

**LEGAL AND RELIGIOUS PERSPECTIVES ON ASSISTED REPRODUCTIVE  
TECHNOLOGY: ARTIFICIAL INSEMINATION, IN-VITRO FERTILISATION  
AND SURROGACY**

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## **ABSTRACT**

The principle objective of this paper is to demonstrate the capability of implementing a law on assistive reproductive technology in Malaysia. The goal of this paper is to demonstrate the need and the practicability of implementing such law on a group of citizen of different beliefs and religion. In order to achieve this goal, we have compared and discussed existing laws in several countries worldwide and the laws are compared and discussed to address this issue. There are various types of law discussed including region-wise and religion-wise which will demonstrate a thorough scope of the law applied in most society. Hopefully, with the availability of this dissertation, we would be able to directly or indirectly contribute in the continuous research on the practicability of implementing such law in Malaysia.

## **TABLE OF CONTENTS**

Acknowledgement	ii
Abstract	iii
Table of Contents	iv
List of Statutes	vi
List of Cases	vii

### **CHAPTER ONE: INTRODUCTION**

1.0	Introduction	1
1.1	Background of Research	1
1.2	Problem Statement	2
1.3	Research Question	3
1.4	Objectives of Research	3
1.5	Research Methodology	3
1.6	Scope and Limitation of Research	4
1.7	Significance of Research	5
1.8	Conclusion	6

### **CHAPTER TWO: VIEWS AND PRACTICE OF ASSISTED REPRODUCTIVE TECHNOLOGY BY WESTERN AND ISLAMIC COUNTRIES**

2.0	Introduction	7
2.1	Artificial Insemination	7
2.2	In Vitro Fertilisation	14
2.3	Surrogacy	17
2.4	Conclusion	20

### **CHAPTER THREE: LEGAL FRAMEWORK OF ASSISTED REPRODUCTIVE TECHNOLOGY**

3.0	Introduction	21
3.1	Artificial Insemination	21
	3.1.1 Civil Law	21
	3.1.2 Religious Law	25
3.2	In Vitro Fertilisation	30
	3.2.1 Civil Law	30
	3.2.2 Religious Law	34
3.3	Surrogacy	39
	3.3.1 Civil Law	39
	3.3.2 Religious Law	43

3.4	Conclusion	48
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#### **CHAPTER FOUR: FINDINGS**

4.0	Introduction	49
4.1	Findings of Research	49
4.2	Conclusion	52

#### **CHAPTER FIVE: RECOMMENDATION AND CONCLUSION**

5.0	Introduction	53
5.1	Recommendation	53
5.2	Conclusion	54

	Bibliography	56
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# **CHAPTER ONE: INTRODUCTION**

## **1.0 INTRODUCTION**

This chapter will provide a brief explanation on Assisted Reproductive Technology (ART). ART is a treatment to help infertile couples to conceive and give birth to healthy babies. ART is divided into three types of assisting treatments known as Artificial Insemination (AI), In Vitro Fertilisation (IVF) and Surrogacy. This chapter will highlight the objectives of the research and to provide the methodology of how the research is conducted. This chapter will also discuss on the scope and limitation of research, the significance of research and the time frame to conduct the research.

## **1.1 BACKGROUND OF RESEARCH**

Artificial insemination (AI) is a procedure wherein a sperm is artificially inserted into a woman's cervix.<sup>1</sup> This treatment involves the implantation of the sperm directly into the women's uterus after the removal of harmful chemicals. AI is allowed to be practiced among Muslim. However only insemination of the husband's semen is allowed which is to ensure legitimacy of offspring. To date, Malaysia still does not have any specific law or regulations to govern the practice of this treatment. For that a legal study need to be conducted and a legal framework needs to be constructed to regulate the implementation of AI.

In Vitro Fertilisation (IVF), involves the fertilization of ovum and sperm out of the woman's body and takes place in a laboratory. After the fertilization process is completed the fertilized eggs will be inserted into the woman's uterus. Islamic jurisprudence views that, Muslims are allowed to opt for such treatment

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<sup>1</sup> Artificial Insemination Costs, Risks, Procedure,  
<[http://www.docshop.com/education/fertility/treatments/artificial\\_insemination](http://www.docshop.com/education/fertility/treatments/artificial_insemination)> accessed 9 November 2014.