

ISLAM & THE RIGHT TO CHOOSE: ABORTION

WOMEN IN ISLAM SERIES VIII

ISLAM'S STANCE ON ABORTION

Because abortion is never directly mentioned in the Qur'an, scholars and laypeople must utilize Quranic principles, the Hadith, the maqasid al-Shariah, and historical records to determine the permissibility of abortion in Islam. As we analyze these sources, we must also seek to understand what is meant by personhood in Islam, what it means to be "alive", and what is meant by "ensoulment".

ENSOULMENT

IN THE QURAN

"Then We placed him as (a drop of) sperm in a place of rest firmly fixed. Then We made the sperm into a clot of congealed blood; then of that clot We made a lump; then We made out of that lump bones and clothed the bones with flesh; then We developed out of it another creature: so blessed be God, the best of creators!"

(Q23:13-14)

IN THE HADITH

"The Messenger of God said, "(as regards your creation), every one of you is collected in the womb of his mother for the first forty days, and then he becomes a clot for an other forty days, and then a piece of flesh for an other forty days. Then God sends an angel to write four words: He writes his deeds, time of his death, means of his livelihood, and whether he will be wretched or blessed (in religion). Then the soul is breathed into his body. . ."

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 (or less according to the school they follow), 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 person with legal status, regardless of ensoulment or not.

Islamic theology is not monolithic and across the various schools, sects, and countries that identify as "Islamic", there are numerous reasons for permitting abortion. Some of these reasons include:

Danger to the life of the mother

Foetal Impairment

Preserve a woman's physical or mental health

Protect the health of a breastfeeding child

Pregnancy as a result of rape or incest

Social reasons

THE STATUS OF MOTHERS

In Islam, mothers and women, are held in high regard and for many, the revelations of the Qur'an were understood as elevating the status of women. If this is the case, then we can only assume that the Qur'an, and Islam, allow women to exert autonomy and decision making over their bodies.

"We have enjoined on man Kindness to his parents: in pain did his mother bear him and in pain did she give him birth"

Quran 46:15

Who among people is most deserving of my fine treatment?" The Prophet - peace be upon him - replied. "Your mother." When the man asked, "Then who?" he again replied, "Your mother." When the man asked the third time, "Then who?" he again reiterated "Your mother." It was not until the man asked the fourth time did our Prophet - peace be upon him - reply, "Then your father."

RELIGIOUS FREEDOM DOESN'T EQUAL FREEDOM TO COERCE

Regardless of how you understand the permissibility of abortion according to Islamic theology, it's important to remember that "There is no compulsion in religion" (Qur'an 2:256). This means that you as a Muslim do not have the right to force another Muslim or a non-Muslim to respond to a pregnancy in accordance with your beliefs. They, like you, are free to make decisions about their bodily autonomy in accordance with their own understanding of their faith traditions.