

Ony Linda - Sexual and Reproductive Rights in Islamic Perspective and Kemuhammadiyah

by Ony Linda Uploaded By Arik Suprapti

Submission date: 06-Apr-2023 01:37PM (UTC+0700)

Submission ID: 2057351823

File name: artikel_sexual_repro_Nurul_n_Ony.pdf (214.04K)

Word count: 5617

Character count: 29388

Sexual and Reproductive Rights in Islamic Perspective and *Kemuhammadiyah*

Nurul Huriyah Astuti¹ and Ony Linda¹

¹Study programme of public health, Faculty of health sciences, Universitas Muhammadiyah Prof. Dr. HAMKA, South Jakarta, Indonesia

Keywords: Islamic perspective and *kemuhammadiyah*, Reproductive rights, Sexual right

Abstract: Research on the verses of the Qur'an and Hadith of the Prophet Muhammad SAW obtained more than 30 surah or chapters (26.3%) and 93 verses (1.5%) talked about sexual and reproductive rights. This study aims to provide an understanding of sexual and reproductive rights in the perspective of Islam and *Muhammadiyah*. This study used a qualitative research design with library review methods (literature review) and deep interviews. This study explains six principle points of sexual relations in Islam: sexual relations is one of natural tendencies, not a taboo object; sexual intercourse is carried out in a sacred frame of marriage; one of the conditions for marriage in Islam is *baligh* (mature); sexual relations are carried out by a pair of different sexes couples; sexual relations have three goals; and there are restrictions in sexual relations. This study showed that the main sources of reference in the Islamic religion have absolutely regulated sexual and reproductive rights. Those references have profoundly considered the rights of human.

1 INTRODUCTION

Reproductive health was initiated as a separate discipline in the early 1970s at a congress on women's health in Brazil (Mohammad, 2007). Over time, the concept of reproductive health became more widespread. At the 1994 World Population and Development (ICPD) conference in Cairo, 179 countries in the world had set up an international framework on health and reproductive rights (UNFPA, 1994). At the conference, world leaders, UN agencies, and representatives of Non-Governmental Organizations (NGOs) agreed on a plan of action that included a chapter on health and reproductive rights in their agreements, namely Chapter VII. In this chapter a definition of reproductive health was formulated which was then followed by the formulation of sexual rights and reproductive health known as Sexual and Reproductive Health and Right (SRHR) (UNFPA, 1994).

Sexual health in the ICPD 1994 was formulated as fundamental to achieve physical and emotional

health and well-being of individuals, partners, and families. It was also important for the economic and social development of the society and the State (WHO, 2010). Reproductive health is a perfect state of physical, mental, and social welfare, instead of a mere absence of reproductive diseases or disabilities. Reproductive health is related to reproductive processes, functions, and systems at all stages of life. Therefore, in the ICPD 1994, it was stated that reproductive health has an impact on the ability of everyone to gain satisfaction in the safety of their sexual lives and they have the ability to reproduce and the freedom to determine when, how, and how often they have sexual intercourse (UNFPA, 1994). The consequence of this is that every male and female must be informed and has the access to a family planning method of their choice that is safe, effective, affordable, and acceptable, as well as other methods of their choice for non-resistance fertility arrangements law. Besides, they, especially women, should also have rights to access appropriate health services to ensure safe conditions during pregnancy and childbirth. Further, all couples should have the

16

Astuti, N. and Linda, O.

Sexual and Reproductive Rights in Islamic Perspective and *Kemuhammadiyah*.

DOI: 10.5220/0008370400120019

Proceedings of the 1st International Conference on Social Determinants of Health (ICSDH 2018), pages 12-19

ISBN: 978-989-758-362-9

Copyright © 2019 by SCITEPRESS – Science and Technology Publications, Lda. All rights reserved

best opportunity to have healthy babies (UNFPA, 1994).

Indonesia is a country with the largest Muslim population. It is a necessity for every Muslim to always synchronize every attitude and behavior referring to the guidance in his or her religion. Previous research stated that Islamic Shari'a is a code of moral and religious law from Islam (Gbadomosi, 2011). Shari'a refers to the whole system which includes the terms of reference governing the lives of Muslims, either public or personal life. Islamic Shari'a involves law and institutions that implement Islamic law originating from primary sources, namely the Qur'an and Sunnah, *ijma'* (scholars' consensus), and *qiyas* (analogy) (Gbadomosi, 2011). Global sexual and reproductive rights have been agreed upon in the 1994 ICPD in Cairo, but it is also important to know how sexual and reproductive health rights are in accordance with sharia requirements. Long before 1994, Islam had regulated sexual and reproductive rights for its followers. The Islamic concept related to sexual and reproductive rights can be seen in many verses in the Qur'an. Previous research on the verses of the Qur'an and the Hadith of the Prophet Muhammad showed that more than 30 surah or chapters (26.3%) and 93 verses (1.5%) spoke about sexual and reproductive rights (Janghorban, 2015). The verses consist of 19 chapters (63.3%) of Makki verses and 11 surah or chapters (36.7%) of Madani verses. The chapter of Al-Baqarah, according to the study, is the most revealing verse about sexual rights and reproductive health. The Qur'an respects every human being, both male and female, related to sexual and reproductive issues. According to the Qur'an, it is a shared responsibility, both wife and husband, to carry out sexual and reproductive relations with full peace and satisfaction in their married life (Janghorban, 2015). An article mentioned that it is nearly impossible that humans consider health issues as well as sexual and reproductive rights without simultaneously considering the role of religion (Gbadomosi, 2011).

This study aims to provide an understanding of sexual and reproductive rights in the perspective of Islam and *Kemuhammadiyah*an. The side of *Kemuhammadiyah*an was taken because Muhammadiyah was an Islamic organization that had been established since November 18, 1912 by KH. Ahmad Dahlan. This Muhammadiyah organization is one of the largest religious organizations in Indonesia. Muhammadiyah has a *Tarjih Majlis* which releases fatwas or instructions not only relating to the lives of Muslims but also

regarding the disputed issues of Muhammadiyah cadres.

2 SUBJECTS AND METHODS

This study used a qualitative research design through library review methods (literature review) and deep interviews. This research conducted a content analysis of Arabic, English, and Indonesian literature. Those literatures were mostly obtained on the internet, but it is ensured that they are of good quality. On behalf of Arabic literature, the researchers were assisted by experts who are accustomed to translate various Arabic texts.

After the sources were obtained and translated (specifically in Arabic language), the researchers made a matrix related to the theme of the research. The first matrix was about the rules of sexual relations in the perspective of Islam and *Kemuhammadiyah*an, while the second one was about sexual rights. Furthermore, the researchers conducted in-depth interviews with informants of the Aisyiyah Central Leadership that represent Muhammadiyah's views on sexual and reproductive rights. Aisyiyah is an autonomous female organization of Muhammadiyah that has experience in concepts and practices; one of them is sexual and reproductive rights.

3 RESULTS

Islam has certain rules in sexual relations. The results of this study indicated that there were six rules of sexual relations in the perspective of Islam and *Kemuhammadiyah*an. The six rules included the principles and conditions of sexual relations, the purpose of sexual relations, and prohibitions in sexual relations. In more detail, the six rules were (1) sexual relations in Islam are natural tendencies (*fitrah*), not taboo objects, (2) sexual intercourse is carried out in a sacred frame of marriage, (3) the requirement for marriage in Islam is mature (*baligh*), though there is no explicit limit on the minimum age, both for men and women, (4) sexual relations are carried out by couple of different genders, namely men and women, (5) sexual relations have three objectives, such as reproductive function, health function, and recreational function, and (6) there are prohibitions in sexual relations like having incest, having sexual relations in menstruation and

postnatal period, having special relationships with siblings, and having anal sex (table 1).

Table 1: Rules of sexual relations in the Islamic and Kemuhammadiyah

Rules of Sexual Relations/Intercourse in Islam	
1.	Sexual relations in Islam are natural tendencies (<i>fitrah</i>), not taboo objects.
2.	Sexual intercourse is carried out in a sacred frame of marriage.
3.	The requirement for marriage in Islam is mature (<i>baligh</i>), though there is no explicit limit on the minimum age, both for men and women.
4.	Sexual relations are carried out by couple of different genders, namely men and women.
5.	Sexual relations have three objectives, such as reproductive function, health function, and recreational function.
6.	There are prohibitions in sexual relations like having incest, having sexual relations in menstruation and postnatal period, having special relationships with siblings, and having anal sex.

Aisyiyah's view of sexual relations rules in Islam is:

"... from the beginning they were created into men and women with the sexual consequences of hormones that regulate the body's metabolism. One of the distributions of sexual hormones is the function of sexual relations. Well, the desire for the function of sexual relations is what then in the context of religion must be maintained properly ... the term is purity. If you put it in the wrong place? Yes, because it has an influence on the body's metabolism, one day it can be dangerous to cause illness ... cervical cancer.... sexually transmitted disease". (Dr. S.PYH, M.Kes, SPOG).

As for sexual rights and reproductive health, the results of the study obtained nine sexual and reproductive rights in an Islamic perspective. This finding confirmed that Islam also pays attention to reproductive health issues. As for the ninth sexual and reproductive right in Islam were (1) every Muslim has the right to get sexual education/reproductive health from an early age in accordance with the concept of Islamic law; (2) husbands and wives have the right to have sexual relations guaranteed for their health, both physically and mentally, through marriage institutions in accordance with the concept of Shari'a; (3) husbands and wives have the right to get sexual satisfaction and pleasure in a balanced manner; (4) the husband has the right to ask for sexual relations with his wife

whenever he needs, but the husband must also understand the condition (obstruction) of his wife, such as menstruation, tiredness, illness, etc.; (5) the wife has the right to get stimuli (foreplay, etc.) before sexual intercourse takes place; (6) husbands and wives have the right to get the privacy and confidentiality of every sexual relationship they do; (7) the wife has the right to earn a living from her husband because reproductive terminology in Islam is not only biological but also social; (8) every fetus has the right to live, grow and develop. Therefore abortion is only obtained in very emergency situations with consideration of jurisprudence; and (9) every couple has the right to regulate the birth of a child (not to limit the number of children) by the method of contraception that is permitted by the Shari'a (table 2).

Table 2: Sexual and reproductive rights in Islam.

Sexual and Reproductive Rights in Islam	
1.	Every Muslim has the right to get sexual education/reproductive health from an early age in accordance with the concept of Islamic law.
2.	Husbands and wives have the right to have sexual relations guaranteed for their health, both physically and mentally through marriage institutions in accordance with the concept of Shari'a.
3.	Husbands and wives have the right to get sexual satisfaction and pleasure in a balanced manner
4.	The husband has the right to ask for sexual relations with his wife whenever he needs, but the husband must also understand the condition (obstruction) of his wife, such as menstruation, tiredness, illness, etc.
5.	The wife has the right to get stimuli (foreplay, etc.) before sexual intercourse takes place.
6.	Husbands and wives have the right to get the privacy and confidentiality of every sexual relationship they do.
7.	The wife has the right to earn a living from her husband because reproductive terminology in Islam is not only biological but also social.
8.	Every fetus has the right to live, grow and develop. Therefore abortion is only obtained in very emergency situations with consideration of jurisprudence law.
9.	Every couple has the right to regulate the birth of a child (not to limit the number of children) by the method of contraception that is permitted by the Shari'a.

Asiyah's view of reproductive health education is:

"Reproductive health is divided into early childhood health and adolescent health. At that early age they did have to be told, even since they were in a playgroup or in a kindergarten ... certainly not from dangerous pictures or porn, which was always feared. Even though ... sexual relations is only one of the domains (reproductive health, red). The other domains are how to maintain their health, how they can do screening and so on. ... If in early reproduced (age, red), they actually know, "I am a woman, you are man", then in the lesson given how they give respect to the opposite sex. If it can be embedded from a small level, no need to be afraid of the current situation. From childhood they already knew that there were women who had to be respected, there were men who had to be respected". (Dr. SPYH, M.Kes, SPOG).

While the Aisyiah's view of the wife's obligation to serve her husband's sexual desire is:

"... for a woman, to serve sexual relations with her husband, that is a mandatory law. I think we are firm, compulsory, mandatory in the context of being in the direction of the harmonious and affectionate (sakinah mawaddah wa rohmah) family because this relationship intends not only to improve the welfare and happiness of each individual husband and wife but also to reproduce. So, the context is to make them happy as individuals, as well as to get offspring. In modern science, the wife is recreation and reproduction". (Dr. S.PYH, M.Kes, SPOG).

Then about abortion, Aisyiyah views are:

"... The abortion is permitted but the context must be for strong medical indications and because of rape victims".

"... because it's been 120 days, in spiritual context it is because the spirit has been blown. But actually in the health context... at the age of 12 weeks and above (in fetes phase) is organogenesis, organ formation is completed in the first trimester ... so that we actually become more ... evil ... more inhuman if we end (do abortion, red) above the first trimester. Then second, because the placenta has worked well. The placenta which connects the circulation of the mother to the baby is perfectly closed, so abortion at the age of more than 120 days would cause babies and mothers to be in the brink of death because of the risk of bleeding ...". (Dr. SPYH, M.Kes, SPOG).

Regarding of sterilization, Aisyiyah view is:

"... the context of sterilization is the context of emergency ... if it is for emergency then it can be done ... for example... it is clear having Caesar's

history for the third time... if it's the third time, of course he must be sterilized because of what? The risk is very big. Even for operations that are more than two, there is opportunity for spontaneous torn of the womb. The pregnant wife of the ninth month did not do anything though the womb was spontaneously torn, then shocked, the number of the case was still below 15%. But as soon as the third case, the risk increases to 40% ... So ... from 10 (pregnant women), 4 of them (having risk, red) were pass away". (Dr. SPYH, M.Kes, SPOG).

4 DISCUSSION

Sexual relations according to Islam are natural tendencies, instead of a taboo object. In the hadith of Rasulullah SAW, he said (Abu Dawud Dawud as-Sijistani bin al-Asy'as, 2008):

"From Sa'ad bin Abu Waqash, he said; "The Prophet sallallahu aih alaihi wasallam once banned Uthman ibn Mazhun to be single forever, because he was only going to worship Allah. Suppose He allowed it, surely we have emasculated ourselves". (Narrated by Muslim).

Ibnul Qoyyim Al-Jauziyah cited the medical experts' opinion which said, "Sexual relations are the best reason for maintaining health." Furthermore, Ibnul Qoyyim Al-Jauziyah also said that if the sperm are continuously held and not released, it would cause despicable disease such as anxiety, insanity, headaches, etc. These diseases will be freed, one of which is by often removing sperm through sexual relations with their wives as what it is practiced in religion (Al Jauziyyah, n.d.).

Ibnul Qoyyim Al-Jauziyah also stated three basic aims of sexual relations (Al Jauziyyah, n.d.), such as for reproductive functions, health functions, and recreational functions. Sexual relations that occur, in Islamic law, must be done by a couple of woman (the wife) and man (the husband). This principle is based on the verse of the Qur'an in the surah or chapter of Adz-Dzariat verse 49. Thus, Islam prohibits sexual relations between a pair of humans of the same gender, both gay (man with man) and lesbian (woman with woman). Islam refuses to follow the homosexual lifestyle to fulfill the sexual desires (Bou Hdeiba, 2001). *Sexual relations must also be framed in a marriage, a sacred bond that occurs between a man and woman. As for sexual relations that are not in the frame of marriage, in Islam, it is considered as adultery. It means low immorality and deeds, consisting of all acts of sex*

outside the rules of Shari'a (Bou Hdeiba, 2001). There are at least 27 verses in the Qur'an which explain about adultery, the prohibition to approach it, and that adultery is a cruel act of masturbation, having sex with animals, and corpses, among others (Ar-Rozi, Syarah in Bou Hdeiba, 2001) ⁷

Matured (baligh) condition is the minimum age limit for marriage in the view of the jurists or fiqh experts (Asrori, 2015). However, the definition of baligh in the view of these Jurists varies. In fact, now the marriage law in various countries regulates the minimum age for marriage by reason of reproductive maturity. The reason is that the (aqil-baligh) age of puberty period should have been experienced by everyone in the age range of 14-17 years, where one of the signs commonly used as a benchmark is the arrival of wet dreams (ihtilam). Unfortunately the arrival of ihtilam is often not in line with the maturity of our minds so that not all teenagers who already have sexual maturity have maturity in thinking at once (Adhim, 2004).

The majority of Islamic countries stipulate the average age of marriage allowed for men is 16-21 years. As for women, the minimum age for marriage is from 15-18 years. This a ⁶ difference in marriage is determined because both the Qur'an and the hadith do not explicitly specify the age of marriage. This shows that the differences in the application of the age of marriage in various countries depend on the discipline of Islamic rules (fiqh) adopted as the guideline of the relevant country (Asrori, 2015).

Related to freedom in sexual relations, Islam limits with two conditions: first is menstrual conditions of a wife, second is penetration by anal sex or anal intercourse. In ² the Qur'an surah or chapter of Al-Baqarah verse 222, Allah SWT says:

And they ask you about menstruation. Say:

"It is harm, so keep away from wives during menstruation. And do not approach them until they are pure. And when they have purified themselves, then come to them from where Allah has ordained for you. Indeed, Allah loves those who are constantly repentant and loves those who purify themselves."

The Prophet Muhammad SAW in this matter said:

"The one who has intercourse with his wife in her back passage has disavowed himself of that which was revealed to Muhammad." (Abu Dawud Dawud as-Sijistani bin al-Asy'as, 2008)

Whereas regarding sexual and reproductive rights in Islam, sexual education and reproductive health are on the first rank because of the importance of education on these subjects from an early age.

Among the methods applied by Islam are teaching compassion, educating a child to learn rules of touching and respecting the body, recognizing the limits of part of body which may not be visible (aurat), defecating rules and sleeping rules, playing rules with young children, as well as avoiding physical contact. When children grow up, they are taught about dress rules, asking for permission rules, befriending rules with the opposite sex, and separating male and female beds (Mansur, 2009). On behalf of boys who still do not understand about women, privates, and passions, they are allowed to be with women. But if they are teenagers or close to adolescence (nine years and above) then it is not permissible for them to be with women because they have been able to distinguish the physical look (beautiful or not) and they also can react if they see something interesting (Ibnu Katsir, 1414).

The second right is that Islam stipulates that sexual relations can only be done in a legal marriage institution, which is a very strong one (*mitsaqon gholiza*). The decree is actually not only for keeping offspring (*nasab*) but also for maintaining health for both parties. After marriage, a husband and a wife, each of them has the right to fulfill his or her desire for lust or satisfy his or her sexual needs. That fulfillment is part of worship and getting closer to Allah SWT or *taqarrub* (Rabee, 2011).

¹ Rasulullah SAW said:

God's Messenger(s) said: "In the sexual act of each of you there is a sadaqa." The Companions replied: "O Messenger of God! When one of us fulfills his sexual desire, will he be given a reward for that?" And he said, "Do you not think that were he to act upon it unlawfully, he would be sinning? Likewise, if he acts upon it lawfully he will be rewarded." (Narrated by Muslim) ((Rabee, 2011)

Islam considers that sexual relations can maintain health, perfect pleasure, and happiness of the soul, as well as obtaining the goal of Shari'a. Therefore, Islam never limits the discussion of this issue or even considers it as moral disgrace or weakness if it is discussed in the context of a married couple (Abu Abdullah Qoyyim in Rabee, 2011). The explanation of the third and fourth rights is that Islam understands that the sexual drive of men and women is naturally and instinctively different. For this reason, in Islam, husbands are parties who "demand" their biological distribution to be fulfilled, while their wives are "giving" parties. Nature is also recognized that men often have no power to ¹¹ back their desires (Rabee, 2011). Therefore, it is the duty of the wife to fulfill her husband's sexual desires when he takes her to bed.

Husband's sexual fulfillment must be carried out by the wife as long as the wife does not have obstruction justified by the Shari'a, such as menstruation, tiredness, illness, or others related to Shari'a. These obstructions must also be considered by the husband (Rabee, 2011). On the contrary, Islam also pays attention to the wife's right to get satisfaction in sexual relations. Therefore, Prophet Muhammad SAW said to men who fast during the day and pray at night among his friends, such as Abdullah bin Amru, *"Truly your body has rights over you and indeed your wife has the right to you"* (Rabee, 2011)

In the fifth right, the results of the study explained that Islam forbids a husband to think only of his interests without regard to his wife's feelings and desires when having sexual relations. Therefore in a hadith, Rasulullah SAW said: *"Do not one of you associate his wife as an animal. Start it with stimuli for both of them."* Some ask, *"What is meant by those stimuli, Rasulullah?"* He replied, *"Warm hugs and gentle sayings"*. (Narrated by Abu Manshur and Dailami in Sanadul Firdaus from Hadith Anas) (Rabee, 2011)

The warm hugs and gentle sayings conveyed by the Prophet Muhammad SAW above are part of giving sexual encouragement to women (their wives). A husband must not forget his wife's wishes and should not only think of himself in fulfilling sexual urges. (Dr. Yusuf Qardhawi in (Rabee, 2011).

The sixth right possessed by a husband and wife related to sexual relations is neither telling others what happened during sexual intercourse, both with words and by deeds, nor exposing the shame (secret) that arises from it. Besides, do not mention the hidden beauty of the body as it must be closed according to customs (*al-'urf*) and Islamic law.

The hadith of the Prophet Muhammad SAW said: *From Abu Said al-Khudri "I asked the man who is the worst in his position 13 the Day of Judgment is a man who has intercourse with his wife and vice versa then spreads the secret," (HR. Muslim).*

Once a woman and a man are married and then have sexual relations in Islamic ways, they will deal with reproductive problems. In Islam, human reproduction is not only related to biological reproduction, the process of human creation which starts from the fertilization process of sperm and ovum (egg cells) either occurred naturally or with the help of technology such as IVF/In vitro fertilization technology (Al- qur'an, surah or chapter of annisa verse 1), but also related to social reproduction, the condition in which humans learn

and being taught. There are both responsibility and loving social order in the reproductive process. This means that reproduction is closely related to biological reproduction with human responsibility to establish a good generation and form a social order that is full of love. Without social reproduction, humans cannot survive because humans are essentially social beings who cannot live alone (Aisyiyah, 2014).

In Islam, the reproductive context is not limited to the fertilization process of sperm and ovum. It is also related to the values that govern the occurrence of human growth in childbearing (descent), both those that occur in men and women. In Islam, humans are given guidelines in carrying out the reproductive process so that a perfect physical, mental, and social welfare condition is achieved. Naturally, there is indeed no gender other than women who can carry out biological reproductive processes, namely pregnancy and childbirth. Nonetheless, biological reproduction that is compulsory and provides a light burden for women is balanced with the fulfillment of women's rights by her husband, including giving a living and treating women (wives) in a good way. This is a form of partnership between men and women built by Islam. On one hand, women are given heavy burden, but on the other hand, women are given comfort by earning a living and affection from their husbands. This is what is called social reproduction. This is mentioned in Al-Qur'an surah or chapter of A-Baqarah verse 228 ((Aisyiyah, 2014). If biological and social reproduction is well practiced by each pair, both men and women can carry out their reproductive obligations and rights in a healthy, safe, and comfortable manner (the seventh rights).

The eighth right is that every fetus has the right to live, grow, and develop. Therefore, abortion is only obtained in very emergency situations with consideration of jurisprudence law. Sheikh Al-Qorodhowy stated that the law of abortion is prohibited (haram). Its prohibition increases with the strengthening of the fetes in the womb. At the age of 40 days, the prohibition is less tolerable. A condition of abortion is still permissible if there are acceptable reasons. Though after the first 40 days, the prohibition increases. It should not be done unless there is a stronger reason with the judgment of the jurist. The prohibition has multiplied after 120 days, because it has entered a phase called in the hadith "blown spirit". In this condition, abortion is prohibited except in very emergency situations. Emergency condition must be clear or not suspected.

If it is clear then abortion is allowed and is measured by its levels (Al-Qaradhawi, 2003).

The explanation of the ninth right is that in the contemporary Islamic jurisprudence discourse, there are two terms related to family planning, namely "tahdidun-nasl" and "tandzimun-nasl". They both have different meaning. The first one means birth restriction and the second one means birth control. According to the majority of Islamic scholars (jumhur ulama), "tahdidun-nasl" or birth restrictions are not justified because they violate the human nature. Meanwhile, "tandzimun-nasl" is not prohibited because it is an effort or a work to organize and to plan the family. Thus, in "tandzimun-nasl" there is a concrete plan regarding the time and number of births so that each child born is welcomed with gratitude. "Tandzimun-nasl" is also an effort to prepare a qualified generation so as not to abandon children and their offspring and not burden other people (Aisyiyah, 2014). Related to the explanation above, a cleric named Sheikh Mahmud Syaltut argued that for every Muslim, for every wife and husband, both of them are responsible for providing space for their children's physical and mental growth. Good quality children will provide great benefits to the formation of a large country. This is the reason why Islamic law encourages population growth. It was also a reason for Sheikh Mahmud Syaltut not to accept the concept of family planning which is based on limiting the number of childbirth. However, it was also emphasized that Sheikh Mahmud Syaltut did reject the restrictions on birth/"tahdidun-nasl", but accepted family planning when it was intended to control births which did not limit the number of people, and did not aim only at the number of children desired/"tandzimun-nasl". Meanwhile, the great cleric, Al-Ghazali in his book *Ihya' Ulumuddin* said that he accepted the practice of interrupted copulation (*coitus interruptus*), which is removing sperm outside the vagina, as long as it is done to maintain health, well-being, and even the beauty of his wife (Fathuddin, 1993).

When husbands and wives agree to make efforts preventing pregnancy with the aim of "tandzimun-nasl" or birth control, they must agree on the choice of safe and healthy contraception, and consider the legal (halal) considerations according to him shari'at¹. Related to this, Muhammadiyah through its *Tarjih* decision, did not explicitly mention the types of contraceptives that may or may not be used. However, in its explanation, the Muhammadiyah *Tarjih* Council stated that the prevention of pregnancy which is considered to be contrary to the Islamic Shari'a is an attitude and action in marriage

that is inspired by the intention of not having children or by destroying/changing the organs, such as cutting, binding, and so on. Thus, the sterilization method is not allowed (Aisyiyah, 2014). Yet, the research informant who represented Aisyiyah added that in an emergency, a stable contraceptive method (vasectomy and tubectomy) is allowed.

Nine sexual and reproductive rights explained by the results of this study actually confirm that Islam has complete sexual and reproductive rights. These rights also emphasize that sexual and reproductive life is not only the responsibility of one party, wife or husband, but also the responsibility of both (Janghorban et al., 2015). Sexual and reproductive relations between the couple who are bound in marriage have two main qualities (Omran, 1992 in Janghorban et al., 2015). *First*, love is passion, friendship, and companionship. *Second* is affection, such as understanding, tolerance, forgiving each other, as well as getting along again after the dispute.

5 CONCLUSION

The main sources of reference in Muslim life have always been complete about sexual and reproductive rights. There are sexual and reproductive rights produced by this study. It included six rules of sexual relations/intercourse in Islam as well as nine sexual and reproductive rights in Islam. The scholars in various sources have explained these things based on the verses of the Qur'an and the words of the Prophet. The results of this study are expected to be socialized so that it has an impact on both families and communities. These references consider human rights in depth.

REFERENCES

- Adhim, M. F. (2004). *Indahnya Pernikahan Dini*. Gema Insani Press.
- Aisyiyah. (2014). *Booklet Kesehatan Reproduksi Menuju Keluarga Sakinah*.
- Al-Qaradhawi, Y. (2003). *Min Yadayl Islam Fatawa Mu'asirah*. An-Nasyir: Al Maktab Al-Islami, Lubnaan.
- Al Jauziyyah, I. Q. (n.d.). *Qahirah: Daru-Ihya'ul Kutub al-Arabiyyah, dunassanah*.
- Asrori, A. (2015). *Batas Usia Perkawanan Menurut Fukaha dan Penerapannya dalam Undang-Undang Perkawinan di Dunia. Al-'Addah, XII*.
- Bou Hdeiba, A. W. (2001). *Sex in Islam*. Kairo: Maktabak Madbulu.
- Fathuddin, U. et al. (1993). *The Muslim Ummah and*

- Family Planning Movement in Indonesia*. Jakarta.
- Gbadomosi, O. A. (2011). Intersection between Shari ' a and Reproductive and / or Sexual Health and Human Rights, (November).
- Ibnu Katsir, A. Fi. I. bin U. bin. (1414). *Tafseer. Al Muhaqqiq* : Mahmad Hasa Daarul Fikr.
- Janghorban, R., Roudsari, R. L., Taghipour, A., & Abbasi, M. (2015). Sexual and Reproductive Rights from Qur ' anic Perspective : A Quantitative Content Analysis, *11*(3), 182-187. <https://doi.org/10.5539/ass.v11n3p182>
- Mansur, M. binti. (2009). *Ma'fhum Sihhah al Injabiyah fil Mawasiq Ad Duwaliyah Dirasah Naqdiyah fti Daw'il Islam, Bahsun Takmilii Muqoddam Linayli Darajat Al-Majister Min Qlsm Ats-Tsaqofah Al-Islamiyah Bikulliyat Asy-Syari'iyah Bir-Riyad.*
- Mohammad, K. (2007). Kesehatan Reproduksi Sebagai Hak. *Jurnal Perempuan, Edisi 53*, 7-21.
- Rabee, S. A. A.-H. (2011). *Membumikan Harapan, Keluarga Islam Idaman*. LP31, Jakarta.
- UNFPA. (1994). *Program of Action, An Adopted at International Conference Population and Development, Cairo.*
- WHO. (2010). *Developing Sexual Health Programmes, A Framework for Action.*



SCITEPRESS
SCIENCE AND TECHNOLOGY PUBLICATIONS

Ony Linda - Sexual and Reproductive Rights in Islamic Perspective and Kemuhammadiyah

ORIGINALITY REPORT

6%

SIMILARITY INDEX

4%

INTERNET SOURCES

3%

PUBLICATIONS

4%

STUDENT PAPERS

PRIMARY SOURCES

1	voiceofglobalummah.blogspot.com Internet Source	1%
2	aboutislam.net Internet Source	1%
3	www.questia.com Internet Source	1%
4	Submitted to Universita degli Studi di Torino Student Paper	<1%
5	Submitted to Monash College Pty Ltd Student Paper	<1%
6	Syufa'at Syufa'at. "Marriage Dispensation in Underage Marriage: A Case Study at the Purwokerto Religious Court", Al-Manahij: Jurnal Kajian Hukum Islam, 2022 Publication	<1%
7	M Anwar Nawawi, Sulastri Sulastri, Relit Nur Edi, Agus Setiawan. "Harmonization of Islam and human rights: judges' legal arguments in rejecting child marriage dispensation in	<1%

Sukadana, Indonesia", Ijtihad : Jurnal Wacana Hukum Islam dan Kemanusiaan, 2022

Publication

8	pearl.plymouth.ac.uk Internet Source	<1 %
9	Submitted to University of Glasgow Student Paper	<1 %
10	"Population Dynamics in Muslim Countries", Springer Science and Business Media LLC, 2012 Publication	<1 %
11	courtmarriage-nikah.com Internet Source	<1 %
12	www.dar-alifta.org Internet Source	<1 %
13	islamcalling.files.wordpress.com Internet Source	<1 %
14	www.fssethiopia.org Internet Source	<1 %
15	Janghorban, Roksana, Robab Latifnejad Roudsari, Ali Taghipour, and Mahmoud Abbasi. "Sexual and Reproductive Rights from Qur'anic Perspective: A Quantitative Content Analysis", Asian Social Science, 2014. Publication	<1 %

Submitted to National University of Singapore

Exclude quotes Off

Exclude matches Off

Exclude bibliography On