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

By:

Nurul Nur Shahirah Binti Ayop (2012245482)
Nur Amalina Binti Muhamad Ngadi (2012414642)
Nur Farhana Natasya Binti Hajali (2012288042)
Khairun Neesha Binti Raj Mohamed (2012248484)

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The students/authors confirm that the work submitted in their own and that appropriate credit has been given with reference has been made to the work of others.
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.
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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.¹ 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