



Some Sociological Aspects of AIDS in the West and its Islamic Approach for Prevention

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Abstract

AIDS is the most devastating ailment at the global level. Since there is neither any cure nor immunization available till now, it has spread all over the globe, especially in the Western countries and the USA. The treatment modalities like ART therapy significantly reduce morbidity and mortality but the global disease burden is a serious concern. The present article takes into a brief account of its incidence in the developed countries of the world. Some of its sociological aspects have also been discussed. The age of puberty in Western countries has decreased during the last few decades. Similarly, the birth and abortion rate in developed countries has also shown an increasing trend. Since there is no cure, some Islamic teachings have been discussed for its prevention highlighting the educational and moral training of human beings as given in Quran and Hadith.

Keywords: AIDS, HIV incidence in the USA, social aspects, Islamic control measures, Kuwait conference.

Introduction:

AIDS is an abbreviation of Acquired Immuno-Deficiency Syndrome. It is caused by a virus (HIV) to be detected only by electron microscopy. It results in widespread destruction of the immune system and the body suffers a serious deficit in its means of self-defense leading to an increasing inability to resist all forms of infections. Once an individual is infected, the AIDS



virus spreads inside certain cells of the body very rapidly. Infection goes through various stages; the most important is the dormant incubation stage, which lasts from a few months to some years. During this period the virus grows and attacks the host body's immune system, dilapidating it progressively.

AIDS is transmitted from one person to another through secretion from the reproductive organs of both man and woman. It is also spread through body fluids in case of blood transfusions or through needles, injection spikes in drug addicts, and through cuts during hair cut by the infected blades, etc. Infection of unborn babies does not exceed 10%; however, contaminated vaginal fluid accounts for 30% of cases during birth, while in 60% of pregnancies, babies are not infected by their mothers. However, it has been observed that the baby's lactation and the associated pressure on the thin mucus membrane inside the mouth, can produce infection especially if the nipples are cracked or bleeding. Before studying some other aspects of AIDS and its Islamic approach to control and eradicate, it seems pertinent to know some sociological factors associated with its spread in USA and some other Western countries and to have considerate overview of the economic burden imposed on health care system.

Literature Review:

There is no cure for HIV infection and currently available treatment modalities can only help in management of disease requiring lifelong administration of drugs. These treatments can reduce morbidity accompanying HIV and they may increase life expectancy and decrease transmission, but adverse effects and drug resistance are challenging in management of disease. Health experts came up with the idea of cART (combination Antiretroviral Therapy) for long-lasting viral suppression but when the patients are exposed to these treatments for decades drug resistance, drug-drug interactions, comorbidities, social status, and cost become a serious concern (T Cihlar and T Fordyce, March, 2016).



Ines Moranguinho et.al recently presented a comprehensive review of cART treatment, available drugs, resistance pathways, and promising new compounds and concluded that if we want to eradicate HIV from the world by 2030 we need to do progressive research and studies to develop effective remedies for HIV (*Int. J. Mol. Sci.* 2023).

According to UNAIDS estimation of HIV in 2023 more than 39 million people are living with HIV and a study conducted in 2018 revealed that incidence and prevalence of Sexually Transmitted Infections in the USA alone are 26.2% and 67.6% respectively in young individuals aged 15-24 years (Sexually Transmitted Infections Among US Women and Men: Prevalence and Incidence Estimates, Journal of ASTDA 2018).

American Sexually Transmitted Disease Association estimated the cost of managing Lifelong HIV ranging from four hundred and twenty thousand (420,000) to one million (1,000,000) dollars per patient (Estimated Lifetime HIV–Related Medical Costs in the United States Bingham, (Adrienna ; Shrestha, Ram K, Khurana, Nidhi, Jacobson, U Farnham, Paul, 2021).

Thomas Ward et.al performed a systematic review in the USA and calculated the state cost of managing HIV Infection to be approximately 2800 dollars per patient per month Estimating HIV Management and Comorbidity Costs Among Aging HIV Patients in the United States: A Systematic Review: (T.Ward, M.Math, D.Sugrue, O.Hayward,) Mc Ewan, Sarah-Jane Anderson, PhD, Sara Lopes, Yogesh Punekar, A.Oglesby)

The Journal of Immunodeficiency Syndrome reported that the cost of treatment for new HIV cases is estimated as 36.4 billion dollars in 2002 in the United States of America that is inclusive of direct medical costs and productivity losses. (Hutchinson, Angela, Farnham, Paul, Hazel, Ekwueme, Donatus, D. Rio, Carlos, Kamimoto, Laurie, Kellerman, Scott, 2006)



The “Lancet” published alarming results after analyzing the data from public health surveillance system and concluded that the epidemiology of HIV is evolving over time. (F Patrick S Sullivan, · A Satcher, Johnson, M· Elizabeth, S. Pembleton, R Stephenson, A. C Justice,· K N Althoff, 2021)

The global burden of disease that solely accounts to HIV infection is estimated to be extremely high and the health care providers insist on preventive approach rather than expensive management of disease.

Some sociological factors associated with AIDS in the USA: The following data shows the differences in HIV by gender ¹

Table 2.1 Differences in HIV diagnosis by gender.

Diagnosis by Gender (Among people aged 13 and older)	N=37,981 (100%)
Men	30,006 (79%)
Women	6,981 (18%)
Transgender women	869 (2%)
Transgender men	59 (<1%)
88Additional gender identity	66 (<1%)

It is evident that men continue to be heavily affected by HIV, accounting for 79% of HIV diagnoses in 2022.

Table 2.2 shows people aged 13 to 34 years accounted for more than half (56%) of new HIV diagnosis in 2022. This table indicates the involvement of young people in their early age in sex. The AIDS virus keeps on growing for years together and shows its effects during the later age.

Table 2.2 Differences in HIV diagnosis by age, 2022

Diagnosis by Age	N=37,981 (100%)
13 to 24	7,099 (19%)
25 to 34	14,160 (37%)
35 to 44	8,367 (22%)



45 to 54	4,576 (12%)
55 to 64	3,886 (7%)
65 and older	893 (2)

Table 2.3 shows the presence of racial and ethnic differences in HIV diagnoses persist.

Table 2.3: Differences in new HIV diagnosis by race/ethnicity

Diagnosis by Race/Ethnicity (Among people aged 13 and older) (Hispanic/Latino people can be of any race)	N=37,981 (100%)
Black/African American	14,553 (39%)
Hispanic/Latino	12,167 (32%)
White	9,112 (24%)
Multiracial	1,056 (3%)
Asian	795 (2%)
American Indian/Alaska Native	215 (1%)
Native Hawaiian/other Pacific Islander	83 (<1%)

It is evident that racial and ethnic differences in new HIV diagnoses persist. It may be seen that the disparities among race and ethnicity are due to discrimination, poverty, and barricades to health facilities continue to fuel these discrepancies. However, the least incidents also tend to indicate some differences due to cultural/religious beliefs among these people.

Islamic Approach to the Prevention of AIDS: After going through the deplorable condition of Western Society in the hands of HIV/ AIDS and many other social problems emanating from the free sex, an honest and right-thinking individual would be interested to know about the prevention of such hazards confronting the life of billions of human beings throughout the globe.



Though there is no suitable cure available for AIDS, nor any substantial immunization methods, the most effective technique of prevention in today's permissive society is the teaching and training of individuals. The only way is to avoid indulging in promiscuous sexual relations. Further, it is essential to promote certain moral principles that would lead to the necessary balance of health, and stability in the life of people. Such measures represent the cornerstone of the Islamic approach to the prevention and control of AIDS, being discussed hereunder²

1-Faith-Based Education: Islam builds the lives of their followers in the faith of Allah and following His Guidance. Many Commandments of the Holy Quran emphasize the relation between success, health, and prosperity in this life and the Hereafter^{3,4}. Further Quran has on various occasions cautioned against enticement and following one's banal desires^{5, 6}. Similarly, the Quran has referred to many commendable examples of the strength of character giving instances of the Prophet who showed resistance against the temptation of the flesh and conserved their moral integrity⁷. In this connection, some Ahadith as reported in Tirmidhi^{15, 16} are very pertinent about protecting the parts of the body in between the jaws and legs^{8,9}. It has also been narrated in (Bukhari¹⁰) Further Sahih Muslim¹¹ has narrated "O young men, those among you who can support a wife should marry, for it restrains eyes from casting (evil glances). And preserves one from immodesty; but those who cannot should devote themselves to fasting for it is a means of controlling sexual desire."¹²

In addition to these teachings, Islam, being a code of life, has given many measures essential for the prevention of different venereal diseases including the AIDS virus. These are marriage, proscription of sexual promiscuity, and deterrence. These are being discussed as follows:

a. Marriage: Marriage is the most encouraging and effective means to protect an individual especially young people from indulging in illegitimate sexual activity that leads to infection of many venereal diseases, particularly AIDS. Holy Prophet, therefore, instructed the young people to get married at their earliest. (Sahih Muslim) (Bukhari)

b. Marriage provides physical, emotional, psychological and spiritual companionship. Islam, unlike other religions, is a strong promoter of marriage and considers it a religious obligation. As



such, it is a moral protection as well as a social need. Quran in many verses has commanded Muslims to marry^{13, 14, and 15}

c. In Islam, polygamy has been allowed as a security measure in situations that carry the threat of unlawful or illicit means for sexual relations¹⁶.

d. Similarly, Islam has specified a sequence of hygienic measures and guidelines aimed at ensuring the well-being and preservation of the institution of marriage, such as forbidding sex with one's wife during menses¹⁷---The status and wisdom of these directives become evident when the modern science of medicine has pointed out the spread of AIDS through illicit sexual relations and sodomy.

II. Proscribing Promiscuity: It includes many reformatory instructions like:

- Controlling sexual urges¹⁸ ;
- Avoiding the lewd gaze of both sexes, which leads to arousal of sexual urge and thus unlawful contact and use of proper dress and avoiding showing the hidden beauty. Further, strict segregation of the sexes and forbidding meeting of both genders in seclusion. Still further not to invade the privacy of each member of the family and/or society without permission¹⁹
- Forbidding all provocative activities including pornography, dancing/singing, films, etc.²⁰;
- Prohibition of all kinds of intoxicants²¹

III. Effective Deterrence: In case teaching and training fail and other preventive methods prove ineffective in stamping permissiveness in some societies, resort must be made to punishment, as deterrence to others. However, Islamic punishment must be prescribed under very strict conditions of proof as detailed in Surah Al Noor and other verses of the Holy Quran.

IV. Problems Due to AIDS: In the following, we shall be discussing many problems arising due to AIDS in Western society as well as in Muslim countries. It may, however, be made clear that these are mainly based on the recommendations made in the Seminar held in Kuwait³.



a. Marriage of an AIDS individual: The question of marriage involving AIDS carriers is frequently asked. It has been reported that since marriage is the best way of protection against the spread of AIDS, it must therefore, follow that it should not in any way be allowed to become a means of transmitting the syndrome.

- Anyone (he or she) knowing a carrier of the AIDS virus MUST NOT enter a marriage relationship with a healthy person without disclosing to them the facts of their situation in advance. It is because transmitting the disease is felonious and hiding the fact of being a carrier would be deceitful. Both acts are offensive from the Islamic viewpoint.

- In a further situation, should an infected couple be allowed to marry? It has been said that such infected couples should be allowed to marry whether they use a condom. However, since the risk of passing the virus from the mother to her baby is high, such couples should take extra precautions to prevent conception.

- Islamic law specifies that sexual union is an essential condition for the validity of marriage. For either spouse to refrain from such activity without a reason is an offense. However, if one of the spouses is an AIDS patient, the other can refuse sex, since this has been medically established to be the major factor in the transmission of the AIDS virus. If the healthy spouse agrees to sex, then suitable precautions must be taken to reduce the risk of infection and conception.

- Whether a wife gets a divorce from her infected AIDS husband? There are very lively discussions /arguments by different Fuqaha (Muslim Jurists), keeping in view the two most important aspects of marital life.

i) Firstly, since man's sexual capability is vital for the stability and continuity of marriage, which is severely hampered in those infected with the AIDS virus. This is further made worse by the need to use a condom on every occasion, although the use of a condom is permissible with the wife's consent, if she does not give consent, it could constitute a basis for divorce.

ii) Secondly, the use of a condom, during sex to prevent transmission of the AIDS virus prevents childbearing, which is a main purpose of marriage. This again could constitute a basis for divorce.



- Ibn al Qayyam, a renowned scholar, pointed out that termination of marriage can take place because of any defect that incurs the dissatisfaction of the other spouse and does not realize the basic aims of intimacy and love between the married couple. Accordingly, the objecting spouse must be given the choice to annul the marriage. This opinion was also attributed to Ibn Az Zuhri, who said “Marriage can be annulled for incurable illness.”

V. The Rights of Healthy Spouse to Separation or Divorce:

- From the arguments so far, either spouse has the right to ask for separation from another who is an AIDS carrier. This is because the disease is contagious and transmitted chiefly by sexual intercourse. This remains true whether the infection occurs before or after the marriage.
- In case the wife is the carrier, the couple is separated, and the wife does not receive the entitlement of a divorced wife. The husband has the right to fully reclaim of dowry he had paid or its equivalent if the marriage had already been effectuated.
- If the husband is the carrier, the couple may divorce and the wife receives her deferred dowry and the “mutaa’h or compensation, due to a divorce.
- If deception or fraud is committed by the infected spouse by not disclosing his or her ailment, the culprit would be liable to punishment.

VI. Abortion among AIDS sufferers: Scientists have not yet agreed on whether AIDS can be diagnosed in the fetus during the first 4 months following conception. However, if medical science can diagnose it at the earlier stages of pregnancy, there could be justification for aborting the fetus during the period allowed by Islamic law. This remains to be the case in light of our knowledge that there is no effective cure for AIDS, but this must change if such a cure is available. As such, abortion may in general be recommended on grounds of the mother’s health. However, Islam encourages procreation and attaches value and respect to children from the moment of conception. This is proved by the concession to pregnant women not to fast during Ramadan. Thus, unborn babies, including those conceived out of wedlock, must not be harmed in any way. Islamic law has stipulated specific punishment for killing or causing an unborn baby



to die or to come to harm. In this connection, Muslim Fuqaha has discussed this issue very thoroughly as discussed hereunder:

- If a mother's life is endangered because of gestation, a fetus is aborted regardless of age; If the mother is not in danger, it would be unlawful to abort the baby after 120 days of conception, the age of ensoulment to develop into a full human being. It may be interesting to note that stages of fetal development are also given in (Surah Al Muminoon: 12-14)²². It is clear from these verses that "the human being begins life in the mother's womb as a germ for 40 days. The germ turns into a clot during the following 40 days and the clot into a lump of flesh during the next 40 days. Then an Angel is sent to blow the spirit into it and note down its means of living, its life span, its actions, and its fate, whether good or bad"²³
- The Hanbali school of Islamic law is of the opinion that 40 days is the critical point at which a fetus is fully formed, and do not allow abortion after that age.
- Some scholars, however, disallow abortion once fertilization takes place in the womb. Muhammad Abu Hamid Al Ghazali (12th-century scholar) differentiates between the withdrawal method (coitus interrupts) and abortion by contraception by saying that the former is done against a being that is already in existence. This existence, he adds, begins with the fertilized egg ready to continue life, and to destroy the egg would be a crime. As the egg develops further, the offense becomes proportionately greater. He compares the withdrawal method of contraception to withdrawing from a contractual agreement before signing which would constitute a breach of contract.
- Some Hanafi scholars do not allow abortion once fertilization has taken place. They also agree that a fertilized egg is an entity already bound for life.
- The Malaki School agrees that once sperm unites with the egg in the womb, it cannot be destroyed even before the 40-day period. Accordingly, they consider abortion at any later time as murder.

Thus, we find that Islamic law scholars and health experts are in agreement over the fact that fertilization of a mother's egg indicates life and that life must be regarded as sacred.



- Some experts call the earlier stage of fetal development the ‘animal life’ stage and that after 40 days threshold as the ‘the human life’ stage.

VII. Some Important Questions: There are two important questions:

First, are we allowed to abort an AIDS-infected fetus? The popular opinion seems to favor the view that abortion within the first 120 days is permissible. If the infection is confirmed after 120 days, the baby cannot be aborted. This would be comparable to a deformed baby who should not be deprived of treatment or whose life must not be deliberately terminated.

The second question is should a baby be aborted for the sake of the mother when she is an AIDS sufferer? If the baby’s continued existence in the mother’s womb threatens her life, the baby may be sacrificed for the sake of the mother, because the baby’s chances of life are much less than that of the mother. However, if the mother’s life is not under threat, but the pregnancy would reduce the incubation period of the virus, the baby should not be aborted, because the mother’s plight can be sustained with better health care.

The third question is should an AIDS patient mother nurse her baby? Muslim jurists agree that nursing mothers must be free from all infectious and contagious diseases. Medical research has established that the AIDS virus is not transmitted by bodily contact or through air, so it does not spread to other members of the family, for it is mainly transmitted during sexual intercourse. Medical research has also established that transmission of AIDS virus through the mother’s milk is extremely rare since the probability of the virus being found in human milk, saliva, sweat, and urine is very small indeed. The risk would only be eminent if the nipples are cut or cracked resulting in bleeding, and, hence, blood being taken in through the mouth with the milk by the baby.

It would, therefore, be inappropriate to deprive the mother and her baby of the obvious physiological, emotional, and psychological advantages of breastfeeding and proper nursing³¹, based on a negligible risk against which precautions can easily be taken. It is important, however, that the mother does not feed her baby if her nipples are cracked or bleeding. Generally, Islamic teachings recommend that AIDS victims are to be treated as ordinary



members of the family and society to ease their sufferings. This is also the advice of modern international health bodies.

VIII. Recommendations of the Seminar³: It would be interesting to read the recommendations of the seminar.

a. Isolation of AIDS patients: Available medical evidence shows that infection with the AIDS virus does not occur by any of the following means:

- i. Living with carriers of the virus.
- ii. Physical contact.
- iii. Breathing, insects biting, shared eating and drinking.
- iv. Shared toilets.
- v. Swimming pools, seats, utensils, or any other form of normal daily contact.

The virus is chiefly transmitted by one of the following means:

- i. All forms of sexual intercourse.
- ii. Transmission of blood or its derivatives.
- iii. Shared use of infected hypodermic needles or syringes as in the case of drug users.
- iv. From an infected mother to her child.

Accordingly, isolation of AIDS patients among students, employees, or other social groups is not called for.

b. Abortion for an AIDS-infected mother: The fetus being a living entity, is sacred and need not be violated by abortion except for urgent medical reasons

c. Nursing by AIDS-infected mothers of their healthy babies: There is no harm in nursing the baby by an infected mother. However, the virus can be transmitted through milk if the breast's nipples are broken/cracked or bleeding. The mother should take all precautions to minimize the risk of infection. The mother may refrain from feeding the baby if a suitable alternative is available.



d. Option of Separation: The seminar upheld the view that a healthy spouse has the option of separation or divorce from an AIDS-infected one since the AIDS virus is chiefly transmitted through sexual intercourse.

e. Refusal of sexual intercourse: A healthy spouse has the right to refuse sexual intercourse with an AIDS-infected one, as a logical consequence of the above.

f. Care of infected person: AIDS cannot be classified as a terminal disease until the stage when its symptoms become fully manifested, and the patient is no longer able to live a normal life and shows signs of deterioration of life.

IX. General Recommendation:

- The participants of the seminar counseled all official and public bodies/ organizations to raise public awareness of the threat of AIDS; how it can be transmitted and the means of protection against it as the promotion of virtue, public decency, and lawful sexual behavior and morality are the natural preventive measures.
- The introduction of Islamic education at all levels of school education ensures that pupils develop healthy and balanced views of their role and responsibility in society and prevents the spread of behavioral diseases such as AIDS.
- Early marriage must be encouraged to protect young people against permissiveness and sexual aberration.
- Regardless of how a person contracts AIDS, everyone has the same right to the necessary medical treatment. Doctors are under obligation to give proper treatment, taking all measures to protect themselves and others against infection.
- The Seminar called for the execution of Islamic laws as an effective safeguard against the spread of such disease which threatens the individual and society.
- The mass media have a vital part to play in raising public awareness of the threat of AIDS and the means of protection against it. The media must, therefore, assume a responsible and



constructive role by promoting virtues and morality and abstaining from the portrayal, in any form whatsoever, of indecent, morally degrading, and sexually corrupt material.

- Official bodies must deliver, at the most extensive possible measure, all information necessary for the early diagnosis of AIDS to enable the initial detection of the infection so that essential steps can be taken to prevent the spread of the disease.
- The seminar requests to all the responsible members of society all over the world to consolidate their efforts and join the Muslim community in endorsing virtues and fighting all forms of sexual recklessness and extra marital sex.

Conclusion:

Verily, it is said that “prevention is better than cure” but when cure is not an option, prevention is the only choice. We must adopt a preventive approach against all sexually transmitted diseases including HIV-AIDS to get rid of the global disease burden and reduce human suffering. The best moral principles and ethical practices instructed by Islam could be the savior if implemented in the society by authorized bodies. Building a social construct on foundations laid down by Islamic law could lead us to create a better world with healthier populations. The devastating social impact imposed by HIV-AIDS and other sexually transmitted diseases could be eliminated only by restraining Extra-marital affairs and promoting legitimate relationships through the institution of marriage. Countries and nations must endorse ethical guidelines for the wellbeing of people and implement protocols to develop healthy and prosperous economies.



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