

Infertility 301: Ethical, Fiqh, and Political Considerations Around Fertility Treatments

What ethical, Islamic, and political dimensions should you consider before deciding on an infertility treatment? Medically reviewed by Dr. Aisha Ahmed.

Adapted from a collaboration with Irene Khan and Dr. Roohi Jeelani. Published in October 2026.

Treatment Type	Fiqh Considerations	Ethical Considerations	Political Considerations
Medication	No major Islamic considerations	No major ethical considerations	No major political considerations
Surgery	No major Islamic considerations	No major ethical considerations	No major political considerations
Egg freezing	No major Islamic considerations	No major ethical considerations	No major political considerations
Surrogacy	Parenthood: Scholars differ whether the surrogate can be considered a parent. Since the child was carried in the surrogate’s womb, there is a Quranic designation of kinship between child-surrogate, which may define how involved the surrogate is in the child’s life. For Sunnis: The surrogate mother (and if married, her husband) may have claim to the child through gestational parenthood and because the husband has claim to all children conceived while married. Compensation: The surrogate should be justly compensated for breastfeeding the child. Doing so has further implications for designation of motherhood, kinship, and sibling relations. Permissibility: Surrogacy is generally prohibited for Sunnis due to concerns around preservation of lineage. Surrogacy is generally allowed for Shias since parenthood is established at conception, not with gestation and birth.	One major ethical consideration is the fair compensation of the surrogate. The extreme toll of carrying a pregnancy, delivering a child, and not being the primary parent of that child is a very large consideration. Another concern is around the bodily autonomy of the surrogate and the level of control the biological parent can exercise over the surrogate’s health-related choices.	Surrogacy is regulated on a state level. Some states do not recognize surrogacy contracts meaning that the intended parents would have to adopt the child upon birth.

For more about [in]fertility, read [The Sex Talk](#) book pp. 134-139

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Reproductive Organ Transplants (uterine, ovarian, testicular)	There are differences of opinion concerning even within Sunni and Shi'a traditions. Sunni: Some Sunni scholars allow uterine transplants because they don't contain transferable genetic materials. Others do not allow it because it is closely involved with reproduction and may create metaphysical connections. They may also prohibit living uterus donations because of the sterilization of the donor, which they generally consider to be impermissible without a strong reason. The transplant of ovaries is forbidden due to considerations around genetic lineage. Shia: Shi'a scholars generally do not prohibit uterus donations. However, the Fiqh Council of North America, which includes a Jafar Shi'a scholar, does not permit transplant of reproductive organs or ova, sperm, uterus, due to considerations around progeny.	No major political concerns	No major political concerns

IVF

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Assisted Reproductive Technology (ART)- IVF	There are several Islamic considerations and controversies surrounding IVF, particularly around questions of lineage, kinship, and parental obligation. See the next page for a comprehensive breakdown.	There are several ethical considerations and controversies surrounding IVF, particularly around questions of lineage, kinship, and parental obligation. See the next page for a comprehensive breakdown.	<u>Analyses have</u> shown that IVF is vulnerable to being <u>banned</u> in states that have given legal protections to fetuses as the destruction of unused embryos (as may happen in IVF) may be viewed as a legal death.

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Sperm and Egg (Gamete) Donation- IVF and IUI	Gamete donation raises concerns of lineage and illicit sexual relations (<i>zina</i>). Anonymous donors may also be unable to fulfill their parental obligations to the child. Furthermore, the child has the Islamic right to know their birth parents. Concerns surrounding <i>zina</i>: Sunnis and Shias define <i>zina</i> in different ways. For Sunnis, the mixing of sperm and egg through medical procedure is still considered <i>zina</i>. Shi'a perspectives generally allow the use of donor gametes, although there are opinions that view it as analogous to <i>zina</i> as well. There are also Shi'a perspectives that view lineage through the egg or sperm producer. Temporary marriages may be used to legitimize gamete donation, although they are not required by all scholars. Donor sperm is generally more problematic than donor embryos. While the question of parenthood remains problematic, taking the view of parenthood by gestation helps resolve this.	In a society where people place value on biological lineage and family, the child may develop the desire to know and even form a connection with the donor parent, if the donor is anonymous.	No major political concerns
Embryo disposal- IVF	Muslims have the imperative to discard embryos because of an obligation to provide for one's biological children themselves. There are also concerns around wanting to preserve lineage, which is nearly impossible to do if embryos are donated because of the current structure of donation in terms of record-keeping. When discarded, embryos must be discarded with dignity, regardless of gestational age. General opinion is that if the embryo is more than 8 weeks developed, it should have ritual burial.	No major ethical considerations	Proposed legislation in some states, would criminalize discarding unused embryos obtained through IVF, directly contradicting Muslims' religious obligation.

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Embryo adoption (recipient side)	Prophet Muhammad (S) emphasized the need to care for children and the needy. Therefore, adoption, generally speaking, is not prohibited Islamically. Furthermore, the Quran at various points contains a term that refers to the womb, which is then translated into kinship. Although a donated embryo may not be genetically related to the adopted parent(s), the child was still carried in the parent's womb, which would Islamically indicate kinship. Here, we emphasize the Islamic principle of <i>darura</i> (necessity) to make space for individuals who have to make choices based on their circumstances and their needs. In the case of embryo adoption, we encourage a parent-child relationship that does not enact violence upon the adopted child, and also allows avenues for the adopted child to know their lineage and biological family.	In a society where people place value on biological lineage and family, the child may develop the desire to know and even form a connection with the donor parent, if the donor is anonymous.	No major political considerations. Embryo adoption may, in fact, be encouraged by the state as a way to curb embryo disposal.
Embryo Freezing (IVF)	No major Islamic considerations	No major ethical considerations	As of now, embryo freezing is not criminalized. However, legal concerns may arise in the event that frozen embryos are discarded. See section on embryo donation.
Embryo Reduction When IVF results in a multifetal pregnancy, physicians may recommend that one or more fetuses be aborted to have a safer pregnancy and ensure fetal health. Families may also choose to reduce the number of fetuses to have the desired number of children for that single pregnancy.	Fiqh and ethical considerations pertaining to embryo reduction are similar to those surrounding therapeutic abortion, especially when considering ensoulment period and severity of risk to the birthing parent or to the other fetus(es).	No major ethical considerations	The legal concerns surrounding embryo reduction are similar to those around abortion, because embryo reduction would occur during pregnancy, after the embryos have already been placed in the uterus of the child-bearing parent. Embryo reduction typically occurs around the 7th or 8th week of gestation.

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Preimplantation genetic diagnosis Early genetic testing that can test for over 400 different single-gene disorders. Can also indicate the gender of the fetus.	Generally permissible in Islam, especially when results are used to prevent disease or disability. The grey area is when testing is used to prioritize having a child with certain traits solely because they are socially desirable traits.	Controversies around sex selection and the creation of “savior siblings” (a sibling conceived to provide a transplant for a sibling with a life-threatening illness). Also, controversy around choosing to not have a child with a disability, which may be rooted in eugenical thinking.	This is complex because it depends on what you may choose to do with the embryo that tests positive for a genetic disorder. To discard that embryo would provoke the conversation around criminalizing discarding embryos, but it may not be ethical or financially feasible to keep the embryo frozen indefinitely.