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An Examination of Shiite Jurisprudential Principles Regarding Procreation and Population Growth

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ABSTRACT

This article examines disputes surrounding population growth and decline, focusing on the jurisprudential rulings related to procreation and its implications for Islam and national security. Utilizing a documentary method and referencing Quranic verses and hadiths, the article elucidates the issue of procreation and population growth from the perspective of Islamic jurisprudence (fiqh) and its principles (uṣūl al-fiqh), with a particular emphasis on Shiite jurisprudence to advance religious values in the modern era. The research findings suggest that a thorough reflection on Quranic verses and hadiths reveals that Islamic sharia advocates a consistent policy of both quantitative and qualitative population growth. This approach aims to strengthen the Islamic society and uphold the religion. Furthermore, rational arguments support the desirability of population growth, indicating that population control or restrictions on believers are impermissible if they undermine Islam and threaten national security. Consequently, under such conditions, adopting policies to encourage population growth becomes obligatory.

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Introduction

According to Islamic teachings, God's purpose in creating the world is to preserve generations and bring about ideal sentient beings who will ultimately worship Him. As the Quran states, "I did not create the jinn and the humans except that they may worship Me" (Quran 51:56). In Quranic verses and hadiths, Muslims are encouraged to procreate and increase their population and offspring. Procreation is seen as a significant goal and function of the family within the religious tradition (Shobeiri Zanjani 1998, 23:73-78). Within the Islamic scriptures and texts, procreation is considered a praiseworthy act that is highly recommended. From this religious perspective, a righteous child is viewed as a divine blessing, a "flower from Paradise" (Kulaynī 2009, 6:3), an adornment of life (Quran 18:46), a helper to one's parents (Ḥurr al-‘Āmilī 1995, 21:356), a successor to the parents (Ḥurr al-‘Āmilī 1995, 21:356), and even someone who can ask for forgiveness and secure the forgiveness of their parents through their good deeds (Ḥurr al-‘Āmilī 1995, 21:359). This strong emphasis on the value of children serves to encourage Muslims to procreate and have children.

While this issue can be examined from various angles—economic, medical, jurisprudential, demographic—which inform the theoretical and practical dimensions of the problem, our main focus here is to explore the Islamic jurisprudential foundations of population growth and procreation. It is important to note that preserving offspring is distinct from increasing population as the former is a collective obligation (*al-wājib al-kifā’ī*, a type of religious duty that applies communally rather than to any specific individual), while the latter is not obligatory at all. Hadiths on this topic may seem to imply an obligation with their imperative wording, but scholars have reached consensus that it is not actually obligatory. Additionally, the evidence within those hadiths themselves precludes such an apparent obligation. On the other hand, there is no ground for prohibiting population control either (<http://alamolhoda.ir>). So the issue of population growth or restriction falls into a "blank area" (*mantaqat al-farāgh*), as per the terminology of a contemporary jurist (Sadr 1996). This means the default or primary ruling is one of permissibility (*ibāḥa*), although specific temporal and spatial circumstances may call for a secondary ruling (Zamani 1995, 238, 243, 244).

The Main Research Question

What is the Islamic jurisprudential stance on population control measures if they are perceived to undermine the interests of Islam or endanger national security?

Research Hypothesis

The collective teachings of the Quran, hadith, rational maxims, and jurisprudential rules and principles regarding procreation and population growth suggest that it is impermissible to restrict or control the offspring of believers when it undermines national security and the strength of the Islamic system. In fact, in such circumstances, it may even become an obligation to actively encourage population proliferation.

Necessity and Method of the Research

Given that our society may grapple with an aging population in the not-too-distant future, and there is a dearth of independent, rigorous, and comprehensive research that clearly outlines the Islamic jurisprudential position on population growth policies for policymakers and demographic stakeholders to base sound social planning on definitive evidence, it is imperative that such research be conducted.

Considering the fundamental and theoretical nature of this research, the methodology will be descriptive and analytical, utilizing a bibliographical approach through direct reference to Quranic verses, hadith, and the rules and principles of Islamic jurisprudence pertaining to population-related issues.

Research Background

Throughout history, humans have sought and continue to seek procreation, viewing it as a sign of a society's vitality and strength. However, this issue has fluctuated in human lives, with various obstacles emerging in the path of population growth. For this reason, many authors have addressed the topic of population growth, procreation, and family planning, perceiving it as a marker of power and a factor contributing to a society's economic, political, and military development. Numerous books have thus been written on the subject of procreation, including Isa Isazadeh's *Quranic Family*, which delineates the benefits of procreation and population growth, although it does not tackle the jurisprudential foundations of the issue. Another work, Zahra Ayatollahi's *An Exploration of Issues of Family*, devotes a few pages to the benefits and advantages of procreation, but it too fails to discuss the jurisprudential aspects of the topic. The book *I Am Not a Killer* by Saleh Ghasemi dedicates its opening to discussing six principles pertaining to population growth, with the first chapter addressing the issue from a Quranic perspective, the second from the lens of hadith, and the third delving into the practices of the Prophet and Shiite Imams, the "Infallibles," in this regard. However, even this work falls short of addressing the jurisprudential dimensions of the matter. In the book *Population Growth, Perspectives and Strategies*, Mohammad Hossein Pouriani and Mohammad Sobhaninia discuss population from an Islamic perspective, covering issues such as procreation and marriage, problems of low fertility and negative population growth in the first section, family control, threats to society, and concerns expressed by religious scholars about population control, and finally, policies and strategies to increase the population as well as the views of religious scholars on family planning. However, this book too fails to address the jurisprudential principles underlying procreation. The article "Effects of procreation with a focus on Quranic verses and hadiths within Islamic lifestyle" presents the Islamic perspective on procreation and population growth, but it too falls short of discussing the jurisprudential foundations of procreation. Furthermore, the article "The jurisprudential ruling of abortion" by Hassan Mozaffari explores the various juristic opinions on the Islamic legal rulings regarding abortion, ultimately concluding that abortion is prohibited (*haram*) in Islam, though it may be permitted under exceptional circumstances, such as when the mother's life is at risk.

In this research, we aim to study the jurisprudential foundations of procreation and population growth within Shiite Islamic jurisprudence, an area that has not been explored in depth in the existing books and articles on the topic. As such, this study will make a novel contribution to the literature.

The Notion and Outlines

It must be acknowledged that research on religious sources and texts, much like research in other specialized fields, demands meticulous attention and careful reflection. In the case of religious sources, this is particularly crucial given their relation to divine commands and the guidance of the Prophet and Imams, as well as their connection to the sharia (Islamic law). In the first step of this study, we will begin by explicating the key concepts underpinning the research.

A. Offspring

In the Arabic language, the term "walad" refers to a child or offspring, with the plural form being "mawālīd," which can encompass both human and non-human entities (Rāghib al-Iṣfahānī 2004, 883; Farāhīdī 1987, 8:71).

A.1. Offspring and Its Proliferation

Population control refers to a conscious, deliberate act aimed at striking a balance and harmony between economic resources and the number of children at the family level, as well as creating a balance between population and production at the societal level. This process is not necessarily synonymous with restricting offspring and reducing population size—in fact, it may also entail population growth (Hosseini Tehrani 1994, 103). Therefore, the proliferation of offspring can be considered a method of population control, even though the term is more commonly associated with population restriction through family planning at the micro level and population control policies at the macro level.

B. Jurisprudence (*Fiqh*)

The Arabic term "fiqh" literally translates to "understanding" in its broadest sense (Zubaydī 1993, 19:72), encompassing knowledge, awareness, comprehension, acuity, and discernment (Ibn Fāris 1983, 72). Additionally, some scholars argue that "fiqh" denotes a particularly meticulous and profound form of understanding (Muṣṭafawī, 2008, p. 123).

As for the technical definition of the term "fiqh," it is understood as the knowledge of ancillary rulings of the Islamic sharia (divine law), derived from a detailed examination of their evidentiary bases (Ḥillī 1982, 1:5). In this sense, *fiqh* or jurisprudence is a discipline that involves the inferential process of deducing sharia rulings from specific forms of evidence. Al-Shahīd al-Awwal further defines *fiqh* as the knowledge of practical sharia rulings, based on a careful analysis of their evidential foundations, with the aim of attaining happiness in the afterlife (Muḥammad b. Makkī 1998, 1:40). This definition also highlights the ultimate goal of this scholarly discipline, which is to facilitate human felicity and well-being in the hereafter.

C. Rule (*Qā’ida*)

The term "qā’ida," literally means the foundation or base of something (Ṭurayḥī 1984, 3:129; Ibn Manzūr 1993, 3:361). Its technical usage is closely aligned with this literal sense. In defining the technical meaning of the term, al-Tahānawī describes it as a general principle that applies to all particular instances when determining their respective rulings (Tahānawī 1996, 5:1176). It is also defined as a broad law or principle that underpins the derivation of other laws, which are known as the rules (*furū’*) of jurisprudence (*fiqh*) and the principles (*uṣūl*) of jurisprudence (Maleki Esfehni 2011, 340).

C.1. Jurisprudential Rule

Technically, a jurisprudential rule (*qā’ida fiqhiyya*) is a general rule or ruling (an ancillary divine ruling) that applies to all relevant particulars when identifying their rulings (Tahānawī 1996, 2:1176-79), applying to all jurisprudential issues encompassing them (Bujnūrdī 1980, 1:337).

C.2. Principled Rule

The "principles of jurisprudence" (*uṣūl al-fiqh*) is a discipline that lays out the rules used by Islamic legal scholars (mujtahids) to derive rulings from Sharia law (Bujnūrdī 1980, 2:618; Shahroudi

2005, 1:537). This discipline covers all the factors and elements involved in deducing a legal ruling (Sadr 2009, 1:174). It is important to note that this discipline is fundamental to Islamic jurisprudence (*fiqh*), as the latter relies on the former to deduce ancillary Sharia rulings from their sources—the Quran, the Tradition (Sunnah), consensus (*ijmāʿ*), and reason (Shahroudi 2005, 1:537). A "principled rule" (*qāʿida uṣūliyya*)—a rule within the principles of jurisprudence—is a general rule that mujtahids use to derive broader Sharia rulings. These rules result in general rulings that can be applied to specific real-world situations. The goal of these principled rules is to establish methodologies for performing *ijtihad* (independent legal reasoning) and deducing Sharia rulings (Fayaz 1975, 1:8).

Arguments for and against Population Growth

A. Arguments for Population Growth

Proponents of population growth argue that the Earth's natural resources and capacity to feed humans are virtually limitless. As such, they believe there is no need to be concerned about increasing birth rates or to promote family planning. This view emphasizes that most divine religions tend to support population growth and encourage the proliferation of offspring, often prohibiting measures to prevent conception.

In general, this theory has its roots in the belief that divine blessings are unlimited and God's creation should be respected (Hosseini 2002, 20).

B. Opponents of Population Growth

Advocates of this theory recognize the undeniable reality of rapid population growth, but believe that this trend can be mitigated through the responsible use of contraceptive methods. This perspective maintains that unchecked, unbalanced population growth can have adverse societal effects, and does not necessarily contribute to broader development and progress. The argument is that when population quantity outweighs quality, a society's material, social, and economic advancement can become stagnant. This view advocates for the cultivation of an innovative, creative, active, and productive population, rather than the proliferation of large masses that may disrupt social balance and place undue burdens on the community.

Critics of rapid population growth argue that unchecked expansion leads to widespread poverty, misery, and social upheaval. They contend that unchecked demographic surges result in a host of deleterious consequences, including social dysfunction and challenges across domains like education, training, the environment, water scarcity, energy, the depletion of natural resources, deforestation, air pollution, soil erosion, and noise pollution (Mirzaee 2005, 80).

Quranic Verses regarding Population Growth

In support of the population growth view, numerous Quranic verses can be cited, including the following.

First Category: Verses Promising Divine Provision of Sustenance

First verse: al-Nūr, 32: This verse states: "Marry off those who are single among you, and the upright among your male and female slaves. If they are poor, Allah will enrich them out of His grace, and Allah is all-bounteous, all-knowing" (Quran 24:32).

Second verse: al-Anʿām, 151: It asserts, "Say, 'Come, I will recount what your Lord has forbidden you. That you shall not ascribe any partners to Him, and you shall be good to the parents, you shall not kill your children due to penury—We will provide for you and for them—you shall

not approach indecencies, the outward among them and the inward ones, and you shall not kill a soul [whose life] Allah has made inviolable, except with due cause. This is what He has enjoined upon you so that you may exercise your reason” (Quran 6:151).

Third verse: al-Isrā’, 31: It states, “Do not kill your children for the fear of penury: We will provide for them and for you. Killing them is indeed a great iniquity” (Quran 17:31).

Fourth verse: al-‘Ankabūt, 60: It asserts, “How many an animal there is that does not carry its own provision. Allah provides them and you, and He is the All-hearing, the All-knowing” (Quran 29:60).

Fifth verse, Hūd, 6: It says: “There is no animal on the earth, but that its sustenance lies with Allah, and He knows its [enduring] abode and its temporary place of lodging. Everything is in a manifest Book” (Quran 11:6).

Sixth verse, Shūrā, 19: This verse states, “Allah is all-attentive to His servants. He provides for whomever He wishes, and He is the All-strong, the All-mighty” (Quran 42:19).

Second Category: Verses Highlighting the Significance of the Human Species Survival

First verse, al-Baqara, 223: This verse asserts: “Your women are a tillage for you, so come to your tillage whenever you like, and send ahead for your souls, and be Godwary, and know that you will encounter Him; and give good news to the faithful” (Quran 2:223).

Third Category: Verses Characterizing Children as Parents’ Helpers

First verse, al-Kahf, 46: “Wealth and children are an adornment of the life of the world, but lasting righteous deeds are better with your Lord in reward and better in hope” (Quran 18:46).

Second verse, Nūḥ, 10-12: “telling [them]: “Plead to your Lord for forgiveness. Indeed, He is all-forgiving. He will send for you abundant rains from the sky, (11) and aid you with wealth and sons, and provide you with gardens and provide you with streams” (Quran 71:10-12).

Third verse, al-Isrā’, 6: “Then We gave you back the turn [to prevail] over them, and We aided you with children and wealth, and made you greater in number” (Quran 17:6).

Fourth Category: Verses Describing Children as Divine Blessings

First verse, al-A’rāf, 86: “And do not lie in wait on every road to threaten and bar those who have faith in Him from the way of Allah, seeking to make it crooked. Remember when you were few, and He multiplied you, and observe how was the fate of the agents of corruption” (Quran 7:86).

Second verse, Šād, 43 and al-Anbiyā’, 84: The Quran states: “We gave [back] his family to him along with others like them, as a mercy from Us and an admonition for those who possess intellect” (Quran 38:43) and “So We answered his prayer and removed his distress, and We gave him [back] his family along with others like them, as a mercy from Us and an admonition for the devout” (Quran 21:84).

Hadiths in Support of Population Growth

Proponents of population growth cite numerous hadiths encouraging marriage and procreation. These hadiths can be classified into various categories.

A. Hadiths Encouraging Marriage

Islam emphatically encourages marriage, strongly disapproving of its avoidance. Fundamentally, marriage is seen as a prelude to procreation, with childbearing viewed as its primary purpose. Accordingly, proponents of population growth cite various hadiths that recommend marriage as evidence in support of their position.

First Category: Hadiths Encouraging Timely Marriage

Islam encourages young men and women who have reached the age of religious maturity to enter into matrimony. For example, Prophet Muhammad is reported to have said, "the worst among your dead are those who die unmarried" (Majlisi, n.d., 220).

Second Category: Hadiths Encouraging Easy Marriage

In reality, a key obstacle to timely marriage is the presence of unnecessary constraints and burdensome formalities, which can contribute to increasing marriage ages. Islam, however, recommends the lifting of such barriers and obstacles, and encourages the facilitation of easy, accessible matrimony. Prophet Muhammad is reported to have said, "the most virtuous women among my nation are those who have more beautiful faces and lower dowries" (Nuri 1988, 14:161).

B. Desirability of Childbearing

Furthermore, there are hadiths that specifically encourage marriage due to the desirability of having many children. One authentic hadith, transmitted by Ibn Ru'ab from Muhammad b. Muslim or another companion of Imam al-Ṣādiq, states that "the Messenger of Allah recommended, 'get married, for I will be proud of your large population on the Day of Resurrection, even of miscarried babies'" (Ibn Babawayh 2008, 3:387).

C. Emphasizing Marriage with Fertile Women

Additionally, there are numerous hadiths that specifically emphasize the desirability of marrying fertile women, implying the value placed on offspring proliferation. One such report is transmitted by al-Hasan b. Mahbub, who related it from al-A'la b. Razin, who in turn quoted Muhammad b. Muslim as narrating from Imam al-Baqir. According to this hadith, "The Messenger of Allah said, 'Marry fertile virgins, and do not marry infertile beauties, for I will be proud of my nation on the Day of Resurrection'" (Kulayni 1986, 5:333).

D. Desirability of Having Numerous Children

The hadiths implying the desirability of having numerous children also directly indicate the value placed on population growth within the Islamic tradition. For instance, Imam al-Ṣādiq is quoted as relaying a statement from the Prophet: "Have many children, so that I may take pride in your large numbers on the Day of Resurrection" (Kulayni 1986, 6:2).

E. Undesirability of Coitus Interruptus

Additionally, there are hadiths that express the undesirability of coitus interruptus, or withdrawal during sexual intercourse before ejaculation, which further implies the value placed on offspring proliferation. When the Prophet Muhammad was asked about this practice, he responded, "That is a form of killing the child in a clandestine manner" ('Alam al-Huda 1998, 2:282).

F. Forbiddance of Abortion

Hadiths that imply the forbiddance of destroying the fetus, and specify blood money and financial penalties for doing so, further indicate the importance placed on population growth within the Islamic tradition.

Rules Pertaining to Population Growth

In addition to Quranic verses and hadiths, there are rules that pertain to offspring proliferation, including rules from jurisprudence, the principles of jurisprudence, and rationality. We will see

that some of these rules suggest the desirability of population growth while others indicate its necessity.

Rational Rules

The history of Shiite jurisprudence demonstrates that jurists have consistently regarded reason as a means of discovering Sharia laws and a valid, authoritative source. This stance is clearly supported by numerous Quranic verses and hadiths that underscore the high value of reason in understanding religious teachings. Additionally, most jurisprudential deductions involve reason, as these deductions are founded upon reason.

At times, the consideration of religious purposes does not directly influence the content of the relevant textual evidence. Instead, by transcending the literal content and focusing on the underlying purposes, the ground will be prepared for rational understanding and the formation of a logical syllogism (Alidoost 2009, 386).

While some religious texts suggest that population control is permissible, a rational argument can be made against this view. For example, one might argue that reducing the population could potentially empower disbelievers and weaken Islam. Given that it is haram to strengthen disbelief and undermine Islam, population control would consequently be forbidden. Thus, by considering the overarching purposes of Sharia, which include the protection of religion from harm, a foundation is laid for rational understanding and the formation of a logical syllogism.

Some scholars argue that using reason alongside religious texts constitutes an instance of *ijtihad* against the text (Anṣārī 2001, 19). However, while this form of *ijtihad* may seem to contradict transmitted texts, it is based on another valid source: reason (Alidoost 2009, 387). Al-Shaykh al-Anṣārī, for example, emphasizes the importance of reason in cases where there is a conflict between transmitted texts and conclusive rational understanding (Anṣārī 2001, 10-11). In the following sections, we will examine rational principles related to offspring proliferation.

A. The Rule of Prioritizing the More Important over the Less Important

When faced with conflicting interests or harms, reason dictates that we must prioritize what is more important over what is less important. Consistent with this principle, Islam permits experts to assess the interests and harms of two conflicting courses of action and to prioritize and act upon the one that offers greater benefits (Muḥaffar 2003, 280; Fathollah 1994, 109).

The rule of prioritizing what is more important over what is less important is a rational principle that can be understood and applied by all rational agents (Javadi Amoli 1993, 245). In other words, when a more important matter conflicts with a less important one, this principle, as an independent rational guideline, dictates that one should choose the more important and set aside the less important (Sobhani Tabrizi 2002, 2:423; Alidoost 2009, 21). In terminological terms, the “more important” action is the one that involves greater benefits and fewer harms (Şaffār 2008, 24; Shariati 2008, 77). Consequently, if the more important action is neglected, an individual could be held accountable by God (Shirkavand 2009, 36-37).

Through rational perception, one can evaluate the interests and harms of various matters and, when two interests conflict, choose the more favorable one and act accordingly. This rational approach extends to conflicts between jurisprudential rulings as well (Sadr 1980, 88). The primary support for this rule is reason itself, although it is also affirmed by Sharia. According to this principle, when there is a conflict between a woman’s professional pursuits and family interests, such as childbearing, the latter is prioritized as the more important matter. Legally, the husband has the right to prevent his wife from pursuing a profession or career that conflicts with family

interests or affects the family's reputation (Article 1117 of the Civil Code of the Islamic Republic of Iran). Thus, in cases of conflict, childbearing is given precedence as the most crucial family function.

Moreover, the Quranic verse “and seek what Allah has ordained for you” (Quran 2:187) is interpreted as referring to childbearing, which is considered a primary purpose in Sharia (Hilli 2004, 1:214; Rāwandī 1984, 1:202). Therefore, the preservation of human generation is a central objective of Sharia (Bouti 1991, 294) and can be achieved through offspring proliferation, which is regarded as one of the most significant interests (Sabzawārī 1992, 11:45).

B. The Rule of Preponderating without a Preponderator

Preponderation (*tarjih*) refers to the act of preferring or prioritizing one option over another (‘Abd al-Raḥmān, n.d., 1:454). This term is used in both Islamic jurisprudence and Islamic philosophy. When faced with conflicting reasons or perspectives, the more preferable option, which holds greater interest, should be prioritized over the less preferable one. It is rationally incorrect to prioritize what is less preferable, i.e., the option with lesser interest, over the more preferable one, i.e., the option with greater interest (Khurāsānī 2007). One key reason for prioritizing the more important matter is the necessity of preponderating the more preferable over the less preferable (Alidoost 2009, 404-408).

For parents, childbearing is generally considered a primary and preferable option. However, this preference may be overridden in certain circumstances, such as when there are health considerations for the mother or baby. According to this principle, while having fewer children may offer comfort and peace on an individual level, it is less preferable on a broader scale. Therefore, in light of contemporary demands, it is necessary to prioritize population growth over population control.

Rules of Jurisprudence and the Principles of Jurisprudence

Below, we will discuss key jurisprudential rules and the rules of the principles of jurisprudence that are most closely related to the issue of population growth.

A. Imperative Statements Imply Obligation

Since there is no explicit prohibition or obligation regarding population growth, this issue falls into the “blank area” (*manṭaqat al-farāgh*) of jurisprudence. In such cases, jurists can determine secondary rulings based on the needs of the time, place, and the current interests of Muslims. Therefore, if the guardian jurist of the time commands the expansion of the Muslim population, this can be considered a secondary Sharia obligation under specific temporal conditions and in line with Muslim interests.

This is because such a command typically signifies an obligation, making it obligatory to proliferate the offspring in that context. Similar to other principles of jurisprudence, when a command indicates an obligation, it establishes a jurisprudential ruling when applied to a specific case (Gorji 2000, 12).

B. A Fortiori Analogy

An a fortiori analogy (*qiyās al-awlawiyya*) involves extending a ruling from one subject to another based on its priority, meaning the ruling is a fortiori applicable to the latter. For example, the Quranic verse “do not say to them [your parents], ‘Fie!’” (Quran 17:23) a fortiori implies the prohibition of cursing one's parents (Makarem Shirazi 2006, 197; Meshkini 1995, 226).

A fortiori analogy is a rule within the discipline of the principles of jurisprudence that derives a general jurisprudential ruling by extending a ruling from a main issue to a subsidiary one where the underlying cause is stronger (Maleki Esfehāni 2011, 399-400). For instance, based on hadiths comparing the numerical strength of the Islamic nation to other nations (Kulaynī 1986, 5:334; Ḥurr al-‘Āmilī 1988, 20:15), it can be inferred that a larger Muslim population is desirable. This is supported by various hadiths that highlight the Prophet's pride in the large number of Muslims' children (Ḥurr al-‘Āmilī 1988, 20:54). Establishing the desirability of increasing the Muslim population also implies the desirability of growing the Twelver Shiite population a fortiori. Therefore, if increasing the Muslim population is necessary given the demands of the time and place, it similarly becomes necessary to expand the Shiite population.

C. Refining the Criterion

Refining the criterion (*tanqīḥ al-manāṭ*) is a method used to derive jurisprudential rulings. This process involves using ijtiḥād and analysis to identify the underlying cause of a ruling based on the attributes and characteristics specified in the relevant text. The ruling is then extended to all cases where this cause is present (Shahrudi 2005, 2:644). The criterion refinement analogy involves identifying and disregarding characteristics of the subject that are irrelevant to the ruling, thus focusing only on the pertinent attributes (Makarem Shirazi 2006, 197).

A fortiori and criterion refinement analogies are rules within the discipline of the principles of jurisprudence. Both types of analogy (*qiyās*) are accepted by all jurists, as they do not involve distinguishing between a main and a subsidiary ruling; instead, both terms in the analogy are considered main rulings. In other words, the evidence applies equally to both (Makarem Shirazi 2003, 2:519). The distinction between them is that, in a fortiori analogy, the mujtahid first examines the subsidiary matter and then relates it to the main matter concerning the ruling, which is established through religious texts. In contrast, in criterion refinement, the mujtahid starts with the main ruling (supported by explicit religious texts), identifies the criterion or cause of the ruling, and then extends the ruling to related cases (Shahrudi 2005, 301).

In the current issue, the preservation of offspring is a subsidiary aspect of the broader issue of self-preservation, which serves as the main criterion. Therefore, the survival and protection of future generations, both in terms of life and psychological well-being, are essential (Mesbah Yazdi 2009, 208). Consequently, any action that undermines the preservation of future generations, such as sterilization, is considered reprehensible.

Since criterion refinement focuses on causation, and characteristic cancellation pertains to the subject of the ruling, the preservation of generation as a Sharia purpose is inferred through reason and common sense by refining the criterion. This involves identifying the cause of the ruling, which indicates that the preservation of generation is a priority under any circumstances.

D. Prerequisite for an Obligation Being Obligatory Itself

Since preserving an Islamic government and community is obligatory, and since the prerequisites for an obligation are also obligatory, it follows that various prerequisites for preserving the Islamic community are also required. Clearly, offspring proliferation is a key prerequisite for maintaining the Islamic system. Therefore, promoting procreation, which is inherently recommended and praiseworthy, becomes obligatory in conditions where there is a reduction in population and a weakening of the Islamic system, as it supports this primary obligation. In other words, preserving the honor of Islam is the most critical obligation in any era, and anything that contributes to

empowering Islam becomes obligatory as a means to fulfill that obligation (*Fiqh Ahl al-Bayt*, n.d., 32:101).

Therefore, it is obligatory to take all necessary measures to strengthen Islam to the extent of one's ability. One effective way to achieve this is through procreation, which is facilitated by marriage. Consequently, marriage becomes obligatory as a primary means of promoting offspring proliferation and expanding the Islamic community (Makarem Shirazi 1990, 2:133).

E. Mutual Implication of Rational and Sharia Rulings

According to the principle that “whatever is mandated by reason is also mandated by religion,” there is a mutual implication between the rulings of reason and Sharia (Alidoost 2002, 93-97; Muzaffar 2003, 2:205).

According to this principle, when reason identifies a clear benefit or harm in performing an action, it will decisively determine whether the action should or should not be undertaken. In light of the low population growth rate in Iran and the potential risk of generational extinction in future decades, offspring proliferation is recognized as a benefit by reason and is also affirmed by Sharia as per the above principle.

F. Averting Harms Has Priority over Attaining Benefits

A well-known jurisprudential principle is that averting harm (*dar' al-mafāsīd*) takes precedence over attaining benefits (*jalb al-maṣāliḥ*). Al-Shāṭibī argues that if a benefit is more preferable and harm is less preferable, then pursuing the benefit is valid. However, if the harm is more significant than the benefit, then averting the harm becomes the priority (Shāṭibī, n.d., 20). According to experts, large-scale population control at present represents a greater harm compared to the benefit of welfare. Therefore, government policies, programs, and development models should focus on promoting population growth to mitigate the harm of population reduction.

G. The Principle of No Harm

In Islam, no ruling that causes harm is considered valid. When a ruling becomes harmful, it is invalidated and replaced with an alternative. In this context, population control can be viewed through the “no-harm” principle. If population control is deemed primarily permissible but its harms are evident in contemporary times, the permissibility of the ruling is negated due to these harms, making it forbidden or haram. Thus, as a ruling becomes invalid when its subject no longer applies, a harmful ruling becomes prohibited.

The harm in this context includes the aging population of Iran and the adverse effects of population reduction in political, economic, and social terms. According to the no-harm principle, individuals should be encouraged to procreate, and population control policies should be discontinued. Additionally, on a large scale, population control and its harmful consequences could undermine the Islamic system, which represents a more significant harm (*Fiqh Ahl al-Bayt*, n.d., 21:54).

H. Negation of Dominance (*Nafy al-Sabīl*)

The principle of the negation of dominance asserts that Muslims should not be under the dominance of non-Muslims. This is supported by the Quranic verse, “And Allah will never provide the faithless any way [to prevail] over the faithful” (Quran 4:141), and the hadith, “Indeed, Islam is superior, and nothing is superior to it” (Ḥurr al-‘Āmilī 1988, 17:376). This principle underscores the necessity of empowering and glorifying the Muslim community. Additionally, the Quran links

population growth with increased power and strength, akin to wealth and assets (Quran 71:12). Consequently, overcoming the dominance of non-believers involves fostering a young, intelligent generation, which is achievable only through the proliferation of offspring and effective planning and policymaking in both quantitative and qualitative aspects.

I. The Feasible Is Not Cancelled by the Unfeasible

Imam ‘Alī is quoted as saying: “The feasible is not cancelled by the unfeasible” (*al-maysūr lā-yasquṭ bi-l-ma’sūr*) and “What cannot be fulfilled in its entirety should not be left entirely” (*mā lā-yudrak kulluh lā-yutrak kulluh*) (Narāqī 1996, 261). According to this principle, an individual cannot abandon the feasible part of a duty simply because another part of it is not feasible. Therefore, infeasibility alone does not justify abandoning procreation. Instead, an individual should have children to the extent that no undue difficulty arises. This principle emphasizes that one should fulfill the part of the duty that is feasible, and there is no rational excuse for abandoning it to the extent that it is feasible.

J. Negation of Difficulty and Hardship

According to a jurisprudential principle, Islam does not recognize “difficulty and hardship” (*‘usr wa-ḥaraj*). Muslim jurists define difficulty and hardship as a level of distress that is typically unbearable for individuals (Shobeiri Zanjani 2007, 156). It is important to note that “unbearability” is a commonsensical concept. Makarem Shirazi holds that coitus interruptus is permissible with the spouse's consent unless the wife experiences “difficulty and hardship” due to the lack of a child (Aliei 2005, 159). Therefore, if restrictions on childbearing cause extreme hardship for one spouse, the other spouse should not refuse to have a child, as there is no difficulty and hardship in Islam (Āshtiyānī 2004, 255).

This implies that the husband does not have an absolute right to restrict or control procreation. Given the established desirability of childbearing, if a wife experiences trouble and hardship due to her husband's sterility, she may seek permission for divorce from the court. Additionally, when there is a conflict between “hardship” and “harm,” priority should be given to the more significant of the two (Husayni Shirazi 2000, 32).

K. Necessities and Emergency Conditions

In emergency situations, such as treating sterility and infertility as individual and social necessities, the prohibition against looking at or touching a non-mahram is lifted. Additionally, using a stranger’s sperm to address sterility is permitted under the principle that “necessities override prohibitions” (*al-darūrāt tubīḥ al-maḥzūrāt*) (Rahmani Menshadi 2008, 180-81). Thus, necessities and emergency conditions can render prohibitions permissible to varying degrees (Rashti 1904, 42). Moreover, any ruling deeming such actions impermissible must be supported by explicit religious texts or conclusive evidence. Experts argue that population growth is a necessity in our time and age. While offspring proliferation is not considered a religious obligation, in regions where demographic changes negatively impact Muslims or Shias, population control programs should be reconsidered (Makarem Shirazi 2008, 73).

L. With the Obstacle Gone, the Prohibition Is Lifted

According to this principle, when the obstacles that rendered an action prohibited or forbidden are removed, the action ceases to be forbidden. In recent years, one obstacle to population growth in Iran was the lack of adequate conditions for quality care of the existing generation and the nascent

state of the Islamic Republic of Iran's system. With these obstacles now resolved and the system well-established, population growth no longer weakens the system but instead strengthens it. Consequently, with these barriers removed, population growth is no longer considered forbidden but is permissible, and even obligatory, in certain circumstances.

M. Forbiddance of Disrupting the Order

Maintaining social order within Islamic society is considered a necessity by all Muslim jurists, both based on Islamic texts and as a rational principle. They regard the prohibition of disrupting social order as taking precedence over all other Islamic rulings and regulations. Consequently, if an Islamic ruling disrupts social order, it will be canceled and revoked (Amid Zanjani 2000, 2:160).

According to demographers, Iran has currently entered the stage of an aging population, with 8.2 percent of its population being elderly. Without appropriate preparations and arrangements, Iran may face a crisis due to this aging trend. A reduced population growth rate disrupts the balance between the working-age and aging populations. Additionally, an aging population can negatively impact the economy, leading to decreased savings and potential collapse in estate and stock markets (www.khabaronline.ir).

Furthermore, to support national security and bolster military forces, it is essential to cultivate a youthful population, as emphasized by jurists and experts. An aging population poses numerous challenges, including social and political consequences. Young individuals drive social dynamism, creativity, and progress, while older groups tend to be more conservative. The youth contribute significantly to scientific, social, and cultural advancements. A strong social bond between the population and the government is crucial for ensuring national security and effective military defense. Conversely, if population growth results in a larger working-age population without adequate job opportunities, it could lead to social unrest and potentially undermine national security (Attarzadeh 1999, 76-78).

Given the relationship between this principle and population growth, it follows that increasing offspring is considered obligatory for protecting Islam. The preservation of Islamic land and nation depends on the proliferation of the human population (Jafarian 2007, 1:199).

N. Presumption of Permissibility

The presumption of permissibility holds that one may use things about which there are doubts regarding their permissibility. Some jurists have made recourse to the principle that “everything involving permissible and impermissible things is considered permissible until you can clearly identify the impermissible elements” (Kāshānī 1983, 3) to argue that human cloning is permissible (Hekmatnia 2011, 3:90). Therefore, if human cloning and population growth serve to reinforce the Islamic system, they would be deemed permissible, and even obligatory, under secondary rulings.

The primary argument presented by jurists for the legitimacy of surrogacy is the presumption of permissibility. They assert that, from a jurisprudential perspective, there is no issue with employing this childbirth method (Makarem Shirazi 1961, 64) because this principle applies to all cases where there are doubts about subjects or their rulings, especially when the legislator remains silent on the matter. Therefore, ruling surrogacy as impermissible contradicts established principles and requires explicit religious texts or conclusive evidence.

To address the issue, Iranian legislators approved a law in 2003 concerning the donation of fetuses to infertile couples (Official Newspaper of the Islamic Republic of Iran, August 20, 2003). According to this law, if a couple presents a credible medical certificate confirming their inability

to conceive and meets the qualifications for receiving a fetus, they may jointly request a court to grant them a fetus. This legal framework facilitates population growth.

O. Exigency

An exigency (*maslahah*) is defined as something that aligns with an individual's worldly or afterlife interests, or both, resulting in the attainment of benefits or the prevention of harms (Hillī 1992, 221). While jurisprudential scholars often focus on specific issues, they may err by applying micro-level perspectives to macro-level problems. Determining the more significant exigency regarding population increase or decrease at a macro level is a matter for governmental authority and the guardian jurist.

As noted in the preceding sections, restricting offspring is often discussed at the micro level as family planning and at the macro level as population or birth control. Jurists consider family planning permissible as long as the chosen contraceptive method does not involve any illegitimate actions. However, population control at the macro level carries extensive political, security, social, economic, health, moral, and even doctrinal implications (<http://farsi.khamenei.ir>).

Therefore, in cases of conflicting jurisprudential rulings, the one with the greater exigency at the macro level should be prioritized. A jurist responsible for deriving political jurisprudential rulings must evaluate the benefits and harms at the macro level and make a decision based on this comparison (Zibaenejad 2012, 501).

Experts argue that, at present, restricting offspring at the macro level is detrimental. Government policies and development models should promote population growth to preserve the system, maximize benefits, and prevent harms. Increasing the number of Muslims and reinforcing their strength and influence are considered crucial exigencies (Sabzawārī 1992, 11:45). Having only one or a few children can impact their identity as well. In smaller families, there are fewer familial interactions compared to larger families, and children in smaller families often spend more time on social media (<http://mehrkhane.com>). This increases the likelihood that their identities will be shaped by modern media influences. Therefore, one way to protect the Islamic system and preserve Islamic identity is by enhancing familial relationships through increased offspring.

Given the demands of the time, place, and societal exigencies, the Islamic government may intervene in issues such as population increase or decrease through its directives. Notably, Imam Khomeini believed that birth control should align with governmental decisions (Khomeini 1999, 4:39), and the Supreme Leader currently views population growth as a significant exigency.

Conclusion

1. Considering Quranic verses and hadiths concerning population and procreation, it can be inferred that these sources assign an inherent desirability to procreation and the proliferation of future generations for Muslims. By inherent or natural desirability, we mean its value regardless of the political and social contexts in which individuals live. This desirability originates from human spiritual and supernatural dimensions. Consequently, given the inherent, authentic, and spiritual objective of expanding the Muslim population and Islamic community, and considering the Islamic doctrines on the spiritual and worldly benefits of population growth, it should be prioritized unless overridden by specific demands.

2. Based on population-related doctrines in the Quran and hadiths—including encouragement of timely marriage, discouragement of remaining unmarried, approval of facilitating marriage, emphasis on the innate human attachment to children, and the recommendation for both quantitative and qualitative population growth—it can be concluded that the intellectual and

strategic framework of population in Islam focuses on increasing both the number and quality of the population. This objective aims to empower the Islamic community and promote the growth of the followers of the right religion.

3. Considerable evidence from Quranic verses and hadiths suggests that, despite the inherent desirability of population increase, Islam does not merely advocate for quantitative growth. Rather, both qualitative and quantitative enhancements should be promoted. According to Islamic doctrines, increasing the Muslim population is desirable only when the population is righteous, competent, and committed to human and religious values. To achieve both quantitative and qualitative expansion of the Islamic community, appropriate policies and programs must be implemented. Conversely, a sole focus on the quality and spiritual and physical needs of children may lead to limitations in procreation.

4. It should be acknowledged that the sensitive issue of population and birth control is neither purely individual nor solely social, and thus cannot be left entirely to families or governments. Instead, the ruling political system should thoroughly analyze the matter and make informed decisions. Subsequently, proper interaction between the political system and citizens should be established, involving the dissemination of information and encouragement to families. Ultimately, the final decision should be left to families, taking their specific conditions into account.

5. In circumstances where increasing births can enhance the worldly glory and power of Muslims, it should be prioritized according to both reason and religious principles. In some cases, this may even be deemed obligatory as a secondary ruling through government orders.

Policy Recommendations

1. Entities responsible for population policies should make the necessary arrangements to facilitate marriage among younger generations, lower the marriage age, and strengthen family structures.

2. The desired fertility rate should be increased in line with religious doctrines.

3. Policies, programs, laws, and regulations to support and encourage an appropriate fertility rate should be established or revitalized and implemented. Additionally, policies that promote reduced fertility rates, as seen in some marriage counseling centers, should be revoked.

4. Entities responsible for promoting culture, such as national television, radio, and the press, should work to reshape the perspectives of both officials and the public on the benefits of procreation.

5. The Islamic-Iranian lifestyle should be promoted, with a particular focus on aligning women's social, educational, and professional activities with Islamic criteria and family interests. This approach ensures that women can fulfill their roles as mothers and spouses effectively.

6. The motto "More Children, Better Future" should be actively promoted and encouraged.

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