

## **Understanding Islam** **Series Three: Building a Just Society**

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### **Part Two: The ethics of life**

When God created Adam, God breathed into him God's spirit and thus human life is sacred; we are the bearers of the breathe of the divine [Q. 32:9; 15:29; 38:72]. This means that every human life is of infinite value in the sight of God. To kill one human being without due cause (murder or "spreading corruption upon the earth") and process of law, is as though one has killed all humankind; to save one human life, is as though one has saved all humankind [Q. 5:32]. Life is a gift from God, suicide is forbidden, we do not have the right to determine when we should die [Q. 4:29]. Every reasonable effort then should be made to preserve human life, to prevent death and cure illness. Human life is of the highest ethical value, to preserve it, the Muslim may do something that under normal circumstances would be forbidden, for example, to drink alcohol and eat the flesh of the pig.

In pre-Islamic Arab society, if there was a surplus of girl babies, the practice was to kill some of them. This reflected a sense of girls being less valuable than boys and an attitude to life that did not reflect its sacred character. This practice was categorically forbidden by the Qur'an [Q. 16:59; 81:8-9]. It was one of the essential criteria of belief for those who embraced the way of Islam [Q. 60:12]. It was a sign of lack of trust in the providence of God to sustain all even when times are hard [Q. 17:31].

### **The beginning of life**

The question of when human life begins determines the moral character of some human actions, like assisted conception, contraception and abortion. The process of breathing the divine spirit into a human being is often referred to as ensoulment; the giving of the human soul to mark the transition from being a mass of cells to having human life, rights and dignity. There are verses of the Qur'an that speak of the process of human development in the womb [Q. 23:12-14]. They speak of stages in this development: a drop of sperm that comes to rest, that is transformed into a clot and then an undifferentiated lump, which comes in turn to take human form with bones and flesh. There is a Hadith of the Prophet that refers to the initial stages taking 120 days before the arrival of the human soul. This was also arrived at through observation by the philosopher Aristotle, who spoke of ensoulment at the same 120 days; mothers will know that this (around seventeen weeks) is when there are detectable signs of independent movement within the womb. Most schools of Islam traditionally took this as the point at which human life begins. For a minority of Muslims, human life was held to begin at conception, although in the early centuries this was seen more as the depositing of the seed in the seed-bed of the womb rather than the fusion of sperm and egg.

## **Assisted conception**

Modern developments in medical practice have made it possible to take semen from the man and eggs from the woman and bring them together outside the womb. This is called in-vitro fertilisation, artificial insemination or assisting the process of conception. The usual practice is to take several eggs and inseminate them to see which develop into healthy fertilised eggs and then to implant a few of these into the mother's womb. This necessarily means that some fertilised eggs are discarded. For Muslims who hold that human life begins at conception, this is problematic and thus the process is forbidden. For those schools that hold that human life begins at the later stage of ensoulment, these surplus eggs are not human life and thus, for the sake of the higher ethical goal of assisting a couple to have a child, they can be discarded; thus the process is permitted.

There is a stress in Islamic law on every child having the right to know its origins or parentage and so most schools only permit such artificial insemination when both semen and eggs come from a married couple. The use of donated semen or eggs is held to infringe on the sanctity of the marital bond and to throw the question of parentage into doubt. Some schools will permit donation provided that the donor is prepared to be identified, thus securing the right to know one's parentage. The use of such a technique to assist conception in an unmarried couple or a same-sex couple would not be permitted. The stress on knowing one's parentage can be seen in the fact that anonymous adoption is forbidden in Islamic law, whereas fostering children, in which they keep their birth identities, is a highly meritorious act. Recent trends in some countries to give the legal right for an adopted child to know its birth parents have made this practice more acceptable.

## **Contraception**

Couples in the early Muslim community practised withdrawal (*coitus interruptus*) with the Prophet's knowledge and approval, thus in principle contraception is permitted to delay having a family, to space children and when the couple decide that their family is complete. "Completion" is a personal decision but the scholars stress the importance of ensuring the continuation of the human race and thus having sufficient boys and girls to ensure this is desirable. Those schools of Islam that hold that life begins at conception would not approve of contraceptive methods that prevent the implantation of a fertilised egg, e.g., the intrauterine coil (IUD) or "morning-after" pills. Other schools would permit such as well as barrier and hormonal methods but not sterilisation as this would amount to mutilation.

## **Abortion**

The question of when human life begins is of particular importance in relation to abortion or the deliberate termination of a pregnancy. The majority, who hold human life to begin at ensoulment are generally permissive of a pre-ensoulment termination; some require there to be a justifiable reason and others hold it to be a neutral act

(*mubah*) on which the couple can decide as they choose. Many scholars hold that the father must agree as well as the mother as the pregnancy is the result of a joint action. An exception would be if the mother's health is at risk as she ultimately has the right to preserve her own life. Traditionally, this was likely to be a decision within the family but where access to abortion is regulated by law, the state delegates certain rights to doctors to act in the interests of their patient when it is a matter of risk to health or life.

An incident is recorded in the life of Muhammad when a miscarriage was induced in a dispute between two co-wives. One wife struck the other, who was pregnant, causing her death and the death of the foetus that she was carrying. The Prophet ordered that blood-money must be paid for the life of the woman but only a lesser recompense (*ghurra*) for the loss of the foetus. This was the same recompense (five per cent of human blood-money) that was to be paid for the loss of a body-part. This distinction is seen in Islamic law, in which murder cannot be redeemed by the payment of a *kaffara* (expiation for a sin) but abortion can be; some schools hold this to be obligatory (*wajib*) while others see it only as an act of devotion.

The general principle is that an abortion post-ensoulment can only be permitted for therapeutic reasons when there is a risk to the life of the mother. When the foetus is discovered to be malformed so that it would result in a severely disabled child, some scholars will permit a therapeutic abortion on the grounds of undue hardship to the life of the child or the parents and their other children.

Abortion is never something to be entered into lightly and scholars highlight the responsibility of Muslim societies to reduce the social circumstances that might militate towards it such as making appropriate means of contraception more widely available and setting up welfare institutions (*waqf*) to provide for families in need. Some modern Muslim countries have recognised violation of the woman, e.g., through rape or incest, as grounds for an abortion, and some see modern social trends, e.g., the breakdown of the extended family, unemployment and the need for women to contribute to the family income, as grounds leading to pre-ensoulment abortions. There is a general fear of the rise of a culture of abortion brought about by material consumerism and moral decadence, as has been experienced in some non-Muslim societies around the world.

## **Homosexuality**

Mention of sexual ethics necessarily raises the question of Muslim attitudes to homosexuality. The Qur'an speaks at length of the situation in the time and society of the Prophet Lot [Q. 7:80-84, also: 11:77-81; 15:61-72; 26:161-174; 27:54-57; 29:28-35]. The offence for which that community was destroyed is held overwhelmingly to have been their practice of male homosexual acts. The Qur'an also prescribed punishment for both parties engaged in such acts [Q. 4:16]. There is no explicit mention in the Qur'an of female homosexual acts or what would today be referred to as a homosexual disposition.

Islam is opposed to both the practice of homosexuality and regarding a homosexual culture as an alternative lifestyle. It runs counter to the principle that sex should be heterosexual and only take place within marriage. Many Muslims take the view that it is encouraged by the permissiveness of decadent societies. Some Muslim schools accept that people may have a homosexual tendency or disposition but such a person should abstain from sex and control their urges by prayer and fasting [Q. 29:45]. In some Shi'a societies sex-change operations are performed. Homosexual practice is never acceptable but the door of repentance always remains open. God will reward the suffering of those who resist, as God knows best.

### **Organ transplantation and donation**

Our bodies do not belong to us but they are a trust from God, therefore Islamic teaching is that we can only consent to those acts regarding our bodies that are godly. As we have seen [Q. 5:32], saving a human life is a highly meritorious act as though we had saved the whole of humankind, therefore there is a generally positive attitude towards organ donation and transplantation. The donation of parts of the human body that naturally regenerate is permissible, e.g., blood, skin and bone marrow. At the same time, suicide is forbidden [Q. 4:29], so the donation of an organ that would kill the donor is forbidden. Scholars are divided on the permissibility of the donation of an organ from a healthy living donor who has two, e.g., a kidney, that would not result in the death of the donor. Some will permit this if the best available medical evidence is that the donor can survive healthily with only one such organ, on the principle of saving the life of the recipient who would die without a transplant. Others hold that this is tantamount to saying that we know better than God who gave us two kidneys in the first place.

There is a general principle of respect for a dead body, and thus a disinclination towards post-mortem dissection unless it cannot be avoided (non-invasive post-mortem examinations are preferred). Scholars permit the removal of organs from a dead donor on the grounds of the higher ethical good of saving life. It would be illegal to kill someone to remove their organs and at the same time, organ removal must be done whilst there is still oxygenated blood flowing in them. This has led to a re-definition of the point of death. Traditionally death was held to have occurred with the cessation of breathing and a beating heart but brain death is now widely accepted for organ removal. Modern Muslim societies generally require death to be certified by two doctors who are not involved in the transplant operation. The donor or the next-of-kin must give free consent to organ donation and no coercion or financial incentive is permissible. Muslim doctors are permitted to perform transplant operations and there is no bar on a Muslim receiving an organ from a non-Muslim.

### **Euthanasia**

When considering the ending of human life certain principles are indicated by Muslim scholars. Life is a gift from God, so when a Muslim is greeted with an enquiry after

her health, she responds, “All praise is due to God” (*al-Hamdu illah*). We are not the owners of our bodies; therefore we do not have the right to decide when we should die. Indeed, the Qur'an says repeatedly that every person has an allotted span of life and God will cause them to die at the designated time [Q. 3:145, 156, 185; 39:42], therefore a deliberate action that causes our death before this designated time is in fact an act of disobedience to God for which account must be given on the Day of Judgement. It is the duty of the medical profession to do all that is possible to prevent premature death, i.e., death before God's designated time, hence the need to preserve life where possible.

Illness is not something that is inevitable or to be sought. Muhammad is reported to have said at a funeral: “How fortunate you are that you died while not afflicted with illness.” At the same time, illness is not seen as an evil but as an invitation to trust in God and grow in faith. It can be an expiation of the sins of one's life, as the Prophet is reported to have said: “No fatigue, disease, sorrow, sadness, hurt or distress befalls a Muslim, even if it were the prick that he received from a thorn, but that God expiates some of his sins for that.”

Medical professionals make a distinction between active euthanasia, which is killing someone, and passive euthanasia, which is letting someone die when their illness is clearly terminal and death is inevitable. Active means of euthanasia, including assisting someone to take their own life, are forbidden in Islam. When it comes to letting death take its natural course, two instances might be considered. When medication is given with the intention of relieving pain and suffering and not with the intention of killing someone, even though the effect of taking the medication will be to shorten the patient's life, this is permissible according to Muslim scholars as it is to relieve suffering; the decision as to the point at which death occurs is still left to God. When a patient's life is maintained artificially through the use of a machine, for example, then the withdrawal of this machine, after due consultation with the patient (if possible), the family and medical professionals, would be to allow the disease to take its inevitable course. The disease would be the cause of death and not the withdrawal of the artificial means. Similarly, after due consultation, the withholding of certain treatments that would only prolong the process of dying against the patient's best interests, is held by Muslim scholars to be permitted.