



## Session 9: Islamic Bioethics Ethics of Abortion & Human Reproduction Opening Lecture



@Initiative4IM

### Focus Questions

- What are the dominant Islamic ethico-legal positions on abortion?
- What are the dominant Islamic ethico-legal positions on assisted reproductive technology?

### Self-Reflection Questions

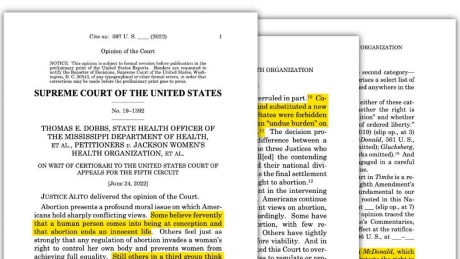
- How do Muslim jurists and physicians think about abortion? The same way or differently?

Focus questions relate to discrete knowledge found in the readings and lectures

Self-reflection questions are about the field and how it may relate to your practice



## Why Important?



## THE FETUS AS A LEGAL PERSON

Those who cite the impermissible nature of abortion claim that because a fetus has a soul after 120 days, abortion is therefore the killing of a child, which is of course forbidden in Islam. But classical Islamic practice never recognized the status of the fetus as a legal person.

@MPVUSA | #ISLAMJUSTICE

## Islam and the Abortion Debate

Is Islam pro-life, pro-choice, or both, depending on the circumstances? And what implications does the answer to this question have for current political discourse? This essay seeks to offer a comprehensive look at how classical and contemporary Muslim jurists have dealt with the subject in accordance with evolving methods, circumstances, and debates surrounding the topics of contraception and abortion.

Muslim Men and Women Mostly On Par In Views About the Legality of Abortion

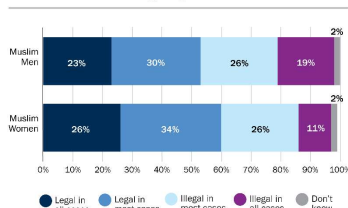


Figure 3: Do you think abortion should be...? Base: Total Muslim Respondents, 2022.

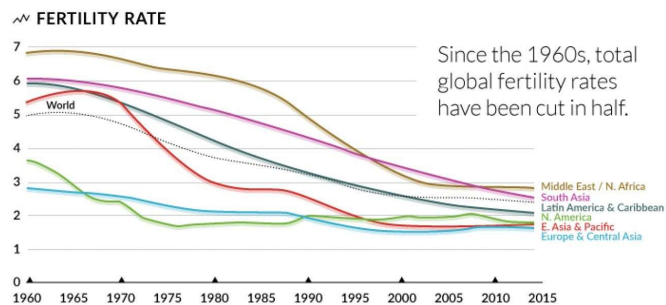
- Social → Political
- Empirical → Normative
- Normative → Sociological
- Practical Ethics? Holistic Bioethics?



## The Challenge



Chart of the Week



Source: World Bank, 2016

visualcapitalist.com

## Muslim Fertility



MARCIA C. INHORN

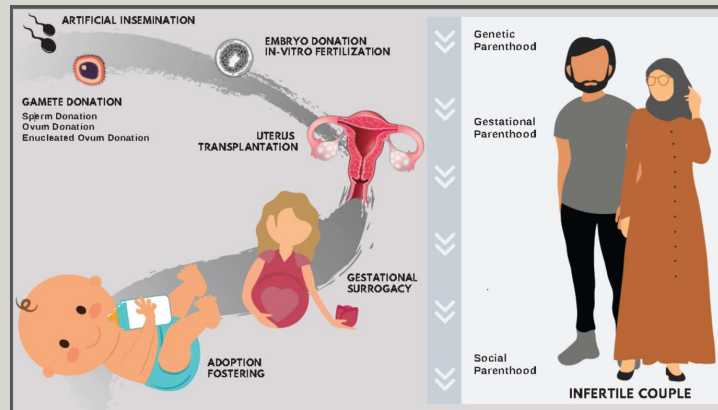


**THE NEW ARAB MAN**  
 Emergent Masculinities, Technologies, and Islam in the Middle East

Background

## Biomedical Solutions to Childlessness

- “Health” Technologies
  - Sperm & Egg Donation (embryo)
  - Uterus Transplantation
  - Gestational Surrogacy
  - Emerging Technologies:
    - Reproductive Cloning
    - Synthetic Gamete Production
- Social Arrangements
  - Adoption
  - Polygamy



## Insights into the Materials: Theological, Legal, Biomedical

- Yusuf, H., 2022. *When Does a Human Foetus Become Human?* In Islam and Biomedicine Afifi al-Akiti and Aasim I. Padela (eds). pp. 113-134. Springer, Cham.
- Stodolsky, Muhammed V., and Aasim I. Padela. 2021. *Abortion in Hanafi Law*. In *Abortion Global Positions and Practices, Religious and Legal Perspectives* (A. Bagheri ed.), pp. 127-136. Springer, Cham,
- Eich, Thomas. *Maliki Perspectives on Abortion*. Pages 137-145 in book above
- Al-Bar, M. *Abortion: Shafi'i Perspective*. Pages 147-153 in book above
- Al-Khatib, M. *Abortion in the Hanbali School of Jurisprudence: A Systematic Ethical Approach*. Pages 155- 167 in book above.
- Bagheri, A. *Abortion: Shi'ite Perspective*. Pages 169-177 in book above.
- Padela, Aasim I., Katherine Klima, and Rosie Duivenbode. 2020. *Producing parenthood: Islamic bioethical perspectives & normative implications*. The New Bioethics 26(1): 17-37.
- Padela, AI. *Muslim Conceptions of Motherhood: Gestational Surrogacy and Uterine Transplantation* 31st Annual Dorothy J. MacLean Fellows Conference on Medical Ethics. November 8, 2019, Chicago, IL.

