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Research Article

Permissibility of Family Planning in Islam

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Abstract. This research delves into the nuanced perspective within Islamic teachings regarding the permissibility of family planning. Acknowledging the importance of family in Islam, the study aims to explore the religious and ethical considerations surrounding family planning practices within the context of Islamic jurisprudence. The research employs a multidisciplinary approach, integrating textual analysis of Quranic verses and Hadiths with a review of scholarly interpretations and contemporary Islamic jurisprudential discussions. Furthermore, qualitative interviews and surveys are conducted among Islamic scholars, community leaders, and practitioners to capture diverse perspectives and experiences related to family planning in Islamic communities. The findings of the study reveal a spectrum of opinions within the Islamic community regarding family planning, with some scholars emphasizing the importance of procreation while others advocate for responsible family planning within the framework of Islamic ethics. In conclusion, this research offers insights into

the permissibility of family planning in Islam by navigating through traditional Islamic sources and contemporary discussions. The findings contribute to a nuanced understanding of family planning within the Islamic context and provide valuable perspectives for both scholars and practitioners seeking guidance on this complex and vital aspect of family life in Muslim communities.

Keywords: permissibility, family planning, Islam

INTRODUCTION

In Islam, marriage occurs through family involvement, prayer, and careful thought and consideration. When an individual feels that they are ready to marry, they approach their family who will set about finding them a potential mate. Once a suitor is chosen, a chaperoned meeting is arranged so that a man and woman may get to know each other. A chaperone is necessary so that neither will be tempted to behave inappropriately during this meeting. If either the man or the woman is not happy with the potential suitor picked out for them, they can choose to call off the marriage and their family will set about to try and find another match.

Islam prohibits sex before marriage. In some cases, Sharia Law (the governing and religious laws behind Islam) calls for the execution by stoning of individuals who have sex outside of marriage. However, it is very important to note that not all countries with predominately Muslim religions enforce this sentence. Many Muslim countries have gotten rid of it all together while others keep it on the books but do not actually enforce it. While some countries do still strictly follow Sharia Law, there is increasing pressure from other countries, as well as from other Muslims, to stop these practices.

Islam views sexual relations between a wife and husband as an ideal expression of love. Sex between married spouses is both for the sexual pleasure of each partner as well as for procreation. All forms of sexual expression, from intercourse to caressing and kissing, are encouraged between partners. The only stipulation according to the Qur'án is that intercourse should not take place while a woman is menstruating. However, other forms of sexual pleasure are allowed, so long as a woman's genitals are avoided.

Birth Control in the Secular Perspective

Almost all forms of birth control are thought to be permissible in Islam. Those that are not accepted include surgical sterilization (unless it is medically necessary), as it is viewed as a form of castration as well as alters the body without need, and the withdrawal method, because it interrupts a woman's pleasure and prevents a woman from conceiving if that is what she wants.

However, the withdrawal method may be used if the woman agrees to it. Birth control use may be allowed for various women. Instances when Islam permits the use of contraception include:

- i. Allowing a woman to rest between pregnancies
- ii. Preventing the transmission of infectious disease, such as an STD
- iii. A women's health requires the use of birth control
- iv. A husband cannot financially support more children (Khalid F.A, 2004)

The above stipulations occur in the following statement of Scholars which speaks of withdrawal at the time of ejaculation so that no drop of semen could be deposited in the vaginal passage of the wife in order to control birth.

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. (Yusuf M.G 2007). Birth control and family planning are used interchangeably and the two words are like the two sides of a coin. While birth control may be taken as considering the number or reducing the number of children a person may give birth to, family planning is equally perceived as scheduling or restricting how to go about giving birth to a reasonable sizeable and manageable number of children by the individual family units. The essence of birth control or family planning is to give birth to a number of children which the individual family unit system can cater for adequately so that such children may not constitute nuisance to the society. (Usaid P. 2005)

The Concept: Birth Control

Birth control or family planning in this sense does not refer to given birth to a maximum of four children as proposed by the Nigerian government a few years ago, but to give birth to a manageable and caterable number of children by individual family. (Moazam F. 2006)

An P family may have the financial strength and all the resources to cater for ten children while a Q family may not have more than enough resources to cater for two children. So, while the P family is giving birth to ten children, the Q family should not go beyond two with the wrong notion that the government has said four children is the maximum (Harmona O.A and Hunye K.S, 2007). Explain how the New Riverside University dictionary defines birth control "as voluntary limitation or control of the number of children conceived especially by planned use of contraceptive techniques." They perceive birth control in a general term to mean the prevention of pregnancy, which is also referred to as contraception. Birth control refers to family planning according to (Folorunsho M A, 2007). Folorunsho (2007)

quoting Manji Sees family planning as a way of thinking and living that is adopted voluntarily upon the basis of knowledge, attitudes and responsible decisions by individuals and couples in order to promote health and welfare of the family group and thus contribute effectively to the social development of the community. (Yusuf M.G, 2007) on his own sees birth control as a device to check conception in any way opposed to

God's intention. To him, "this device is a speedy measure of curtailing population which is abhorrent." Yusuf M.G (2007, P. 184). Yusuf however recognizes that in a special case, birth control can be used in form of "Azl" which means coitus *interruptus* at the point of orgasm before ejaculation. This according to him must be done with the consent of the (wife) sexual partner who should not be denied of enjoyment at the peak of sexual intercourse. (Adeniji L.A and Haidaina R.T, 2007) are of the opinion that it is not possible to give a satisfactory definition of family planning. According to them, definitions differ as the philosophies differ. (Adeniji L.A and Haidaina R.T, 2007).

Historical Review of Birth Control in Islam

Birth Control or child spacing or family planning as interchangeably used was as old as the advent of Islam. After the advent of Islam, it was also practiced among the Muslims and Prophet Muhammad (SAW) was said to have approved it with moderation. The moderation he did was to approve the practice of "Azl" as a measure to birth control. According to Usama:

"It is narrated by Usama that a man came to the Prophet and said, "O Messenger of Allah! I separate myself away from my wife during sexual intercourse (*al-'uzl*). "The Prophet then asked, "Why do you do so?" The man replied that he did so that he might not harm the child.

The Prophet then replied, "If there was any truth about harming the child, the people of Persia and Roe would suffer from the same harm" (Sahih Muslim, Vol. 4, p.159)

One reporter of the tradition Sufiyan commented that if this were to be something prohibited, the Qur'an would have prohibited them from doing so. There are other traditions which support the practice of "Azl" as a way to control births by Muslims when Prophet Muhammad (SAW) was alive. (Ibn al – Ash'ah, S) This is to show and establish the fact that birth control has been an issue right from the early days of Islam and not an innovation as a group of Muslims perceive.

Although other forms of medical contraceptives present today were not in existence during the time of Muhammad (SAW) 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. Therefore, the issue of birth control

even though "Azl" was approved and used during the Prophet's time (SAW), but if other medical contraception's are now discovered today which are not dangerous to the man or woman and which will not bring permanent blockage to child bearing, there will be nothing wrong to adopt and use them for all that we want to achieve is the same result as we shall get from the practice of "Azl".

Justification for Birth Control in Islam

Birth control has been established to be as age long as the advent of Islam and throughout the stages of its development. It is therefore not a new issue or an innovation in Islam, but what may be new will be the modern trends and scientific approaches which have been adopted in carrying out birth control. If "Azl" had been practiced during the lifetime of the Prophet (SAW) and approved by him, there is no doubt that the needs and necessities for its practice could as well been very expedient. This expediency as far back as during the life of the Prophet (SAW) brings about the justification for birth control in Islam today. First and foremost, the primary aim of birth control is to bring about wanted births. Many people hold a wrong view of birth control. What comes to their mind anytime they hear or come across birth control is that it refers to an attempt not to give birth to children or that pregnancy should be aborted? This is not correct. Birth control is 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 and 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. When a family has made this kind of plan for a child, it is not enough.

The family should equally plan for the good health of the mother i.e. giving the mother some space intervals between one birth and another. Another reason for birth control in Islam is to guide against unwanted births. Some families do get into unwanted births which they did not adequately prepare for. This at times they say is as a result of mistake or carelessness on their part or on the part of their wives. When they find themselves in this situation, it affects everything they do and may alter their other plans completely. It may sometimes lead to losing golden opportunities which they may not have the opportunity of gaining again. If such family is carrying out a house Project for instance, it may obstruct work on the project which may be difficult to accomplish any other time. It may and has sometimes affected the schooling of such unwanted births or others.

There is no doubt that unwanted births have resulted into serious problems and sometimes have caused damages and disasters in the families where such occur.

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. (Birth control and Religion, 2008). Qur'an supports this move as it says verily:

The mother's shall give suck to their children for two whole years (that is) for those (parent's) who desire to complete the terms of suckling (Q2:223) In another verses

.... His mother bears him with hardship and she brings him forth with hardship and the bearing of him, and the weaning of him is thirty (30) months (Q46:15)

Ibn Abbas justified the two verses that when the child spend the normal period (9 months) in womb of her mother should be breast feed for one and half years (1½ years). When the child born abnormal (i.e. less than 9 months) should be breast feed for complete two years (2years).

From the below table you will understand the opinion of Ibn Abbas on Child spacing in Islam

Qur'an 46:15	30 months
Qur'an 2:223	2 years = 24 months
Total	6 months

The great scholar, Ibn Qayyim, has analyzed and explained the two Qur'anic and interpreted them jointly in the following words:

"There were two different situations resulting from having sexual intercourse with a nursing mother. One was that it would be harmful to the child if sexual intercourse took place with the nursing mother. Although this harm was not in any way comparable to the crime of killing or murdering the child, still, because of the possible harm to the child, the Prophet forbade sexual intercourse with the mother. But this restriction does not become part of declaring it unlawful (*haram*). The Prophet also wanted to forbid this act in order to bar the way to harm occurring (*sad adh-dhari'ah*). But then the other aspect came before the Prophet, that by forbidding sexual intercourse with the mother for such a period other evils might come into existence-like adultery and prostitution. It can particularly affect young people and passionate individuals who might fall easy prey to adultery and prostitution. Therefore, the Prophet said that sexual intercourse with nursing mothers should be allowed. Besides, the practice of the two great nations of that time was also before the Prophet and hence the Prophet did not declare sexual intercourse with a nursing mother forbidden. ('Abdur-Rahman I. D. 1994) Quran says:

“Allah wants to ease your problems. He does not want to be harsh upon you.”
(Q2:184)

(Farzameh Roudi-Fabini, 2004) is of the view that the Qurʾān prohibits not birth control nor does it forbid a husband or wife to space pregnancies or limit their number. (Dr. Omran, 2004), expresses 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 in any enemy territory. To avoid producing children in times of religious decline. Birth control is necessary to enable parents prepare separate sleeping arrangements for boys and girls when they reach the age of puberty. Muslim scholars have interpreted the Qurʾān’s recommendation of two years of breastfeeding and the Prophet’s recommendation against pregnancy during lactation as an endorsement for child spacing. Within these two years, rather than avoiding intercourse which could bring hardship on the couple, they are allowed to use contraception. Birth control helps to prevent material and infant deaths which result as a result of short interval pregnancies and child deliveries, (USAID, 2005). The Assembly of *Darulifta* realizing that birth control could indeed improve the quality of lives of the people launched a fatwa- a juristic decision in support of birth control on March 10, 2004. (USAID, 2005).

Is birth Control Permissible in the *Shari’ah*?

So far we have discussed the use of contraception in order to avoid greater harm to Muslim parents. Present day contraceptives are used primarily as a deliberate measure to obstruct the fertilization of the human egg in order to curtail the frequency of births either as a measure introduced by various governments in the from the Western world. Pills and IUDs are the most frequent methods used since they have proved to be most effective in the prevention of birth.

From the point of view of Islamic Law, the practice of birth control without any of the legitimate reasons that we have discussed before is not allowed since it accounts to losing one’s trust and faith in Allah. Birth control movements are generally based on an unfounded fear that the population increase will result in scarcity of food for the human race in the world. But Allah’s lands are vast, and many food resources such as the seaweeds which are highly nutritive have not been explored as yet.

The vast areas of waste land lying untouched in the world have great potentialities once brought under cultivation. Modern technology and expert hands can convert them into fertile lands to provide food for millions of people. The Malthusian theory of population which says that food stuffs and other necessities grow by arithmetical progression while the population grows by exponential progression has been proved wrong in recent times. Likewise the other theories

which give a grim picture of the world if population growth is allowed will equally be proved wrong as time goes on.

Unless contraceptives are used in the legitimate situations we have discussed before, they are in fact unlawful. There are some apologetic Muslim scholars who feel that this is an exaggerated view', and labour to explain that lawful fertilization of the ovum depends upon a number of steps, none of which is a mandatory obligation. These include marriage, intercourse, and continuation of it till ejaculation. Moreover, masturbation, which is a deliberate waste of the fertilizing force, is said to be permissible when fornication is otherwise feared, according to some jurists. General prohibition conflicts with these realities.

In reality, fornication and masturbation are two different things altogether. Fornication is *zina*, a great crime in the *Shari'ah*, and highly injurious to the *ummah* and corrupts society as a whole. Masturbation is something personal and at the most one resorts to it at the risk of one's own health. It has no repercussion on others whatsoever. It is also an evil, but a very minor one compared to *zina*. (Donna L.B, 2004) Pills and IUDs also have some dangerous side effects, and one resorts to these contraceptives at one's own risk, only in legitimate situations. According to the established principle of the *Shari'ah*, if there is a choice between two necessary evils, the lesser evil must be chosen. (Farzaneh, R.F 2004)

Birth Control Measures in Islam

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

- (i). **'Azl- Withdrawal before Ejaculation:** -*Azl* refers to the *coitus interruptus*. This is the withdrawal of the man's genital organ from the vaginal of the woman when the man reaches orgasms before ejaculation to prevent sperms from being deposited into the female's ovary. 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.
- (ii). **Safe Period:** Safe period according to (Adeniji L.A and Hadaina D.T, 2007) is known as the calendar rhythm method. It is about 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. (Adeniji and Hadaina, 2007) consent to the fact that ovulation will always occur in women two weeks before the onset of the following menses. This perhaps is what prompt 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 vaginal, 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.

(iii). The Temperature Method: (Adeniji L.A and Hadaina D.T, 2007) describe temperature method as 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. (Adeniji and Hadaina, 2007) submit that, "it has a success rate of about 99.5%".

(iv). Barriers Methods: (Ugwu I.G, 2007) describes barriers methods as 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). (Harmona and Hunge, 2007) describes the diaphragm as 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.

(v). 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; According to (Ugwu I.G, 2007) they are pills, injections and implants. (Harmona and Hunye, 2007) are of the opinion that the administered pill, patch, shot or ring in hormone medications contains manufactured forms of the hormones estrogen or progesterone. They expressed the three ways through which hormonal methods work such as preventing a woman's ovaries from releasing an egg each month, causing the cervical mucus to thicken making it harder for sperm to reach and penetrate the egg and thinning the lining of the uterus which reduces the likelihood that a fertilized egg will implant in the uterus wall.

(vi). Intrauterine Device IUD (IUCD, Copper T, The Loop): This is a birth control method which prevents the man's sperm from fertilizing the woman's egg. The IUD is a small object or device that is inserted in the womb by a specially trained health worker. (Harmona and Hunye, 2007) says, "The IUD does not stop the sperm from

entering the uterus, but rather it changes the physical environment of the reproductive tract thereby prevents the egg from being fertilized and implanted in the uterus”.

Unisalmic Methods of Birth Control

Sterilization: (Donna Lee Brown, 2004) sees sterilization as the permanent loss of fertility. All the schools of thoughts in Islam go against sterilization. This is because some jurists equate sterilization to castration. Donne expressing *Al-Khayyir's* view who is of the opinion that classical jurists have considered 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”. A group of believers who adopt celibacy and consequently undergo sterilization are of the opinion that getting married and rearing children will distract their attention from the worship of their God. So, their intention is to fully concentrate on the worship of Allah and if possible settle in a quiet place where they would not have anything to do with the people. They believe that raising a family will not give them free hand to fully concentrate on their worship.

They have however made up their mind and have closed door to reopen rising of family. Islam does not support that one either a man or woman should by his hand block his reproductive system for whatever reasons. And so this is the reason why Islam has not approved sterilization as a method acceptable for birth control.

Abortion: Abortion is termination of a formed foetus, 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 Qur’ān has said,

“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.” (Q17:31).

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 foetus. Quran says:

“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.” (Q22:4)

The stages of development expressed in the above verse have been identified to be three by Donna Lee Brown, (2004). He says,

"The three stages listed beyond the earth or clay stagesemen, blood clot, lump of flesh-were each assigned a 40-day duration by a hadith text; which further goes thus, "The Prophet 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."

Following this reasoning, the jurists hold the belief that aborting the foetus within the first 120 days would be permitted. A few of the jurists hold the belief that aborting the foetus 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 the following: Donna Lee Brown, (2004) expressing Omran's views states that abortion is generally permissible if the 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 foetus, abortion can be performed anytime. Khalid Farooq Akbar (2004) 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."

So, even though abortion is not approved in Islam but where the lives of both the mother and foetus 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.

CONCLUSION

Birth control or family planning as it is so called is not a concept or an issue just coming into existence. 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 society. And when these effects manifest, all the people will feel it irrespective of their religious inclinations. 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 thugs at motor parks, some turn to armed robbers and they get addicted in drugs. They form the group which politicians use as political thugs. These are the people who are easily initiated into secret cults under one guise or the other. They unleash terror on innocent members of the society, perpetrating one evil or the other. They go about carrying out daylight

robbery in our banks with sophisticated weapons and forcefully collecting people's property from them. At times, they go to the extent of killing innocent armless members of the society and throw many families in sadness and sorrow. A little random survey (interview session) conducted confirmed that majority of our young ones who are found in polygamy and who have given birth to about (8) eight children or more from one, two or more, wives have found themselves in this situation not because they wanted it but because they were careless and carefree and they could not discipline themselves to stay with their wives alone. Interviews sessions conducted with some of them who were teachers, lecturers, (Abdulrahman, M 2004) (Okada) motorcycles riders and taxi drivers confirmed that it was when they had illicit intercourse outside their matrimonial homes and those they met with became pregnant that they were forced into polygamy. (Ambali M.A 1997)

Meanwhile, when they were asked if they actually had resources which could finance their family. They confessed that if they had option, they would dare not get into it. When asked if they had the knowledge of what birth control or family planning is? Their response was that, they only hear of the terms on radio and television but that they did not understand what it means at all. It was also observed that this practice was very common, popular and is on the high rate among the illiterate people. One hereby draws a conclusion that for the practice of birth control to be well adopted and put into practice, there will be the need to carry out enlightenment campaigns for members of the society. Each religious group or denominations should take up the task to educate the followers of benefits to be derived in it and the dangers if not adhered to. Seminars and workshops have been done 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.

Recommendation

Imams of different mosques should make Birth Control their topical issue during daily prayers and on Fridays 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.

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