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Contraception

Q1.

- 1) Is it permissible for a healthy woman to use, temporarily, any kind of contraceptive methods that prevent the implantation of the embryo in the uterine wall?
- 2) What is the view on using a device which, although not known how it prevents pregnancy yet, it is known as a method of contraception?
- 3) Is the sterilization of a woman, who is afraid of pregnancy as being dangerous to her, permissible?
- 4) Is it permissible to sterilize a woman who is known to be prone to bearing deformed or diseased children?

A.

- 1) There is no objection to that provided that it is done with the husband's permission.
- 2) It is not permissible if it leads to aborting the implanted embryo or to unlawful look and touching (when the device is fitted).
- 3) As the question goes, it is permissible to sterilize her. Indeed, it is not permissible for her to get pregnant intentionally if pregnancy poses any danger to her life.
- 4) There is no objection to it if it is done for a sensible reason, does not pose any considerable harm, and is done with the permission of the husband.

Q2. What is the view on carrying out a vasectomy on a man?

A. There is no objection to it in itself provided that it is done for a sensible reason and that it does not lead to considerable harm. However, to do so in order to prevent from increase in the population is disliked.

Q3. Is it permissible for a healthy woman for whom pregnancy is not harmful to use any of the contraceptives, such as coitus interruptus, the diaphragm, the pill, and sterilization? And is it permissible for the husband to force his wife to use any method other than coitus interruptus?

A. In itself, there is no problem in doing contraception by way of coitus interruptus. Nor is there any objection to resorting to any other method provided that it is driven by a sensible reason, it is not considerably harmful to her health, it is done with the permission of the husband, and does not entail *ḥarām* touching or looking. However, the husband has no right to force his wife to do so.

Q4. Is it permissible for a pregnant woman, who wants to be sterilized, to have a caesarean so that the procedure of sterilization can be done at the same time?

A. We have already discussed sterilization. As for the caesarean, going for it or not is dependent on the need for it, or the request of the pregnant woman. At any rate, it is *ḥarām* for a non-maḥram man carrying out the operation to touch or look at her during both procedures unless in necessary cases.

Q5. Is it permissible for the woman to use contraceptives without the permission of her husband?

A. It is problematic.

Q6. A man with four children underwent an operation of vasectomy, without the consent of his wife. Is he guilty for not obtaining his wife's approval?



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A. Its permissibility does not depend on the consent of the wife and he is not liable.

Abortion

Q7. Is it permissible to have an abortion because of economic problems?

A. It is not permissible to have an abortion merely because of economic problems.

Q8. In the early months of her pregnancy the doctor told the mother that continuing with the pregnancy might pose a danger to her life. He further advised that the baby would be born deformed. In the light of his findings, the doctor advised the mother to have an abortion. Is this course of action permissible? And is it permissible to terminate the pregnancy before the soul enters the body of the fetus?

A. Having a deformed baby is not a legal reason to terminate the pregnancy, even before the soul enters the fetus. As for the danger it poses to the mother's life should she carry on with the pregnancy, there is no objection to aborting the fetus prior to the soul entering the fetus provided that it is based on the advice of a reliable who is a specialist.

Q9. With the help of modern technology, doctors can now identify the congenital deformities of the fetus during pregnancy. Because of the difficulties babies born with deformities face in life, is it permissible to terminate the pregnancy if it is found by a reliable specialist that the fetus has developed any deformity?

A. It is not permissible to abort the fetus at any stage for the mere reason that the fetus is deformed or for future difficulties the born child might encounter.

Q10. Is it permissible to abort a fertilized ovum that has implanted in the uterine wall before it turns into a clot-like structure which normally takes forty days to develop? And in which of the following stages is abortion not allowed, i.e., the embryo implanted in the uterine wall, the clot, the lump of flesh, the bones (before the soul enters the fetus)?

A. It is not permissible to get rid of the fertilized ovum after it settles in the uterus, nor is it permissible to abort the fetus at any of the later stages.

Q11. Some couples have congenital blood diseases due to having abnormal genes. They could transmit the disease to their offspring and there is a great probability that the children would be severely affected and will suffer much throughout their lives. An example of this is hemophilia in which even slight injury causes severe uncontrollable bleeding which can end in death or paralysis. Considering the fact that it is now possible to diagnose this disease in the fetus during the first few weeks of pregnancy, is it permissible to have an abortion in such cases?

A. Should the diagnosis be definite and if having such a baby and maintaining him/her entails great difficulty and hardship, it is, in this case, permissible to abort the fetus before the soul enters its body. However, it is an obligatory caution to pay its blood money.

Q12. What is the ruling in the matter of abortion itself? Is the ruling different if keeping the baby poses a danger to the mother's life?

A. Aborting the fetus is ḥarām by Islamic law. It is not permissible at any count, barring pregnancy which poses danger to the mother's life. In this case, there is no objection to terminating the pregnancy before the soul has entered the fetus. Should the spirit enter the fetus, it is not permissible to abort it, even if the pregnancy spells danger to the mother's life, except in the event where carrying on with the pregnancy could prove fatal to both the fetus and the mother, and there is no way to save the baby's life but it is possible to save the mother's life through abortion.



Q13. A mother has aborted her seven-month-old illegitimately conceived fetus at the request of the father. Should blood money be paid? Assuming that it is a must, who should pay it, i.e., the mother or the father? How much is the blood money nowadays according to your opinion?

A. It is ḥarām to abort the fetus, even if it was conceived due to adultery. The request of the father does not justify the action. The woman should bear the blood money if she had taken the initiative to abort the fetus and performed the action that resulted in the abortion herself. As for the amount of blood money, it is doubtful in the given case. However, as a matter of caution, a settlement should be reached. This blood money has the ruling of the inheritance of a person who died with no relatives as heirs.

Q14. How much is the blood money for deliberately aborting a fetus of two and a half months and to whom should it be paid?

A. If it is a clot-like structure, the amount of blood money is forty dinars. If it is a flesh-like structure, it becomes sixty dinars but when the fetus enters into the stage of a bone, but without the flesh, the blood money is eighty dinars. The blood money should be paid to the inheritors of the fetus, taking into consideration the classes of inheritors. However, the person to whom the action of aborting is attributed must be denied a share in the inheritance.

Q15. On the advice of the doctor treating her, a pregnant woman found it necessary to have an operation for her gums and teeth. Is it permissible for her to have an abortion on the grounds that the anesthesia and x-ray are going to deform the fetus?

A. The reason mentioned in the question is not valid for terminating the pregnancy.

Q16. If it is known for sure that the baby will suffer intrauterine death and continuing the pregnancy proves dangerous to the mother's life, is it permissible to abort it? And assuming that the husband follows in taqlīd a mujtahid who is of the opinion that such a case does not warrant abortion, whereas the woman and her relatives follow another mujtahid who sees it otherwise, what should the husband do?

A. The scenario the question suggests is that of the inevitable death of the fetus alone or the death of the mother and her baby. If this is the case, there is no alternative but to abort the fetus in order to save the mother. As the question goes, the husband has no right to prevent his wife from aborting the fetus. However, it is obligatory, if possible, to act in such a way that killing the fetus should not be seen as the responsibility of anybody.

Q17. Is it permissible to abort the fetus at the stage of the fertilized egg if the pregnancy has come about as a result of a mistaken sexual intercourse by a non-Muslim or as a result of adultery?

A. It is not permissible.

Artificial Insemination and In Vitro Fertilization (IVF)

Q18.

- 1) Is IVF or test-tube baby permissible, when the sperm and the egg belong to a lawfully wedded couple?
- 2) Assuming it is permissible; can the couple go ahead with the procedure if a non-mahram doctor carries it out? And does the born child belong to the same couple?
- 3) Assuming that it is not permissible in itself; would the ruling be different if the continuity of the marriage was dependent on it?

A.

- 1) There is no objection to carrying out the procedure in itself. However, it is obligatory to keep away from any preliminary step that might involve committing a ḥarām act like prohibited looking and touching.
- 2) The child born by way of this procedure belongs to the couple from whom the sperm and the egg were taken.
- 3) It is mentioned that carrying out the procedure, in itself, is permissible.

Q19. Some childless couples get separated mainly because of the strains and stresses put on the marriage due to the fact that the wife is barren because of ovulation problems. Is it permissible to use an egg donated by another woman to carry out the fertilization procedure in a tube by the husband's sperm and the implantation of the fertilized egg in the wife's womb?

A. Although there is no legal problem in carrying out the said procedure in itself, the born child belongs to the genetic parents. There is a problem in referring the baby to the mother who became pregnant with it. Therefore, they should observe caution insofar as the shar'ī rules governing lineage are concerned.

Q20. Is it permissible to use the sperm of the husband, after his death, in fertilizing an egg taken from his wife and implanted it inside her womb? Does the born child belong to the dead husband? And does the born child inherit from the father?

A. There is no harm in carrying out the procedure in itself. The born child belongs to the mother to whom the egg and the womb belong. It is not remote to attribute the baby to the husband. However, the baby does not inherit from him.

Q21. Is it permissible for a woman, whose husband is sterile, to be artificially inseminated with sperm from a non-mahram man (other than her husband), i.e., through placing the sperm in her womb?

A. In itself there is no legal impediment to inseminating a woman with the sperm of a non-mahram man. However, it is obligatory to avoid the preliminary steps which are ḥarām, such as looking and touching. However, the born child in this way does not belong to the husband of the woman, rather to the person who donated the sperm and the woman whose egg and womb were used in the process.

Q22.

- 1) Can a married woman, who has passed the age of ovulation due to menopause or the like, get pregnant with and be the surrogate mother of a fertilized egg of a second wife of her husband? Would the ruling be different if she or the second wife, whose egg was fertilized, is a permanent wife or a temporary one?
- 2) Who will be the mother of the child, the person who donates the egg or the one who gets pregnant with it?
- 3) Is the procedure permissible if the other's egg is needed because the egg of the wife is so weak that it is feared that the born child would be deformed had it been fertilized with the husband's sperm?



A.

- 1) There is no shar'ī objection to the procedure in itself. The ruling would be the same whether they are permanent marriages or temporary ones. Nor is it different if one of them is permanent and the other temporary.
- 2) The born child belongs to those whose sperm and egg are used in the procedure. It is problematic to say that the one whose uterus is used is the mother. Therefore, caution in matters of lineage insofar as the said woman is concerned has to be observed.
- 3) In itself, this procedure is permissible.

Q23. Is it permissible to inseminate a woman with the sperm of her dead husband in the following cases?

- 1) After the death of the husband but before the end of the waiting period?
- 2) After the death of the husband and after the end of the waiting period?
- 3) Suppose the widow remarried, is it permissible for her to be inseminated with the sperm of her former husband? And is it permissible for her to be inseminated with the sperm of her former husband after the death of the second husband?

A. In itself, there is no objection to that, be it before or after the waiting period and whether she remarried or remained unmarried. The ruling would also not be different if the insemination takes place with the sperm of her former husband at the lifetime of the second husband or after his death. However, if the procedure takes place during the lifetime of the second husband, his permission should be obtained.

Q24. Nowadays it is possible to keep the ova that have been fertilized in vitro alive by certain procedures to be implanted later inside the womb of the woman who possesses the ova when necessary. Is it permissible?

A. There is no harm in it in itself.



Gender Change

Q25. Some people have the appearance of men. They have female psychological and sexual tendencies though. If they do not undergo the operation of sex change, they might commit sins insofar as their sexual behavior is concerned. Is it permissible for them to undergo such an operation?

A. There is no harm in undergoing the said operation if the end result would be determining of the true sex of the person provided that it does not lead to the commission of any ḥarām act or a consequent vile deed.

Q26. What is the ruling in the matter of undergoing an operation for a hermaphrodite person to become either man or woman?

A. There is no objection to it in itself provided that one avoids ḥarām preliminary steps.

Autopsy, Anatomical Dissection and Transplantation

Q27. Research in heart and vascular diseases could require the physical examination of particular organs of dead people who suffered from such diseases. It is to be noted, though, that the extracted organs would be buried not later than one day or so after the examination has been carried out. Please let us know the ruling in the following matters.

- 1) Is it permissible if such research is carried out on the dead bodies of Muslims?
- 2) Is it permissible to bury the removed organs separately, i.e., not with the body they belong to?
- 3) Since it is rather problematic to bury the organs separately, is it permissible to bury them alongside any other dead body?

A. There is no objection to dissecting a corpse when saving a respectful life, exploring new ideas in medical science that are necessary for the society, or obtaining information regarding a disease that threatens life. However, it is obligatory not to make use of the dead body of a Muslim, where possible.

Extracted parts of the dead body of a Muslim must be buried with the same body unless burying them with the body proves difficult or unbearable. In this case, it is permissible to bury them separately or alongside another dead body.

Q28. Is it permissible to carry out a postmortem examination to determine the cause of death in doubtful cases, e.g., we do not know whether it happened due to poison, suffocation, or something else?

A. If getting to the truth hinges upon it, there is no objection to it.

Q29. What is the ruling in the matter of carrying out anatomical dissection for histological research on the body of an aborted baby, of any age, noting that the subject of dissection is very important in the curriculum of the school of medicine?

A. It is permissible to dissect the body of an aborted baby if saving a respectful life, achieving new medical information necessary for the society, or getting more information about certain diseases that threaten life depends on it. However, where possible, one should not make use of a Muslim dead fetus which had gained a soul.

Q30. Is it permissible to remove expensive platinum pieces that had been implanted in the body of a Muslim after his death?

A. As the question goes, there is no harm in removing platinum pieces from the dead body provided that it is not considered as disrespect to the deceased.

Q31. Is it permissible to dig the graves of Muslims or non-Muslims in order to exhume the bones for training purposes in the school of medicine?

A. As to the graves of Muslims it is not permissible to do so unless there is a pressing need for the bones for medical purposes and it is impossible to obtain such bones from the graves of non-Muslims.

Q32. Is it permissible to implant hair on the head of a person who suffered burns so much so that they are put under immense psychological pressure because of it?

A. There is no harm in it in itself provided that the implanted hair is taken from an animal whose meat is ḥalāl or human hair is used.

Q33. If a person is suffering from a fatal illness and doctors say he will die soon, is it permissible to remove certain organs from his body, such as heart, kidney, etc., before he is dead so that it can be transplanted in the body of another person?



A. If the removal of the organs from the patient's body leads to his death, it amounts to murder. Otherwise, there is no objection to it provided that it is done with the person's permission.

Q34. Is it permissible to use the blood vessels of a dead person for transplantation in the body of another person who is ill?

A. There is no objection to it provided that it is done with the permission of the person in their lifetime, or with that of their guardian after their death, or when saving a respectful life is contingent upon it.

Q35. Is blood money payable in the matter of using the cornea of a dead person to be transplanted in the eye of another person, noting that corneal transplant is done mostly without the permission of the deceased's guardian? Assuming that it is payable, how much should be paid for both the cornea and the eye?

A. It is ḥarām to remove the cornea from the dead body of a Muslim. Fifty dinars are payable as blood money in such a case. Should it be done with the permission of the dead person in his lifetime, there is no objection to it and paying blood money is not necessary.

Q36. During the war, a person suffered an injury in his testicles, which resulted in their removal; this in turn had led to his becoming impotent. Is it permissible for such a person to use therapeutic hormones to keep him sexually active and preserve his virility? And should it be found necessary to restore his ability to have young, can he resort to transplantation of the testis?

A. Should the procedure be possible so that it would result in the testis becoming part of his body after cure; there is no objection to that insofar as matter of being najis or pure is concerned. Nor is there any objection to it in respect to his ability to have children and that the children are rightfully referred to him. Also, there is no harm in his using therapeutic hormones to maintain his sexual activity and preserve his manhood.

Q37. Since having a kidney transplant would improve the patient's condition considerably, there has been an intention to set up a kidney bank. This is bound to encourage people to donate or sell their kidneys willingly. Is it permissible to donate or sell one's body part by choice, whether it is a kidney or any other organ? And what is the ruling in emergency conditions?

A. There is no objection to the living mukallaf donating or selling his organs in order that the sick may make use of them provided that he will not be considerably harmed. Indeed, this becomes obligatory when it becomes the only way to save a respectful life, in case one is not going to put himself in an unbearable situation and it is not harmful for him.

Q38. Some patients suffer from irreversible brain damage which results in the disappearance of all kinds of neurological activities associated with deep coma plus inability to respire and response to all motor sensory stimulations. In such cases it is not probable at all to restore these activities and the heart could only work temporarily by itself with the aid of a respirator. This condition, which is called in medicine 'brain death' does not continue more than a few hours /days. That is on the one hand. On the other hand there are other patients whose lives can only be saved by the transplantation of organs to them being taken from those who suffer from brain death. Is the use of organs taken from such patients for this purpose permissible?

A. If the removal of the organs from the patient described in the question would precipitate his death, it is not permissible. Otherwise, if the removal of such organs is made with his prior permission, or the use of the removed organ is the only way to save a respectful life, there is no objection to it.

Q39. I have expressed my wish to donate my organs after my death. I was told that I should make a will in this regard and inform any heirs. Have I the right to do so?

A. There is no harm in making use of a dead person's organs for transplantation in the bodies of other people in order to save their lives or treat their illnesses. There is no objection to writing this in one's will. This ruling, however, does not cover those parts of the body, whose removal could amount to muthlah of the body itself, or severing them would violate the dignity of the dead according to established the common view.

Q40. What is the view on undergoing plastic surgery?

A. There is no harm in it in itself.

Q41. We have noticed the recurrence of the use of the word "necessity" as a condition to allow the examining doctor to touch or look at the body of a woman. What does it mean and what are its limits?

A. What makes it necessary to look at or touch a woman's body is confined to what the diagnosis and treatment of the illness require. As to its limits, it is judged by the degree of the need for it.

Q42. Is it permissible for a woman doctor to touch and look at the private parts of another woman for the purpose of medical examination and diagnosis?

A. It is impermissible to do so except for necessary cases.

Q43. Is it permissible for a male doctor to touch or look at the body of a woman during examination?

A. When treatment makes it necessary for the woman to uncover her body before a man doctor and for the doctor to touch and look at her body, and it is not feasible for the patient to see a woman doctor, there is no objection to it.

Q44. What is the ruling in the matter of a woman doctor looking directly at the genitals of another woman when she can carry this out indirectly, i.e., through a mirror?

A. If it is feasible to carry out the examination through the mirror and there is no need for her to look at the woman's private parts or to touch it. It is not permissible.

Q45. To take the pulse count of a patient there has to be some sort of direct contact with the body. If it is feasible for a nurse from the opposite sex to do these wearing gloves, can he/she still do it without the gloves?

A. If it is feasible to go about this with the clothes on or by wearing gloves, there is no need for direct contact, by the opposite sex, with the patient's body. It is, therefore, not permissible.

Q46. Is it permissible for the male doctor to carry out plastic surgery for a woman which entails touching and looking at her body?

A. Plastic surgery is not a treatment for an illness. Accordingly, it is not permissible to either touch or look at the body unless it is done to treat burns and the like, and it is necessary to touch the body or look at it.

Q47. Apart from her husband, is it absolutely ḥarām for anyone, including the treating doctor, to look at the genitals of a woman?

A. It is ḥarām for anyone other than the husband to look at the woman's genitals. The ban includes the treating male/female doctor unless it is necessary on medical grounds.

Q48. Is it permissible for women to consult a male gynecologist if he is more efficient than the female gynecologists, especially when



seeing the latter proves to be difficult?

A. If the examination and the treatment require ḥarām looking or touching, it is not permissible for the woman to see a male gynecologist unless it is not feasible to consult a skilled female gynecologist who may serve the purpose or it is too difficult to do so.

Q49. Is it permissible for someone to masturbate, upon a doctor's advice, for carrying out a sperm test?

A. There is no objection to it if it is intended for medical treatment, the treatment is dependent on it, and it is not possible for his wife to do it.



Circumcision

Q50. Is circumcision obligatory?

A. Circumcision of boys is obligatory in itself and as a condition for the validity of tawāf in both hajj and ‘umrah. If it is left until the boy attains adulthood, it becomes obligatory on him to have circumcision.

Q51. A person did not have circumcision. However, there is no foreskin on the penis. Is it obligatory on him to have circumcision?

A. If there is no foreskin on it, it is not a case of obligatory circumcision.

Q52. Is girls' circumcision obligatory?

A. It is not obligatory.

Study of Medicine

Q53. By virtue of their study, medical students, male and female, are required, as part of their training, to examine non-mahram people which involves touching and looking. Since this training is part of the curriculum and is essential for future treatment of the patients and equips the students with the know-how to make life-saving decisions and otherwise, it may result in prolonging the disease period or even death of the patient, is it permissible to embark on such a practice?

A. There is no problem in it if it is considered as one of the necessary things to gain knowledge and experience in the field of treating patients and saving lives.

Q54. It is said that in necessary cases it is permissible for medical students to examine non-mahram patients. Who should determine such necessity?

A. The student can judge such necessity, taking into account the prevailing circumstances.

Q55. In certain situations, we are faced with instances of examining a non-mahram patient's body without being able to tell whether we will make use of the experience we acquire from such an examination? However, this is a requirement of the curriculum and an assignment by the professor to the student. In view of this, is it permissible for us to carry out these examinations?

A. The medical examination being part of the curriculum or an assignment required from the student by his professor does not justify the commission of what Islamic law has decreed unlawful. However, the criterion here is the need for the training to save the human life or the requirement of a necessity.

Q56. For the sake of medical training and practice, is there any difference between examining the genitals and the other parts of the bodies of non-mahram persons? What is the ruling in the matter of male doctors practicing midwifery and other childbirth complications in remote villages where no female doctor is available; noting that one of such complications is life-threatening bleeding after labor? Stopping such bleeding needs proper training and experience during the course of study in schools of medicine?

A. Insofar as necessity is concerned, there is no difference between the ruling of examining the genitals and the other parts of the human body. The universal criterion is the need for the training and study of medicine to save the human life. However, in such situations, one should suffice with necessary cases.

Q57. In most cases where examining the genitals, whether by a male or a female, is called for the shar'ī standards are seldom upheld by the student or teacher, such as examination through the mirror. Since we have no alternative but to follow them in order to gain experience in diagnosing the illnesses, how should we go about it?

A. There is no harm in studying medicine and training in it, even by carrying out examinations which are ḥarām in themselves provided that it is essential for training in medicine and acquiring experience in treating the sick. In addition to that, the student must be confident that ability to save human life in the future depends on knowledge acquired in this way. He must also be confident that he would be in a situation whereby the sick are going to consult him to seek his advice and that he would be responsible to save their lives.

Q58. Is it permissible to look at the pictures of non-Muslims usually found in the books of medicine, noting that such pictures are of semi-naked men and women?

A. There is no objection to it provided it is done without questionable intents and pleasure



and that no fear of bad deeds is contemplated.

Q59. In the course of their study, medical students watch films and look at pictures showing the genitals for learning purposes. Is this permissible? And what is the view on looking at the private parts of the opposite sex?

A. There is no objection to watching such films and looking at such pictures in themselves provided it is done without the intention of getting sexual pleasure and no fear of committing a ḥarām act is involved. What is ḥarām is looking at or touching the body of the opposite sex. Also looking at pictures or watching films of others' private parts is not unproblematic.

Q60. What is required of a woman in labor? And what is required of the female nursing staff insofar as the uncovering of and looking at the genitals of the woman in labor are concerned?

A. It is not permissible for the nurses to deliberately look at the private parts of a woman in labor unless it is necessary. The same goes for the doctor who should avoid looking at the body of the patient or touching it unless it is necessary. As for the woman, she should do her best to cover herself if she is aware and able to do that or to ask other people to do it for her.

Q61. In the course of the study of and training in medicine, they use plastic models configuring the human reproductive system. What is the ruling in the matter of handling these models and looking at them?

A. Artificial organs and genitals do not have the same ruling as the real ones. Therefore, there is no objection to looking at and handling them unless a questionable intent is involved or it entails arousing one's sexual desire.

Q62. As a doctor, my research within the Western scientific circles aims at relieving pain by way of music, touching, dancing, medication, and electric shocks. Medical opinion points to the fact that the research in these types of therapy has proved fruitful. Is it permissible to embark on the same road?

A. There is no shar'ī impediment to investigating this affair to see how effective it is in treating illnesses provided that it does not entail getting entangled in practices which are ḥarām.

Q63. Is it permissible for female nurses to look at a woman's genitals if their study requires it?

A. If the treatment of diseases or saving a respectful life depends on taking a lesson which includes looking at the private parts of others, there is no problem in doing so.