the relationship of risk factors to HIV occurrence gave clear evidence of a decline in frequency by following the Islamic code of life.

DISCUSSION

Sexual needs and attraction for the opposite sex are part of human nature But to fulfill this sensual drive, Islam has laid down certain instructions. Marriage is the proper way to permit the sexual relationship between man and woman. Sex in married life is visibly recommended in Quran

وَالَّذِينَ هُمْ لِأُزُوجِهِمْ حَافِظُونَ () إِلَّا عَلَىٰ أَرْوَاحِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ

"Those who protect their chastity (private parts, from unlawful sexual acts) except their spouses or (the captives and slaves) that their right hands possess, - for them, they are free from guilt" (Qur'an 223:5-6)

It is also cleared from Hadith that sexual needs are to be fulfilled in legal ways within a marriage. The Wasaelush Shia quotes Muhammad as encouraging his followers to marry, saying:

"O, you young men, I recommend marriage to you" (Ihya' uloom, 25)

Marriage has been encouraged in Islam to such an extent that it has been acknowledged as equal to half of one's faith. Marriage helps in stopping immorality, fornication, masturbation, assaults, homosexuality, and roar. Extramarital sex has been forbidden in Islam. Similar to laws that ban extramarital sexual relations, the Qur'an also describes categories of women with whom men are outlawed from engaging in sexual intercourse.

وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ سَلَفَ إِنَّهُ كَانَ فَاحِشَةً وَمَقْتًا وَسَاءَ سَبِيلًا

Do not marry any of the women whom your fathers had wedded, excluding what is already past. That is indeed offensiveness, an outrage, and an evil course (Qura'n 4: 22)

حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضَاعَةِ وَأُمَّهَاتُ نِسَائِكُمْ وَرَبَائِكُمُ اللَّاتِي فِي حُجُورِكُمْ مِّنْ نِّسَائِكُمُ اللَّاتِي دَخَلْتُمْ بِهِنَّ فَإِنْ لَمْ تَكُونُوا دَخَلْتُمْ بِهِنَّ فَلَا جُنَاحَ عَلَيْكُمْ وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْنَابِكُمْ وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ إِنَّ اللَّهَ كَانَ غَفُورًا رَحِيمًا

Forbidden to you are your mothers, your daughters and your sisters, your paternal

aunts and your maternal aunts, your brother's daughters and your sister's daughters, your mothers who have suckled you and your sisters through fosterage, your wives' mothers, and your stepdaughters who are under your care [born] of the wives whom you have gone into -but if you have not gone into them there is no sin upon you- and the wives of your sons who are from your own loins, and that you should marry two sisters at one time -excluding what is already past; indeed Allah is all-forgiving, allmerciful (Qur'an 4: 23)

وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ كِتَابَ اللَّهِ عَلَيْكُمْ وَأُجَلَ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَنْبَغُوا بِأَمْوَالِكُمْ
مُحْصِنِينَ غَيْرَ مُسَافِحِينَ فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا تَرَاضَيْتُمْ بِهِ
مَنْ بَعْدَ الْفَرِيضَةِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

And married women excepting your slave-women. This is the ALLAH ordinance for you. As to others than these, it is lawful for you to seek (union with them) with your wealth, in a married state, not in license. For the enjoyment you have had from them thereby, give them their expenditures, by way of settlement, and there is no sin upon you in what you may agree upon after the settlement. Indeed, ALLAH is all-knowing, all-wise (Qur'an 4: 24)

This verse lists daughters, mothers, aunts, sisters, nieces, wet nurses, wet nurses' daughters, daughters of wives from different fathers, wives' mothers, wives of sons, and women already married. Also, if a man can treat his wives equally, he is allowed to have more than one but Islam limits practice to four wives only. Polygamy is not allowed as in this case any kids would be unlawful.

Regarding sexual techniques, Islam allows any kind of sexual practice that satisfies both the husband and the wife. Islam also allows the wife to respond keenly in sex. However anal sex has been prohibited in Islam and men should also avoid intercourse when the wife is menstruating.

Allah says in the Qur'an:

نِسَاؤُكُمْ حَرْثٌ لَكُمْ فَأْتُوا حَرْثَكُمْ أَنَّى شِئْتُمْ وَقَدِّمُوا لِأَنفُسِكُمْ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّكُمْ مُلَاقُوهُ وَبَشِّرِ الْمُؤْمِنِينَ
Your women are cultivation for you, so come to your tillage whenever you like, and send ahead for your souls, and be god wary, and know that you will be meeting Him; and give good news to the truthful (Qura'n 2: 223)

Another Hadith states " If he likes he may (have intercourse) being in front or on the back of her, but it should be through the opening of the vagina (*Musand Ahmad 140*)

Khuzaymah Ibn Thabit also reported that the Messenger of ALLAH said: "Allah is not too shy to tell you the fact: Do not have sex with your wives through the anal opening." (*Masand Ahmad 213*)

Ibn Abbas narrated: "The Messenger of ALLAH said: "Allah will not look at a man who does sex through the anus with his wife" (*Ibn Abi Shaybah At-Tirmidhi, 1165*)

Islam has discouraged those factors that cause wickedness and promiscuity. There are reasons behind things forbidden in Islam. Our religion clearly understands the adverse impact of these forbidden things in our lives and thus has laid strict rules to protect the human race.

To deter others who might be tempted to follow the example of people involved in wicked activities, Islam has prescribed strict penalties for such sinners. Another purpose of these penalties is to restrict the spread of evil and misbehavior and bring about reform and steadiness in society as a whole. The penalty for adultery in Islam is beating for the unmarried lawbreaker and stoning for the married person.

الرَّانِيَّةُ وَالرَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلْيَشْهَدْ عَذَابَهُمَا طَائِفَةٌ مِنَ الْمُؤْمِنِينَ

As for the fornicatress and the fornicator, strike each of them a hundred lashes, and let not pity for them overcome you in ALLAH's law, if you believe in ALLAH and the Last Day, and let their punishment be perceived by a group of the truthfull (Qur'an 24:2)

الرَّانِي لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالرَّانِيَّةُ لَا يَنْكِحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ

The fornicator shall not marry anyone but an idolatress or a fornicatress, and the fornicatress shall be

Wedded by none except an idolater or a fornicator and that is illegal to the faithful. (31)

وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُمْ ثَمَانِينَ جَلْدَةً وَلَا تَقْبَلُوا لَهُمْ شَهَادَةً أَبَدًا ۗ وَأُولَٰئِكَ هُمُ الْفَاسِقُونَ

As for those who accuse honorable women and do not bring four eyewitnesses, strike them eighty lashes, and never accept any evidence from them after that, and they are wrongdoers (Qur'an 24:4)

In such illegal relations, there is a risk of transmission of disease from an infected companion and if a woman becomes pregnant of such relation, there is a huge risk of transmission of the infection to the newborn kid. Moreover, the kids born after such relations are generally left with a single parent. Such babies are also killed or aborted which leads to a decline in caretaking during old age and birth rate. Extramarital relation also makes the climate of doubtful paternity. Most of these kids also want to know about their biological parents. Paternity tests are also not convincing. The legal declaration of paternity and custody may take time and thus these kids become silent victims of social crimes due to these temporary relationships.

There are a large number of sexually transmitted diseases such as Gonorrhoea, Syphilis, and AIDS being spread by multiple sex partners, extramarital sexual relations, and homosexuality. The Worldwide death rate has been increased due to these sexually transmitted illnesses. Not only does the infected individual transmit the disease to the sexual companion but an infected mother can transmit the disease to her newborn kid. Most of the cases are unidentified and the diagnosed cases are hesitant to go to the doctor for management leading to a high mortality rate from such illnesses.

Since the non-Muslim countries have this wickedness and arrogance common as they are indulged in extramarital sexual relations. They continue to have sex without a wedding thus lead to various problems in their society such as

paternity issues, increase incidence and prevalence of sexually transmitted illnesses, children with single parents and abortions.

These evils can only be prevented in a Muslim society if we follow the teachings of Islam. Islam has prohibited anal sex, extramarital sexual relations, and homosexuality which are the main causes of an increased occurrence of these diseases. Marriage or Nikah is the most lovely relation between a man and woman where they can fulfill their needs within limits imposed by Islam.

CONCLUSION

Islam being the religion of nature has laid down instructions that are in favor of human nature. To fulfill sexual desires, divine lawful code in the form of marriage or nikkah has been given to him. Serious issues emerging in society can be prevented by following these instructions and living life up to these restrictions and submitting our lives to ALLAH's will for which we will be rewarded in life after death. The most important means of protection are abstinence from extramarital sex and to remain truthful to your companion in marriage and not having any external affair before or after marriage. However, one does not always know the full history of sexual activity of one's companion in marriage and this is why it is important for all individuals to also go for HIV tests before they engage in marital sex.

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