**Explain how the ethical teachings of Islam influence the life of the adherents in Bioethics.**

In Islam bioethics are founded by a combination of principles, duties, rights and a call to virtue.[[1]](#footnote-0) The fundamental aim of Islamic Bioethics is to save human life even if it means going against something that is said to be haram (forbidden), as the ultimate desire for Islam is the submit to the will of Allah. This essay will explain how the bioethical teachings of Islam influence the life of adherents, specifically in issues regarding abortion, organ transplantations and suicide.

Firstly the main sources of ethical teachings in Islam can be found from the 5 Pillars of Faith, the Qur’an, the Hadith and Shari’a Law. It is due to diversity between Islamic adherents that there is no easy way of determining an ethical response as the Sunni and Shi’i both hold their own version of Shari’a law and thus its own theology.[[2]](#footnote-1) The main way in which a decision is ultimately determined, however, is through a religious paradigm with Allah at the centre and his word, the Qur’an, encompassing it.

Within Islam abortion is initially regarded as haram due to the Qur’an, the sacred and unchanging word of Allah, stating in 17:32 ‘Kill not your offspring for fear of poverty; it is We who provide for them and for you. Surely, killing of them is a great sin’. This verse call’s upon the community to prevent abortion, specifically due to poverty, however some school’s of thought believe ‘under some conditions-such as parents’ poverty or overpopulation-then abortion is allowed’[[3]](#footnote-2). When considering abortion other factors, not just poverty, come into play as well, such as abortion for the sake of the child, abortion as a means of protecting the mother’s life as well as when the soul enters the body (which in turn leads to discussion surrounding the sanctity of life).

In order for a parent to permissibly abort a child for its own sake, ‘a committee of specialized, competent physicians has decided the fetus is grossly malformed, and that its life would be a calamity for both the family and itself. The malformation must be untreatable, unmanageable and very serious, and the abortion may only be carried out prior to the 120th day of conception’[[4]](#footnote-3) as stated in a Fatwa passed by the Islamic jurisprudence council of Mekkah Al Mukaramah in its 12th session held during February 1990.[[5]](#footnote-4) This allows a parent right to abort the fetus provided the fetus is less then 120 days old. This ruling only applies to countries ruled under Shai’rah law. The reasoning provided regarding the time frame during which an abortion can be permissible is due the Hadith below:

"Abdullah (b. Mas'ud) reported that Allah's Messenger (may peace be upon him) who is the most truthful and his being most truthful said: Verily your creation is on this wise. The constituents of oen of you are collected for forty days in his mother's womb in the form of blood, after which it becomes a clot of blood in another period of forty days. Then it becomes a lump of flesh and forty days later Allah send His angel to it with instructions concerning four things, so the angels writes down his livelihood, his death, his deeds, his fortune, and his misfortune." (Sahih Muslim 33:6390)[[6]](#footnote-5)

This Hadith regards the concept of nafs, where the soul has entered the physical body. Once the nafs has entered the physical body the fetus has the same life value as its mother. However, this hadith has also lead to 3 main opinions (due to consensus within variants) regarding the age of the fetus when the soul enters it. These opinions suggest the age of the fetus to be 120 days, 40 days or when the fetus involuntarily moves. After this time the concept of the sanctity of life, a very high priority of the faith due to its monotheistic roots, takes precedence. The Qur’an 5:32 states ‘Whosoever has spared the life of a soul, it is as though he has spared the life of all people. Whosoever has killed a soul, it is as though he has murdered all of mankind.’ Making it haram to abort a fetus after the time in which consensus has decided the nafs has entered the body.

This time frame also applies when abortion is considered as a means of saving the mother’s life. However, the circumstance’s under which this abortion is partaken is considered the ‘lesser of two evils’ as set in Shai’rah law. The reasoning behind this ruling is that the mother’s life is already well established, as she has duties and responsibilities, and is already part of a family, as well as the fact that in most cases allowing the mother to die would also kill the fetus.[[7]](#footnote-6)

From these ethical resources an adherent of either variant can determine their stance on abortion in accordance with the circumstances surrounding the decision. Some general consistencies that they must keep in mind is that rulings from both schools of thought has determined the fetus must not be terminated after 120 days, regardless of the circumstances surrounding the possible abortion, due to the soul having already entered the body of the fetus and discussion regarding the of sanctity of life is raised, as it is with organ transplantation.

Organ transplantation is an issue that is still debated within the Islamic community due to the circumstances under which the organs are retrieved. The first part of this section will outline how two different schools of though determined different Fiqh (one stating it is halal the other haram)[[8]](#footnote-7) relating to organs recieved from a deceased person, the next part of this section will discuss how both schools of thought regard retrieving organs from a living person and the final part will collaborate these views.

Organ’s for transplantation retrieved from a deceased person

For an adherent, the different Fiqh still leave an undetermined overall stance on the issue relating to organs that are donated from a deceased person, and allows room for each variant to determine their own response to the issue.

Although the Fiqh contradict each other, the general response adhered to by the majority of Islamic scholars is that organ transplantation is halal due to Surah 5.32 stating ‘whoever saves the life of one person it would be as if he saved the life of all mankind’, which leads to the fundamental goal of Islam to save life because it is sacred. The discussion that has arisen due to this teaching is that it contradicts another Surah (Surah al-Isra, v.70) which states ‘And verily we have honoured the children of Adam’ and leads to the concept that because ‘God has honoured human beings above all other creatures they are sacred-the body must be respected.’[[9]](#footnote-8) For the purpose of this essay each Fiqh will be explained separately.

The view that organ transplantation is haram is due to the concept that human beings are more sacred then all other creatures. This idea does not reside solely within the above teaching but also the Surah al-Baqarah 2:29 and a commentary by Imam Nawawi of a Hadith, which both reflect the idea that due to the sanctity of the human person as expressed within Qur’anic teachings the human body is sacred in both life and death.[[10]](#footnote-9) The Fiqh that has determined that organ transplantation is halal recognises these sections of the sacred texts, however uses Surah 2:173 (‘Necessity makes permissible what is forbidden’) as justification for allowing organ transplantation.

As mentioned above, Surah 5:32 is about the ultimate goal of saving life because, as Allah’s creation, it is sacred. This Surah can be viewed as an endorser for organ transplant due to the transplants resulting in a ‘greater good’ being served. A precedent demonstrating the mutilation of a deceased persons body in order to save a life can be seen as ‘stated in Tuhfat al-fuqaha: If a pregnant woman died and the child in her stomach wis still alive, her stomach will be cut open in order to take the child out, for there is saving the life of a human, thus the sanctity of a human life will be overlooked.’[[11]](#footnote-10) Although this precedent does not directly relate to organ transplantation, it is a practical application of how Surah 5:32, 2:173 and Surah al-Isara v.70 can be applied in harmony. That is in order to save human life the principle of the lesser of two evils must be enforced in order to maintain its (human life’s) sanctity.

From these two Fiqh an adherent can determine their own decision regarding to the bioethical issue of organ transplantation due to ‘“the trust”, which is self awareness and freedom of choice that comes with it.’[[12]](#footnote-11) This is referring to a human beings role to determine if the decision that they form out of their own freedom of choice is corresponding to Allah’s will. Another factor that could contribute to an adherent’s final decision is the variant of Islam that they adhere to. These Fiqh would be useful to families faced with the decision of whether to donate deceased family members organs or when an individual is deciding whether they wish for their organs to be donated once they are deceased.

Organ’s for transplantation retrieved from a living person

In this instance both schools of thought agree due to Surah 5:32 ‘the principle of doing no harm is invoked’[[13]](#footnote-12) regarding the donor. In order for a donor to give vital organs they would be putting their own life at risk and thus going against this Qur’anic teaching as it would be considered an act of suicide[[14]](#footnote-13) (the teachings on suicide will be explained within the next section). The only time when organs can be retrieved from a living donor is if the donation will cause little or minimal harm, and in this case the principle of the lesser of two evils from Suran 2:173 is taken into account.

The ruling regarding organ transplantation

Generally speaking organ transplantation is considered halal by most schools of thought due to Surah’s 5:32 and 2:173, however if the donor’s life is in risk due to the donation then the donation is haram as placing their life in harms way is considered a sin within Islam and is equal to an act of suicide.

Unlike the other two bioethical issues discussed within this essay, suicide is strictly viewed as haram by all schools of thought and is ‘not included among the reasons allowed for killing in Islam’[[15]](#footnote-14). In Islam, as previously mentioned, life is sacred and therefore the sanctity of life must be upheld. Also life is seen as if it can only to be taken by divine will (the will of Allah) as found in the Qur’an 3:145 ‘And no person can ever die except by Allah’s leave and at an appointed term’. As the Qur’an is the most sacred text, as the unchanging word of God, this teaching gives an adherent a very clear teaching on suicide.

If this wasn’t explicit enough the Qur’an also states ‘Destroy not yourselves. Surely Allah is ever merciful to you’ in Qur’an 4:29. Ultimately life is seen as a test of faith and to end this test would be as to denounce their adherence to Allah and no longer submit to Allah’s Will. Also within 2 separate narrations the Prophet speaks of Allah forbidding entry to paradise for those who commit suicide. Sahih Bukhari 4:56:669 ‘Allah said, “My slave hurried to bring death upon himself so I have forbidden him (to enter) Paradise.’” The other narration also speaks of life as a test of faith as within Al-Bukhari and Muslim the Prophet states “You can show endurance and win entry to Paradise.” The life test that is spoken of could be anything, including emotional and physical pain and thus Allah forbids adherents to end their own life to rid themselves of such pain through resorting to suicide. Because the teachings within the Qur’an and Hadith are so clear there is no need for an adherent to turn to any other religious sources to guide their decisions, as both the Qur’an and Hadith are the more sacred then the other sources. These teaching would give guidance to those adherents who are dealing with difficult moments in their lives, such as the death of a partner or child, and all adherents who are suffering from depression.

To conclude an Islamic adherent uses the ethical framework elaborated above to compose their own stance on the bioethical issues of abortion, organ transplantation and suicide when the adherent is placed in the situation when they need to make informed choices in relation to these issues. Due to ‘the trust’ as discussed above each adherent has the freedom to determine if the decision that they make is Allah’s will.

1. Daar, A and Khitamy, A. (2001) [↑](#footnote-ref-0)
2. Course booklet, pg 18 [↑](#footnote-ref-1)
3. Course booklet, pg 60 [↑](#footnote-ref-2)
4. Affinity intercultural Foundation Bioethics in Islam, pg 2 [↑](#footnote-ref-3)
5. course reader pg 60 [↑](#footnote-ref-4)
6. Abortion and Islam (<http://www.angelfire.com/mo/baha/islamabortion.html>) [↑](#footnote-ref-5)
7. Course Reader pg 60 [↑](#footnote-ref-6)
8. Support Information, Assessment task 4, pg 7 [↑](#footnote-ref-7)
9. Support Information, Assessment task 4, pg 6 [↑](#footnote-ref-8)
10. Support Information, Assessment task 4, pg 7 [↑](#footnote-ref-9)
11. Samarqandi, Tuhfat al-Fuqaha, 4/261 and Badai’i al-Sana’i [↑](#footnote-ref-10)
12. Affinity Intercultural Foundation, pg 1 [↑](#footnote-ref-11)
13. Affinity Intercultural Foundation, pg 4 [↑](#footnote-ref-12)
14. Affinity Intercultural Foundation, pg 4 [↑](#footnote-ref-13)
15. Course Reader pg 64 [↑](#footnote-ref-14)