
Guidance for health providers: **Islamic teachings on maternal and reproductive health**



Leaders discussing
family planning, Imam
Alkhair Mosque, Yemen.

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Introduction

Marie Stopes International (MSI) operates throughout the Islamic world, in predominantly Muslim countries: Afghanistan, Bangladesh, Burkina Faso, Mali, Pakistan, Senegal, Sierra Leone and Yemen; and in countries with large Muslim populations such as India, Ethiopia and Nigeria.

Numerous Islamic academics and practitioners have written on the topics of reproductive health, family planning and safe abortion. In every context these issues are sensitive and complex, but across the Islamic world we are increasingly seeing an emerging consensus informed by the desire to protect and promote the health of women and children.

Clarifying and amplifying these teachings and interpretations is important to both facilitate the delivery of lifesaving services and to counter some of the prevailing misinformation, stereotyping and assumptions that can prevent people from seeking and receiving care.

To support these efforts we have undertaken a literature review and condensed findings into a format that we hope will be useful for our providers, and the community organisations and policy makers with which we work, bringing in examples and recommendations from religious leaders and healthcare providers from across the Muslim world.





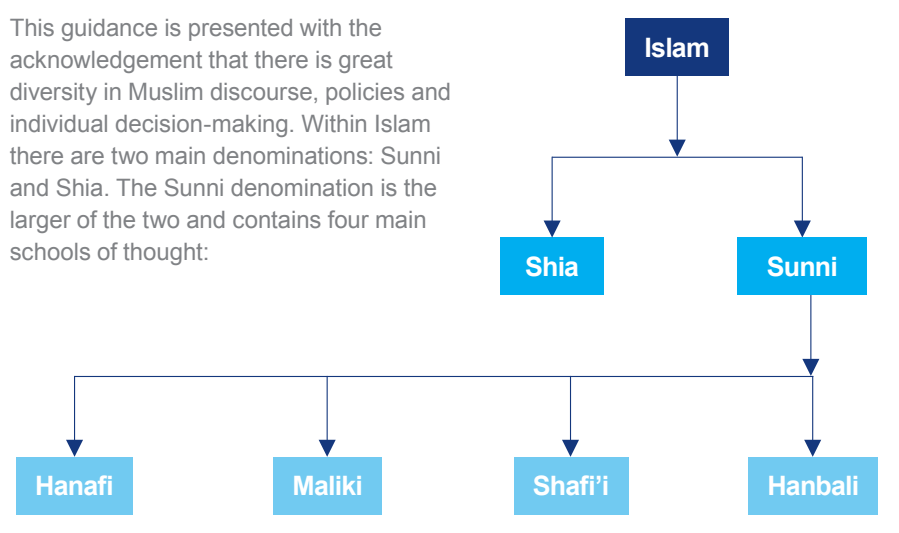
1. Guiding principles

There is no single authority within Islam that establishes official religious doctrine on contemporary social issues. Islamic scholars derive their positions first and foremost from the Qur'an – the sayings (*Hadith*) and acts (*Sunnah*) of the Prophet Muhammad. Secondly from early Islamic legal formulations and analogy, and thirdly from the views and consensus of Muslim jurists and leaders qualified to interpret the teachings of Islam (*Ijma*). A Muslim therefore has three sources of knowledge to guide their lives and to answer fundamental questions:

the sayings (*Hadith*), the acts (*Sunnah*) and the views of leaders with the consensus and agreement of the Muslim community (*Ijma*).

Islamic scholars have continued, throughout the ages, to derive different rules and methods of deducing new rulings as new issues arise. As a result, Islamic law is flexible in its application and accommodating towards certain local customs and needs – issues relating to maternal and reproductive health are no exception.

This guidance is presented with the acknowledgement that there is great diversity in Muslim discourse, policies and individual decision-making. Within Islam there are two main denominations: Sunni and Shia. The Sunni denomination is the larger of the two and contains four main schools of thought:



Reproductive health

“Islam inspires health and a strong society. Therefore, when maternal health is improved through family planning, the health of a new generation will likewise be improved, thus making a stronger Islamic society”

Jamal Mohamed and Omar Ali
(Religious Leaders, Tanzania)

Islam grants a central position to family and family life. Islam gives women and men the right to sexual health by forbidding all what is believed to be harmful.

Dr. Tasneem Fatima, Deputy Director Health Services & Strategy, Marie Stopes International in Pakistan

Health is considered as a blessing given by God. As the Prophet Muhammad said, according to Haddith 148:

There are two blessings which many people do not appreciate: health and leisure time.

The Islamic faith contains many teachings and provisions that urge fostering of health and preserving it against weakness and disease. According to the development organisation Islamic Relief, *it is a person's responsibility to preserve the blessing of health. It is the Sunnah of the Prophet to be gentle with women, and likewise we should be gentle.* These teachings support actions that prevent a woman's reproductive role (i.e. pregnancy, child birth) from jeopardising their health.

Mothers have an extremely high status in Islam. Allah continuously honours mothers for the central role they play in both the family and society. Enshrined in the Qur'an is the belief that mothers deserve to be honoured and cared for because of the difficulties endured in pregnancy and childbirth:

Brothers and sisters, who deserves our love and care most in the world? A man asked our beloved Prophet this very same question. And how did the Prophet reply? 'Your mother'. 'And who else after that?' the man asked again. The Prophet said, 'Your mother'. 'And who then?' the man insisted and for the third time, our beloved Prophet replied 'Your mother'. Only after this, did he say 'Your father'.

Consider this. The most beloved of creation, who is the most perfect and high ranking human being – who does he command us to love? Our mothers. Not once, but three times. So you see brothers and sisters, the Prophet has made Muslims the lofty status of our mothers' clear – in our families, she is most deserving of our love.

This provides a basis to prevent maternal mortality as, in Prophet Muhammad's words:

If any of you see an evil, then change it with your hand, and if you cannot, then change it with your tongue, and if you cannot, then hate it in your heart and that's the least of faith.



Family planning and contraception



“Couples can have children, and they are also allowed not to have children. Family planning benefits the family by ensuring that children are better raised in healthier and more sustainable environments for every member of the family, and it especially benefits the mother in her health and well-being”

**Sheikh Jabri Ibrahim Hassan
(Religious Leader, Yemen)**

The overwhelming majority of Islamic scholars and schools of Islamic law support the use of modern forms of contraception in the context of marriage. The permissibility of contraception is based on the interpretation of early Islamic jurisprudence and principles of liberty (lawful unless otherwise designated), women's health, family stability and prevention of economic hardship.

The four main Sunni schools of thought agree that reversible contraception is permissible and even preferable in some situations, for example, if the health of the mother is at risk.

There is no text in the Qur'an or Hadith that prohibits contraceptive methods:

Nothing in the Holy Qur'an or in the reported utterances of the Prophet prohibits the planning or limitation of childbirth.
Sheikh Jad-al-Haq, 1981

There are several Hadiths illustrating that preventing conception is accepted and permissible; that the Prophet knew about the practice and did not prohibit it and that the Prophet himself permitted the practice. According to the companions of Muhammad – Jabir, Anas, Abu Sa'id and Umar Ibn al-Khattab:

We used to practise 'azl (coitus interruptus) during the Prophet's lifetime. News of this reached him and he did not forbid us.

A man asked the Prophet about 'azl and the Prophet said, "even if you spill a seed from which a child was meant to be born on a rock, God will bring forth from that rock a child."

The Jews say that coitus interruptus is minor infanticide, and the Prophet answered, "the Jews lie, for if God wanted to create something, no one can avert it."

The Prophet forbade the practice of 'azl with a free woman except with her permission.

The Fatwa by Al-Azhar Sheikh on family planning says:

It is permitted to use the modern contraceptive methods temporarily or to delay the pregnancy for a period of time...There is no contradiction between calls for family planning and tawakol on Allah (relying on Allah). The temporary use of contraceptive methods is a permissible action and still allows a person to rely on Allah, as a Muslim always should.

Islamic scholars and schools of Islamic law hold firm positions about the morally and culturally permitted contexts in which sexual activity may lawfully occur and consequently, the permissibility of both contraception and abortion are usually only considered in the context of marriage.

Emergency contraceptive pill

The Emergency Contraceptive Pill (ECP) is a safe and effective means of preventing pregnancy. The ECP is a back-up method of contraception and is the only available contraceptive method that a woman can administer herself after intercourse. It offers a safe, simple and affordable method.

150 countries have at least one ECP brand registered, including Algeria, Egypt, Iran, Kuwait, Tunisia, Turkey and Yemen. ECP is available over the counter in Bangladesh and is available from a pharmacist without a prescription in 66 countries including Iran. A halal certification process for the ECP took place 10 years ago in Indonesia.

“Family planning is crucial to society because it guarantees good health between children and their mother...appropriate birth spacing gives enough time for parents to engage in other socio-economic activities because they need less time to take care of the family”

**Abdalla Rashidi Juma and Ali Omary
(Religious Leaders, Tanzania)**

Birth spacing

The recommendation in the Qur'an is that child spacing should be 2-3 years. The Prophet Muhammad referred to the pregnancy period:

And we have enjoined on man to be dutiful and kind to his parents. His mother bears him with hardship and she brings him forth with hardship, and the bearing of him and the weaning of him is thirty months.¹

Chapter 2, verse 233 of the Qur'an states:

The mothers shall give suck to their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling.²

Extracts from Islamic Relief's Reproductive Health Policy

Islam encourages discussion of issues related to sexuality. Aisha, the wife of the Prophet said 'Blessed are the women of the Ansar (the citizens of Madina). Shyness did not stand in their way seeking knowledge about religious matters related to sexuality.' A woman's menstruation cycle should be discussed as part of sexual education, and failure to do so will cause unnecessary anxiety and prevent Muslims from attaining Tahara (purification).

Within the Muslim community, a common concern is that family planning is deemed to be a western ideology which aims to limit the size of the Muslim population. In reality, family planning as such is neither a conspiracy from the West nor foreign to Islam. Islam deals with this issue in several places in the Qur'an and *Hadiths*.

Islam is a religion of mercy and does not decree anything that is beyond the capacity of humankind. Fertility can be controlled for birth spacing purposes; if it compromises the quality of life of the mother or the child, or the ability of the parents to raise their children. The Qur'an reads 'Allah charges no soul except to its capacity.'

Omran (1992) argues that 'if excessive fertility leads to proven health risks to the mother and children, and/or if it leads to economic hardship or embarrassment for the father, or if it results in the inability of parents to raise their children according to religious traditions, and educate them socially, then Muslims would be allowed to regulate their fertility in such a way that these hardships are warded off or reduced.'

There is a consensus among scholars and a verse in the Qur'an which clearly states that a distance between children should be observed... 'The mothers shall give such to their offspring for two whole years, if the father desires to complete the term.' (2:233)

Azl as a form of contraception practiced at the time of the Prophet Mohammad is considered by the majority as permissible... The four schools of thoughts accept that any scientific means of contraception, such as the pill, condoms, injections, and intra-uterine devices that aim to achieve the same result as azl are acceptable.

¹Surat Al-Ahqaaf, Verse (15)

²Surat Al-Baqarah, Verse (233)

Extracts from Muslim Khutbah, Guide to Save the Lives of Mothers and Newborns: A Toolkit for Religious Leaders, 2009

Allah is our ultimate healer and protector. However, we must remember that He uses people and tools to do his good work. He has provided us with plants to make medicines. He has given His children the skills and desire to become knowledgeable and educated caregivers... Allah expects us to embrace learning and value wisdom in others... let us not reject these gifts but embrace them and use them to protect our precious families. Properly spacing the births of children can help give the woman time to recover and become strong again, and will enable her to properly care for an infant before she faces the demands of another pregnancy... in order to space pregnancies properly, a woman and her husband will need to use appropriate family planning techniques.

But some things in life are better when they are planned. Bringing children into the world is one of those times. Children are a precious gift from Allah, but we must be prepared for their arrival.

While it is true that Allah guides our lives, we are in control of our own actions. We have been given the opportunity to make choices and we must exercise good judgement and be in command of our actions. Child spacing benefits the mother, the child, the father and the entire family.

It is recommended for health reasons that a girl wait until she is at least 18 years old to have a baby... a girl who gives up an education for marriage and motherhood is missing opportunities to fulfil her potential and use the talents and skills bestowed on her by Allah.



“We work with Marie Stopes International to make the Muslim community aware that Islam is not against family planning. It’s our role as leaders to inform and educate community members to make informed choices on matters relating to their health and well-being.”

Fousseini Doumbia
(Religious Leader, Mali)

Longstanding juridical rulings place the beginning of life or potential for life as beginning with ensoulment, which takes place at 40, 80, or 120 days. The **majority of Muslim scholars** agree that the soul does not enter the foetus until 120 days after conception:

Every one of you is collected in the womb of his mother for the first forty days, and then he becomes a clot for another forty days, and then a piece of flesh for another forty days. Then Allah 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.
Hadith Bukhari

However, it is important to recognise that ‘while all Muslims share certain core beliefs, official and practised Islam manifests itself in different ways as it intersects with local cultures, traditions, histories and politics.’³ With such diversity it is unsurprising that there is no clear consensus towards the permissibility of abortion.

Only the Maliki School and one sub-group within the Shafi’i school identify implantation as coinciding with ensoulment.

Further to this idea of ensoulment the Qur’an does not explicitly state that abortion is forbidden: ‘*although Islamic jurisprudence does not encourage abortion, there is no direct biblical prohibition.*’⁴

Although often restricted, in no Muslim countries is abortion illegal in all cases⁵ and all Muslim countries permit abortion where it is necessary to save the mother’s life.⁶ Therefore abortion services should be accessible and available.

Across Muslim countries access to abortion varies. From only permitted to save the woman’s life; to cases of rape, incest or foetal impairment; to protect the woman’s physical or mental health.⁷

Permissibility of abortion	Islamic schools of thought
Unconditional permissibility without justification or foetal defect up to 100 days of gestation	Some Hanafi Some Shafii
Unconditional permissibility without justification but only up to 40 days	Hanbali
Conditional permission for an acceptable justification up to 100 days of gestation	Shia Majority Hanafi Majority Shaffi
Strongly disapproved at any stage	Some Maliki
Unconditionally prohibited at any stage	Majority Maliki

³Leila Hessini, ‘Islam and Abortion: The Diversity of Discourses and Practices’, IDS Bulletin, Vol.39, No. 3 (2009)
⁴Gilla K. Shapiro, ‘Abortion law in Muslim-majority countries: an overview of the Islamic discourse with policy implications’, Health Policy and Planning, (2013).
⁵The countries where abortion is illegal in all cases are El Salvador, Chile, Nicaragua, Dominican Republic and Malta.
⁶Gilla K. Shapiro, ‘Abortion law in Muslim-majority countries: an overview of the Islamic discourse with policy implications’, Health Policy and Planning, (2013).
⁷Gilla K. Shapiro, ‘Abortion law in Muslim-majority countries: an overview of the Islamic discourse with policy implications’, Health Policy and Planning, (2013).

Legal indications in a selection of Muslim majority countries⁸

Country	Indications when abortion is permitted
Saudi Arabia	To save life and to preserve physical health subject to parental or spousal authorisation
Pakistan	To save life, to preserve physical health and to provide necessary treatment
Mali	To save life
Iran	To save life and foetal impairment
Egypt	To save life and sometimes to preserve physical health and foetal impairment (not explicit in Penal Code but criminal legislation allows abortion under defence of “necessity”)
Burkina Faso	To save life and preserve physical health and in cases of rape, incest or foetal impairment
Afghanistan	To save life
Sudan	To save life and in cases of rape
Yemen	To save life
Turkey	On request within the first 10 weeks and subject to parental or spousal authorisation
Tunisia	On request
Senegal	To save life



Tunisia has allowed abortion ‘on request’ in the first twelve weeks of pregnancy since 1973.⁹ It adopted liberal interpretations of Sharia law in order to provide its citizens with comprehensive reproductive health and family planning services whilst maintain its identity as an Islamic country.¹⁰ This policy was accompanied by other steps to promote women’s rights including enforcing a minimum age of marriage of 17 and allowing women voting rights, access to divorce and the opportunity to work. This has led Dr. Hajri to note that, “access to medical abortion was accepted by Tunisian women and providers as a modern, safe method and furthermore, a means for women to achieve more autonomy and self-determination.”¹¹ This underlines the importance of wider societal change in order to ensure that even if abortion rights are legally extended, the procedure is free from social stigma and women can feel comfortable using the services available to them.

⁸Centre for Reproductive Rights, *The World’s Abortion Laws*, 2014.

⁹Gilla K. Shapiro, ‘*Abortion law in Muslim-majority countries: an overview of the Islamic discourse with policy implications*’, *Health Policy and Planning*, (2013).

¹⁰IPAS, *Medical Abortion Matters*, 2011.

¹¹IPAS, *Medical Abortion Matters*, 2011.



Many academics (e.g. Hessini) have also recognised that restrictive abortion legislation in a large number of Muslim majority countries 'are not due to shari'a [law]...but to antiquated colonial texts which are the basis for abortion laws in the majority of countries.'¹²

At the Rabat Conference on Islam in 1971, it was agreed that abortion should be permitted beyond the fourth month if the mother's life is in danger. Participants acknowledged that *'unsafe abortion was a major public health problem in almost all countries and that governments, and family planning associations have a special responsibility to face up to the problem, consider reviewing outdated laws where possible, reduce the toll of unsafe abortion by better and more humane treatment and provide better contraceptive services to women at risk and women who had undergone abortions.'*¹³

Since then, a significant number of Muslim majority countries have pledged their commitment to addressing unsafe abortion through ratification of various

protocols, charters and conventions such as the *Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights*, *Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* and the *International Covenant on Civil and Political Rights*.

Some Islamic scholars have recognised abortion as a 'defence of necessity'¹⁴ particularly given the role of abortion in protecting women's health. There is also a general agreement that the foetus does not have a higher claim to life than the mother¹⁵ or indeed, any other children who have already been born to her.¹⁶ As such, in some circumstances abortion may not only function to protect the mother but also the interests of previous children when stretching limited resources would have a negative impact on their quality of life. As well as physical health, in the reviewed literature there is also a tentative suggestion emerging that rape is viewed as a legitimate reason for obtaining an abortion within the first four months of pregnancy.^{17 18} In these cases indications could be widened to include mental health and the potential negative impact of carrying an unwanted pregnancy to term. However, it is also important that abortion is not enforced to uphold a woman's honour or to protect her social status. This is particularly the case for unmarried women.

Although fatwas are not legally binding, they can be extremely influential in what Muslims consider appropriate behaviour. Fatwas which support safe, legal abortion are an important means to fostering more accepting attitudes. Sheikh Jadel Haq Ali Jadeh Haq, for example, issued a fatwa in 1979 and in 1980 in which he stated:

A thorough review of the Qur'an reveals no text prohibiting the prevention of pregnancy or diminution of the number of children, but there are several traditions of the Prophet that indicate its permissibility.

¹²Leila Hessini, 'Abortion and Islam: Policies and Practice in the Middle East and North Africa', *Reproductive Health Matters*, Vol. 15, No. 29 (2007)

¹³Leila Hessini, 'Abortion and Islam: Policies and Practice in the Middle East and North Africa', *Reproductive Health Matters*, Vol. 15, No. 29 (2007)

¹⁴Leila Hessini, 'Islam and Abortion: The Diversity of Discourses and Practices', *IDS Bulletin*, Vol.39, No. 3 (2009)

¹⁵Oren Asman, 'Abortion in Islamic Countries: Legal and Religious Aspects', *Medicine and Law*, Vol 23, No. 1 (2004)

¹⁶Leila Hessini, 'Islam and Abortion: The Diversity of Discourses and Practices', *IDS Bulletin*, Vol.39, No. 3 (2009)

¹⁷Oren Asman, 'Abortion in Islamic Countries: Legal and Religious Aspects', *Medicine and Law*, Vol 23, No. 1 (2004)

¹⁸Leila Hessini, 'Abortion and Islam: Policies and Practice in the Middle East and North Africa', *Reproductive Health Matters*, Vol. 15, No. 29 (2007)

2. Lessons learnt

Marie Stopes International in many countries has developed expertise in working with religious leaders to meet the needs of a diverse range of Muslim communities. Lessons learned include:

- The ability of local communities to address barriers to reproductive health often requires religious/community leaders to take the lead. Religious leaders are well placed to promote positive behavioural changes.
- Connections with religious/community leaders can often serve as a first step towards gaining wider support from men.
- Consulting with religious leaders where differences of opinion exist ensures that a project is sensitive to their religion and adds credibility which can help to allay concerns of donors or recipients who you are trying to engage. Begin consultations as soon as possible.
- Ensure that the urgency of the situation of securing better reproductive health for women is emphasised. It may be helpful to frame this as a public health issue rather than as a “women’s issue”. Emphasise the importance of a mother’s health within the family and community. When a woman dies in childbirth, her family lose a valuable source of income and her children will be less likely to stay in school. All this means that the cycle of poverty continues.
- When consulting with religious leaders reassure them that their opinions remain confidential unless they give their express permission for them to be made public.
- In enlisting the help of leaders, it may be necessary to facilitate their involvement as they will have an array of other responsibilities and engagements. For example, supporting them to write sermons, articles, organising events/ speaking slots, travelling to meet with them.
- Find ways for men to take a positive role and to actively participate in providing safe childbirth and therefore reducing the idea of reproductive health as simply being a “women’s issue”.
- Discussing reproductive health introduces a lot of issues which may be taboo/private/controversial– expect difficult questions when trying to win the support of religious leaders.
- It is common to encounter concerns that teaching people about reproductive health will result in promiscuous behaviour, particularly amongst young people. However, increased knowledge tends to lead to reduced frequency of sexual practice and delayed initiation of sex as demonstrated in a recent study of 85 reproductive health education programmes.¹⁹
- **Seek partnerships:** as Islamic Relief observes, Islamic NGOs sympathetic to reproductive health concerns are particularly well-equipped to work in culturally and religiously sensitive ways in Muslim communities.²⁰ Furthermore, they are well positioned to work alongside Muslim leaders and to assess the appropriateness of conducting difficult conversations about controversial topics.

¹⁹Manlove, Fish and Anderson Moore, ‘Programs to improve adolescent sexual and reproductive health in the US: a review of the evidence’, *Adolescent Health, Medicine and Therapeutics*, Vol 6, 47-79 (2015).

²⁰Islamic Relief, *Reproductive Health Policy*, 2008.

3. Further resources

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- Douglas K., B.A. Laris, Loor R. / YouthNet, 'Family Health International (FHI), *Impact of Sex and HIV education Programs on Sexual Behaviours of Youth in Developing and Developed countries*', Youth Research Working Papers, No. 2, (2005)
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