

Global Crisis of Abortion and the Islamic Viewpoint

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Abstract

Health professionals face various medical and ethical dilemmas throughout their professional careers. Some of these challenges become more testing when they pose a threat to one's religious teachings and beliefs. During current times when people, in general, are becoming more liberal and distancing themselves away from religious practices, ethical issues are becoming a regular occurrence.

One of these issues is abortion or termination of pregnancy (TOP). Whilst there may be several reasons for TOP, Islamic law and teachings lay clear guidelines about its permissibility and prohibition. Since the recent historic ruling of the US Supreme Court to overturn abortion rights, there have been fresh debates about the permissibility of abortion in the US and Europe among people of faith and no faith.

There are approximately 2 billion Muslims in the world, a quarter of the world population. It is, therefore, vitally important for Muslim health professionals to have a clear understanding of abortion in the context of Islam and sharia laws. This article summarises abortion from an Islamic perspective.

Introduction

In layman's terms, abortion is referred to as a procedure to end a pregnancy. In other words, abortion is induced as opposed to miscarriage which is a spontaneous process. Abortion is also called termination of pregnancy (TOP). Throughout this article, both of these terms would be used interchangeably. According to Harvard medical school, "Abortion is the removal of pregnancy tissue, products of conception or the foetus and placenta (afterbirth) from the uterus".[1] In medical terms, abortion is a process of ending a pregnancy before the age of viability.

It is worth noting that historically the age of viability has been changing with time. However, due to the advancement in medical care, there is a consensus that a foetus is capable of surviving outside the mother's womb at 24 weeks of gestation [2].

Abortion has a huge social, moral, ethical, financial and physical burden worldwide. According to the world health organisation (WHO), a staggering number of 73 million induced abortions take place globally each year and nearly two-thirds (48 million) of these are due to unintended pregnancies. [3]

According to the US Pew research centre, the centre for disease control and prevention (CDC) and the Guttmacher institute compile figures for abortion in the US on annual basis. According to CDC, six hundred thousand abortions were carried out in 2019 whilst as per Guttmacher's statistics this figure was nearly one million in 2020.

The majority of the women who had an abortion were young, 57 % being in their 20's. Worryingly nearly 10 % were teenagers aged between 13 and 19 years. The vast majority of women who had an abortion were not

married. Over 93 % of these abortions occurred within the first 13 weeks of pregnancy whilst 6 % took place between 13 and 20 weeks of gestation. [4] According to CDC data in 2008, 75 % of pregnancies were unintended among teenagers between 15-19 years.[5]

Similar figures are reported in the national statistics of the UK government. A quarter million abortions took place in the year 2021 in the UK. The rates had been highest in young women between 20 and 30 years of age group. 82% of these women had been unmarried. 98% of these abortions were carried out under the assumption that these women had a significant risk to their physical or mental health should the pregnancy be allowed to progress. In almost all (99.9%) of these cases risk of mental health was recorded as the underlying reason for terminating the pregnancy. There was no evidence of physical harm or threat to maternal life in any of these cases.[6] These figures have not mentioned foetal anomaly as a cause of abortion.

These findings correlate with the research studies about mental health problems in unmarried women undergoing the abortion. Evidence has consistently demonstrated a higher incidence of mental health issues such as anxiety, low mood, depression and high perception of stigma and discrimination in these cases [7][8][9]

Islamic perspective about abortion:

To better understand the Islamic perspective on abortion, it is important to highlight the concept of abortion according to other faiths. All major religions strictly value the sanctity of life and consider it highly precious. Although the teachings of these faiths generally oppose abortion except for a few exceptions, none of these has provided an in-depth analysis of this very important issue. Islam on the other hand discusses abortion in great detail focussing on its prohibition, permissibility, guiding principles, logical reasons and underlying philosophy behind its laws.

According to the Christian faith, "you shall not murder" and any deliberate act of taking a human life breaks the sixth commandment. According to the Catholic Church abortion is not permitted in any circumstances, however, it is not considered unlawful if it occurs whilst saving a pregnant women's life.[10]

In the Jewish faith, abortion is forbidden except when the life of the mother is at risk.[11]

Sikhism, Hinduism and Buddhism adopt a pro-life approach and condemn abortion. Hinduism allows abortion when it is necessary to save the life of the mother.[12]

In Islam, guidance on any matter, be it personal or communal, is sought from the "Sharia law" (divine law derived from the Holy Quran and Hadith) and "Fiqh" (human scholarly interpretations of Islamic teachings). The Holy Quran is the last and final message from God ("Allah" in Arabic) to mankind. Hadith refers to teachings, sayings and practices of God's last and final messenger, Prophet Muhammad, peace be upon him (PBUH).

The Holy Quran describes the creation of a human being in the mother's womb in great detail in many chapters. It mentions the stages beginning from a "nutfah" (a drop of fluid) to the definitive human form. These verses translate as "We (Allah) created man from a quintessence of clay. We then placed him as a *nutfah* (drop) in a place of settlement, firmly fixed, then We made the drop into an *alaqah* (*leech-like structure*), and then We changed the *alaqah* into a *mudghah* (*chewed-like substance*), then We made out of that *mudghah*, *izam* (*skeleton, bones*), then We clothed the bones with *Lahm* (*muscles, flesh*), then We caused him to grow and come in being and attain the definitive (*human*) form. So, blessed be God, the best to create. [13].

"Nutfah" refers to the stage from conception to 40 days after the ovum has been fertilised. From 40 to 80 days, it is termed as "Alaqah" (blood clot); when the fertilised ovum looks like a blood clot. "Mudgha" is the name given to an embryo which is a stage between 80-120 days. The final stage is described as "khalaqanakhar" which refers to the definite human form. This happens after 120 days of conception (i.e 4 months) when the soul enters the body. It is at this stage that the embryo acquires a more human form, with almost all the vital organs differentiated and functioning effectively [14]. This stage is very important as it makes the basis of various Islamic rulings on abortion. This is discussed in the coming paragraphs. All of these stages of human development have been confirmed by modern-day embryologists who are amazed by the accuracy of such details described more than 1500 years ago.

No other religion has emphasised the sanctity of life as highly than Islam. There are numerous verses in the Holy Quran and sayings of Prophet Muhammad (PBUH) describing how precious life in the eyes of its creator (God) is. It not only condemns the killing of an innocent

soul, but it classes it as a major sin and prescribes the harshest of punishments for the perpetrator. *"if anyone slew a person – unless it is for murder or for spreading mischief in the land – it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people."*[15]

Before Islam, it was a common practice among Arab pagans society to kill their female children out of perceived shame, honour and poverty. Islam strictly forbade such practices as mentioned in the Holy Quran; "Do not kill your children for fear of poverty. We provide sustenance to them and to you, too. Killing them is a great sin indeed."[16]

It is reported in Hadeeth of Prophet Muhammad (PBUH) that *"Ibn Massoud (a companion of the Prophet) asked the Prophet: What is the gravest sin? The Prophet (PBUH) answered: "That you associate partners with God who created you." Ibn Massoud asked: What is next to this? And the Prophet answered "That you kill your offspring for fear of them sharing your food with you"*[17][18]

In the light of above mentioned quranic verses and prophetic sayings, Islamic scholars of all schools of thought of past and current eras agree that abortion is strictly forbidden after 4 months (120 days) of conception, i.e. age of ensoulment. This is because it is considered as killing a soul which Allah has forbidden.

Before the age of ensoulment, abortion is permissible only in certain extreme circumstances such as the threat to women's life, significant foetal deformity and in case of victims of rape.[19] Imam Ghazali, a famous Muslim scholar, in his book *Ihya' 'Ulūm al-Dīn*, described the act of abortion as haram (forbidden) in all stages of pregnancy except the life of the mother is threatened. In 1940, the grand imam of Al-Azhar said that abortion after 120 days of conception is prohibited and he considered it a crime against a human being.

In the cases where abortion is permissible, there is a difference of opinion about its timing. The Hanafi schools of thought allow it up to 120 days whilst the majority of Shaffi, Maliki and Hanbali allows it only up to 40 days after conception.[20] Regardless of the school of thought, almost all Islamic scholars believe that so-called elective abortions or abortions of convenience are not allowed in Islam.[21]

According to The Standing Committee for Scientific Research and for Issuing Edicts, Preaching and Guidance

(SC) in Saudi Arabia, when abortion is recommended based on risk to the mother's life or significant foetal anomaly, this recommendation must be made by a board of at least three experts in this field based on their expert professional judgment. [22]

The Egyptian fatwa institution ((*Dar-al Ifta Misriyyah*)) states that the only acceptable reason for abortion is if the pregnancy would threaten the mother's health and life advised by a competent Muslim physician. [23]

In 2010, The Fatwa Committee of the National Council for Muslim Affairs of Malaysia discussed the issue of abortion. It discouraged abortion if it did not cause any harm to the mother. The committee also concluded that abortion may be allowed before 120 days of gestation if the foetus was deformed and posed a threat to the mother. Abortion during or after 120 days was not allowed except that it was carried out to save the life of the mother due to a significant threat to her life.[24]

Summary and Conclusion:

As a general rule, abortion is forbidden in Islam. The sanctity of life has been mentioned in numerous verses in the Holy Quran as well as the sayings of Prophet Muhammad (PBUH). The exception to this rule is when there is a risk of potential harm to the mother's life. There is a mutual agreement among scholars and jurists that abortion is *haram* except for a few extreme circumstances.

There are, however, differences of opinion about aborting a foetus which is less than 120 days. Some jurists have ruled this impermissible. The *Hanafi* and the *Shafi school of thought* have ruled it permissible only if there is a genuine reason. This difference arises from the debate based on when the soul enters the foetus. Some of the jurists have mentioned 40 days whilst others have argued that ensoulment of the foetus occurs at 120 days based on different evidence.

Regardless of these differences, all scholars have agreed that there must be a valid reason for abortion to take place irrespective of the stage of pregnancy. This would be when an expert health professional determines that if the foetus was to remain in the womb, then this would pose a danger to the mother's life. In such cases, it would be allowed to abort the foetus to protect the mother's life as she is the actual source of life. The foetus exists due to the mother, so protecting her life and health becomes the priority.

Abortion is only allowed when there is a serious risk of harm to the mother due to the reasons mentioned. It is the responsibility of an expert medical professional to confirm whether the continuation of the pregnancy would be harmful to the mother or not as the fundamental aim of Sharia is the safeguarding and protection of life.

Conflict of interests: None

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