

## Question and Answer

**Question:** Recently there have been some scientific studies, which are now considered proven, but for some time they were only spoken about in hushed voices. These are regarding 'frozen embryos' and 'determining the child's gender.' These are quite well accepted in the Western world and have now arrived in the Muslim lands too. Such studies are no longer in the experimental or clinical stage, but have become quite acceptable to many Muslims. What is the hukm shari'i regarding these, may Allah reward you?

**Answer:**

Before we proceed to answer, let us remember that Allah (swt) has created mankind and taught it what man did not know. It is Allah (swt) who laid down specific properties, criteria, composition and traits in the universe and in man as a result of which man is enabled to explore and harness the scientific knowledge and use them for the betterment of mankind as a whole. Allah (swt) has praised such beneficial knowledge and its exponents, since it is these learned men who are in a stronger position to have a firm conviction (Iman) of Allah (swt) and study the secrets of this universe and of life and thus bear witness to the greatness of its Creator, His wisdom and His immense power. Allah (swt) says:

“It is only those who have knowledge among His slaves that fear Allâh.” [Surah Faatir 35:28]

And His Messenger (saw) says:

«... إِنَّ الْعُلَمَاءَ هُمْ وَرَثَةُ الْأَنْبِيَاءِ إِنَّ الْأَنْبِيَاءَ لَمْ يُورَثُوا دِينَارًا وَلَا دِرْهَمًا إِنَّمَا وَرَثُوا الْعِلْمَ فَمَنْ أَخَذَهُ فَمَنْ أَخَذَ بَحْطًا  
وَأَفِرَّ»

“The Ulema are the inheritors of the prophets, the prophets did not bequeath dinars or dirhams, but they bequeathed knowledge, so he who takes it will take an abundant opportunity.” [Reported by Ibn Majah on the authority of Abu Dardah]

However, Shaitan, his followers and the infidels have exploited such knowledge for inflicting harm, causing corruption and perverting man's life, causing it to deviate from the correct and just path. Such knowledge has been exploited in a way other than how it was meant to be harnessed. Thus we have cloning, freezing of human sperm, ova (fertilized eggs), embryos, and then transferring them onto other human beings, autopsy of the dead, selling of its organs and furthermore, kidnapping of living human beings and killing them for their organs, the so-called experiments on embryos and foetus, freezing them, tinkering and manipulating the foetus life, extracting its organs, all of this on the pretext of scientific or medical research!

Allah (swt) says:

“And indeed We have honoured the Children of Adam.” [Surah al-Israa 17:70]

In origin, knowledge is supposed to stem out through this honour which Allah (swt) has blessed man with, and distinguished him through this honour from all other of His creations, so that man may be blessed and pleased, and improve his material and intellectual life....but such evil and corrupt scientists have gone on to pervert mankind through this very knowledge, to a level lower than even the lowliest of creatures and have rendered him an object of corrupt experimentation resulting in harm and perversion.

Having said this, we comment as follows:

The hukm shari'i pertaining to the above question is:

First: Freezing of embryos:

It has been found in certain diseases that the wife is not in a position to fertilise her eggs through the sperm of her spouse in the natural course. It may be blockage of the uterus's ovarian tubes or it may be due to a low motility count of the sperm that come in contact with the unfertilised ova, or it may be due to other factors other than these that the experts are aware of. Therefore the specialists attempted to fertilise the eggs outside of the uterus in a test tube under appropriate conditions. This is to enable the sterile or barren women, through Clomid medication to isolate the eggs, which the concerned doctor would extract from her ovaries through endoscopy at the appropriate time, and place them in a Petri dish, in order to inseminate them with sperm from the woman's husband...

After the eggs are inseminated in the test tube and fertilised there, one or more of the fertilised eggs are 'returned' to the womb of the woman, and Allah willing there they develop into the embryo, or if Allah (swt) wills so they die and are disposed off naturally.

Since the failure rate in such cases is high (reaching up to 90%), and since the couple yearn to conceive, they choose to repeat the stressful process, which is cumbersome for the woman, since each time she is given medication to enable her ovaries to produce more eggs. This is because the test tube process is not guaranteed to inseminate and fertilise eggs, if only a few are made available, such that if one egg does not fertilise, the others may. Again, not one, but many of these fertilised eggs are taken from the test tube and transplanted into the womb, so that if one is not accepted in the womb, another one may be accepted and carries out the process...

The impregnated eggs are transplanted into womb using special equipment. The practice is to implant three such fertilised eggs to ensure a higher success rate. These extra fertilised eggs are retained and are used in the later stages in case of failure, i.e. if an implanted egg does fail to develop, the process is not repeated, thereby saving the woman from more of this cumbersome process, rather the extra eggs are then implanted. Thus the woman is saved from additional medication that induces her to produce more eggs.

However the first egg implanted in the womb does not fail immediately upon being implanted, indeed the fact may only be determined after several hours or even days. During this period, the additional eggs impregnated with sperm do not survive unless frozen and stored under appropriate temperature and suitable conditions. Therefore, these extra embryos are frozen with liquid nitrogen so that they could be used if the first implanted cell is found to have failed to develop.

This is how the concept of frozen embryos came about, and it is meant to preserve the extra eggs that may be required to be implanted into the womb, and thus the woman is not encumbered with more medication again if new eggs are required.

After these developments, such embryos have become the subjects of trade especially in the western infidel countries. They kept the embryos in frozen condition for a long period of time, even years, and the embryos were not implanted in the womb of the women from where they were originally extracted, but were sold to other couples and even single unmarried women. Such research centres became 'Frozen Embryo Banks' where, as per recent media reports, embryos from different women were indiscriminately mixed. Such 'alien' impregnated embryos were then implanted into other women whose first fertilization may have failed. This is how they manipulated the parentage of the would-be child and distorted lineages and perverted mankind....

Later, such freezing did not remain confined to the fertilized eggs alone, they started freezing unfertilized eggs and even fetuses and sold these to whoever wanted them. In fact, they started marketing eggs or fetuses from distinguished figures etc...

This in short is the reality of frozen embryos and fetuses, of course there is a great detail pertaining to this but the overall picture is confined, within what we have mentioned.

Based on these, the hukm shari'i is as follows:

[1] So far as the fertilization of a wife's eggs with the sperm from her legal husband outside her womb is concerned. It is permissible since the married couple desires to have children and natural fertilization within her womb is not possible because of some disease. This is because such a process is medicinal and the Prophet (saw) commanded medication. Abu Dawood reports on the authority of Osama ibn Shuraik who says the Prophet (saw) said,

«تَدَاوُوا فَإِنَّ اللَّهَ عَزَّ وَجَلَّ لَمْ يَضَعْ دَاءً إِلَّا وَضَعَ لَهُ دَوَاءً غَيْرَ دَاءِ وَاحِدٍ الْهَرَمُ»

"Yes, you should seek medical treatment, because Allah, the Exalted, has let no disease exist without providing for its cure, except for one ailment, namely, old age."

i.e. death is the only disease for which there is no cure.

But this permission is subject to two conditions:

**First:** Fertilisation may take place in a test tube, but the sperm and eggs have to be from a man and woman who are properly married. It is reported on the authority of Ruwaifa' ibn Thabit al-Ansari that the Prophet (saw) said:

«لَا يَحِلُّ لِأَمْرِي يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ يَسْقِيَ مَاءَهُ زَرْعَ غَيْرِهِ»

"It is not permitted for anyone who believes in Allah and the Day of Judgment to irrigate the crop of other."

Thus, it is not permitted to fertilize the woman eggs, except with sperm from her legitimate husband alone.

**Second:** The fertilised eggs from such fertilisation that takes place in a test tube must be implanted into the womb of the wife, whilst the husband is alive and not after his death as is happening in the west. To the western people there is no harm in implanting the fertilised eggs to the womb as and when they want to conceive, irrespective of whether the husband is alive or dead! But this is not permitted in Islam, because the conception of the wife without the husband being alive is Haram and is punishable. If a woman conceives without her husband, then she is sinful of having perpetrated a major sin. This is reported by 'Omar (r.a) and 'Ali (r.a) and it is not questioned by any of the Sahabah. If their report were contradicted anything that the Prophet (saw) had said, it certainly would have been contested and questioned by the Sahabah, and as such this is deemed to a consensus of the Sahabah (Ijma' as-Sahabah).

Thus the conception of the wife without her husband is in itself a testimony of adultery. Such an act is subjected to Hudood law, if this conception was a result of physical sexual relation, whilst if such conception took place without physical sexual relation i.e. by implanting fertilised eggs in her womb after the death of her husband, the conception is deemed to have taken place after the death of her husband and as such this is punishable under the Ta'zeer punishments.

Thus, test tube fertilization which takes place outside the mother's womb, with the sperm of her lawful husband and during his lifespan, is permissible i.e. test tube babies, are allowed within the above mentioned stipulated conditions.

[2] As for the freezing of additional fertilized egg or fertilized eggs which are frozen, whilst the result of the first fertilisation attempt is awaited, so that in case the first or subsequent attempts at fertilisation fail, these additional fertilized egg or eggs could then be implanted in her womb...

In the above case, where the frozen impregnated eggs or frozen embryos, if these are without any doubt from the same mother (and father) and have not been mixed with other eggs, it is permitted for these fertilised eggs to be implanted into her womb, but again subject to the above mentioned two conditions.

However, according to the media news reports regarding the mixing of frozen inseminated or fertilized eggs, in such cases the freezing of eggs and implanting them into her womb, in case of the failure of first attempt, such a process is not permissible for the following reasons:

(1) Appropriate care is taken in the case of the egg first fertilized, which is successful and is implanted to the mother's womb and its subsequent development is closely monitored.

(2) Whilst 'additional' fertilised eggs are simply frozen and abandoned to the freezing apparatus and only when the first implanted eggs fail to develop, are these 'additional' eggs are looked at. Then as we have earlier said, the first attempt's failure is not evident at once; it needs time to confirm the failure or success of the attempt and during this waiting period of time, the additional egg or eggs remain frozen.

(3) There have been reports of mixing of frozen fertilised eggs and accordingly a mixing in the

parentage through a mixing in fertilised eggs, this is a factual reality of this process.

(4) In case of the success of the first attempt of implanting the fertilised egg, it becomes mandatory that the 'additional' eggs are disposed of and not used by another woman. However, there is no way to ensure this. Thus this mandatory disposal remains a mere assumption. Moreover, there have been reports about the trade of such frozen embryos.

Since the Shari'i principle "الوسيلة إلى الحرام حرام" "the means to a Haram are themselves Haram" and a mere probability of Haram is sufficient for the process to be Haram and also because the frozen eggs may be sold, either by error or on intent and this leads to a mix-up in parentage which is Haram. Islam has made it mandatory that purity of parentage has to be protected and guarded, Sunan ibn Majah reports on the authority of Ibn 'Abbas (r.a) who says that the Prophet (saw) said:

«من انتسب إلى غير أبيه، أو تولى غير مواليه، فعليه لعنة الله والملائكة والناس أجمعين»

"Whoever claims parentage of other than his father, or guardianship of other than his guardian, then the curse of Allah, the angels and all the people together is upon him."

Further, Sunan al-Darimi reports on the authority of Abu Hurayrah (r.a) who says that when the Ayah of Li'aan (Impreciation) was revealed the Prophet (saw) said:

«أيما امرأة أدخلت على قوم نسباً ليس منهم فليست من الله في شيء، ولم يدخلها الله جنته»

"Any woman that introduces into some people offspring that is not from them, then she has nothing to do with Allah and He will not enter her into Jannah."

Thus, this process of freezing the additional eggs is Haram and not permissible and it is necessary that all additional impregnated eggs, other than the ones that are immediately implanted into the mother's womb, are disposed of without being used or frozen and these should not be frozen or used in case of the failure of the first attempt. And indeed if the first attempt fails, the woman must again seek treatment for new eggs i.e. a repetition of the first process. The reason of the process being invasive is not a valid reason to resort to freezing of eggs, which most certainly leads to mixing in parentage and thus is Haram.

It may be argued that under the above Shari'i principle, for the process to be Haram, there has to be an overwhelming doubt about mixing of eggs, whilst what we see is simply a doubt and not an overwhelming doubt (ghalabat az-zann) and especially so if the treatment centre is a trusted one and it follows a properly safe and secure practice. For instance, the treatment centre properly disposes off all additional eggs and does not use them again, if the first attempt succeeds, then what do we say about the freezing process, which after all saves the woman from the pain of a second treatment again.

To answer this, it is correct that for this principle to be applicable, there has to be overwhelming doubt, and in a situation where the treatment centre is trustworthy, such overwhelming doubt does not exist. Yes, indeed, it will be permissible, if there is complete satisfaction that the eggs will not be subjected to mixing, and on the condition that remaining eggs will be destroyed after the confirmation of success of the first attempt at implanting eggs, the remaining eggs are properly disposed off. However, this is a very sensitive issue and according to the media reports, such satisfaction is not unshakable during two stages of the process:

First: During the period when the eggs are implanted into the mother's womb and the confirmation of success is awaited as to whether the conception has taken place or not, the entire attention is focused on the success of the implant, whilst the extra eggs remain frozen and are not subject to much attention.

Second: After the success of the first of subsequent attempts, the extra impregnated eggs must certainly be disposed off. However such disposal is not likely to be properly monitored and follow-up and neither the conceiving woman, nor her husband will be concerned about the extra eggs and will not ensure its proper disposal. At best they may enquire whether the extra have been disposed off, and the obvious reply would invariably be 'yes they have been disposed off.'...

In such a situation, how can one be fully satisfied about the presumed trustworthiness of the treatment centre?!

Hence, even in the absence of overwhelming doubt (ghalabat az Zann) as 'required' under the above cited principle for the process to be Haram; it most certainly amounts to 'persistent suspicion' and according to a report cited by Tirmidhi as Hasan Saheeh, and on the authority of Hasan ibn 'Ami (r.a) who says: "I memorised this saying of the Prophet (saw):

«دَعْ مَا يَرِيكَ إِلَى مَا لَا يَرِيكَ»

"Leave alone that which involves thee in doubt, and adhere to that which is free from doubt."

### **Conclusion:**

It is permitted to fertilise the egg from a woman with the sperm from her lawful husband, outside her womb in a test tube as a means of treating her so that she is able to conceive. This is subject to the provision that natural conception has become not possible.

And after the fertilised eggs are taken from the test tube and implanted into the mother's womb, it must be ensured that all the remaining fertilised eggs are disposed off without being used by anyone else, at all.

If by the will of Allah (swt), the first attempt at conception succeeds, the couple will certainly thank Allah (swt) and in case the attempt fails, the couple may try the process of fertilizing the eggs in the test tube again, but must not resort to freezing the extra fertilised eggs.

These are permissible given that the eggs and the sperm are from a rightly and legally (Shari'i) married couple and that the process of conception begins during the lifetime of the husband, i.e. the eggs fertilised in the test tube are implanted in the mother's womb whilst the husband is alive.

### **SECOND: Selecting the Gender of Child:**

From time immemorial, people have tried to choose the desired gender (sex) of the child and abandon or eliminate the unwanted gender using any means available to them from time to time.

During the age of ignorance, the male child was much sought-after because he would assist in warfare, as well as carry the lineage forward; whilst the female child was eliminated i.e. buried alive:

[ \* ]

"And when the female (infant) buried alive (as the pagan Arabs used to do) shall be questioned:  
For what sin was she killed?" [Surah at-Takweer 81:08,09]

When other methods of eliminating the unwanted child became available, like scanning the inside of the mother's womb, the child would be examined and if found to be of the undesired sex, people resorted to aborting the pregnancy and eliminating the child from the mother's womb.

Later, especially when advanced techniques were developed, whereby the condition of the embryo in the womb could be monitored and controlled, they discovered that the acidic tendency of the gene was more likely to be female, whilst the alkaline gene was more likely to result in a male foetus. Hence they resorted to specific means to create a proper alkaline environment in the vagina before intercourse. For this, they resorted to what they called the 'alkaline douches' which would ensure the conception of a male child.

Next, they worked on the food system, which helps create acidic or alkaline environment in the woman's body. In the course of such research, they discovered that food affects the gender tendencies of the fertilised eggs from two different aspects:

**FIRST:** It changes the acidic or alkaline environment in the vaginal tract and womb.

They found that potassium and sodium modify the base towards alkaline, which in turn is more likely to conceive a male-child, whilst magnesium and calcium lead to an acidic environment, which is more likely to result in a female child.

**SECOND:** The food system affects the egg walls and renders it more receptive to either the male or female sperm.

Thus they recommended a particular diet for the couple and more specifically for the woman in order to have the male offspring, a diet which ensures alkaline environment such as salty meat, refraining from milk and milk-products, taking extra-spicy foods, fruits, and medication that include potassium etc., such food which will ensure alkaline environs in the body.

Alternatively, if a female child was desired, they would advise foods that would help acidic composition in the body such as taking milk and dairy products, taking less salts, refraining from meat especially salty meat, refraining from fruits, spices and flavoury foods etc... and taking medication that includes calcium and taking such foods that build up acidic composition in the body.

Then they discovered another way; they found that if the woman's ova (eggs) came into the womb before the man's sperm; or in other words, if the woman's ova is released and then it is followed by the man's sperm over it, and then the fertilization takes place, it would more likely result in a male child. In contrast, if the man's sperm is released first and then the woman's egg follows and fertilization takes place, there is a more likelihood of a female child...for instance if the intercourse takes place immediately after ovulation, it is more likely that a male child will be born, and the converse is true as well. Thus, if the intercourse takes whilst the eggs are present in the womb (within a day of eggs being released from the ovary), a male child is more likely; whilst if the intercourse takes place before eggs are released from the ovary, the chances of a female child are higher. So they advise withdrawing before the point of ejaculation (or using contraception) in such periods when the fertilised eggs are likely to be of the undesired composition (i.e. of unwanted sex), and not withdrawing during such periods, when the foetus is likely to be of the desired sex.

Thus withdrawal and contraception became a means to select foetus of one sex over that of another.

This required that the timing of woman's ovulation be monitored, so that if a male child is desired, no intercourse takes place before the eggs are released from the ovary, which means no eggs are released after the sperm is released into the womb. Hence withdrawal or contraception is resorted to in these periods and the man is required to undertake the intercourse so that sperm is released while the eggs are presented in the womb.

In contrast, if a female child is desired, then it is required that during and after the eggs are released from the ovary, intercourse does not occur; rather intercourse is preferred to take place immediately before the ovulation, because if the intercourse takes place before the ovulation period by certain specified period, the sperm will die before the eggs are fertilised.

It is this latter situation that is referred to in the hadeeth by the Prophet (saw) which reported by Bukhari which is explained in another hadeeth reported by Muslim in his Saheeh. The Bukhari hadeeth is:

«وَأَمَّا الْوَلَدُ فَإِذَا سَبَقَ مَاءَ الرَّجُلِ مَاءَ الْمَرْأَةِ نَزَعَ الْوَلَدُ وَإِذَا سَبَقَ مَاءُ الْمَرْأَةِ مَاءَ الرَّجُلِ نَزَعَتْ الْوَالِدَةَ»

"In the case of the boy, the women's fluid comes before the man's fluid and in the case of the girl, the man's fluid comes before the women's fluid."

In the long hadeeth reported by Muslim on the authority of Thawban which explains the above hadeeth, the narrator says that a Jew rabbi came and asked the Prophet some questions and came to the question of the male child, so the Prophet (saw) replied:

«فَإِذَا اجْتَمَعَا، "أَيُّ مَاءِ الرَّجُلِ وَمَاءِ الْمَرْأَةِ"، فَعَلَا مَنِيَّ الرَّجُلِ مَنِيَّ الْمَرْأَةِ أَذْكَرًا بِإِذْنِ اللَّهِ وَإِذَا عَلَا مَنِيَّ الْمَرْأَةِ مَنِيَّ الرَّجُلِ أَتْنَا بِإِذْنِ اللَّهِ»

"When they have sexual intercourse and the male's substance prevails upon the female's substance, it is the male child that is created by Allah's Decree. When the substance of the female prevails upon the substance contributed by the male, a female child is formed by the Decree of Allah."

As a matter of fact, the 'prevailing of man's sperm over female's ovum' implies that the man's sperm comes over and after the female's ovum. This can happen when one of the components is present already, and in this situation there is a higher chance of a male child being conceived, by

the will of Allah (swt) and the opposite if the reverse situation takes place, i.e. the woman's ovum prevails over man's sperm, i.e. it comes over and after the sperm, the likelihood of a girl child is higher by the will of Allah (swt).

Then they arrived at a scientific method which they said was technically more advanced; which they referred to as 'selective sperm vaccination or inhibition'. This requires isolating the x chromosomes (female) from the y chromosomes (males) of the sperm which is carried out outside the womb in a test tube and necessitates technical medical intervention....

To the scientists, this concept they discovered is that the male sperm has X and Y chromosomes (where Y is the male chromosome and X is the female chromosome) and the chromosomes of the female ovum is XX i.e. has both chromosomes of female tendency. They discovered that if the Y chromosome of the sperm comes into contact with the female egg and impregnates it, the resulting gene would be XY which is the male. On the other hand, if the X chromosome of the male sperm comes into contact with the female egg and impregnates it, the resulting gene would be XX which is female. Accordingly, they conducted experiments to isolate the X and Y chromosomes and then fertilise the female ovum with either the male or Y chromosome in a test tube (i.e. if a male child is desired) or with a female or X chromosome (i.e. if a female child is wanted).

There is another method which is slightly different. In this method, after the eggs are fertilised in the test tube, they are examined; the fertilised eggs with XX chromosomes are the female ones while the XY are the male ones. Hence if someone wants a male child, she is implanted with the XY chromosome fertilised eggs; and conversely if someone desires a female child, then the XX chromosome fertilised eggs are implanted. Both these methods are essentially the same in their objective, however in the first method, the male sperm is first examined before being fertilised and isolated into X and Y chromosomes; whilst in the latter method, the fertilised eggs are examined and marked as XX (for female) or XY (for male).

These are broadly the human efforts made in order to select the gender of the unborn, from times immemorial to our present age.

Having understood the reality (taHqeeq al-manaaT), we clarify the hukm Shari'i as under:

- A. The killing of the unborn child, who bears the unwanted gender, is Haram because this is deliberated and intentional killing whose punishment in the hereafter is hell for ever, and in this world, it is Qisas or retaliation if it is not pardoned; or blood money, if the act was pardoned by the victim's guardian. Allah (swt) says:

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 "And whoever kills a believer intentionally, his recompense is Hell to abide therein; and the Wrath and the Curse of Allâh are upon him, and a great punishment is prepared for him."  
 [Surah an-Nisa'a 4:94]

- B. As for killing of the foetus in the womb when parents decide that it is unwanted, for instance the foetus is female and the father desires a male child, this is also Haram and is punishable..., Bukhari and Muslim have reported on the authority of Abu Hurairah (r.a):

«اَفْتَتَلْتُ امْرَأَتَانِ مِنْ هُدَيْلٍ فَرَمْتُ إِحْدَاهُمَا الْآخَرَى بِحَجَرٍ فَفَتَلَتْهَا وَمَا فِي بَطْنِهَا فَاخْتَصَمُوا إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَضَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ دِيَةَ جَنِينِهَا غُرَّةٌ عَبْدٌ أَوْ وَايِدَةٌ...»

"Two women from the tribe of Hudhail (fought with each other) and one of them threw (a stone at) the other, causing her to have a miscarriage and Allah's Apostle gave his verdict that the killer (of the fetus) should give a male or female slave (as a Diya)."

- C. Resorting to segregating; either by temporarily refraining from intercourse itself during such periods, or, indulging in intercourse but ejaculating outside during such periods. Taking certain specified foods, undertaking vaginal 'douches' of either acidic or alkaline composition. Such 'douches' or washing of the vagina, are permissible and there is no objection in these.

As for the issue of 'ejaculating outside' (al-'azl), it is reported by Bukhari on the authority of Abi Sa'eed al-Khudri (r.a) who says:

«... فَأَرَدْنَا أَنْ نَعْزَلَ وَفَلْنَا نَعْزَلُ وَرَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْنَ أَظْهُرِنَا قَبْلَ أَنْ نَسْأَلَهُ فَسَأَلَنَا عَنْ ذَلِكَ فَقَالَ مَا عَلَيْكُمْ أَنْ لَا تَفْعَلُوا مَا مِنْ نَسَمَةٍ كَانَتْ إِلَى يَوْمِ الْقِيَامَةِ إِلَّا وَهِيَ كَانَتْ»

“So we decided to adopt the means of ‘coitus interrupt’ and told the Prophet (saw), so he said: “what if you do not do so, No soul that which Allah has destined to exist until the of judgement but will surely come into existence.” There is a similar narration reported by Muslim as well.

As for food and the douches, these are supported by the general evidences of food, drink and bathing...

D. Regarding isolating the male chromosome of man’s sperm from the female chromosome and then impregnating the woman’s ovum with male Y chromosome from the sperm (if a male child is wanted) or with female X chromosome from the sperm (if a girl child is desired), or in other words, separating the male and female chromosomes and implanting the chromosome of the desired gender in the womb; such procedures and operations are not permitted because they are not a ‘medicine’ or ‘cure’ for a woman who is unable to conceive and needs to be treated to enable her to conceive. Such a process is not considered a treatment for enabling the woman’s ovum to fertilise with the sperm of the male in the natural process, and then the couple resort to test tube fertilisation... This is a separate matter related to isolating the male and female genes in the sperm, and as such it is not about enabling a woman to conceive who otherwise was unable to do so in the natural process. In short, this process is not a treatment or cure for inability to conceive.

Such process can not be accomplished except by exposing one’s private parts (‘Awraat) because the process of extracting the woman’s ovum (eggs) and implanting them necessitates such exposure, and such exposure is prohibited (haram) and can only be permitted for reasons of medicinal process. Since the above process of isolating and selection is not medicinal in nature, therefore exposure for this reason cannot be permitted and hence this process is disallowed and haram.

In the end, an important fact must be mentioned which is related to creed (‘Aqeedah) and is crucial to a person’s Islam. The fact is that all such operations and processes do not mean that man has the power to create, man can only observe the specific traits and characteristics of male and female, and the process of fertilisation, which have been created and determined by Allah (swt) and incorporated in males and females. Man can observe and analyse this marvelous process and carry out experiments based on his observations... he may use specific foods and specific means, he may be able to isolate the male chromosome from the female...carry out the fertilisation process in outside and re-implant the fertilised eggs into the womb... etc.. But yet this will not result in ‘creation,’ which it is entirely dependent upon Allah (swt). It is only when Allah (swt) determines creation, then that thing comes into ‘being’ and if Allah (swt) does not wish so, nothing whatsoever can be created despite all the experimentations etc...

Only that which Allah (swt) wishes comes to life and what He does not wish cannot come life.

This fact that Allah (swt) alone is the Creator and He alone creates male and female, is irrefutably established by decisive textual evidences, some of which are:

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“Such is Allâh, your Lord! Lâ ilâha illa Huwa (none has the right to be worshipped but He), the Creator of all things. So worship Him (Alone), and He is the Wakîl (Trustee, Disposer of affairs or Guardian) over all things.” [Surah al An’aam 6:102]

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“Verily, your Lord is the All-Knowing Creator.” [Surah al Hijr 15: 86]

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“Is then He, Who creates as one who creates not? Will you not then remember?” [Surah an-Nahl 16:17]

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“This is the creation of Allâh. So, show Me that which those (whom you worship) besides Him have created. Nay, the Zâlimûn (polytheists, wrong doers and those who do not believe in the Oneness of Allâh) are in plain error.” [Surah Luqman 31:11]

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“O mankind! A similitude has been coined, so listen to it (carefully): Verily, those on whom you call besides Allâh, cannot create (even) a fly, even though they combine together for the purpose. And if the fly snatches away a thing from them, they will have no power to release it from the fly. So weak are (both) the seeker and the sought.” [Surah al-Hajj 22:73]

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“O mankind! If you are in doubt about the Resurrection, then verily, We have created you (i.e. Adam) from dust, then from a Nutfah (mixed drops of male and female sexual discharge, i.e. the offspring of Adam), then from a clot (a piece of thick coagulated blood) then from a little lump of flesh – some formed and some unformed (as in the case of miscarriage) – that We may make (it) clear to you (i.e. to show you Our Power and Ability to do what We will). And We cause whom We will to remain in the wombs for an appointed term, then We bring you out as infants, then (give you growth) that you may reach your age of full strength. And among you there is he who dies (young), and among you there is he who is brought back to the miserable old age, so that he knows nothing after having known. And you see the earth barren, but when We send down water (rain) on it, it is stirred (to life), and it swells and puts forth every lovely kind (of growth).” [Surah al-Hajj 22:05]

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“And indeed We created man (Adam) out of an extract of clay (water and earth). Thereafter We made him (the offspring of Adam) as a Nutfah (mixed drops of male and female sexual discharge and lodged it) in a safe lodging (womb of the woman). Then We made the Nutfah into a clot (a piece of thick coagulated blood), then We made the clot into a little lump of flesh, then We made out of that little lump of flesh bones, then We clothed the bones with flesh, and then We brought it forth as another creation. So, Blessed is Allâh, the Best of creators.” [Surah al-Muminoun: 23: 12,13,14]

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“To Allâh belongs the kingdom of the heavens and the earth. He creates what He wills. He bestows female (offspring) upon whom He wills, and bestows male (offspring) upon whom He wills. Or He bestows both males and females, and He renders barren whom He wills. Verily, He is All-Knower and is Able to do all things.” [Surah ash Shoora 42:49,50]

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“O man! What has made you careless about your Lord, the Most Generous? Who created you, fashioned you perfectly, and gave you due proportion. In whatever form He willed, He put you together.” [Surah al-Infitaar 82:6,7,8]

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“He it is Who shapes you in the wombs as He wills. Lâ ilâha illa Huwa (none has the right to be worshipped but He), the All-Mighty, the All-Wise.” [Surah aal-‘Imran 3:6]

This must be borne well in one’s mind so that he does not deviate from the righteous path, may Allah (swt) protect us from going astray.

Allah (swt) has characterised this entire universe with knowledge and taught man what he did not know, Allah (swt) who has bestowed man with intellect, thinking and the power to comprehend so that those who believe in Him achieve a higher degree of conviction in Him; and those who disbelieve are condemned to humiliation in this world and severe punishment in the hereafter.

And in the end, our call is that All praise is due to Allah (swt), the sustainer of all Universe.

18<sup>th</sup> Jumadah al Thania, 1430 A.H

11<sup>th</sup> June, 2009 C.E.