

Religion, self-governance and the state: Assisted reproductive technologies in the Muslim Middle East

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Introduction

This proposal builds on the Wellcome Trust funded project *The new world of medically assisted reproduction and ethical governance in the Muslim Middle East: establishing a robust network* (2019-2021). That project conducted a scoping exercise in the field of assisted reproductive technology (ART) to (a) establish an international network of scholars in bio-governance, bioethics, reproductive medicine, bioethics and policymaking and (b) identify the key agendas in the governance of new ARTs in the Muslim Middle East. The project has thus far produced three broad, scoping publications: Salter (2021) and Saniei (2021a; 2021b).

An important initial finding of the project deserving of further research is the central role played by the self-governing institutions of Islam in formulating and implementing the governance of the ART market. Often the state is relegated to a supporting role with the ulama (Islamic scholars) acting as the authority on the values which should guide the governance discussion, Shari'a (Islamic Law) and fatwas (religious decrees) embodying the policy results of those discussions, and the institutions of Islam implementing and monitoring the policies. The state may then be called upon to provide legal confirmation of this governance process. Two factors cut across this neat arrangement. First, different states take different views of how much power should be delegated to the self-governing institutions of Islam. Second, the two predominant sects of Islam, Sunni and Shi'a, take different approaches to the governance of the ART market.

Aim and objectives

The aim is to analyse the relationship between Islamic self-governance and the state in the regulation of the ART market through case studies of three countries. The research questions are:

1. What is the role of the institutions of religion and state in formulating, monitoring and sanctioning the rule systems for the governance of the ART market?
2. What is the balance of function and power between the institutions of religion and state?
3. In what ways does the religious divide between Sunni and Shi'a impact on the religion-state relationship?

Method

The case studies of three Muslim states are purposively selected on the basis of characteristics which in combination provide data to inform the research questions: a spectrum of Shia and Sunni cultural values, restrictive and permissive regimes of governance, and differing institutional modes of authority (state and religious). These are Iran (Shia), Egypt (Sunni), and Turkey (until quite recently secular with Sunni majority). Much of the documentary and interview (8) data for Iran and Turkey has already been collected in the course of the Wellcome project and simply requires reanalysis for this project.

The proposed workstreams are as follows.

Workstream I (months 1-2) – Desk based

Consolidation of the existing documentary dataset on Iran and Turkey, collection of supplementary data where required, collection of fresh data on Egypt using the same template as that for the other two case studies. Sources include the government policies on ART, websites of ART service providers, consultancies, academic and government reports, fatwas of leading religious scholars, religious scripture positions on ART and press media reports.

Workstream II (months 3-4) - Analysis

Reanalysis of (a) the existing documentary and interview data on Iran and Turkey and (b) the fresh data on Egypt. Key lines of analysis in the study build on previous work by Salter and Saniei to elaborate a picture of intersecting fields involved in the religious self-governance and state governance relationship, the challenges and responses characteristic of these institutional engagements, and the resulting changes in governance jurisdictions and institutional power.

Workstream III (months 5-6) – Write-up

Preparation of a paper for submission to a leading journal in the politics of science such as *Social Studies of Science*, *Social Science and Medicine*, or *Science Technology and Human Values* and a New Investigator Award application to the ESRC.

References

- Salter B (2021). Markets, cultures and the politics of value. *Science, Technology, and Human Values*. Advanced online.
- Saniei M (2021a). Modern Assisted Reproductive Technologies and Bioethics in Islamic Context. *Theology and Science*. (Forthcoming)
- Saniei M (2021b) Assisted Reproduction in the Middle East: Its Usage, Ethics and Regulation in the Islamic context. In *Bioethics and Women's Rights in the Era of Reproductive Technologies*, ed. Henk ten Have and Nouzha Guessous. USA: Springer (Forthcoming - Book chapter)