



Understanding Human Sexuality Seminar Series 4

DISCUSSANT

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Comments on

Sexuality and the Marriage Institution In Islam : An Appraisal

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The views expressed in this presentation are solely those of the author and do not necessarily reflect the views of the ARSRC or any organisation providing support

Preamble

The impetus for the appraisal of the Islamic teachings on Sexuality and Marriage Institution in Islam is two-fold. First, it is to awaken the Muslims' consciousness and sense of responsibility about the jewellery offered them in Islam on a platter of gold, which so far they have not used to adorn their necks. The Islamic teachings on sexuality and marriage institution offer a veritable instrument of building a harmonious family unit. Axiomatically, where there are harmonious family units, we shall have a harmonious society. Secondly, the appraisal gives the non-Muslims, perhaps for the first time in some cases, a taste of the integrated plan that Islam has for humanity on sexuality and marriage institution. The current campaign on the rule of law, accountability, transparency, fair play, pleasure, peace and progress the world over, is subsumed at this level of human development. It is pertinent, therefore to call on the Africa Regional Sexuality Resource Centre to pursue more of this exposé on the Islamic Teachings. The modern man may find panacea for his numerous nagging and perennial problems.

The Merits of the Paper

The author, Hajiya Bilkisu Yusuf, did justice to the theme of her discourse as she used orthodox method of research in data collection and data analysis. In data collection, the author was detailed and comprehensive. In data analysis, she was thorough and in inferences and conclusions, she was honest. Of particular interest to the readers is her honesty as she did not allow her Islamic faith and her Fulani / Hausa ethnic background to becloud her sense of judgment. For example, while she found the Islamic teachings capable of positively shaping human life and the society at large, she lamented the failure of the Muslim woman to take the advantage of the Islamic provision to improve her lot; the failure the author blamed on the resolve by the *Ulama* (Muslim scholars of the Fulani / Hausa stock) to substitute the Islamic precepts with the Fulani / Hausa cultural norms (p. 11).

The author enthused her readers when she narrated the incident of a minor who fell victim of forced marriage. Courtesy of the Islamic law, she (the victim) was permitted by the Prophet Muhammad (S) to dissolve the forced marriage. The author was eager to announce that under the Islamic law, a marriage contracted without the bride's consent is invalid. The import of this episode is that the minor lacks the required intellectual ability to make rational decisions on sexuality related issues. So, she must be allowed to attain physical and intellectual maturity before marriage.

The thrust of the paper is the elucidation of the Islamic contribution to the issues of Sexuality and Family Health. According to the author:

Sexuality education in Islam begins from home and through the process of Tarbiyah, the proper Islamic upbringing of children.
(p. 4)

In the next six pages or so, the author pointed out the integrative approach of Islam to sexuality education as well as to the family health.

The author slightly went beyond the scope of her theme when she discussed the gender issue as it affects the welfare of the Muslim woman particularly in the Hausa-Fulani community. She wondered why the Hausa-Fulani men were reluctant or failed to use Islamic teachings in addressing the male chauvinism syndrome.

Lapses

The lapses in the paper are in categories. First, there are a few typographical errors / spelling mistakes:

| Page | Error | Correction |
|------|-----------|------------|
| 3 | Alaika | Alaiha |
| 4 | Tarbiyya | Tarbiyah |
| 5 | Madrassah | Madrasah |

Secondly, there is a theological misinterpretation e. g. the author asserts:

Islam allows the marriage of minors (p. 12).

What is her authority? Consent of the two parties in marriage is a major condition to be fulfilled before marriage can be contracted in Islam. If consent is compulsory, it presupposes that the two parties must be physically and mentally mature to be able to take informed decisions. A minor who does not know what marriage involves must not be dragged into the marital bondage. And the episode narrated by the author (p. 7) is a negation of her assertion that *Islam allows marriage of minors*. The author should recall that the problem of VVF, which is now a serious concern in the northern parts of Nigeria is as a result of marriage of minors. (See Doi 1984: 123, Abdal 'Ati 1982: 76 – 9, M. M. Ali 1986: 618 – 9).

Thirdly, the author also asserts:

Urbanization and education is changing this. (p. 12)

If, according to the author the 19th century Islamic scholar – Usman Dan Fodio, waged war on the evil practice of exploiting women in various ways, if the Islamic law has enough provisions on the freedom and education of women, why should the Hausa-Fulani communities still have to wait for *urbanization and education* to change their attitude to women affairs?

General Comments

From the Hajiya's presentation, three matters arose. They are:

1. The Nature of Islamic Teachings.
2. Gender Issues
3. The Constraint militating against effectiveness of the Islamic Teachings in Nigeria.

Nature of the Islamic Teachings

The nature of the Islamic Teachings is embodied in universality, integrativeness and efficacy. This means that the Islamic provision on any issue affecting man is characterized by universality; that is, it is suitable to any nation under the sun and it is absolutely devoid of any ethnic colouration. And by integrativeness, it means, the Islamic provision is enforced through an integrative approach and that its effectiveness is guaranteed.

With special reference to sexuality education and the Marriage Institution, it should be noted that HIV/AIDS and other sexually transmitted diseases are as a result of indiscriminate sexual intercourse. So, Islam provides regulations that govern sexual relations in a manner that guarantees decency, orderliness, sound health and good living. The Islamic regulations are enforceable right from infancy to the age of menopause and beyond through an integrative approach which distributes the regulations across all the stages of man's education and development. The integrative approach of Islam is superior and contrary to the practice of reducing Sexuality Education or Family Planning to one single classroom curriculum.

If, for example, as shown by Hajiya (p. 2):

*Sexuality education addresses the biological, socio-cultural,
psychological and spiritual dimensions of sexuality ...*

and if

family life education as a subject aims at helping young people to understand their physical, emotional and social factors, which influence the development of sexual maturity ...

objectives such as these cannot be obtained in one single subject. This could be attained, according to Hajiya, through a life-long education beginning from infancy.

The bottom line in the whole enterprise of Sexuality Education, Reproductive Health, and Family Planning is ***living a healthy sexual life***. What will make one live a healthy sexual life is the aggregate of one's total education and not one classroom curriculum. A student will pick the notion of sexuality or Family Health from various classroom activities.

The integrative approach equally applies to family planning and child spacing. This is a matter of taste and not a classroom instruction. Taste in this context means a graduate's desire to dress in a particular way, choice of meal, thirst for a flat (a private apartment), quest for a car, ambition to send children to private fee-paying schools etc. All these choices and not a classroom curriculum will inform the size of the family one keeps.

The efficacy of the Islamic provisions on any issue – Sexuality Education not an exception – is attributable to its divine source. The reason being that God, the Creator of man is the one that determines man's activities and He also designs and prescribes the *modus operandi* of conducting the activities. So, the *modus operandi* of conducting man's activities coming from the All-Knowing is bound to be efficacious. There are records of places where the efficacy is experienced e.g. *Al-Amnul ladhi na'ishuhu* meaning, the security we live in by Gazzaz (1989).

Gender Issues

In Islam, the gender issue is resolved as man is informed to accept woman as a partner, a responsible individual for that matter, with rights, duties, liberty and choices. The Qur'an states thus:

Your women are your garment and you are their garment
(Q 2: 228)

The symbolic term *garment* used in the verse aptly describes the relationship between husband and wife. The relationship is that of partnership, comradeship and indispensability. It means that wife as her husband's garment becomes indispensable to him and vice versa. In a state of indispensability, the notion of superiority / inferiority is non-existent. Islam prescribes rights and duties on each party and unless each party plays his / her role, the family and the society at large will be enveloped in chaos. Since responsibilities and rights are shared, dignity and respect should also be shared. This is just the tip of the iceberg. The Islamic perception of gender issues requires a separate study.

The Third Matter Arising

Why is it that the efficacy of the Islamic teachings is not felt in Nigeria at large?

The Islamic teachings' (though universal, integrative and efficacious) efficacy might not be felt in the entire country due to the cultural conflict experienced in the country. The Islamic teachings will be effective only in a state of complete / total adoption. Unfortunately, the western orientation imbibed by Nigerians has imposed on them cultural dualism. Nigerians wear dual status as they operate concurrently religious and secular principles, reducing the religious influence – in the process – to the periphery of their private and corporate life. For example, they are Muslims or Christians only when they are in the places of worship. But as they conduct their educational, commercial, political, judicial and industrial activities, they apply secular maxims while jettisoning religious maxims. The efficacy of the Islamic teachings on a large scale will be experienced only when the Islamic maxims are applied to the whole gamut of man's activities now erroneously tagged secular. Of course, individuals who make concerted efforts for total compliance with the Islamic tenets will surely enjoy the efficacy.

Conclusion

I would like to conclude this discussion with two germane observations. First, that the paper in question is rich and extensive. And that the concluding part, which embodies recommendations should be given a serious consideration in terms of implementation.

Second, the size of the paper notwithstanding, each of the issues appraised in it such as Sexuality Education, Family Institution, Family Planning, Reproductive Health, HIV/AIDS, Sexually Transmitted Diseases and Gender Issues should constitute a separate paper for an in-depth study and focus.

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