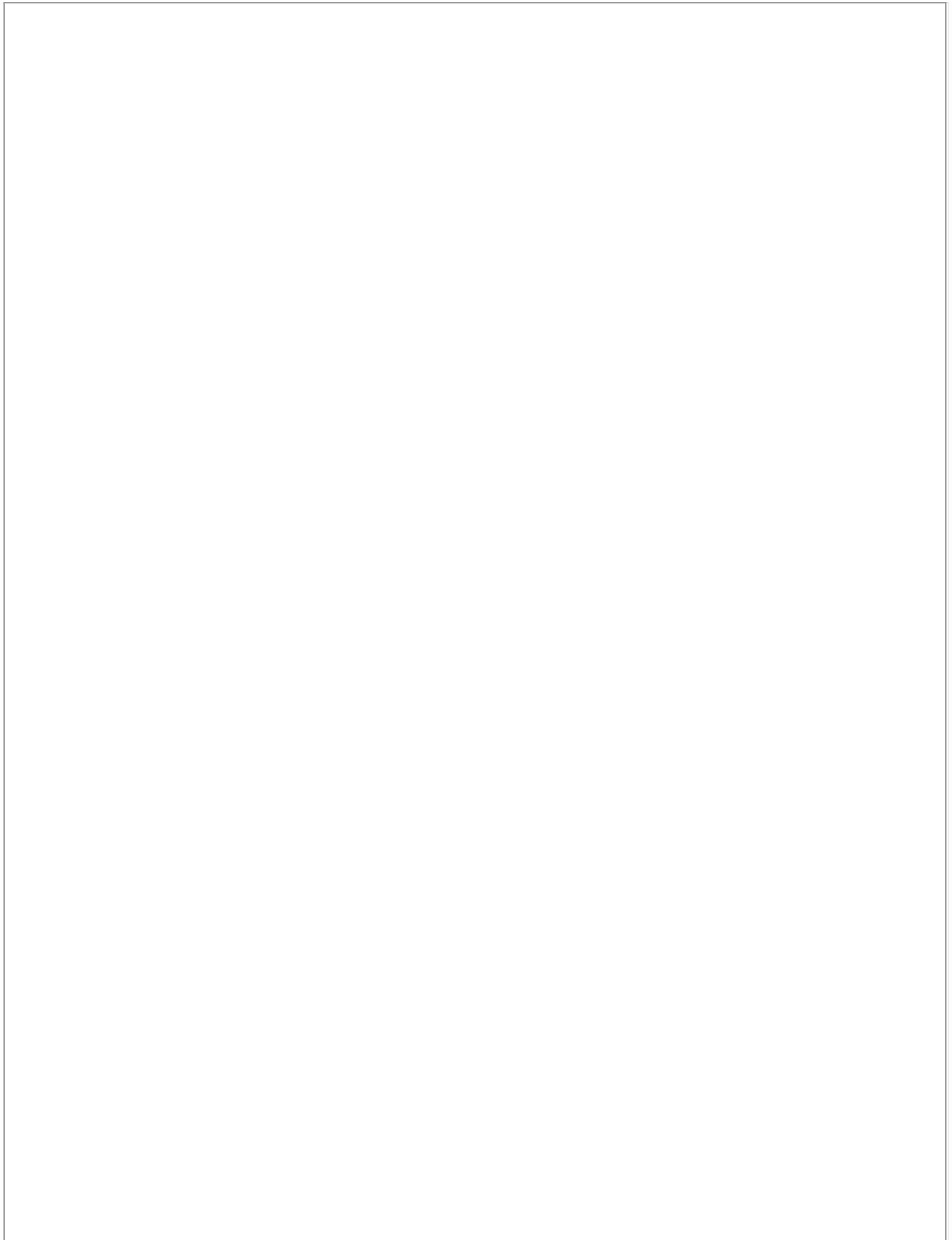


Documents



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Islamic Perspectives on Elective Ovarian Tissue Freezing by Single Women for Non-medical or Social Reasons
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Abstract

Non-medical or Social egg freezing (oocyte cryopreservation) is currently a controversial topic in Islam, with contradictory fatwas being issued in different Muslim countries. While Islamic authorities in Egypt permit the procedure, fatwas issued in Malaysia have banned single Muslim women from freezing their unfertilized eggs (vitrified oocytes) to be used later in marriage. The underlying principles of the Malaysian fatwas are that (i) sperm and egg cells produced before marriage, should not be used during marriage to conceive a child; (ii) extraction of mature egg cells from single women being unacceptable; and (iii) fertility preservation in anticipation of late marriage is a conjecture that has not yet occurred. Ovarian tissue freezing can potentially be a more Shariah-compliant alternative to social egg freezing, because once the frozen ovarian cortical tissue sections have been re-transplanted back into the woman, mature egg cells can readily be produced, collected, and fertilized by the husband's sperm only during the period of marriage contract ('akd al-nikāh). Unlike accidental mix-ups with frozen eggs, muddling of lineage (nasab) would be automatically avoided in ovarian tissue freezing due to immunological rejection. However, upon critical analysis based on Qawā'id Fiqhiyyah (Islamic Legal Maxims), Maqāşid-al-Shariah (Higher Objectives of Islamic Law), and Maslaḥah-Mafsadah (benefits versus harmful effects on society), elective ovarian tissue freezing by healthy single women for social reasons would likely be a highly contentious and controversial issue within Muslim communities that may conflict with conservative social-religious norms. This thus needs further debate among Islamic jurists in dialogue with medical doctors and biomedical scientists. © 2022, National University of Singapore and Springer Nature Singapore Pte Ltd.

Author Keywords

Fertility preservation; Islam; Muslims; Ovary tissue cryopreservation; Reproductive ethics; Vitrification

References

- Ahmad, M.F., Nik Abdul Ghani, N.A.R., Abu, M.A., Abdul Karim, A.K., Shafiee, M.N.
Oncofertility in Islam: the Malaysian perspective
(2021) *Frontiers in Reproductive Health*, 3, p. 694990.
- Al-Aidaros, H., Shamsudin, F.M., Idris, K.M.
Ethics and ethical theories from an Islamic perspective
(2013) *International Journal of Islamic Thought*, 4, pp. 1-13.
- Sarah, A.
Egg freezing permissible in Islam, according to Egypt's Dar Al-Ifta
(2019) *Bill of Health*,
23 September 2019, Accessed 1 December 2022
- (1940) *Messages' Group of Imam Hasan Al-Banna*,
Alexandria, Darul Al-D'aoah Publication
- (2001) *Muslim's Morality*,
Al-Ghazali, 16th, Beirut, Darul Al-Qalam Publication
- Al-Qaradawi, Y.
(1994) *The priorities of understanding*,
Darul Al-Ressalh Publication, Beirut
- Auda, J.
(2008) *Maqasid Al-Sharī'ah as Philosophy of Islamic Law; a Systems Approach*,
London, IIIT
- Baldwin, K., Culley, L., Hudson, N., Mitchell, H.
Running out of time: Exploring women's motivations for social egg freezing
(2019) *Journal of Psychosomatic Obstetrics and Gynaecology*, 40 (2), pp. 166-173.
- Billah, M.M.
(2021) *Islamic Wealth and the Sdgs: Global Strategies for Socio-Economic Impact*,
Cham, Palgrave Macmillan

- Birenbaum-Carmeli, D., Inhorn, M.C., Vale, M.D., Patrizio, P.
Cryopreserving Jewish motherhood: Egg freezing in Israel and the United States
(2021) *Medical Anthropology Quarterly*, 35 (3), pp. 346-363.
- Roland, C.
(2015) *Social egg freezing. Ethos Institute for Public Christianity*,
19 July 2015., Accessed 1 December 2022
- Chinmohamad, A.H.B.C.A.B.C.
(2022) *New Fatwa in Malaysia Bans Social Egg Freezing for Single Muslim Women*,
31 October 2022, Accessed 1 December 2022
- Chin, A.H.B., Saifuddeen, S.M.
Is social egg freezing (oocyte cryopreservation) for single women permissible in Islam? A Perspective from Singapore
(2022) *New Bioethics*, 28 (2), pp. 116-126.
- Eijkenboom, L., Saedt, E., Zietse, C., Braat, D., Beerendonk, C., Peek, R.
Strategies to safely use cryopreserved ovarian tissue to restore fertility after cancer: A systematic review
(2022) *Reproductive Biomedicine Online*, 45 (4), pp. 763-778.
- Esteves, S.C., Yarali, H., Vuong, L.N., Carvalho, J.F., Özbek, İ.Y., Polat, M., Le, H.L., Ho, T.M.
Antral follicle count and anti-Müllerian hormone to classify low-prognosis women under the POSEIDON criteria: A classification agreement study of over 9000 patients
(2021) *Human Reproduction*, 36 (6), pp. 1530-1541.
- **Age a significant factor in reproductive outcome of ovarian tissue freezing plus IVF**
(2020) *Focus on Reproduction*, 11 August,
Accessed 1 December 2022
- Glick, I., Kadish, E., Rottenstreich, M.
Management of pregnancy in women of advanced maternal age: Improving outcomes for mother and baby
(2021) *International Journal of Women's Health*, 10 (13), pp. 751-759.
- Hashi, A.A.
Islamic ethics: An outline of its concept and essence (II)
(2011) *Revelation and Science*, 6 (2), pp. 1-8.
Accessed 25 December 2022
- Ibrahim, A.H., Rahman, N.N.A., Saifuddeen, S.M., Baharuddin, M.
Maqasid al-Shariah Based Islamic bioethics: A comprehensive approach
(2019) *Journal of Bioethical Inquiry*, 16 (3), pp. 333-345.
- Inhorn, M.C., Birenbaum-Carmeli, D., Vale, M.D., Patrizio, P.
Abrahamic traditions and egg freezing: Religious women's experiences in local moral worlds
(2020) *Social Science and Medicine*, 253.
<https://doi.org/10.1016/j.socscimed.2020.112976>
- Izadpanah, M., Rahbarghazi, R., Seghinsara, A.M., Abedelahi, A.
Novel approaches used in ovarian tissue transplantation for fertility preservation: Focus on tissue engineering approaches and angiogenesis capacity
(2022) *Reproductive Sciences*,
- (2003) *Pencatuman Benih Untuk Mendapatkan Zuriat – 2 [Fertilization of Gamete Cells for Childbearing – 2].*,

Accessed 1 December 2022

- (2015) *Pencatuman Benih Untuk Mendapatkan Zuriat (Negeri Sembilan) [Fertilization of Gamete Cells for Childbearing (Negeri Sembilan)]*. Accessed 1 December 2022
- Kanters, N.T.J., Brokke, K.E., Bos, A.M.E., Benneheij, S.H., Kostenzer, J., Ockhuijsen, H.D.L.
An unconventional path to conventional motherhood: A qualitative study of women's motivations and experiences regarding social egg freezing in the Netherlands
(2022) *Journal of Gynecology Obstetrics and Human Reproduction*, 51 (2).
(.):,., <https://doi.org/10.1016/j.jogoh.2021.102268>
- Khattak, H., Malhas, R., Craciunas, L., Afifi, Y., Amorim, C.A., Fishel, S., Silber, S., Coomarasamy, A.
Fresh and cryopreserved ovarian tissue transplantation for preserving reproductive and endocrine function: A systematic review and individual patient data meta-analysis
(2022) *Human Reproduction Update*, 28 (3), pp. 400-416.
(.):,., <https://doi.org/10.1093/humupd/dmac003>
- Kostenzer, J., de Bont, A., van Exel, J.
Women's viewpoints on egg freezing in Austria: an online Q-methodology study
(2021) *BMC Medical Ethics*, 22 (1).
- Kolibianaki, E.E., Goulis, D.G., Kolibianakis, E.M.
Ovarian tissue cryopreservation and transplantation to delay menopause: Facts and fiction
(2020) *Maturitas*, 142, pp. 64-67.
- Miyagi, M., Mekaru, K., Nakamura, R., Oishi, S., Akamine, K., Heshiki, C., Aoki, Y.
Live birth outcomes from IVF treatments in younger patients with low AMH
(2021) *JBRA Assisted Reproduction*, 25 (3), pp. 417-421.
- Mohammed, K.
The Islamic Law Maxims
(2005) *Islamic Studies*, 44 (2), pp. 191-207.
- Mohammed, A.
The role of Yemeni accountants in fighting corruption
(2011) *Legal Accountant*, 15 (9), pp. 30-37.
- Moutos, C.P., Lahham, R., Phelps, J.Y.
Cryostorage failures: A medicolegal review
(2019) *Journal of Assisted Reproduction and Genetics*, 36 (6), pp. 1041-1048.
- Muhsin, S.M.
Medical Confidentiality Ethics: The Genesis of an Islamic Juristic Perspective
(2022) *Journal of Religion and Health*, 61 (4), pp. 3219-3232.
- Muhsin, S.M.M., Amanullahzakariyah, L.
Framework for Harm elimination in light of the Islamic legal maxims
(2019) *Islamic Quarterly*, 63 (2), pp. 233-272.
- **Fatwa prohibits Malaysian Muslim women from freezing their eggs before marriage**
(2016) *New Straits Times*, 7 January,
Accessed 1 December 2022
- Rinehart, L.A.
Storage, transport, and disposition of gametes and embryos: Legal issues and

practical considerations

(2021) *Fertility and Sterility*, 115 (2), pp. 274-281.

- Schenker, J.G.
Women's reproductive health: Monotheistic religious perspectives
(2000) *International Journal of Gynaecology and Obstetrics*, 70 (1), pp. 77-86.
- Siddiqui, A.
Ethics in Islam: Key concepts and contemporary challenges
(1997) *Journal of Moral Education*, 26 (4), pp. 424-431.
- Siraj, M.S.
How a compensated kidney donation program facilitates the sale of human organs in a regulated market: the implications of Islam on organ donation and sale
(2022) *Philosophy, Ethics, and Humanities in Medicine*, 17 (1).
- Sujimon, M.
(2010) *The Problems of the Illegitimate Child (Walad Zina) and Foundling (Laqit) in the Sunni Schools of Law*,
Kuala Lumpur, IIUM Press
- Zakariyah, L.
(2015) *Legal Maxims in Islamic Criminal Law*,
. Leiden: Brill Nijhoff

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