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Islamic Legal Perspective on IVF Program to Maintain Household Harmony

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Abstract

This study examines the Islamic legal perspective on the In Vitro Fertilization (IVF) program as a means of maintaining household harmony. Infertility constitutes a significant challenge for many married couples, often generating emotional distress, social stigma, marital conflict, and, in some cases, the dissolution of marriage. Using normative juridical research and a library-based methodology, this article systematically reviews primary Islamic legal sources—the Qur'an, Hadith, classical and contemporary fiqh texts—as well as the fatwas of major Indonesian and international Islamic jurisprudential bodies. The study finds that IVF is permissible (mubah) under Islamic law when the sperm and ovum belong exclusively to a lawfully married couple, and the embryo is implanted in the wife's own uterus. Conversely, IVF conducted using donor sperm, donor eggs, or a surrogate womb is categorically prohibited (haram) because it leads to the mixing of lineage (ikhtilat al-nasab), resembles adultery in its legal consequence, and violates the overarching objectives of Islamic law (Maqasid al-Shari'ah), particularly the protection of lineage (hifz al-nasl). The article further argues that permissible IVF contributes positively to household harmony by fulfilling the Islamic ideal of a complete sakinah, mawaddah wa rahmah family, while prohibited forms introduce irreversible legal, ethical, and social complications that undermine marital stability. This research adds to the scholarly discourse by integrating contemporary medical realities with classical fiqh analysis and the concept of *Maslahab Mursalah*.

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Introduction

Marriage in Islamic jurisprudence is considered one of the most sacred and legally significant contracts a human being can enter. It is described in the Qur'an as a 'firm covenant' (*mitsaqan ghalidzan*) and constitutes the legal foundation for the establishment of the Muslim family. According to the Indonesian Marriage Law No. 16 of 2019, marriage is defined as an inner and outer bond between a man and a woman as husband and wife, with the objective of forming a happy and eternal family based on the One Almighty God. The Compilation of Islamic Law (KHI) further reinforces this by defining marriage as an exceedingly strong covenant (*mitsaqan*

ghalidzan) to obey God's command, the fulfillment of which constitutes an act of worship (*ibadah*).

Among the many objectives of marriage recognized in Islamic law, procreation holds a particularly prominent place. Children are described in the Qur'an as an adornment of worldly life (QS. Al-Kahfi: 46), and the Prophet Muhammad (peace be upon him) explicitly enjoined his followers to marry women who are loving and fertile, stating his desire to take pride in the abundance of his community before the other prophets on the Day of Judgment (HR. Abu Daud and An-Nasa'i). Imam Al-Ghazali identified five core purposes of marriage, the foremost of which is the continuation of human lineage. The presence of children in a household is therefore not merely a social expectation but a religiously endorsed aspiration that strengthens marital commitment, deepens mutual affection, and contributes to the overall harmony of family life.

Unfortunately, not all married couples are able to realize this aspiration through natural means. Infertility—defined as the inability to conceive after at least one year of regular, unprotected intercourse—afflicts a significant proportion of married couples worldwide. In the Indonesian context, data from the Morula IVF Fertility Clinic recorded approximately 2,000 patients in East Java alone in the year 2022, illustrating the scale and social significance of this medical condition. Infertility is not merely a biological problem; it carries profound emotional, psychological, and social consequences. Couples experiencing infertility are vulnerable to chronic emotional distress, feelings of shame and low self-worth, social stigmatization, heightened marital conflict, and, in severe cases, polygamy or divorce. These pressures constitute a direct threat to household harmony, and to the realization of the Islamic family ideal encapsulated in the concepts of *sakinah* (tranquility), *mawaddah* (love), and *rahmah* (compassion).

In response to the challenge of infertility, modern medical science has developed a range of assisted reproductive technologies, the most prominent of which is In Vitro Fertilization (IVF). First successfully performed in the United Kingdom with the birth of Louise Brown in 1978, IVF was introduced to Indonesia in 1987 at Harapan Kita Hospital in Jakarta, where it produced the country's first IVF baby, Nugroho Karyanto, in 1988. The technique involves the retrieval of ova from the wife, fertilization with the husband's sperm in a laboratory setting (*in vitro*), and the subsequent transfer of the resulting embryo to the wife's uterus. Over time, the field of assisted reproduction has expanded to include numerous variants of IVF, such as Intracytoplasmic Sperm Injection (ICSI), embryo freezing, Pre-implantation Genetic Screening (PGS), and the use of donor gametes or surrogate wombs.

The advent of IVF has generated considerable debate within the Muslim scholarly community. Unlike many issues that are directly addressed in the Qur'an or the Sunnah, assisted reproduction is a phenomenon that postdates the classical period of Islamic law and therefore requires the application of independent legal reasoning (*ijtihad*). Islamic scholars must grapple with difficult questions regarding the permissibility of various IVF procedures, the legal status of children born through IVF, the determination of lineage (*nasab*) and inheritance rights, and the relationship between IVF and the prohibition of adultery (*zina*). The diversity of opinions among contemporary scholars—ranging from blanket permissibility to categorical prohibition, depending on the procedure in question—reflects both the complexity of the issues involved and the vitality of the Islamic jurisprudential tradition.

The present study situates itself within this ongoing scholarly conversation. Drawing primarily on the thesis of Defyta Nadhila Nurlaili (Universitas Islam Malang, 2024) and a wide range of supporting literature, this article aims to provide a comprehensive and systematic analysis of the

Islamic legal perspective on the IVF program in the specific context of maintaining household harmony. Two central research questions guide the inquiry: first, what is the Islamic law's perspective on various types of IVF programs? Second, how does the IVF program—or its prohibition—affect the harmony of the household? The article contributes to existing scholarship by integrating classical fiqh analysis with the contemporary concept of *Maslahah Mursalah* and by placing the legal discussion within the broader Islamic framework of family wellbeing.

Method

This research employs a normative juridical methodology combined with a library-based research design. Normative juridical research focuses on the systematic analysis of legal norms, principles, and doctrines derived from authoritative legal sources rather than from empirical fieldwork. As a form of library research, the study relies exclusively on secondary data, namely written legal sources, which are gathered, critically evaluated, and synthesized to produce legally sound conclusions.

The primary legal sources consulted in this study include the Holy Qur'an and the authenticated Hadith of the Prophet Muhammad (peace be upon him), which constitute the foundational pillars of Islamic legal reasoning. These are supplemented by classical fiqh texts from the four major Sunni schools of jurisprudence (Hanafi, Maliki, Shafi'i, and Hanbali), contemporary fiqh compendia such as Wahbah al-Zuhaili's *Fiqh al-Islami wa Adillatuhu*, and the official resolutions and fatwas of authoritative Islamic jurisprudential bodies. The latter include the resolutions of the Organization of Islamic Cooperation (OIC) Fiqh Academy (*Majma' al-Fiqh al-Islami*) issued at its third conference in Amman, the fatwas of the Indonesian Ulama Council (*Majelis Ulama Indonesia* or MUI) regarding IVF and artificial insemination, the decisions of the Muhammadiyah Tarjih Council from its 21st Mukhtamar, and the rulings of Nahdlatul Ulama (NU) from the 1981 Munas Alim Ulama in Yogyakarta. Secondary sources include peer-reviewed journal articles, academic theses, books on Islamic family law, and relevant Indonesian legislation, including Law No. 1 of 1974 on Marriage and Law No. 23 of 2002 on Child Protection.

Data were analyzed using Miles and Huberman's qualitative analysis model, which involves three interconnected stages: data reduction (the selection and condensation of relevant legal materials), data presentation (the systematic organization of legal arguments and opinions), and conclusion drawing (the formulation of legal determinations based on the weight of evidence). The Islamic legal principle of *Maslahah Mursalah*, the recognition of unstated public interest as a basis for legal judgment, serves as the primary analytical framework, enabling the study to balance the benefits (*maslahat*) and harms (*mafsadat*) of IVF within the framework of the five objectives of Islamic law (*Maqasid al-Shari'ah*).

Findings

Islamic Legal Perspective on the IVF Program

In Vitro Fertilization (IVF), or what is widely known in the Indonesian context as 'bayi tabung' (test-tube baby), refers to the biomedical procedure of combining a woman's retrieved ova with a man's sperm in a laboratory environment (*in vitro*), allowing fertilization to occur outside the human body. The resulting embryo is subsequently transferred to a uterus where it undergoes gestation and development until birth. This technique represents a significant

departure from the natural reproductive process and therefore raises fundamental questions regarding its compatibility with Islamic law.

Islamic jurisprudence does not approach IVF as a monolithic procedure but distinguishes carefully among the various forms it may take, depending on the origin of the sperm, the origin of the ovum, and the identity of the woman who carries the embryo. The *Majma' al-Fiqh al-Islami*, in its Resolution No. 16 issued at the Third Conference in Amman, articulates a comprehensive classification: five categories of IVF are prohibited, and two are permitted. The permitted categories are: (1) the fertilization of a wife's ova with her husband's sperm and the implantation of the resulting embryo in the wife's own uterus; and (2) the artificial insemination of a wife with her husband's sperm directly into her vagina. All other configurations—including the use of donor sperm, donor ova, or a surrogate (rented) womb—are categorically prohibited on the grounds that they cause the mixing of lineage, eliminate the concept of motherhood, and introduce elements analogous to adultery in their legal consequences.

The Indonesian Ulema Council (MUI), in its fatwa on IVF, similarly permits the procedure when sperm and ova are exclusively from a legitimately married couple, and the embryo is implanted in the wife's own uterus, classifying this as *mubah* (permissible) since it constitutes a lawful form of effort (*ikhtiar*). The Council prohibits, on the basis of the legal principle of *Sad al-Dzari'ah* (blocking the means to forbidden ends), the use of sperm from a deceased husband, the implantation of an embryo in a co-wife's uterus (in a polygamous marriage), and all procedures involving donor gametes. The Muhammadiyah Tarjih Council's 21st Mukhtamar resolution and the Nahdlatul Ulama Munas Alim Ulama of 1981 are in substantive agreement with these positions.

Contemporary Fiqh Analysis of IVF

Among the classical and contemporary scholars who have addressed IVF, a clear consensus has emerged regarding its permissibility in its most basic form (using the spouses' own gametes) and its prohibition in all other forms. Mahmud Syaltut, the former Sheikh of Al-Azhar, declared unequivocally that IVF using a sperm donor is a grave act of immorality, describing it as combining adoption with a form of *zina* in one act and characterizing it as a descent to the level of animals devoid of human nobility and social bonds. Yusuf al-Qardhawi similarly prohibited IVF when the sperm does not belong to the husband, reasoning that Islam protects lineage by prohibiting both adultery and the assimilation of foreign lineages into the family, and that therefore the use of donor sperm must equally be prohibited.

Scholars who have offered more nuanced or permissive positions do so with strict conditions. Mustofa Ali Zarqa permits IVF as a category but makes its permissibility contingent on the exclusive use of the spouses' own gametes. Ali Akbar controversially permits the use of a surrogate womb (*rahim titipan*) by analogy with the Islamic institution of wet-nursing (*radha'ah*), arguing that just as a wet nurse may lawfully nourish another couple's child in exchange for payment, a surrogate may lawfully carry another couple's embryo. However, this position has been rejected by the majority of scholars, who hold that the analogy is inapposite because pregnancy involves a far more intimate biological relationship than breastfeeding and creates an inherent risk of lineage confusion. Hasan Basri and Husain Yusuf both permit IVF subject to the condition that sperm and ova come exclusively from a legitimate married couple.

The classical fiqh text *Fiqh al-Islami wa Adillatuhu* (Vol. 4, p. 198) by Wahbah al-Zuhaili provides a succinct doctrinal summary: artificial insemination using a husband's sperm for his

wife is permissible (and may even be recommended where there is a legitimate medical impediment to natural intercourse), while artificial insemination using the sperm of a stranger a man to whom the woman is not lawfully married—is haram, because this amounts to zina in its most essential legal definition, namely the placement of a man's sperm in the womb of a woman to whom he is not married.

Legal Evidence and Its Application to IVF

The scholarly consensus on IVF rests on a foundation of Qur'anic verses and Prophetic traditions. Qur'an Al-Baqarah 2:223 instructs husbands to approach their wives as their 'fields' (*harth*), which scholars interpret as a divine command to direct one's reproductive seed exclusively toward one's lawful spouse. This verse simultaneously implies that a wife must receive reproductive seed only from her husband. Qur'an Al-Nur 24:30-31 commands both believing men and women to guard their private parts (*furuy*), which scholars have extended to cover the prohibition against allowing one's sperm or reproductive organs to become involved in another person's reproductive process outside of lawful marriage. Qur'an Al-Tin 95:4 affirms that God has created human beings in the best of forms, which is invoked in support of the preservation of the sanctity of human reproduction.

Among the Hadith, two traditions are particularly significant. A tradition reported by Abu Daud from Ruwayfi' ibn Thabit al-Ansari records the Prophet (peace be upon him) as saying: 'It is not lawful for a person who believes in Allah and the Last Day to irrigate with his water the crop of another man.' This hadith is understood as a clear prohibition on the use of donor sperm. A second tradition, narrated by Imam Bukhari and Muslim and commented upon extensively in Faidh al-Qadir Sharh al-Jami' al-Saghir (Vol. 5, p. 611), states: 'There is no sin after shirk that is greater before God than a man placing his sperm in a womb that is not lawful for him.' This hadith establishes the use of donor sperm in another woman's womb as a sin of the gravest category in Islamic law.

Regarding lineage (*nasab*), Qur'an Al-Ahzab 33:4 clearly states that God has not made adoptive children into natural children, indicating the inviolability of biological lineage. The Prophet (peace be upon him) is reported to have said: 'Whoever attributes his lineage to someone other than his father, Paradise is forbidden to him.' This evidence collectively demonstrates the critical importance of preserving accurate lineage in Islamic law and informs the prohibition of any IVF procedure that would introduce uncertainty or distortion into the determination of parentage.

Sperm Banks and Their Jurisprudential Assessment

The phenomenon of commercial sperm banking, most prevalent in Western Europe and North America, presents an additional challenge for Islamic jurisprudence. A sperm bank commercially stores donated sperm, which is then made available to individuals or couples seeking to conceive using donor gametes. The Majma' al-Fiqh al-Islami has addressed this institution extensively. Sheikh Rajab al-Tamimi acknowledged the theoretical benefits of sperm preservation technology for a married couple's exclusive use (e.g., preservation of a husband's sperm before a medical procedure that might render him infertile), while categorically rejecting the institutionalization of donor sperm banking. His reasoning is grounded in the principle of *Sad al-Dzari'ah*: the negative consequences of donor sperm banking—including the irremediable mixing of lineages, the birth of children with unknown fathers, the potential for unknowing

incestuous marriages among offspring of the same donor, and the commodification of human reproduction—far outweigh any benefit.

Professor Muhammad Ali al-Barr similarly condemns the use of donor sperm as clearly haram in Islamic law, noting that while a woman inseminated with donor sperm without her full understanding might not be subject to the hadd punishment (which requires full legal capacity and knowledge), all parties who knowingly facilitate the procedure, including the physician, are subject to *ta'zir* (discretionary punishment). The Majma' al-Fiqh resolution implementing these considerations draws on the jurisprudential maxim: 'Repelling harm takes precedence over obtaining benefit' (*dar' al-mafasid muqaddam 'ala jalb al-masalib*). The use of a deceased husband's stored sperm is likewise prohibited, since the death of the husband terminates the marital bond, and impregnation after the dissolution of marriage constitutes an irregular and legally impermissible act.

Surrogate Womb Jurisprudential Analysis

Gestational surrogacy—the implantation of an embryo created from a married couple's own gametes into the uterus of a third woman who agrees to carry the pregnancy—constitutes one of the most contested issues in contemporary Islamic bioethics. The question arises in situations where the wife cannot carry a pregnancy due to uterine abnormalities, prior hysterectomy, or other medical conditions that preclude natural gestation, while her ovaries remain functional and her eggs are healthy.

The dominant scholarly position, endorsed by the MUI, the Nahdlatul Ulama, the Muhammadiyah Tarjih Council, and the Majma' al-Fiqh al-Islami, is that gestational surrogacy is prohibited. The grounds for this prohibition are multiple. First, it involves the implantation of an embryo in a womb that does not belong to the rightful mother, which is treated as analogous to adultery in its disruption of the family structure. Second, it creates profound and irresolvable ambiguity regarding the legal identity of the child's mother. Third, it violates the principle of *hifz al-nasl* (the protection of lineage), one of the five essential objectives (*daruriyyat*) of Islamic law. Fourth, it opens the door to significant social harms, including the commodification of women's bodies and the exploitation of economically vulnerable women.

The question of maternity in surrogacy cases has generated three distinct scholarly positions. The first position holds that the genetic mother—the woman who provided the ovum—is the legal (*nasab*) mother, with the surrogate holding a status analogous to a wet nurse. This view is held by Mustofa al-Zarqa and a minority of scholars. The second and majority position holds that the woman who carries and delivers the child is the legal mother, invoking Qur'anic descriptions of motherhood in terms of pregnancy and labor (QS. Al-Mujadallah 58:2, QS. Al-Baqarah 2:233, QS. Luqman 31:14, QS. Al-Ahqaf 46:15) and the classical maxim 'the child belongs to the bed' (*al-walad li'l-firash*). The third position, held by a small minority, holds that the child cannot be legally ascribed to either woman. The inability to reach a scholarly consensus on this fundamental question itself constitutes a powerful argument for the prohibition of surrogacy, since a legal system that cannot determine who the mother of a child is has failed in one of its most basic functions.

Maslahah Mursalah as an Analytical Framework

The concept of *Maslahah Mursalah* (public interest not explicitly recognized or rejected by scripture) provides the most productive analytical framework for evaluating IVF within Islamic

law. *Maslahah Mursalah* is valid as a basis for legal judgment when it fulfills three conditions: it must represent a genuine, not illusory, public benefit; it must serve the interests of the Muslim community broadly, not just particular individuals; and it must not contradict an established Qur'anic or hadith ruling.

Applying this framework, permissible IVF (using the spouses' own gametes with implantation in the wife's uterus) satisfies all three conditions. It provides genuine benefit to infertile couples by enabling them to have biological children; it serves the broad societal interest in stable, harmonious families with legitimate offspring; and it does not contradict any explicit scriptural prohibition. Moreover, permissible IVF directly advances three of the five *Maqasid al-Shari'ah*: *hifz al-nasl* (protection of lineage and progeny), *hifz al-nafs* (protection of life and human dignity), and *hifz al-din* (protection of religion, by enabling couples to have children who will be raised as Muslims within a legitimate family).

Conversely, prohibited forms of IVF—those involving donor gametes or surrogacy—fail the *Maslahah Mursalah* test because their harms (*mafsadat*) clearly outweigh their benefits (*maslahat*). The benefits are limited and particular (enabling specific individuals to have children), while the harms are profound and diffuse, encompassing the mixing of lineage (*ikhtilat al-nasab*), the distortion of inheritance rights, the undermining of the maternal bond, the commodification of reproduction, the creation of children who do not know their biological parents, and the generation of irresolvable legal conflicts. The jurisprudential maxim 'repelling harm takes precedence over attracting benefit' (*dar' al-mafasid muqaddam 'ala jalb al-masalih*), therefore dictates the prohibition of these procedures.

Discussion

IVF and the Concept of Household Harmony in Islam

In Islam, household harmony is not just an abstract goal but a tangible social and spiritual ideal. It is reflected in the Qur'anic view of the family as a community characterized by *sakinah* (tranquility), *mawaddah* (love and affection), and *rahmah* (compassion and mercy). This ideal, based on Qur'an Al-Rum 30:21, includes mutual respect, fulfilling rights and obligations between spouses, nurturing and educating children, maintaining good relations with extended family and society, and deepening personal piety. As Hasan Basri describes, a family should be 'rukun, berbahagia, tertib, disiplin, saling menghargai'—meaning harmonious, happy, orderly, disciplined, and mutually respectful.

Children occupy a central place in this ideal. The classical scholars' recognition of procreation as the primary purpose of marriage is not merely a reflection of cultural preference but a theological judgment rooted in the Qur'anic celebration of offspring as a divine blessing and in the Prophetic tradition's encouragement of having children. The psychological and social reality confirms this judgment: the absence of children in a marriage often creates a vacuum that is filled with emotional pain, mutual recrimination, social shame, and existential questioning of the marriage's meaning and value. As the research literature reviewed in this study demonstrates, infertility is associated with elevated rates of marital conflict, depression, social withdrawal, and divorce. In the Indonesian cultural context, infertile couples frequently face harsh social judgment, interference from extended family, and pressure toward polygamy or divorce—all of which are antithetical to household harmony.

In this context, permissible IVF emerges as a genuine and significant contributor to household harmony. By enabling infertile couples to have biological children within a lawful

framework, IVF can transform a marriage characterized by chronic sorrow and social pressure into one characterized by joy, purpose, and social belonging. The case of public figures such as Irwansyah and Zaskia Sungkar, who achieved parenthood through IVF after ten years of childless marriage, illustrates the profound positive impact that a successful IVF program can have on marital wellbeing. The Morula IVF Fertility Clinic's record of over 5,000 patients across ten branches in Indonesia, with a success rate of approximately 30% per cycle and 65% after three cycles, testifies to the scale and significance of this impact.

The Islamic legal sanction for permissible IVF is therefore not merely a dry legal ruling but a recognition of a profound human reality: that the longing for children is a legitimate and important human aspiration, that infertility is a genuine and serious affliction, and that the development of medical technology capable of addressing this affliction within a lawful framework is a divine blessing that Islam should welcome rather than reject. The Prophet's hadith recorded by Imam Ahmad—'Marry women who are loving and fertile, for I will take pride in your numbers before the other prophets on the Day of Judgment'—reflects a tradition that deeply values procreation, and permissible IVF represents a modern means of fulfilling this Prophetic encouragement when natural procreation is not possible.

Factors Causing Infertility and Their Social Consequences

The medical causes of infertility are diverse and affect both men and women. Male infertility may result from blockages in the epididymis, the inability of the testes to produce functional spermatozoa, genetic factors, erectile dysfunction (impotence), or diseases such as prostate cancer. Female infertility may result from blocked fallopian tubes (which prevent the ovum from reaching the uterus), ovarian dysfunction (the inability to produce mature ova), uterine abnormalities, hormonal imbalances, or conditions such as polycystic ovary syndrome (PCOS) and endometriosis. In many cases, infertility results from a combination of factors affecting both spouses.

The social consequences of infertility are equally significant and multifaceted. Research consistently demonstrates that infertile couples experience heightened emotional distress, including grief, shame, guilt, anxiety, depression, and a pervasive sense of inadequacy. Within the marriage, infertility tends to generate mutual blame and recrimination, withdrawal and isolation, and a diminution of intimacy and trust. In the broader social context, infertile couples—particularly women—face significant stigmatization. In many Muslim societies, including Indonesia, the failure to produce children is widely interpreted as a personal failure or even as divine punishment, and infertile women are frequently subjected to unsolicited advice, pity, gossip, and social exclusion. Extended family members often apply additional pressure, and the threat of polygamy or divorce looms large over marriages in which children have not been produced within the expected timeframe.

These social consequences can themselves exacerbate the medical condition: the chronic stress generated by social pressure and marital conflict has been shown to adversely affect hormonal balance and reproductive function in both men and women. Infertility thus tends to create a self-reinforcing cycle in which medical difficulty generates social and emotional stress, which in turn worsens the medical prognosis. Breaking this cycle requires both medical intervention—of which permissible IVF is the most effective available—and social and spiritual support grounded in an Islamic understanding of the trial of infertility as a test from God that may be met with patience (*sabr*) and lawful effort (*ikhtiar*).

The Role of Permissible IVF in Supporting Household Harmony

The relationship between permissible IVF and household harmony operates at multiple levels. At the most immediate level, the successful birth of a child through IVF can transform the emotional atmosphere of a marriage, replacing grief and anxiety with joy and gratitude, and providing spouses with a shared purpose and source of meaning that deepens their bond. Children are described in Islamic tradition as "*bimmatut ahyā*" (a source of vitality and motivation for life), and their presence in a household tends to strengthen the commitment of both spouses to the marriage and to each other.

At a social level, the birth of a child through IVF can relieve the external pressures that threaten household harmony by neutralizing the stigma of childlessness and by satisfying the expectations of extended family and community. This social relief is not trivial: the reduction in social pressure removes a major source of conflict and tension within the marriage and enables the couple to relate to each other and to their social world with greater ease and confidence.

At a legal level, permissible IVF preserves and clarifies the legal status of all parties involved. Since the child is born from the exclusive gametes of a lawfully married couple, questions of lineage, inheritance, and mahram relationships are resolved without ambiguity. The child is the legal offspring of both parents, entitled to full inheritance rights and the full range of parental obligations, and the parents are protected from the legal and social consequences that would attend the use of donor gametes or a surrogate womb. This legal clarity itself contributes to household harmony by removing a potential source of future conflict.

At a spiritual level, permissible IVF represents the legitimate exercise of the human capacity for technological innovation in service of a divinely sanctioned goal. The classical Islamic scholars who governed in the first millennium of the Islamic calendar did not have access to IVF, but scholars such as Ibn Sina, Al-Farabi, and Ibn Khaldun recognized in principle that the artificial facilitation of human reproduction was not inherently inconsistent with Islamic theology. Ibn Khaldun, in his *Muqaddimah*, acknowledged that the reconstruction of the human reproductive process was theoretically possible and that the limitations of his era's technology, rather than any intrinsic theological prohibition, prevented its realization. The development of IVF technology may therefore be understood as the fulfillment of a theoretical possibility that the Islamic intellectual tradition had already conceptually validated.

Consequences of Prohibited IVF on Household Harmony

While permissible IVF supports household harmony, prohibited forms of IVF—involving donor sperm, donor eggs, or a surrogate womb—threaten it in profound and potentially irreversible ways. The use of donor sperm, for example, introduces the genetic material of an unknown or identified third man into the wife's body, creating a child who is biologically unrelated to the husband. In Islamic law, this is treated as a form of concealed zina, regardless of the absence of physical sexual contact, because it achieves the same result as adultery—the implantation of a stranger's genetic material in a woman's womb—and generates the same legal consequences, including the confusion of lineage, the disruption of inheritance, and the potential for unknowing incestuous relationships in subsequent generations.

The use of a surrogate womb creates even more complex legal and social problems. As noted above, Islamic scholars cannot agree on who the child's legal mother is: the genetic mother (the woman who provided the ovum) or the gestational mother (the woman who carried and

delivered the child). This irresolvable disagreement means that a child born through surrogacy may have an uncertain legal identity, uncertain inheritance rights, uncertain mahram relationships, and an uncertain psychological sense of identity and belonging. These uncertainties are not merely academic: they can generate devastating conflict within and between families, expose children to psychological harm, and create legal difficulties that no court, whether Islamic or civil, can fully resolve.

Moreover, the commercialization of surrogacy poses a grave threat to the dignity and autonomy of women. The prospect of economic compensation creates a powerful incentive for economically vulnerable women to accept the physical, psychological, and social burdens of surrogacy, and the resulting transaction reduces the woman's body to a commercial instrument in a manner fundamentally at odds with the Islamic conception of human dignity (*karamah*). The prohibition of surrogacy in Islamic law is therefore not merely a legal technicality but a protection of women's dignity and of the integrity of the family as a social institution.

From the perspective of household harmony, it is important to note that the short-term benefit of obtaining a child through prohibited IVF—the satisfaction of the immediate desire for parenthood—is likely to be outweighed by the long-term harms generated by the legal, social, and spiritual complications that attend it. A marriage that achieves apparent harmony through legally forbidden means is built on an unstable foundation, and the difficulties generated by lineage confusion, inheritance disputes, and social stigma are likely to emerge with destructive force as the child grows older. The Islamic prohibition of these procedures is therefore not merely an abstract legal ruling but a practical protection of the long-term harmony and integrity of the family.

Conclusion

This study has examined the Islamic legal perspective on the IVF program in the context of maintaining household harmony, drawing on a comprehensive range of primary Islamic legal sources, contemporary scholarly opinion, and the fatwas of major Indonesian and international Islamic jurisprudential bodies. Several important conclusions emerge from this analysis.

First, Islamic law does not categorically prohibit IVF. The procedure is permissible (*mubah*) when conducted using the exclusive gametes of a lawfully married couple and when the resulting embryo is implanted in the wife's own uterus. This permissible form of IVF is consistent with the Islamic values of human dignity, the preservation of lineage, the importance of procreation within marriage, and the principle of *Maslahah Mursalah*, since it generates genuine benefits for infertile couples and for the broader social institution of the family without introducing any of the legal harms associated with donor gametes or surrogacy.

Second, all other forms of IVF, those involving donor sperm, donor ova, or a surrogate womb, are prohibited (*haram*) under Islamic law. This prohibition rests on multiple grounds: the mixing of lineage (*ikhtilat al-nasab*), the analogy with adultery (*zina*) in legal consequence, the violation of the *Maqasid al-Shari'ah* objective of *hifz al-nasl*, the impossibility of determining the child's legal mother in cases of surrogacy, and the principle that repelling harm takes precedence over attracting benefit. The child born through permissible IVF is the legitimate offspring of both parents and has full inheritance rights; the child born through impermissible IVF occupies a legally ambiguous position that generates profound and potentially irresolvable complications.

Third, permissible IVF makes a genuine and significant contribution to household harmony by enabling infertile couples to fulfill the Islamic aspiration of parenthood within a

legally and morally sound framework. Infertility is a serious affliction that threatens household harmony through emotional distress, marital conflict, social stigmatization, and the threat of polygamy or divorce. Permissible IVF directly addresses this threat by providing a lawful means of achieving parenthood, thereby transforming a marriage characterized by grief and pressure into one characterized by joy and stability. In this respect, permissible IVF is not merely medically beneficial but socially and spiritually beneficial in a way that is fully consistent with the Islamic vision of the family as a community of *sakinah*, *mawaddah*, and *rahmah*.

Fourth, the concept of *Maslahah Mursalah* provides the most analytically productive framework for evaluating IVF within Islamic law. This framework enables scholars to weigh the benefits and harms of different IVF procedures in a systematic and principled way, drawing on the *Maqasid al-Shari'ah* as a benchmark for judgment. Applied consistently, this framework leads to the conclusions articulated above: permissible IVF advances the *Maqasid* while prohibited IVF undermines them.

Looking forward, this research recommends that Muslim couples experiencing infertility should first exhaust all natural means of addressing the condition before turning to IVF, and should ensure that any IVF procedure they undertake conforms strictly to the conditions of permissibility articulated by Islamic law. Medical practitioners involved in assisted reproduction should familiarize themselves with the Islamic jurisprudential framework governing these procedures and should counsel their Muslim patients accordingly. Islamic scholars and institutions should continue to engage constructively with advances in reproductive medicine, developing nuanced and evidence-based guidance that enables Muslim patients to benefit from medical technology within a framework of religious integrity. Future research might productively examine the psychological impact of IVF, both permissible and prohibited, on Muslim couples and families, as well as the role of Islamic pastoral counseling in supporting couples through the IVF process.

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