

Bioethics issues of the abortion problem in christian and islamic societies

Lazizakhon A. Alijonova¹

ABSTRACT

In the last decades, along with the achievements in science and technology, morally complex issues, dilemmas also harm any form of society. The phenomenon of secularization (the process of reducing the role of religion in society) in bioethics is required to study deeper.

"Twenty years ago, it was observed that scientists began to study a philosophical-legal conception instead of a religious-medical tradition in the field of bioethics," – emphasized Daniel Kallaan. However, today, in many religious communities, for example, among Muslims, religious traditions still occupy a dominant position in the field of bioethics. In 2010-2011, international questionnaire surveys were conducted to identify important issues of bioethics in Islamic and Christian societies. This article presents the results of this study and examines the important areas of bioethics development. Also, the paper examines issues concerning religion and medicine, organ transplantation, abortion, and similar medical treatments during the globalization period.

Keywords: abortion, religion, bioethics, pregnancy, fetus, fatwa

INTRODUCTION

Today, in most countries, there is legislation that allows women to be saved for abortion. In 62 percent of the countries of the world, abortion is permitted to save a woman's physical and mental health, 42 percent during pregnancy as a result of sexual abuse or marriage of relatives, 40 percent due to defects detected in the fetus, 29 percent due to economic and social reasons, 21% at the request.

There is law "On the protection of reproductive health of citizens" (March 11, 2019, Article 18) in the legislation of Uzbekistan, in which abortion is allowed by the regulation as follows:

- at the request of a woman for a period of up to twelve weeks of pregnancy;
- abortion is carried out regardless of pregnancy period when there are medical indications that threaten the fetus's life.

Medical institutions are obliged to inform the woman about any possible negative consequences for her health when women decide to stop pregnancy or refuse to prevent pregnancy artificially.

Artificial abortion of a normally developing fetus is a crime. It is used a criminal punishment when abortion is carried out without an obstetrician or gynecologist's consent. (Article 114 of the Criminal Code). If abortion causes the victim's death or other severe

¹Teacher, Department of "UNESCO in theology and Comparative Study of world religions," International Islamic Academy of Uzbekistan, Tashkent, Uzbekistan. Email: lazizaxontiu@mail.ru ORCID: 0000-0002-8772-8277

consequences, it is considered a serious crime. Criminally, abortion is punished by a fine of up to twenty-five times the minimum wage, or by penal labor of one to two years, or by imprisonment of up to three years. If there are cases of aggravation in the implementation of abortion, it is punished by penal labor for two to three years or by imprisonment for up to five years.

MATERIALS AND METHODS

In the article, data were analyzed comparatively, theoretically. Conclusions were collected based on questionnaires.

RESULTS

S. V. Filimonov considered the abortion problem and its solutions based on a questionnaire (Table 1) in his work "Medicine and Orthodoxy: medical-social, organizational and ethical problems" (2004).

According to work, the women's attitude to abortion in the Christian society and was asked by doctors about what time is good for abortion.

Table 1

Responses of doctors to the issue of abortion in Christian society according to their attitude to religion (the total in %)

REASONS	Atheists	Those who consider themselves religious	Those who attend church	Total mass
Medical indications of mothers	20.9	23.4	26.9	22.2
Medical indications of fetus	20.4	23.8	21.5	21.6
Social indicators (low income, lack of living space, etc.)	12.4	9.9	8.6	11.3
Sexual violence	14.9	15.7	14.0	15.1
Young mothers	6.7	5.4	7.5	6.3
Foreigner pregnant women	5.3	5.4	6.5	5.4
Woman's personal request	18.2	15.4	8.6	16.5
Other reasons	1.2	1.0	6.4	1.6
Total	100.0	100.0	100.0	100.0

The reasons and duration of the abortions indicated by the survey participants are determined by the concept of their embryo status and the orders of the Ministry of Health. Indicators in all groups are close to each other according to reasons. The highest share corresponds to the future mother's medical indicators, which is quite understandable and correct. Still, it is surprising that such a significant part of the reasons as "woman's request" constitute 16.5 percent. For religious people in Christian society, this indicator is lower than the 2 group indicator. According to doctors who are engaged in the Orthodox Church, if there is no threat to the mother's health and life, it is allowed to abortion. As it turned out, 77% of the respondents to the survey admit the woman's personal desire to have an abortion. Among the "other reasons," there are unwanted child, genetic diseases, environmental and technical disasters, a court decision on socially dangerous women. There were also answers that there was no reason to have an abortion. When the survey was analyzed, doctors gave similar answers. It can be seen some answers that "It is not necessary to legalize it," "Appealing for abortion is a warrant for murder."

Doctors who participated in the survey showed one reason in rare cases, most of them – from 2 to 7 listed reasons. They mentioned three reasons: the medical indications of the mother, the woman's personal request, and the third are the medical indications of the fetus.

Table 2

The possible time of abortion for various reasons

The opinion of doctors on the causes of abortion	Percentage of respondents for each reason, %			Total
	Within the requested term	Up to 12 weeks	more than 12 weeks	
Medical indications of mothers	56.8	20.7	20.5	100.0
Medical indications of fetus	60.0	19.4	20.6	100.0
Social indicators (low income, lack of living space, etc.)	13.7	61.5	24.8	100.0
Sexual violence	26.0	65.0	9.0	100.0
Young mothers	23.2	62.5	14.3	100.0
Foreigner pregnant women	10.0	78.0	10.0	100.0
Woman's personal request	13.0	83.6	3.4	100.0

The deadlines are divided into three groups: in any term, up to 12 weeks, and more than 12 weeks. The most significant percentage of doctors recommend any period of abortion according to the mother and fetus's medical indications, which corresponds to both legislative and moral rules. However, it is indicated by doctors that the main period is up to 12 weeks.

DISCUSSION

In several countries, the bioethics codes included rules that the doctor had the right to refuse abortion for moral reasons. 71,5% of atheists, 68,3% of those who consider themselves religious, 93.0% of those who constantly attend church supported this. Positive responses vary according to the specialty of doctors, for example, pediatricians – 83,7%, therapists – 68,4%, surgeons – 77,5%, neuropathologists – 71,4%, anesthesiologists – 56,8%, obstetricians-73,7%.

In 2000, the Council of the Russian Orthodox Church's bishops made recommendations on all the problems of abortion: "Since ancient times, the church has recognized the intentional termination of pregnancy (abortion) as a great sin. In modern society, the spread and justification of abortion are perceived by the church as a clear sign of threat and moral degradation for the future of humankind. The father and the mother take responsibility for the sin of killing an unborn child. Sin also is written for the doctor who made an abortion. The church calls the state to recognize the right of doctors to refuse abortion. The problem of contraception also requires religious and bioethical issues. Some contraceptive agents have an abortion effect, which artificially stops the embryo's life in the early stages. It is impossible to equate abortion with other means that are not associated with the stop of life that has already begun.

The problems are considered within the framework of Islamic society today. In that case, it is recognized that the fetus abortion, which is a threat to a woman's life, is the most optimal solution. If the fetus is a threat to a woman's health, or there is a congenital disability, or there is a fetus defect, and this fetus was formed as a result of sin, then Islam does not resist the abortion of a fetus. Till now, many Islamic scholars haven't decided what period abortion is done. There

are different opinions that it is from 40 days to 120 days from the moment of the fetus's appearance. Because in this period of time, the fetus will not yet be in a living person's status.

It is possible to quote Verses 12-14 of Mu'minun Surah of the Qur'an: "We created man out of the extract of clay, then We made him into a drop of life-germ, then We placed it in a safe depository, then We made this drop into a clot, then We made the clot into a lump, then We made the lump into bones, then We clothed the bones with flesh, and then We caused it to grow into another creation. Thus Most Blessed is Allah, the Best of all those that create".

Current scientific discoveries also confirm the stages of the development of the fetus in verse. It is true that the great scholars of the West once again proved that the Qur'an is a divine miracle as a result of numerous scientific studies. This verse's meaning is also reflected in the following hadiths of the Prophet Muhammad (s.a.w). Abdullah ibn Mas'ud said: "The Prophet Muhammad (s.a.w) told us the following Hadith: "The wound of someone is concentrated in the state of forty days of mania in the mother's depository, then again so much dark blood, and then again so much a piece of flesh. Then an angel was sent to him. And the Angel will blow the soul into the piece of flesh. Then the Angel was ordered to write down four things: the sustenance of the fetus, the death, deed, happiness or misfortune".

Many people believe that the beginning of a person's life is the moment of fertilization. Based on recent medical and biological Studies, the embryo is considered a unique person, not a potential, but a real person. It can only be considered the potential of its development, which will continue even after birth. The embryo and the fetus have human dignity, and their rights to life and health must be protected by law.

The orthodox attitude to this issue was expressed in 2000 on the Council of the Russian Orthodox Church's bishops as follows: "... the birth of man is a present from God. Therefore, any aggression to the life of a human from fertilization is a crime".

Until 1990, abortion conditions had to be confirmed by 3 Muslim doctors that the fetus did not pass 40 days. In 1990, the Supreme Council of Saudi Arabia's scholars issued this 40-day decree with a period of 120 days. Aljir Supreme Islamic Council also issued a decree in 1998 on the possibility of abortion by women who were subjected to sexual violence. M. Tantawi, Sheikh Al-Azhar university in Egypt, issued a decree for the abortion of a pregnant woman subjected to sexual violence in 1998; in fact, abortion was only allowed if there was serious harm to the health of the mother in Egypt at that time. In 2004, M. Tantawi tried to legalize this fatwa, but it was not approved as a law. In the draft of this law, M. Tantawi said that abortion, which is formed as a result of sexual violence, can be done after 120 days. However, many resistances by other Islamic scholars tripled.

When it became clear that the fetus had settled in the mother's womb, that is, after the soul was blown into the fetus, many scholars considered that artificially removing the fetus is haram (a big sin). They paid attention to the fact that this case's scam was a crime against a living creature, which was fully created. It is also haram to remove the fetus before the blow of the soul. Many Hadiths point to the beginning of creation as soon as the sperm settles in the uterus. Huzaifa ibn Usayd said: The Prophet Muhammad: "After the sperm was settled in the womb, forty-two nights pass, an angel is sent by Allah. Angel gives him a form – creates his/her ears, eyes, skin, flesh and bones".

Ibn Rajab Hanbaliy says in his book "Jame' ul-ulum val-hikam": "A group of scholars told a woman to remove the fetus in her womb if the soul has not yet been blown."

Imam Gazali says in his book "Ihyoi ulumid-din": "Azl is not like removing a child or burying alive. The removal of the fetus is a crime committed against the soul. There are several

Bioethics issues of the abortion problem in christian and islamic societies

stages of creation. The first stage is when the sperm gets into the uterus, interferes with the woman's sperm, and is ready to accept life, and it is a crime to violate this condition. If the sperm was in the state of blood (lahta), removing it becomes even more shameful. If the soul blows at him and the soul is created in full harmony, the crime becomes even more dangerous. And the most terrible of the crime is after as a separate living being. And the most terrible of the crime is after the divorce as a separate living being".

Scholars expressed different opinions even on the issue of abortion due to various defects in the fetus. For example, a message given by the doctor about the fetus's birth with a disability can not cause abortion. Such a pregnant woman should be patient and hope for Allah's reward for the patience she has done.

When doctors were asked, "When can an embryo be considered a human," 47.5% of doctors answered precisely "from the moment of fertilization." However, this indicator is sharply different in various religious groups, so doctors who consider themselves religious were two times higher than atheists.

Table 3

The opinion of doctors, depending on orthodoxy and atheistic attitude to what period the embryo can be considered a human being (In the proportion of 100 participants)

Answers	Atheists	Those who consider themselves religious	Those who attend church	Total mass
From the moment of fertilization	37.8	47.8	82.5	47.5
From the 14 th day, after the end of the moving to the uterus	10.3	6.9	5.0	8.3
From the 18 th day, after the heart begins to beat	10.3	14.0	2.5	10.6
After the 8 th week, body and face forms are determined	4.0	3.5	-	3.3
After 11-12 weeks, when the fetus begins to breathe freely in the waters	8.1	10.5	-	7.9
From the 26 th week, the formation of the central nervous system, which allows it to talk about the fetus consciousness	22.9	14.7	10.0	18.2
Other periods	6.6	2.6	-	4.2

CONCLUSION

1. In Islamic and Christian societies, the individual's personal and social life, his relationship to health, illness, life, and death come from religious teaching
2. For people, their religion is also a powerful factor in making any health decision.
3. The ethics and legal tradition of Islam and Christianity serve as the basis for searching answers to biomedicine questions. It is also applicable to the decision-making process in clinical and research practice.

4. Due to the absence of a centralized office for the management of all legal schools of Islam, a specialist (faqih) determines religious practice in Sharia (fiqh).
5. However, in Christianity, religious sources and the church are the basis in spiritual matters.

CONFLICT OF INTERESTS AND CONTRIBUTION OF AUTHORS

The authors declare the absence of apparent and potential conflicts of interest related to this article's publication and report on each author's contribution.

SOURCE OF FINANCING

No funding was required for this research.

LIST OF REFERENCES

1. M.Albar, «Induced abortion from an Islamic perspective: is it criminal or just elective?», DM, FRCP (London), 2001 Sep-Dec; 8(3): 25–35.
2. Mamadiyev, Bakhrom (2019) "A COMPARISON OF SOME OF THE FATWAS ISSUED BY THE MEDICAL AFFAIRS," The Light of Islam: Vol. 2019: Iss. 4, Article
3. Available at: <https://uzjournals.edu.uz/iaau/vol2019/iss4/12>
4. Imam Navawi. Forty Hadith commentary T: 2018
5. Sheikh Muhammad Sadiq Muhammad Yusuf /"Kifaya"/ T:Hilol -Publication, 2018
6. D. Al Husseini, "The Implications of Religious Beliefs on Medical and Patient Care," 14.11.2011, University of Pennsylvania, p. 17<http://islom.ziyouz.com/component/wrapper/>
7. Abdulaziz Mansur, Translation and interpretation of the meaning of the Koran. - Tashkent:" Tashkent Islamic University" Publishing and Printing Association, 2018. – p. 624
8. Alimova, Mahfuza (2020) "THE CONTRIBUTION OF IMAM AD-DARIMI TO THE DEVELOPMENT OF HADITH SCIENCE," The Light of Islam: Vol. 2020: Iss. 2, Article 15. Available at: <https://uzjournals.edu.uz/iaau/vol2020/iss2/15>
9. L.Alidzhanova. The importance of Medicine in Islamic religious sources 2020. ECLSS International online conference Economics and Social sciences. B. 11-12
10. Alidjanova, L. A. (2020). The place of the "hand" and the theme of medicine in the sources of Islam and Christianity. *ACADEMICA: An International Multidisciplinary Research Journal*, (10), 208-214.
11. Maulana Khalid Saifullah Rahmanī, Response to the Queries about Birth Control, Contemporary Medical Issues, ed. by Qazi Mujahidul Islam Qasmi, 1th edition, (Kuala Lumpur: Noordeen, 2007), p. 96
12. Asman O. Abortion in Islamic countries—Legal and religious aspects. *Medicine and Law*. 2004;23:73–89.
13. Brockopp JE. Taking and saving life. The Islamic context. In: Brockopp JE, editor. *Islamic ethics of life: Abortion, war and euthanasia*. Columbia: University of South Carolina Press; 2003. pp. 1–24.
14. Yari K, Kazemi E, Yarani R, Tajehmiri A. Islamic bioethics for fetus abortion in Iran. *American Journal of Scientific Research*. 2011;18:118–121.
15. Adela AI, Shanawani H, Greenlaw J, Hamid H, Aktas M, Chin N. The perceived role of Islam in immigrant Muslim medical practice within the USA: An explanatory qualitative study. *Journal of Medical Ethics*. 2008;34:365–369.