Reviewer’s report

**Title:** Controversies and considerations regarding termination of pregnancy for Fetal Anomalies in Islam

**Version:** 2 **Date:** 24 July 2013

**Reviewer:** Alison R G Shaw

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Reviewers report
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**X- Minor Essential Revisions**

This article on abortion in Islam addresses a very important issue: the religious permissibility of abortion in cases of serious fetal abnormality. It reviews Islamic opinion on the permissibility of abortion and then describes the current rulings from Saudi Arabia, concluding that Muslim law makers need to consider making permissible abortion post-ensoulment if it is certain that the fetus will die after birth or live a life as a seriously handicapped child or adult.

The argument is important, as are the recommendations. However, I recommend that the authors restructure the paper in order to make their case more strongly, and in order that their recommendations clearly arise from empirical evidence and ethical reasoning. There are also a number of grammatical and phrasing errors that need correcting.

The argument could be strengthened in two ways.

1. By noting and referencing empirical work documenting the need for greater clarity of the Islamic ethics position, and the guilt and suffering of women who feel they cannot terminate a pregnancy that is diagnosed clinically as incompatible with life. This is an issue across the Muslim world, and among Muslims living in Europe and the US and elsewhere. My own experience of these issues is among Pakistanis in the UK, among whom there are high rates of infant mortality and morbidity associated with consanguinity, and many of these abnormalities are detected prenatally, raising the troubling issue of the permissibility of abortion in Islam. I refer the authors to my own article on this issue: ""They say Islam has a solution for everything, so why are there no guidelines for this?": ethical dilemmas associated with the births and deaths of infants with fatal abnormalities from a small sample of Pakistani Muslim couples in Britain' Bioethics, 2011 doi:10.1111/j.1467-8519.2011.01883.x. Also relevant is my book, Negotiating Risk: British Pakistani experiences of genetics, 2009,
The importance of this issue needs to be stated at the outset – it is not just that, as the authors say, line 8, para 1 “it will be useful to be acquainted with the norms of major faiths of the world, especially when dealing with matters of a sensitive nature such as abortion”. That such information it will be “useful” puts the case much too weakly – the information is essential if real suffering by parents and children is to be avoided. The empirical evidence is also relevant later, in what is now the discussion section but which I suggest is reframed to make a stronger ethics argument.

2. A clearer statement of the argument and of how the paper is organised is needed paragraph 2. The authors say there are two main sects in Islam, but they should then say what the relevance of this is for their paper - are they going to review the Islamic rulings on abortion in both schools? They should also say something here about the relationship between religious edits and law - the paragraph on this that comes later in the paper would be best shifted to here. A statement here about how Islamic ethical principles guide these rulings would also be appropriate here - and the reader then needs to be told that the paper will then focus on the rulings in Saudi Arabia, and why discussing the Saudi rulings is important. The two sentences explaining the important on the current ruling in Saudi on abortion that comes later on in the paper (at the beginning of that section) would be best shifted to this part of the introduction to the paper.

(ii) after reviewing the Islamic bases for permissibility prohibition of abortion, presenting the ethics case, with reference also to Islamic edits, for expanding the grounds on which abortion is permissible. This is, in essence, already present in the discussion section, but it could be filled out, and more importantly the ethics case needs to be separated from the recommendation, as I explain a bit more in 4 below.

(iii) Then in the conclusion the authors can offer their recommendation (which they say is their "opinion" – but a recommendation that arises from ethical reasoning would make for a much stronger argument.) In the recommendation section they could reiterate why making this recommendation is important.

3. The section reviewing the Islamic edits and current rulings provides important context for the discussion of the Saudi position, and I think it might be useful to have a summary of the current rulings worldwide including in Saudi Arabia – in this section. Perhaps these could be presented in box or table format. There was a review in 2007 of this broader context in Al Akeel Nature Genetics, 39:11:1293-6 (Islamic ethical framework for research into and prevention of genetic diseases).

4. The discussion as present raises a number of important practical and ethical issues alongside the authors’ opinions. I think it would be better to have separate sections, one detailing the practical and moral issues and another presenting the recommendations. The section on the practical and ethical issues would include the point that, at, present, only a fraction of all possible abnormalities are
detectable by early prenatal diagnosis. The important point about medical practitioners calculating pregnancy from the first day of the last period, and the Islamic calculations being from time of fertilization – is another practical issue – that should be identified as such - prior to the recommendations. The authors do say e.g. that providers must “bear in mind” this issue of competing calculations of pregnancy - but this could be said more strongly in a separate paragraph on recommendations.

5. Separate section on recommendations: Currently, in the 2nd para of discussion the authors identify the “grey area” in Islamic interpretations, and in the same paragraph “urge” Islamic jurists to consider abortion after 120 days of fertilization – I think the identification of the ethical issues associated with the grey area should be separated from the recommendation. If the ethical reasoning that leads to the recommendation is set out first, the recommendations will have stronger force - and be more effective than as a list of points made across 6 paragraphs (begins in para 4 and ends in para 9) of the discussion.

The recommendations would then take the place of the conclusion, and would follow from a strongly argued ethics case.

**Level of interest:** An article whose findings are important to those with closely related research interests

**Quality of written English:** Needs some language corrections before being published

**Statistical review:** No, the manuscript does not need to be seen by a statistician.

**Declaration of competing interests:**

I declare that I have no competing interests