

Abortion in Islam: A Fiqh Examination of Medical and Social Indications

Muhammad Faisal Hamdani¹, Ishaq²

Abstract

This article aims to explore how principles of Islamic fiqh can be integrated with modern medical approaches in addressing abortion, particularly in countries with significant Muslim populations. Given the high rates of unwanted pregnancies and the grave consequences of unsafe abortions, this research is imperative to enhance understanding of the diverse fiqh perspectives regarding medical and social justifications for abortion. The methodology employed is a phenomenological qualitative approach with a constructivist paradigm, emphasising a deep comprehension of the subjective experiences and viewpoints of Islamic scholars. Data was collected through extensive literature review, including classical and contemporary fiqh texts as well as academic literature related to medical ethics in Islam. The findings reveal various interpretations of Quranic verses relevant to abortion, underscoring the importance of preserving life and human dignity. Within the context of Maqasid Shari'ah, it was found that abortion could be permitted in situations meeting the criteria of Darura, where the preservation of the mother's life is the paramount concern. Social phenomena related to abortion were also examined, highlighting the stigma and social consequences faced by women in Muslim communities who undergo or consider abortion. The discussion in this article includes the integration of religious law and medical practice, and the need for greater education and awareness about reproductive health within Muslim communities. This allows the research to provide clear guidelines that not only assist healthcare practitioners in making ethical decisions but also support the creation of more effective and empathetic policies that consider the health and well-being of women within a framework of human rights and social justice.

Keywords: *Abortion, Fiqh, Medical, Social.*

Introduction

Abortion is an urgent global reproductive health issue, crossing economic, regional, and legal boundaries. Data from 2015 to 2019 recorded approximately 121 million unintended pregnancies each year, with 61% of these, or about 73 million, ending in abortion (Bearak et al., 2020). Abortion remains necessary and is performed even in countries with strict legal restrictions, where it is often only allowed to save a woman's life or to maintain her physical and mental health (Atuhairwe et al., 2021; Larrea et al., 2022). The rate of unintended pregnancies is higher in countries that restrict access to abortion, though the abortion rate itself is similar between countries that restrict and those that provide broader access. This highlights the need for a comprehensive approach to sexual and reproductive health, including access to contraception and safe abortion care.

Furthermore, abortion is a common medical intervention that can be extremely safe when performed using methods recommended by WHO, appropriate to the duration of pregnancy by skilled health personnel (WHO, 2024). However, about 45% of all abortions are classified as unsafe and are a leading cause of maternal death and preventable morbidity (Ganatra et al., 2017). Unsafe abortions often occur under highly risky conditions, and more than half of these cases are in Asia, with similar rates in Latin America and Africa. Health risks from unsafe abortion include incomplete abortion, bleeding, infection, uterine perforation, and internal organ damage, all of which underscore the importance of access to safe abortion care as a critical public health and human rights issue (Ndyanabangi et al., 2021; Yokoe et al., 2019).

In the context of Islam, the debate about abortion is highly complex and influenced by various fiqh interpretations (Ridwan et al., 2021). Islam does not have a monolithic approach to abortion, but rather various views influenced by factors such as the duration of pregnancy, the health condition of the mother, and circumstances leading to the pregnancy. Some schools allow abortion if the pregnancy threatens the

¹ Departamento de Pedagogía de los Idiomas Nacionales y Extranjeros, Facultad de Filosofía, Letras y Ciencias de la Educación, Universidad Técnica de Manabí, Portoviejo, Ecuador; monica.vaca@utm.edu.ec.

² Departamento de Sistemas Computacionales, Facultad de Ciencias Informáticas, Universidad Técnica de Manabí, Portoviejo, Ecuador; ermenson.ordonez@utm.edu.ec.

health or life of the mother, while others consider additional factors like the severity of fetal abnormalities or the consequences of rape (Zein, 2018).

Particularly in Muslim societies, additional challenges arise from the need to align medical practices with religious values (Ekmekci, 2017). This includes expanding access to value-based reproductive education and health services that respect patient beliefs (Firdaus et al., 2021). The absence of a clear fiqhi consensus often leads to confusion and internal conflict for many Muslim women faced with the abortion dilemma.

Medical and social considerations are also crucial in discussions about abortion in Islam (Maffi, 2022). These factors often overlap with theological principles, forming a debate arena that requires a deep understanding from both medical and religious ethical perspectives. For example, increasing access to safe and affordable reproductive healthcare services can reduce the number of unsafe abortions, which indirectly could reduce violations of Islamic principles regarding the sanctity of life.

Given the widespread consequences of abortion, from both individual and societal perspectives, it is crucial for researchers, healthcare practitioners, and policymakers to continue exploring and discussing solutions that can accommodate medical needs, religious ethics, and social realities (Baker et al., 2023; Coast et al., 2021; Paltrow et al., 2022; Rugema et al., 2023). Research like this hopes to contribute insightful ways of effectively addressing the issue of abortion in diverse and multidimensional contexts.

The urgency of this research lies in the pressing need to understand how Islamic principles can be integrated with modern medical practices in addressing abortion, especially in countries with a majority or significant Muslim population. With the rising cases of unintended pregnancies and complications posed by unsafe abortions, it is vital to explore the diverse fiqhi views on the medical and social indications that justify abortion. This study aims to bridge the existing knowledge gap and provide clear guidance that can assist healthcare practitioners in making ethical decisions aligned with religious values, and support the creation of more effective and empathetic policies that consider the health and well-being of women within a framework of human rights and social justice.

Literature Review

Studies on abortion in the context of Islamic law explore the permissions and prohibitions of abortion, taking into account medical and social factors. This analysis draws on primary sources of Islamic Sharia, such as the Quran and Hadith, as well as the opinions of scholars, to identify situations in which abortion may be considered justified or not. In a medical context, abortion may be permitted if the mother's life is endangered by the pregnancy, whereas social factors may relate to psychosocial and economic aspects affecting the well-being of the mother and family. This research aims to provide clear, ethically grounded guidance in often dilemmatic situations.

Firstly, research conducted by Vartanova (2022) focuses on the issue of abortion among teenagers, considering it a complex social-medical problem. In her study, Vartanova employs a qualitative methodology to explore the social and medical influences of abortion among teenagers, highlighting the need for more effective sexual education and access to reproductive health services. Her findings suggest that a lack of education and resources can increase abortion rates among teenagers. Unlike this study, this article explores abortion within the context of Islamic law, examining fiqh perspectives to determine conditions under which abortion is permitted or prohibited by Sharia. This article integrates theological and legal analysis to provide a deeper understanding of Islamic views on abortion, with a special focus on ethical and social implications in Muslim societies.

Further, research by Piay-Fernández and colleagues (2023) investigates the implementation of medical abortion through telemedicine in Colombia, using a qualitative approach to explore participants' experiences and perceptions of this service. Through in-depth interviews, the study demonstrates how telemedicine can enhance access to safe abortion services and reduce abortion-related stigma in society. The findings underscore the effectiveness and potential of telemedicine in expanding access to reproductive health services, particularly in remote areas. In contrast, this article emphasizes the legal and ethical aspects

of abortion within the context of Islam, evaluating religious regulations and views on abortion with regard to medical and social indications. My focus is not solely on healthcare aspects but also on the moral and legal implications governed by Islamic fiqh, thus providing a broader view of how abortion is regulated within Muslim societies based on Islamic Sharia.

Additionally, research by Niță and Goga (2020) investigates abortion from ethical, legislative, and socio-medical perspectives in Romania, using both quantitative and qualitative approaches to gather data. They evaluate how abortion laws impact healthcare and social outcomes, as well as ethical attitudes related to abortion practices. Their findings suggest a need for policy reforms that better support women's reproductive rights while considering potential ethical conflicts. Conversely, this article focuses on the normative and applicative analysis of Islamic law on abortion, looking at the criteria and conditions permitted or prohibited in Islamic fiqh. I combine theological and fiqh perspectives to provide insights into how abortion is regarded in Islamic social and ethical contexts, offering a more specific understanding of how abortion is treated under various conditions according to Islamic Sharia.

Lastly, research by Crook (2020) explores the impact of psychiatry, social indicators, and the influence of medical authority in post-war British abortion reform. Using a historical methodology to analyse documents and archives, Crook reveals how psychiatric risks have been used to shape abortion policies. Crook demonstrates that medical authority, often through the prism of psychiatric risk, plays a significant role in determining policies that affect women's reproductive choices. In contrast to Crook's study, this article specifically examines Islamic law regarding abortion, integrating theological and legal analysis to assess provisions and limitations on abortion in Islam. I delve deeper into the ethical and legal principles governed by fiqh, contrasting with Crook's historical and medical approach. This article focuses on understanding Sharia and its application in abortion cases based on medical and social reasons in the context of Muslim societies.

Research Design

This study will employ a phenomenological qualitative approach with a constructivist paradigm to explore the understanding and application of Islamic jurisprudence regarding abortion based on medical and social indications (Pilarska, 2021; Weyant, 2022). The phenomenological approach allows for an in-depth understanding of the subjective experiences and perspectives of scholars on this issue, while the constructivist paradigm emphasizes that knowledge about abortion within the Islamic context is formed through social interactions and individual interpretations (Edmonds & Kennedy, 2020).

Data for this research will be primarily collected through extensive literature review. Primary data sources will include classical and contemporary texts in Islamic jurisprudence, with a particular focus on the Quran and Hadith, as well as relevant tafsir and fatwas related to the topic of abortion. Additionally, academic literature related to medical ethics in Islam, journal articles, and textbooks will serve as secondary data sources to provide broader context and understanding (Creswell & Poth, 2018).

The data analysis technique to be used is the Miles, Huberman, and Saldana model, which includes data collection, data condensation, data display, and conclusion drawing. The data reduction stage will involve coding and filtering information to determine key themes, which are then organized and presented in narrative form during the data display phase. Conclusions will be drawn after evaluating all the data and findings obtained during the analysis phase (Miles et al., 2020).

To ensure data validity, this research will use source triangulation techniques (Flick, 2020). This involves comparing and confirming information obtained from various primary and secondary sources to enhance confidence in the accuracy of the data. This triangulation allows the research to be more valid and reflect a more holistic and multidimensional understanding of the fiqh views on abortion. This research design is crafted to produce a detailed and profound understanding of how Islamic views regulate and influence the practice of abortion in various medical and social situations.

Results and Discussion

Islamic Literature on Abortion in the Quran

The Quran, as the holy book of Muslims, provides profound ethical and legal guidelines concerning life and morality. This study is crucial to understand the Islamic perspective on unborn life and the conditions under which abortion may be considered justified or prohibited. The analysis will involve specific verses related to the protection of life, the rights of the mother, and ethics in critical situations. This approach not only reveals the interpretation of the sacred text but also how these interpretations are applied within the context of Islamic jurisprudence, offering readers insight into the rich Islamic views on this highly sensitive and complex issue.

Abortion within the Islamic context is often analyzed through various Quranic verses that highlight the importance of preserving life and the sanctity of human life. QS. Al-Isra 17:33 states:

"And do not kill the soul which Allah has forbidden, except by right."

Tafsir by Hamka explains that this verse underscores a stringent prohibition against murder, except in circumstances explicitly permitted by Sharia, such as in the case of punishment for murder or corruption on earth (Hamka, 2012). According to Shihab (2015), this verse also emphasizes the importance of justice and firmness in its application, implying that any action threatening life must be considered very seriously and justly. Further, QS. Al-Isra 17:31 states that Allah forbids humans from aborting or killing a fetus out of fear of poverty. Allah declares:

"And do not kill your children for fear of poverty. We provide for them and for you."

According to Katsir, this verse explains that Allah warns against the killing of children due to fears of poverty, assuring that the sustenance of every soul is predetermined by Him (Katsir, 2018). Al-Maraghi adds that this verse teaches humanity to trust in Allah in matters of sustenance and to reject desperate actions such as abortion for economic reasons (Maraghi, 1910).

Further in QS. Al-Mu'minun 23:14, Allah SWT describes the detailed process of human creation. Allah says as follows:

"Then We made the sperm-drop into a clinging clot, and We made the clot into a lump of flesh, and We made from the lump bones, and We clothed the bones with flesh; then We developed it into another creation."

Tafsir by Al-Razi interprets this verse as an explanation of the miracle of creation and the stages of early human life, showcasing the wonder and complexity of Allah's creation (Al-Razi, 2012). On the other hand, Zamakhsyari (1995) emphasizes the significance of each stage as a form of life that must be protected, providing a moral and spiritual basis for the protection of the fetus. In another verse, Allah indicates the ethics that must be maintained in preserving the sanctity of life. In QS. Al-Ma'idah 5:32, Allah states:

"Whoever kills a soul unless for a soul or for corruption [done] in the land, it is as if he had slain mankind entirely."

This verse indicates that human life is extremely sacred and must be protected except in very limited and clear circumstances, such as retaliation or the enforcement of justice (Kemenag, 2016). Al-Qarni in his tafsir emphasizes that this verse expands the value of one life to be equivalent to all of mankind, promoting peace and respect for life (Al-Qarni, 2008). In another verse, Allah states that the sacred life of humans has been given protection and honor by Allah. In QS. Al-Isra 17:70, Allah declares:

"And indeed, We have honored the children of Adam; we carry them on the land and sea and provide them with good things and have preferred them greatly over many of those We have created."

Tafsir by Tabataba'i asserts that this verse emphasizes the dignity and honor bestowed by Allah on humans, encompassing the right to life and protection (Thabathaba'i, 1991). This strengthens the argument for respecting life, including unborn life.

In Islamic teachings, human life is highly valued, a principle affirmed both through the Quran and the hadiths of Prophet Muhammad. One hadith narrated by Ibn Mas'ud reveals a strict prohibition against the killing of children, where Prophet Muhammad said:

"Of all things, only the killing of a child (without Sharia reason) is not created from the children of Adam."

This hadith indicates that all life, including unborn life, is considered sacred and must not be terminated except on a strong and clear Sharia basis (Bukhari and Muslim, 2017). Prophet Muhammad also emphasized the virtue of preserving life through his saying:

"Whoever preserves the life of a person, it is as if he has preserved the life of all mankind."

This hadith, correlating with the verse Al-Ma'idah 5:32, illustrates that saving or preserving one life is equivalent to preserving all humanity. This approach underscores the Islamic principle that teaches that every individual life has immeasurable value and is significant in a broader social and spiritual context.

Furthermore, in a hadith narrated by Abu Huraira, the Prophet clarified the conditions under which killing might be permitted, stating:

"It is not lawful to spill the blood of a Muslim who attests that there is no deity but Allah and that I am the messenger of Allah, except in one of three [situations]: a life for a life, the adulterer, and one who forsakes his religion and separates from the community."

This hadith indicates very strict limitations and specific conditions under which extreme actions like killing can be justified, emphasizing the importance of justice and the protection of life in Islamic law (Baqi, 2017).

These teachings not only affirm the value of life but also educate Muslims about the gravity and serious consequences of taking a life. These principles are used as the basis in Islamic law to protect life and establish stringent penalties for those who break this law without adequate justification. Through these guidelines, Islam seeks to maintain social order and respect for the sovereignty of each soul, aligning with principles of justice and virtue.

Thus, Islamic literature, both the Quran and Sunnah, consistently teaches the importance of protecting and respecting human life. These values are embedded in every aspect of social and legal life in Islam, affirming that any action that threatens life must be considered very carefully and within a fair and clear legal framework. Through these teachings, Islam reaffirms its commitment to life and justice, which are crucial pillars in shaping the ethical and legal outlook of its followers.

Fiqh and Abortion: Maqasid Shariah and Fetal Termination in Medical Review

In Islamic jurisprudence, abortion or fetal termination is a complex issue, particularly when faced with medical dilemmas (Katz, 2021). The debate is not only theological but also medical, where the health and safety of the mother are the primary factors. Fiqh provides strict guidelines on when and how an abortion can be performed, with strong emphasis on compelling and urgent circumstances. Medical decision-making is informed by the deep ethical principles of Islam, which emphasize respect for life and the urgent need for intervention when the mother's life is at risk (Younus et al., 2020).

Abortion is considered as a last resort, only contemplated when there are serious medical indications that place the mother's life at an unavoidable risk. In practice, this often relates to medical conditions such as eclampsia, severe pre-eclampsia, or heart disease that could worsen if the pregnancy is continued. Any decision regarding abortion must be underpinned by thorough medical assessment and considered by a

competent medical team along with input from relevant religious stakeholders, to ensure that the action is in line with the ethical and medical values upheld.

Table 1. Maqasid Shariah in the Context of Abortion and Medical Review

| Maqasid (Objective) | Impact on Abortion Decision | Description |
|-------------------------|---|--|
| Hifdh al-Din (Religion) | Abortion is permissible if the pregnancy threatens the mental health that could disrupt worship. | The protection of faith and the spiritual quality of the individual is paramount in determining the law on abortion. |
| Hifdh al-Nafs (Life) | Abortion is justified if there is a serious threat to the mother's life. | This principle supports decision-making to save a life when two lives are at risk. |
| Hifdh al-'Aql (Mind) | Consideration is given to the psychological impact on the mother. | The mental health of the mother is important and can be a consideration in abortion decisions. |
| Hifdh al-Nasl (Lineage) | Abortion is not recommended unless there is a strong justification, such as incurable serious congenital defects. | This objective emphasizes the importance of protecting offspring and genetic integrity. |
| Hifdh al-Mal (Property) | Economic aspects are not considered a valid reason for abortion except in extreme conditions. | Wealth (economics) should not be the primary motivation for abortion, the focus is on the welfare of the individual. |

In the discourse of Islamic jurisprudence (fiqh), abortion is viewed through the lens of Maqasid Shariah, which emphasises the protection of fundamental human interests. These concepts form the ethical foundation for addressing bioethical dilemmas such as abortion, considering the balance between the spiritual, physical, and mental needs of the individuals involved (Abimbola, 2021).

The protection of religion (Hifdh al-Din) in the context of abortion underscores the importance of actions that do not harm the spiritual integrity of an individual. Decisions regarding abortion must align with religious values, ensuring that each action is taken with consideration of its impact on a person's spiritual life. For instance, in cases of pregnancy resulting from prohibited acts such as rape, this consideration becomes crucial in forming a response that aligns with religious values (Shahid, 2021).

The protection of life (Hifdh al-Nafs) is a primary consideration in abortion decisions. Islam places high value on life, and in situations where the pregnancy endangers the mother's life, this principle justifies abortion as an action to save life. It asserts that in the conflict between the life of the mother and the fetus, the safety of the mother must take precedence, clarifying the critical role of health and safety in ethical decision-making (Rofiq et al., 2023).

The protection of intellect (Hifdh al-'Aql) also plays a significant role, acknowledging that mental health is as important as physical health. In situations where pregnancy results in significant psychological stress or mental disorders, this consideration supports the decision for abortion, highlighting that maintained mental health is essential for the overall well-being of the individual (Chauhan & Potdar, 2022; Tokuda et al., 2023).

The protection of lineage (Hifdh al-Nasl) raises the importance of maintaining genetic quality and the health of offspring. In cases where medical diagnostics indicate the presence of serious genetic anomalies or congenital defects in the fetus, this principle supports the consideration of abortion, underlining the importance of preventing unnecessary suffering and ensuring a decent quality of life (Li et al., 2021).

Lastly, the protection of wealth (Hifdh al-Mal) emphasises that economic factors should not dominate decisions related to life. Although financial stability is important, actions of abortion should not be justified based solely on material gain or loss (Winawati & Mubarokah, 2022). This ensures that ethical considerations are not supplanted by financial interests in making decisions involving human lives.

In the medical context, it is also important to consider the long-term effects of abortion decisions on the psychological and physical health of the mother (Schuker et al., 2020). Studies indicate that abortion can have significant psychological consequences, including depression or post-traumatic stress disorder, especially when decisions are made under pressure or without adequate emotional support (Ogbu-Nwobodo et al., 2022; Reardon, 2018). Therefore, it is crucial for medical personnel to provide counselling and psychological support before and after the procedure to help mitigate these negative impacts.

Furthermore, the use of cutting-edge medical technology has brought significant changes in how abortions are conducted. Technologies such as ultrasound have enabled more precise diagnostics regarding fetal health issues that may not be compatible with life (Holten et al., 2023; Podolsky et al., 2023). This allows doctors and patients to make more informed and ethical decisions regarding continuing or terminating pregnancies based on accurate medical prognoses.

In modern medical practice, the dialogue between doctors and patients, respecting patient autonomy, is a crucial element in medical decision-making, including decisions about abortion. In this context, it is important to weigh medical factors against the desires and values of the patient, ensuring that all actions taken are not only medically sound but also ethically and personally acceptable to those involved. In this way, fiqh and modern medical practice collaborate to form an empathetic and responsible approach to abortion.

Abortion Phenomena in the Social Context

In the social context of Islam, abortion presents a profound dilemma, reflecting stark contrasts between religious values and the socio-economic realities faced by individuals (Robi'ah et al., 2024). In many Muslim communities, abortion is not only viewed as a medical issue but also as a moral and social challenge that contests long-established norms. Abortion is often associated with prejudice and stigma, particularly against women who choose to terminate pregnancies, potentially leading to social isolation and, at times, severe legal consequences (Belfrage et al., 2022; Bornstein et al., 2020).

This stigma stems from a deep understanding of the value of life in Islamic teachings, which regards every soul as a sacred entity. Consequently, communities tend to view abortion actions as violations of religious adherence, often without considering the context or pressing circumstances, such as health risks to the mother or genetic issues in the fetus (Ewnetu et al., 2020; Mosley et al., 2022). This social criticism can overlook the crucial nuances in the decisions faced by individuals in difficult situations, forcing them to operate in secrecy and often without adequate medical support.

Furthermore, in conservative societies, open discussions about sexuality and reproduction are often taboo, leading to a lack of adequate education (Bartłomiejczyk & Pollabauer, 2022; Gentile, 2023). This ignorance exacerbates the situation of unwanted pregnancies, as individuals without access to accurate reproductive information are more likely to face unplanned pregnancies and may consider abortion as a solution. The lack of effective sexual education represents a systemic failure that increases the frequency and ethical complexity of abortion cases (Atakro et al., 2019; Getahun et al., 2023).

On a communal level, abortion also reflects broader gender issues, where women often bear a disproportionate social and moral burden compared to men. Women seeking or undergoing abortion may

be shunned or stigmatized by family and neighbors, reflecting broader gender inequalities in decision-making and reproductive control. This situation underscores the urgent need for advocacy and policy reform that values women's autonomy and reduces gender disparities in reproductive health.

The response of Islamic institutions to the abortion phenomenon is often varied and reflective of local interpretations of Sharia (Nirwana et al., 2021). Some scholars attempt to offer more flexible guidelines regarding specific conditions that permit abortion, but these approaches are not always echoed at the grassroots level. This creates an environment where policies and practices surrounding abortion are fragmented, challenging the cohesion and consistency of religious and medical responses to abortion. Policy reforms based on dialogue among scholars, medical practitioners, and civil society can help align religious guidance with medical and social needs, strengthening the ethical safety net for those facing abortion dilemmas.

Table 2. Abortion in the Social Context

| Social Phenomena | Connection with Islam | Social Implications |
|---------------------------------------|---|--|
| Social Stigma and Marginalisation | Abortion is considered a serious violation of Islamic doctrine that values life. | Women involved in abortion often face intense social ostracism, damaging their social status and identity. |
| Ethical and Legislative Discourse | Islam provides an explicit legal framework regarding abortion, with strict sharia-based limitations. | Generates controversy and intense dialogue within the Muslim community, sharpening the lines between law, morality, and medical practice. |
| Gender Disparities in Reproduction | Islamic teachings assigning reproductive responsibilities to women create gender disparities. | Crystallises the position of women as the primary subjects in abortion decisions, often diminishing their control over reproductive choices. |
| Educational and Economic Consequences | The lack of comprehensive Islamic sexual education contributes to high rates of unplanned pregnancies. | Urges the implementation of informative and ethical reproductive education, reaching out broadly to reduce abortion cases. |
| Institutional and Medical Responses | Religious institutions and medical practitioners face dilemmas in providing services that are ethical and conform to Islamic teachings. | Requires a more integrated medical and religious framework, facilitating a holistic and empathetic approach to reproductive needs. |

Abortion within the social context of Islam is often perceived as a serious violation of the religious doctrine that highly values life (Bell et al., 2020). This gives rise to significant social stigma and often results in marginalisation. Women involved in abortions tend to face intense social ostracism from their communities, damaging their social status and identity (Knapton et al., 2022; Kretschmer et al., 2023). This stigma not

only leads to psychological isolation but can also impact their access to adequate healthcare and social support, reinforcing a cycle of hardship and suffering.

Legally, Islam has an explicit legal framework regarding abortion, defined by clear sharia-based limitations. This creates a complex legal and ethical landscape where discussions about abortion are not only medical but also serious ethical and legal questions. These dialogues sharpen the distinctions between law, morality, and medical practice within the Muslim community, often igniting controversy and intense debates reflecting the tension between traditional norms and modern practical needs (Arslani, 2023; Jin, 2019).

In terms of gender, Islamic teachings that assign the burden of reproductive responsibilities to women create significant gender disparities (Moseson et al., 2021; Rege et al., 2019). This positions women as the primary subjects in abortion decision-making, often reducing their autonomy over their own reproductive choices. This situation highlights an imbalance in gender roles and calls for changes in the way society views and manages reproductive responsibilities, ensuring that decisions about reproduction are more inclusive and equitable.

Challenges in education and economics also play a crucial role in the context of abortion. The lack of comprehensive sexual education in Muslim societies often contributes to high rates of unplanned pregnancies. This underscores the need to implement informative and ethical reproductive education that can reach a broad audience to reduce abortion cases. Effective education can provide the necessary knowledge to make more responsible decisions and decrease the frequency of unwanted pregnancies (Sesay et al., 2023; Tang et al., 2021).

The responses from religious institutions and medical practitioners often encounter dilemmas in providing services that are ethical and align with Islamic teachings. This necessitates a more integrated medical and religious framework, facilitating a holistic and empathetic approach to reproductive needs. These efforts must align medical practices with religious values, ensuring that reproductive health services are not only safe and effective but also conform to the ethical and moral values of the community.

Discussion

In Islamic jurisprudence, abortion or the termination of pregnancy is permitted only under very limited conditions, in accordance with the profound principles of Sharia. The theory of Necessity in Islamic Law (Darura) becomes highly relevant in addressing this issue (Azid et al., 2022). Darura allows for the violation of Islamic laws when there are no other options to avoid greater harm or to preserve life. This is particularly applicable in cases where the health or life of the mother is at risk, suggesting that abortion may be viewed as a relatively more acceptable act if it aims to save a life.

In practice, decisions about abortion should always be based on serious medical considerations and consultations with fiqh experts. In some cases, such as when pregnancy poses a serious risk to the physical or psychological health of the mother that cannot be avoided by other means, abortion is considered as a last resort (Dey, 2022). This reflects the application of Darura, where the necessity to preserve life takes precedence, in alignment with one of the five main objectives of the maqasid of Sharia: the preservation of life (Munawaroh, 2018).

Meanwhile, abortion on the basis of social indications often poses a greater dilemma in fiqh. Traditionally, Islamic societies view pregnancy as a blessing and a responsibility that must be safeguarded, unless there are extremely compelling reasons. Social indications, such as poverty or the social stigma that may arise from pregnancy outside of marriage, are not always sufficient to justify abortion according to traditional fiqh views. However, in certain situations where the welfare of the mother and the unborn child is significantly threatened, some contemporary scholars are beginning to consider greater flexibility by referring to the principle of Darura.

The issue of abortion also highlights the urgent need for a more holistic approach in reproductive health that focuses not only on legal and ethical aspects but also on social and psychological support for women

(Rasmussen & Jamieson, 2023). This demands cooperation among doctors, psychologists, and religious scholars to provide comprehensive guidance to women facing risky or unwanted pregnancies, ensuring that all aspects—medical, mental, and spiritual—are addressed in a balanced manner.

In this context, dialogue among scholars and medical practitioners must continue to be enhanced to formulate clear guidelines on when and how abortion can be conducted within the Islamic framework. Considering social changes and medical advancements, fiqh must be responsive to the realities of modern women's lives, integrating the latest scientific findings and social sensitivities in its fatwas.

Education and awareness about reproductive health within Muslim communities need to be strengthened. Providing access to accurate and ethical information about reproduction and pregnancy-related options will help reduce the instances of abortion carried out without strong medical justification or without a proper understanding of its implications in Islam. This could also potentially reduce the stigma and misconceptions often surrounding the topic of abortion in many Muslim societies, paving the way for more open and empathetic discussions on this sensitive topic (Cheng et al., 2024; McLean et al., 2023).

The novelty of this research lies in the application of the theory of Darura within the medical context of abortion, adapting classical fiqh principles to the contemporary dilemmas faced by women in reproductive health contexts. By integrating modern medical perspectives, this study offers more dynamic and flexible guidance that considers both the physical and psychological health of the mother as well as Islamic norms. This marks a significant shift from traditional interpretations, offering a framework that facilitates more empathetic and evidence-based decisions in complex medical cases where the life and health of the mother are at risk, enriching fiqh discourse by acknowledging evolving social contexts and medical technologies.

Conclusion

In this study, we have explored how Islamic jurisprudence addresses the issue of abortion, particularly in handling cases that demand medical and social considerations. The research asserts that in Islam, decisions about abortion are not taken lightly. Through the application of the principle of Darura, abortion can be considered a permissible action under certain conditions to prevent greater harm, namely when the mother's life is at serious risk. However, the need for clearer guidelines and consensus among scholars indicates that there is still much room for discussion and renewal in Islamic law regarding abortion, taking into account medical advancements and changing social needs.

As recommendations, there is a need for greater efforts to enhance dialogue between medical practitioners, religious scholars, and the community to align medical practices with Islamic values. This includes the development of sexual and reproductive health education programs that are compatible with Islamic values, focusing not only on preventing unwanted pregnancies but also providing psychological and social support for women facing risky pregnancies. Furthermore, further research is needed to explicitly explore how diverse fiqh interpretations can be integrated with contemporary medical practices to produce more empathetic and ethical guidelines, supporting the life and well-being of all parties involved.

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