12118 - Abortion of physically deformed foetus

the question

Is it permissible to abort the foetus after medical tests have shown that it is physically deformed?

Detailed answer

Praise be to Allah.

There are many causes of deformity of the foetus, many of which could be avoided; one could protect oneself from them or reduce their effects. Islam and medicine both urge people to avoid the causes of disease and to protect themselves against it as much as possible. The teachings of Islam urge us to protect our health and to protect the foetus from many diseases which are caused by ignoring the teachings of Islam and falling into sin such as zinaa (unlawful sexual relationships), drinking alcohol, smoking, and taking drugs. Modern medicine also warns mothers of the imminent danger of taking some medications, or being exposed to x-rays or gamma rays, especially in the early days of pregnancy.

If it is proven in a definitive fashion, beyond any doubt, by a trustworthy medical committee, that the foetus is deformed, and that this deformity cannot be treated by the specialists, then in my view it is permissible to abort it, in view of the difficulties it would face in life and the hardship this would present to the parents, and the burdens and responsibilities of care it would place on the society. These considerations and others prompted the Islamic Fiqh Committee of the Muslim World League in its 12

th conference held in Makkah on 15 Rajab 1410 AH (10/2/1990 CE), to issue the statement that “it is permissible to abort a foetus which is deformed in the manner mentioned above, with the consent of the parents and within the first 120 days from the beginning of the pregnancy.”

The decision of the committee was in accordance with the fatwa of the Standing Committee for Academic Research and Issuing Fatwas in the Kingdom of Saudi Arabia, no. 2484, issued on 16/7/1399 AH.

But if the soul has been breathed into the foetus and it has completed 120 days, then it is not permissible to abort it, no matter what the deformity, unless continuation of the pregnancy would put the mother's life in danger. This is because after the soul has been breathed into the foetus, it is considered to be a person who must be protected, regardless of whether it is free of disease or not, and regardless of whether there is hope of recovery or not. That is because Allah has a reason for everything that He creates, which many people do not know, and He knows best what is right for His creation, as Allah says (interpretation of the meaning):

"Should not He Who has created know? And He is the Most Kind and Courteous (to His slaves), All Aware (of everything).

[al-Mulk 67:14]

In the birth of these deformed children there is a lesson for those who are of sound health, and it teaches us of the power of Allah Who shows His creation the manifestations of His might and the wonders that He has created. Killing and aborting them is a purely materialistic view which pays no attention to matters of religion and morals. Perhaps the existence of these deformities will make people more humble and submissive towards their Lord, and make them bear them with patience, seeking a great reward from Him.

Physical deformity is something that Allah has decreed for some of His slaves. Whoever bears that with patience will attain victory. This is something that happens and has always happened throughout history, but unfortunately studies indicate that the rate of physical deformity is increasing, as the result of pollution of the environment and the increase of harmful rays in the atmosphere, which was previously unknown.

It is by the mercy of Allah that many deformed foetuses are miscarried or die before they are born.

The Muslim woman and the Muslim family must bear with patience whatever happens to them, and seek the reward for that with Allah.

And Allah knows best.