

The Attitude of the Muslim Youth towards HIV/AIDS Pre-Marital Test: A Case Study of Ungogo Local Govt of Kano State, Nigeria

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Abstract

HIV/AIDS is an incurable disease with devastating effect, as it has reduced life expectancy, deepened poverty and lessened labour productivity. But then, the virus can be detected in individuals even before it has any devastating effect, through HIV testing. While the testing is of great value in monitoring public health programmes for prevention and control, it requires careful consideration of a number of issues relating to technical, ethical, legal and religious.

The paper attempted to examine the permissibility of medical testing in Islam and the views of the Muslim youths on pre-marital HIV test.

Keywords: HIV - Human Immune Virus (HIV) is an infection is caused by a virus; AIDS - is the later stage of the HIV infection, when the body begins losing its ability to fight infections

1. Introduction

For some time now, the Hisbah Board of Kano State has been receiving commendations and applause over their ability to ending spinsterhood of over a thousand women. The Board was able to do this by arranged marriages. However, one of the conditions of the marriages is that, both the man and the woman have to pass HIV test, and a pregnancy test for the woman. Many of the youths tested however, turned out to be HIV positive, and this confirms the Global HIV/AIDS Progress Report (2011), which shows that, since the beginning of the epidemic, more than 60 million people have been infected with HIV, approximately 30 million of whom have died of HIV-related causes. At the end of 2010, an estimated 34 million people were living with the virus, the vast majority of which live in sub-Saharan Africa. Women make up 50% of all adults living with it, and the number of people living with the virus continues to rise and also it continues to be a leading cause of death worldwide and the number one killer in sub-Saharan Africa, even with the antiretroviral therapy. Seeing many youth turning out to be HIV positive, the Board decided to request the state House of Assembly to pass a bill to the effect that, HIV test becomes mandatory for any intending couples, with the belief that, this will greatly reduced the rampant cases of HIV infection. Since then, there has been a lot of discussion on the permissibility of the pre-marital test from the Islamic perspective, and the acceptability of the idea of the test among the Muslim youth.

2. HIV/AIDS Disease

2.1 Causes

Human Immune Virus (HIV) infection is caused by a virus, which enters the immune system of the body and invades the normal cell of the body, thereby decreasing the immune system that protects the body from infection or any invading disease. When the virus succeeds in entering the immune system of the body, the body loses its defense mechanism to fight any infection. Then, the body becomes prone to illness that comes its way so easily. The virus destroys the cells that are the primary infection fighters, a type of white blood cell called CD4 cells. Once the CD4 cell count falls low enough, an infected person is said to have Acquired Immune Deficiency Syndrome (AIDS). Thus, AIDS is the later stage of the HIV infection, when the body begins losing its ability to fight infections. Sometimes, the diagnosis of AIDS is made because the person has unusual infections or cancers that show how weak the immune system is. The infections that happen with AIDS are called opportunistic infections because they take advantage of the opportunity to infect a weakened host. Thus, AIDS is a clinical diagnosis that represents the late stages of HIV disease progression. People classified as having progressed to AIDS either have very low count of CD4+ cell (the normal population being about 500 – 1300/mm³ of blood) or one or more AIDS - defining conditions (Habib et al, 1998).

2.2 Symptoms and Signs

Many people with HIV do not know they are infected because they are asymptomatic (hidden signs) for years before the symptoms of the HIV come to surface. However, others may have a history of a flu-like illness within several days to weeks after exposure to the virus. Early HIV symptoms may include fever, headache, tiredness, and enlarged lymph nodes in the neck. These symptoms usually disappear on their own within a few weeks. After that, the person feels normal and has no symptoms. This asymptomatic phase often lasts for years. The

progression of the disease also varies widely among individuals. In some people, it may last for a few months while in others, it may take more than 10 years. During this period, the virus continues to multiply actively and infects and kills the cells of the immune system. Even though the person may not have any symptom, he or she is contagious and can pass HIV to others through the routes to be listed later.

The major signs of AIDS in both adults and children in order of their frequency are: severe weight loss, fever, diarrhea, nausea / vomiting, lymph nodes, anaemia and rashes. However, because of the immune system's inability to defend the body, the infected person stands a greater risk of contracting other infectious-diseases like Tuberculosis, Hepatitis B, and host of others (Habib, et al; 1998).

2.3 Modes of Transmission

Basically the transmission of the HIV involves exposure to some body fluid from an infected person. The greatest concentration of virus has been found to be in blood, semen, cerebrospinal fluid, cervical/vaginal secretion and in breast milk (Owuekwe; 2005: 3). Although HIV is found in varying concentrations or amount in the body fluid, scientists agree that HIV does not survive long outside the human body, making the possibility of environmental transmission extremely remote (Adeyi: 2006; 25-26). The modes of transmission however include the following:

Sexual Route - Through this route, HIV can enter the body through the lining of the vagina, vulva, penis, rectum or mouth. Based on gender specific anatomical and physiological characteristics, it has been generally believed that male - to - female transmission is higher than female - to --male transmission (Adeyi: 2006; 8)

Mother - to - Child Route - Nearly all cases of HIV infection in Infants in both developed and developing countries occur as a result of

Mother -to- child transmission through three potential routes: across the .placenta (in utero), during delivery (through exposure to infected genital tract secretions - intrapartum) and post natally (through breast feeding) (Adeyi: 2006; 51). Without preventive interventions, approximately 25% - 40% of infants born to HIV - positive mothers will contract the virus (Adeyi, 2006; 23)

Transmission through Contact with Blood and Blood Products - Contact with infected blood is responsible for HIV transmission in many communities, particularly in those communities where screening of blood and blood products is not performed routinely (Adeyi: 2006: 23 - 26).

Transmission through Needles and Other Skin-Piercing Procedures - The sharing of needles and syringes is considered the main route of HIV transmission among injection drug users. Injection drug use is uncommon in Nigeria, as it is in other parts of sub-Saharan Africa, and it is not considered a major mode of transmission in the Nigerian epidemic. Other modes of transmission may include the sharing of HIV - contaminated skin-piercing objects, such as blades, clippers and injection needles (Adeyi: 2006: 23-26).

Transmission in Health Care System - HIV transmission in health care settings occurs when workers are stuck with needles or sharp instruments contaminated with HIV - infected blood or less frequently when workers are exposed to infected blood through an open cut or a mucous membrane, such as the eyes or nasal passage. Patients in African settings may be more likely to be infected with HIV, increasing the risk to health care workers if proper universal precautions are not well established. In developed countries, post - exposure prophylaxis is part of most health care policies. Post prophylaxis is a short course of triple- drug. ART (Anti - retroviral therapy) is provided to prevent possible HIV infection. (Adeyi: 2006; 23 - 26)

2.4 HIV/AIDS Testing

Detection of HIV specific antibodies in the blood or other body fluids is the main method of testing for HIV and the standard procedure for diagnosis of HIV. HIV testing programmes tend to have the following objectives:

- To prevent uninfected people from being infected
- To monitor the trends of HIV infection in a population or subgroup for planning intervention such as surveillance or unlinked anonymous sentinel surveys.
- To ensure the safety of recipients by testing donated blood or donors of organs or tissues.
- To identify individuals with HIV infection for diagnosis of AIDS -related diseases or voluntary testing purposes in asymptomatic or AIDS cases.
- To enable research in various aspects of HIV infection and AIDS related disease (Litvak: 1992; 244-255).

The most commonly used serologic assay for diagnosing HIV infection is the Enzyme - Linked ImmunoSorbent Assay (ELISA). In general, the assays detect specific antibodies and .can be classified into two categories:- .

Screening tests/assay - These are performed to test blood samples or blood products for surveillance. They include different forms of ELISAs which typically take two or three hours to complete. Most of the simple screening tests are based on ELISA principles but take about half an hour to conclude (Delaporte: 1988; 136-137). The test has false positive (false results) and false negative result.

This calls for a confirmatory test.

Supplemental or confirmatory test - Studies have shown that the probability that a test will accurately determine the true infection status of a person being tested varies with the prevalence of HIV infection in the population. The higher the HIV prevalence, the greater the probability that a person testing positive is truly infected. Supplemental tests are performed on blood samples that are previously reactive in a screening test. When a blood specimen is reactive by any one of the screening tests, it is tested again by a different assay system to confirm the diagnosis. If a specimen is reactive in two different screening systems, it is tested again using a supplemental test, such as the Western blot or Immunofluorescence Assay (Adeyi: 2006; 54).

2.5 Treatment

AIDS is an incurable disease. Knowing how severe and disastrous it is, it should be known that a positive patient with HIV/AIDS is a carrier for life. Giving drugs to the AIDS patient is not a life saving predicament (Onwuekwe: 2005; 16). Upon diagnosis of AIDS or symptomatic disease, the median survival time ranges from 12 -18 months. Nearly all patients who die of HIV - related complication have CD4 + cell counts lower than 200/mm³. But when HIV positive patients are given the highly active antiretroviral therapy HAART, they live longer and are healthier even with CD4+ cell counts of less than 200/mm³ (Adeyi: 2006)

3. Islamic Position on Medical Examination before Marriage

Medical examination simply means examining a person, medically to determine the health status of a person. Islamic scholars are divided concerning the permissibility or otherwise of medical examination before marriage. Some are of the opinion that it is allowed in Islam while others hold the view that it is not. The proponents support their view with the following reasons:

- Medical examination is allowed even though not necessary, considering the Islamic recommendation of having pure offspring as prayed by prophet Zakariyya (A.S). One of the ways of having pure offspring is when the parents are free from any defect or ailment. And some of these defects may be hidden; so the only way to know about them is through medical examination.
- Abu Hurairah reported that a man got engaged to a woman, the Prophet (S.A.W) then said to him "*look at her, for there is something in the eyes of the Ansar* (Muslim) This hadith indicates that even the Prophet (S.A.W) allows Muslims to look at their intending partner to determine whether they have any defect. In fact it is even expected that a man before marrying a woman should look at her face and palms to determine whether she has any defect.
- The Prophet (S.A.W) is reported to have said; "*...Do not put a patient with a healthy person*" (Bukhari; 667). The hadith indicates that a healthy person should not be put together with an unhealthy person. Some time the only way to know whether a person is healthy is through medical examination as some diseases do not manifest themselves.
- The Prophet (S.A.W) has also said; "*...and one should run away from the leper as one runs away from a lion*" (Bukhari; 600). The hadith commands Muslims to run away from a leper. But then other diseases can as well be included here.
- It has been reported from Umar (R.A)that;
If a man marries a woman and she is suffering from insanity or leprosy or bencodermy and the husband cohabits without knowing about her condition, he should pay her the full Mahr and take penalty compensation from the Wali (Guardian) (But this is in case the where the guardian is the woman's father, brother or a very near relative, who knows the condition of the woman) (Muwatta).

The Hadith therefore indicates that even if a person married a woman suffering from any of the mentioned illnesses, he has the right to repudiate the marriage. So parenthetically, it means that a man can even investigate upon the health of a his partner - to - be before marriage.

- Sheikh Ahmad Kutty, a senior lecturer and Islamic scholar at the Islamic Institute of Toronto Ontario, Canada was asked concerning medical examination and he replied thus;" candidates are allowed to probe and ascertain the integrity and compatibility of their would be life partners before deciding to marry them. This is generally understood from the sources and traditions of the *Salaf as Salih*. But we are not to harbour unnecessary suspicion without justification"(www.islamonline.net/fatwa/).

The opposers to pre-marital medical test however support their view with the following arguments;

- Islam is always trying to protect people's secrets. The Prophet (S.A.W) has said "*Whoever conceals the secret of a Muslim, Allah will conceal his secret in this world and the next*" (Annawawi). This means that Islam expects Muslims to conceal each others' secret.

However, majority of the scholars, having looked at the reasons both for, and against, have come to the conclusion that, medical testing before marriage is allowed particularly if there are reasonable justifications, considering the hadith of the Prophet (S.A.W) which says, "*Let there be no harm nor reciprocating harm*" (Annawawi)

4. Methodology

The study was an opinion survey designed to identify the views of the Muslim youth concerning pre-marital HIV test.

Data was obtained through the use of a (structured) researcher's designed questionnaire, which has both close and open ended questions. The questionnaire elicited information on personal characteristics of the respondents, ranging from sex, age and level of education, and other information concerning HIV/AIDS. The target population of study comprised of all the youths of Rijiyar Zaki of Ungogo Local Government, Kano State. A sample size of a hundred (100) respondents was picked among the Muslim Youth of Rijiyar Zaki, using stratified random sampling technique. Data collected was analyzed using descriptive statistics of frequency counts and percentages.

4.1 Result

Table 1 – Personal Data/Information of the Respondents

CHARACTERISTICS	FREQUENCY	PERCENTAGE
1. SEX		
Male	50	50%
Female	50	50%
2. AGE RANGE		
< 30	53	53%
31 – 35	26	26%
36 – 40	13	13%
>40	8	8%
3. EDUCATIONAL ATTAINMENT		
Islamic education only	5	5%
Primary Level	9	9%
Up to Secondary Level	32	32%
Up to Tertiary Level	54	54%

Table 1 reveals the respondents' sexes, ages, and educational attainment. 50% of the Respondents are male while the 50% are female. Majority of the Respondents are over 30 years (53%), 26% between 31 and 35 years, 13% between 36 and 40 years, while the remaining 8% are above 40 years. Likewise majority of them (54%) have attended formal education up to the tertiary level.

Table – 2 – Basic knowledge of HIV/AIDS

ITEM	FREQUENCY	PERCENTAGE
4. Do you know what is HIV/AIDS?		
Yes	93	93%
No	7	7%
5. Do you belief in HIV/AIDS as a disease?		
Yes	84	84%
No	16	16%

Table 2 shows that majority of the Respondents have basic knowledge of HIV infection, as 93% know what is HIV, and 84% also belief that it is a deadly disease

How do you recognize a person suffering from HIV/AIDS?

There are many signs signifying the disease. About 95% listed severe weight loss as one of the signs, 78% listed diarrhea, 56% listed fever and 48% listed rashes as one of the signs. From here, it can be concluded that majority of the Respondents have an idea on some of the signs and symptoms of the disease

What do you think are the modes of transmission of the Virus?

All the Respondents listed the sexual route, as a major mode of transmission, followed by infected mothers transmitting to their unborn babies, using same needles, razor blade etc. Some Respondents erroneously think that sharing toilets is also a mode of transmission

Table – 3- Views of the Respondents on the test

ITEM	FREQUENCY	PERCENTAGE
1. Do you think pre-marital HIV test is permissible in Islam?		
Yes	70	70%
No	30	30%
2. Should intending couples have HIV test before marriage?		
Yes	69	69%
No	31	31%
3. Do you think the pre-marital test can reduce the rampant HIV cases?		
Yes	72	72%
No	28	28%

70% of the Respondents belief that pre-marital HIV test is permissible in Islam, while 30% belief that it is not. Likewise majority of the Respondents (69%) are of the view that intending couples should have the test before the marriage takes place, and 72% are of the opinion that, the pre-marital test can drastically reduce the rampant cases of HIV

What are your reasons for question nine (9) above?

The Respondents who have the view that intending couples should have the test before marriage, gave the reason for their answer as, ‘in order to prevent the uninfected partner from being infected, and also to prevent an infant from being infected by the mother’. They argue that it is only when a person knows his status, that is being infected or not, that he/she would take precautionary measures against spreading the disease to his/her loved ones. While the other Respondents who are of the view that intending couples should not be tested gave their reason as, ‘in order not to disclose the secret of people, which is *haram* in Islam’

4.2 Analysis

Based on the findings of this research, majority of the Muslim youth at Rijiyar Zaki are of the view that, pre-marital HIV test is permissible in Islam, and should be conducted before people get married so as to reduce the rampant cases of HIV infection. This is in conformity with the Islamic teachings, where life is highly valued, as it is considered a gift from Allah. In the Islamic view, Muslims are not supposed to think that it is their life with which they can do what they want. Instead, individuals have been entrusted with life by Allah, and are supposed to look after it and do whatever possible within the *halal* premises to safeguard it. The Prophet (S.A.W) has also stressed the importance of health at many times. He once said to one of his companion, “*O’ Abbas ask Allah for health in this world and in the next*” (Al-Nasa’i). “*No supplication is more pleasing to Allah than a request for good health*” (Tirmidhi). The Prophet Dawud (A.S) said, “*Health is a hidden kingdom*”. Bodies and Souls are trusts from Allah that must be returned one day and a person would be asked how he looked after it. Therefore Muslims should avoid any act which will harm their physical or spiritual health.

And since it is all agreed that, sexual route is the major mode of transmission in nearly all countries (WHO weekly Epidemiol records: 1998; 373 - 380), it means that there is every likelihood that a HIV positive partner is likely to infect an uninfected partner with the virus. And this contradicts the Islamic teachings which, even though it commands its followers to have good faith and trust towards each other, it also commands them to take all possible measures to protect themselves against prospective harm, and should not inflict any harm on others. This is based on the hadith of the Prophet (S.A.W) which says, “*Let there be no harm nor reciprocating harm*” (An-Nawawi).

Therefore, undergoing medical tests as a protection is highly encouraged and advocated particularly if there are reasonable justifications. The testing will help the spouses plan their lives in such a way that the uninfected partner will be protected from the virus.

Secondly, Mother-to-child transmission is the second major route of transmission. It has been estimated that in 2004 alone, more than 640,000 children under the age of 15 were infected with HIV, the vast majority being in Africa. In that year alone, more than 75,000 infants were born with HIV in Nigeria (Adeyi: 2006; 13). But this is preventable if it is known that the mothers are HIV positive. Prevention of mother-to-child-transmission (PMTCT) programmes will help save the infants from being infected. Such programmes provide ARVs (Antiretrovirals) such as Zidovudine and Nevirapine to infected pregnant women and their exposed babies which can significantly reduce HIV transmission rates. The use of triple - drug regimens to HIV-infected pregnant women can further reduce transmission to negligible rates (Adeyi: 2006; 14). And these preventive measures can only be offered when it is known that the mother- to- be is HIV positive.

5. Conclusion

Islam is always trying to save life not to take it. In fact, Islam encourages anything that is likely to help save lives or even to alleviate people’s sufferings. And one of such thing, is the HIV testing. Through the testing,

would - be partners would be able to know how to protect the uninfected partner from being infected. And transmission to infants' will be reduced if not eliminated completely.

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A BRIEF RESUME ON DR. AISHA GARBA HABIB

Dr. Aisha Garba Habib was born in Kano, Nigeria. She had her Bachelor of Arts, Master and Ph D in Islamic Studies from Bayero University, Kano, Nigeria. She had lectured at Kano State College of Arts, Science and Remedial Studies, Kano - Nigeria for over 20 years and subsequently became the Vice principal of the College. She later transferred her services to the newly established Northwest University, Kano-Nigeria where she is currently the pioneer head of department, Department of Islamic Studies as well as the Deputy Dean, Students' Affairs. Dr. Aisha is also the Director, Educational Resources of the International Institute of Islamic Through (IIIT), Nigeria office. She has many publications to her credit.