

PROGRESSIVE ISLAM IN
PRACTICE



ABORTION RIGHTS & ISLAM

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ABORTION IN THE QUR'AN

- Abortion is never directly mentioned in the Qur'an
- Opinions on abortion are therefore based on the few Hadith that exist address abortion
- Scholars differ over the circumstances and the time in which abortion is permissible but there is no outright ban on abortion in Islam
- The four main schools of thought all offer different opinions on when an abortion is permissible, which offers a diverse understanding on permissability among the Muslim community



**“No soul should be
compelled beyond capacity,
neither the mother made to
suffer for the child nor the
father for his offspring...”**

AL-BAQARA 2:233



PERMISSIBLE REASONS FOR ABORTION IN MAJORITY MUSLIM COUNTRIES

- Mother's life is threatened
- Preserving a woman's physical health
- Preserving a woman's mental health
- Foetal impairment
- To protect the health and wellbeing of a breastfeeding child
- Rape
- Incest
- Social reasons
- Economic reasons



FATWAS ON ABORTION

- 1998: In Egypt, Grand Sheikh of al-Azhar, Muhammed Sayed Tantawi issues a fatwa stating that unmarried women who had been raped should be able to access abortion
- 1998: In Algeria, the Islamic Supreme Council stated abortions were allowed in the case of rape
- 2005: In Iran, Ayatollah Ali Khameni & Grand Mufti Ayatollah Yusuf Saanei issued two fatāwa permitting abotion in the case of genetic disorder or danger to the woman's health or life in the first trimester



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.



THE FETUS AS A LEGAL PERSON PT 2

In classic Islamic times, midwives were often used in the case of istihlal to determine whether inheritance because they had to testify for the rights of a fetus. Fetuses were not recognized as humans and were therefore not eligible to inherit so the midwife had to testify whether the fetus had taken a breath upon birth, and therefore was a human and entitled to inheritance or if they were stillborn and were therefore not eligible for inheritance.



“There is no contradiction between Islam and family planning especially once a physician considers the pregnancy a danger and a risk to the mother’s health. God gave the gift of intelligence to humankind in making the right decision for the wellbeing of the mother. It is not permissible for a woman to lose her life while giving life.”

IMAM DIDI SENGA MAOULID

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NEED FOR SAFE & LEGAL ABORTIONS

- 1 in 10 pregnancies in MENA ends in abortion
- In Iran, 1,000 unsafe abortions take place daily
- Unsafe abortions cause 47,000 maternal deaths yearly
- 6% of maternal deaths in MENA were attributed to unsafe abortions
- 13% of global maternal deaths are due to unsafe abortions. In Central Asian Muslim countries, ~50% of maternal deaths are due to unsafe abortions
- In Indonesia, the most populous Muslim country in the world, 2 million women have abortions every year, or 37 abortions for every 1,000 women, one of the highest in the world



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