

Dar-ul-Iftah Jummah Masjid

39, Royal Street, Port Louis, Mauritius
Tel/Fax : 242-7260
www.jummahmasjid.org
✉ jummahmsjid@intnet.mu

ABORTION IN ISLAM

باسمہ تعالیٰ

The Subject of Abortion divides into two conditions and parts:

- i. To abort before 120 days of the pregnancy.
- ii. To abort after 120 days of the pregnancy.

The first condition is allowed to abort before 120 days of the pregnancy **only for good reason and valuable cause**. And without any good reason, whatsoever, **to seek abortion is Makrooh (Disliked/Abominable)**.

Valuable reasons to seek abortion before 120 days are as follows:

1. The mother already has a suckling child and feeding him/her milk from bosom alongside she got pregnant again, If the milk become grievous for the child where the baby can suffer harmfully, so here in this situation abortion could be considered under the guidance of learned scholar of Islamic Law and also under the opinion of an authentic medical specialist.
2. In case of pregnancy if there is any serious danger to the mother that there is really no other way to save the mother's life.
3. The father or the mother, any one of them has a cureless disease where the virus can transfer easily to the baby, e.g. Aids (Sida) etc...
4. If the womb and ovary are dilute, fragile and pithless and it is informed by experienced doctors that the impregnation will be unsuccessful.
5. It has been known by an intra-uterine diagnosis of foetal abnormality is made that the child will take birth incapable or paralytic because of any incompleteness from the father or the mother, e.g. Spina Bifida, hydrocephalus etc...
6. In case of operation birth if it is intolerable for the mother.
7. Three times operations have been already done; furthermore the reason concerned health hazard and any possible danger to the mother's life.
8. No lady doctresses available for the operation and parturition.

Note: The reason of abortion should be considered under the guidance of learned scholar of Islamic Law and also under the opinion of an authentic medical specialist.

The second condition is not allowed and extremely prohibited because after 120 days of the pregnancy the Ruh (soul) is blown into the foetus, so in this situation it will be considered an elaborate act of killing an innocent person which is a big crime in Islamic Law. According to Islamic Juridical Scholars the foetus is considered to be a living being after the fourth month gestation period because this is the time when the soul is breathed into it.

The Holy Prophet “peace be upon him” said:

ان احدكم يجمع في بطن امه اربعين يوماً ثم علقه مثل ذلك ثم يكون مضغاً مثل ذلك
ثم يبعث الله ملكاً فيؤمر بربعه رزقه واوله وشقى او سعيد

A human being starts as a fertilised ovum in the uterus of the mother for forty days, then it grows into a clot for the same period, then into a morsel of flesh for the same period, then an angel is sent to that foetus to blow the Ruh (soul) into it and to write down its age, deeds, sustenance, and whether it is destined to be happy or sad. *Bukhari Shareef Vol 2 Page 976*

Once the soul enters the foetus, it will be a human being, a person who is alive. Within the uterus the already existing life is just as sacred as a human being living outside. In case of abortion, it will be a murder of an already existing life of the foetus and it is a criminal act. Seeking abortion without any valuable reason is inhuman thinking; no sane person would allow that.

So, the majority of Islamic theologians have quoted the above Hadith and have argued that before 120 days of the pregnancy it is permissible for only good reason and valuable cause to abort and after 120 days of the pregnancy it is not allowed.

It is mentioned in Durr-e-Mukhtar:

هل يباح الاسقاط بعد الحبل يباح ما لم يتخلق شيء منه ثم في غير موضع
ولا يكون ذلك الا بعد مائتي وعشرين يوماً منهم اداو بالتخليق نفخ الروح

Is Abortion permissible? So it is permissible before the stage of the soul enters into the foetus, and this is 120 days of the pregnancy. *Durr-e-Mukhtar Vol 3 Pg 176*

Same assessment from all Islamic Jurist that abortion before 120 days (4 Months) of the pregnancy is allowed for only valid reason.

Aalamgeeri Vol 1, Pg 335 Al Bahr ul Raaiq Vol 3, Pg 200

Badaa' i us Sanaa' i Vol 2, Pg 334 Fath ul Qadeer Vol 3, Pg 272

Note: (1) Unwanted pregnancy such as forced rape, abortion is not allowed, the innocent baby has the full right to life, that can not be denied, the biological parents both or either one is responsible to take care of such unwanted or illegal births.

(2) If even the conception is that the mother or the father or both they are not in the position to take care for the baby, so it will be extremely prohibited to seek abortion at all, the baby will have to be given for adoption etc...

Jazaakallah

Mufti Muhammad Ishaq Qadri Razvi

Director of Dar ul Iftah

Jummah Masjid – Port Louis