

Human Organ Transplantation in the light of Islam

*Mahmood Ahmad

** Dr. Zahoorulloah Azhari

ABSTRACT:

Organ transplantation and organ donation are an urgent problem of our time. This was done in different ways. The medical field introduces new treatments, including organ transplantation and service to humanity. It is allowed to donate organs both in Judaism and Christianity. What is allowed in the Islamic perspective, transplantation and organ donation only if they follow the goals of Islamic sharia? The human body has the honor and dignity that must be preserved in every movement of life. In the case of organ transplants, if it leads to the destruction of a human being and the violation of his honor or paves the way for the abduction, which offers immorality, and in these circumstances, it should not be done. Organ donation and transplantation will be beneficial, under the supervision of a qualified transplant team. In this article, the permissibility of organ transplantation in the light of Islam has been discussed.

Keywords: organ transplantation, death, consent process, transplant rejection, xenotransplantation, organ trafficking, Organ donation in Islamic Perspective.

Organ Transplantation:

Transplantation is one of the most challenging areas of modern treatment. Grafting and organ transplantation is an important issue nowadays. Amazing advancements have been made in the field of surgery and if an organ fails to work properly, surgeons transplant another organ from a living or dead person in order to save the life of that individual. All the vital organs such as the heart, kidneys, and liver can be successfully transplanted.

Definition: It is a surgical replacement of the defective organ by another healthy human organ¹.

Organs that can be transplanted include: i) Liver, ii) Lungs, iii) Heart, iv) Pancreas, v) Thymus, vi) Kidneys, vii) Penis, viii) bowel, ix) vagina, xi) uterus, xii) Trachea.

Tissues that can be transplanted include: a) Bones, b) Tendons, c) Veins, d) Cornea, e) Heart valves, f) Arms, g) Skin. etc.

The most commonly transplanted organs in the world are kidneys.²

Types of Organ Transplant: There are four types of organ transplants:

Autograft: A tissue or organ that has been removed from one part of the same person and transplanted onto another location in the same individual.

*Research Scholar, Department of Islamic Studies, the University of Lahore, Lahore.

Email: drmahmood219@gmail.com

**Associate Professor, Department of Islamic Studies, the University of Lahore, Lahore.

Isograft: Having same genetic structure, an organ or tissue is taken for transplantation.

Allograft (homograft): Tissue or organ taken from one person placed on a genetically dissimilar member of the same species.

Xenograft (heterograft): Tissue or organ taken from an animal to a human being.³

Definition of Death, Consent Process and Organ Donation:

Definition of Death:

It is the cessation of all vital functions of the body, including heartbeat, respiration and brain activity.

“Death is defined as the end of life; permanent cessation of vital bodily functions that manifest in humans through loss of heartbeat, lack of spontaneous breathing, and brain death.”⁴

The Consent process:

Before the organ is taken from the donor, his willingness/consent is accepted earlier. There are two types of approval processes.

i. Explicit consent: is that a donor gives direct consent through proper registration.⁵

ii. Presumed consent is the direct approval of the donor for donating any organ. It is assumed that donation would have been allowed by the donor.⁶

Organ donation:

It is the donation of a human organ to a recipient in need of a transplant. Organs can be donated for transplantation before accepting donor's approval as well as his/her nearest relative and declaring the brain death of the donor.⁷

Types of Organ Donation:

There are two types of organ donation

1. Cadaveric organ donation: Donation of deceased organs from a donor after death to be transplanted to other persons (recipients).

2. Living organ donation: Acquiring organs for transplantation from a person who is alive for instance donation of one kidney or a piece of liver.^{8,9}

Transplant Rejection:

It is the procedure in which a recipient's immune system does not accept the transplanted organ. It has **three** types.

1. Hyperacute rejection (HAR):

It occurs a few minutes after the transplant. This type of error manifests itself when the recipient receives an incorrect blood type.

2. Acute rejection: The time of occurrence of this type starts at any time from the first week up to three months.

3. Chronic rejection:

It takes a long time and can take place after many years of transplantation.¹⁰

Xenotransplantation:

It is the transplantation from one species to another (for example, from a baboon or pig to a human).¹¹

Disadvantages of Xenotransplantation

After Xenotransplantation there are some disadvantages like chances of xenosis. It is the transmission of infections by the transplantation of animal tissues or organs¹². In addition, another disadvantage is the average age of the organs of animals is shorter than of human beings, therefore, recipient's survival rate is very low and most of the recipients die within less than two years.

Organ trafficking:

"Trafficking is the practice of selling organs for transplant."¹³

There is a topic closely related to organ trafficking, which is known as "Human Trafficking" is also narrated as under:

Trafficking in human being is defined as the transportation, recruitment, transfer and reception of persons through the use of force or divorce, fraud or abduction.¹⁴

Causes of Trafficking?

Poverty is the main factor. Besides poverty, other causes of trafficking include violence like internal conflict and war, lack of human rights, civil unrest, ethnic minorities, hill tribes, refugees, illegal migrants, a general lack of opportunity and people with low levels of education etc.¹⁵

The Proposed Solution:

There are many authoritative theories to combat organ trafficking.

- a). Proper Legislation is one of the most important way to combat trafficking.
- b). the enacting of heavy punishments against slavers and human traffickers.
- c). the application of existing laws is also an important means of combating trafficking.
- d). International cooperation seems key to fighting against human trafficking.
- e). Education is viewed by some experts as the best way to fight human trafficking.

All women and children should receive educational opportunities.¹⁶

Organ Donation in Islamic Perspective:

Regarding Organ Donation, there is nothing clearly mentioned in the Holy Quran and Hadith but the Islamic Scholars opined and issued Fatawa keeping in view the Holy Quran and Hadith. There are two opinions on this issue. In the First opinion, the first group of scholars is of the opinion that organ transplant is not permissible (i.e. haram). In the Second opinion, the second group of scholars is of the opinion that organ transplant is permissible (i.e. allowed). Opinions of both groups are briefly stated as under

Different Fatawa for Non Permissibility of Organ Donation**Fatwa of Darul Uloom Deoband India:**

Question: Whether Donation of a human organ to save the life of relative or any human being is permissible in Islam.

Answer No: 4578, Fatwa: 1138/982=B/1429

“None is the owner of his life and parts of the body, therefore neither can he sell it nor can gift to anyone. Such dealings are wrong and invalid.” Allah knows Best!¹⁷

Darul Ifta, Darul Uloom Deoband.

17.http://www.darulifta-deoband.com/home/en/Sawm-Fasting/4578

Fatwa Darulifta Jamia Binoria Karachi

Fatwa No: 38929, **Dated** 07-01-2008

الجامعة الإسلامية العالمية

مجلس إفتاء - ١٠٦٩٨ كراچی پاکستان

©E-Mail: darulifta@gmail.com ©Web: www.jamia-binoria.net ©Ph: 0092-212560300-400 ©Fax: 92-21-2564586

دارالافتاء والقضاء

Name :> Sikandar Hayat

Address :> Oslo, Norway

Subject :> donatuon

Writer :> عبدالحمید

Serial No :> 4688

Fatwa No :> 38929

Date :> 7/1/2008

Email :>

Please explains about the donatuons of human body part to the others some else
Islam ki roshni mein tafsili wajahat.

محترم جناب مفتی صاحب
الہدایہ انسانی اعضاء کو عطیہ نہ ہمارے میں اسلام کی روشنی میں

وضاحت فرمائیے

- مکند حیات اوسلو نوروے

الجواب حامداً ومصلحاً

اللہ تعالیٰ نے انسان کو مخلوق کا شان بنایا ہے یہ تمام مخلوقات کا استعمال کرنے والا ہے خود اس کے اعضاء و اجزاء کا استعمال اس کی اپاہت اور تخلیق کا اثرات کے منشا کے خلاف ہے۔ نیز یہ بھی جانتا ہے کہ انسان کے اعضاء و اجزاء انسان کی اپاہت ملکیت نہیں ہیں جن میں وہ مالکانہ تصرفات کر کے کسی لئے ایک انسان کو جان یا اپنے اعضاء و اجزاء کو نہ بیچ نہ کھانے کی چیز کو نہ ہر دوسرے کے طور پر دے لکھتا ہے اور نہ ان چیزوں کو اپنے اختیار سے ہلاک و ضائع کر سکتا ہے۔ لہذا اپنے اعضاء کو کسی بھی دوسرے شخص کو عطیہ کرنے یا ان میں قطع و برید سے اجتناب لازم ہے۔

فی العالمگیریہ :- الانتفاع باجزاء الانسان لم یجوز قبل المباحة وقيل للكلامة هو الصحيح كذا في جواهر الاصلاح - - - واذا كان من اجل حاجة يک المعالجة بعظم الخیر والایمان لانه یجوز الانتفاع به کذا فی الکبری (ج ٢ - ص ٥٤٥)

وفی البزازیة :- خاف الملائکة ان یتال لمّا اشرطت علیہ وکلمه المصلی له ذلک لان لم الانسان لا یباح حال الاضطرار کل منته (الکلی)

واللہ اعلم بالصواب
احقر عبدالحمید عفی عنہ
دارالافتاء الجامعہ البینریہ
٣٠ رجب المرجب ١٤٢٩ھ



The original text of the answer is in the Urdu language which is translated and summarized into the English language.

Fatwa No: 38929, **Dated** 07-01-2008.

“The use of human organ for transplantation is the disgrace of human being because a human being is not the owner of his body organs therefore neither he can sale his organs nor donate or destroy his organs so donation of organs be avoided.” [References from Fatawa Alamgiriya Volume 5 Page 354 and Al-Bazazia

6/366 are also quoted.].Abdul Majid/ Abdullah Shaukat, Darulifta Jamia Binoria Karachi.¹⁸

Fatwa: Mufti Saifur Rahman Sahib of the U.K.

“The principle rule in Islam is that it is not permissible. However, in extreme circumstances where the life of a person depends on it, the scholars differ. Currently, there is no unanimous decision amongst the scholars. Therefore, while there is doubt in this situation, it is best to take the safer opinion which is that it is not permissible.”¹⁹

Views of Allama Ghulam Rasul Saeedi, Karachi

Organ transplantation on the basis of dire need is disallowed. It is incorrect that in case of dire need, treatment from haram (forbidden) is permissible for saving the lives of human beings. Because a donor is not the owner of his organs and insulting the dignity of human being, therefore, the Islamic Scholars has forbidden treatment from human organs. In my opinion organ donation is not allowed.²⁰

Allama Saeedi states in Tibyan ul Quran that the curse of Allah Almighty on upon those who transplant the human organs for any kind of disease which Islamic Scholars has declared haram (forbidden). As the transplanting of human hairs is not allowed therefore the transplanting of human organs are not permissible and haram, although the artificial organ transplantation of Gold is allowed.²¹

Views of Maulana Tajuddin, Darul Uloom Siddiquia, Mysore, India.

The issue of transplantation has three dimensions, namely:

- a) The organs of animal origin may be used under compelling circumstances if both the (makul-al-laham) and (ghair makulal- laham) are from a non-slaughterable source and the person, who is going to die, then there is no harm in using such an organ.
- b) There is no hindrance from the Shariah in using any part or organ of one's own body somewhere else on the same body.
- c) The third dimension of the issue, which has rather become controversial, is whether one person's organ could be used for the treatment of another person or not. For resolving this issue, it is necessary to keep eyes on the various justifications of Jurists regarding human organs. Some of them have an opinion as regards human dignity that this emanates from the common practice, customs, and human attitude. In my opinion, it is not correct. Rather, the Muslim jurists have mentioned human dignity as a justification while forbidding trading of human organs. Therefore, the justification for non-usability of human organs has been due to human dignity and specialty.

The use of dead person's organ is not permissible as has been mentioned in various narrations from the Prophet (peace is upon him). For instance; “The breaking of a bone of a dead person is tantamount to that of a living one.” In the light of the above arguments the use of any part of a dead human body is not

permitted for any use and if a person has passed away after making some will in this regard then such a will would be declared unacceptable and void.²²

Different Fatawa/Views for Permissibility of Organ Donation

Fatwa of Darul Ifta al-Misiriyyah(Egypt) Fatwa No:192235 Dated:11-10-2016

A Summary of the last paragraph is given below:

“Organ Transplants from living donors are permissible when a patient suffers health deterioration and there must be a perceived benefit to the recipient. It must be medically assured that the transplant will not any time harm the donor. The procedure must be free of any financial benefit and it must not lead to confusion regarding ones lineage. Cadaveric transplants are only permissible after brain death and the deceased donor must have made an express wish during his life time. It is prohibited to transplant reproductive organs. Guidelines must be set down to regulate equal opportunities for the rich and poor alike.”²³

Views of Muhammad Nimatullah Azami, et al, India, ruling on organ donation:

Maulana Muhammad Nimatullah Azami et al write their book “Jadid Faqhi Massail” in the Chapter of Organ Transplantation about their views on Organ Transplantation in Islamic perspective which are summarized as under:²⁴

- 1). If any human organ of a person has failed its function and needs replacement with another person’s human organ for this purpose;
 - a) Use of Non-animal products.
 - b) Use of organs of Halal animals, who’s eating is allowed if slaughtered properly on Islamic rights.
 - c) If there is a danger of patient’s life or danger of damaging of an organ of a patient and the desired organ is only available in those animals which are forbidden (haram) in Islam or even halal (not forbidden) but they are not slaughtered at Islamic rights. In this case, the organs of non slaughtered animals are allowed. If there is no severe danger of life of a patient then swine’s organs are not permissible.
- 2) Autograft is allowed i.e., transplantation of the organ of the same individual from his own organ.
- 3) Sale of human organs is not allowed (haram).
- 4) If the organ of any patient has failed its function/damaged and the patient will die if his organ is not transplanted by another healthy organ, and there is no replacement except human organ.
- 5) If a healthy individual desire to donate his one kidney to his relative who is dying with kidney failure and there is no alternative treatment to save the life of a patient then in this situation the organ donation is allowed.
- 6) If anybody expresses his willingness of organ donation that his organs can be transplanted to the desired one after his death, but this willingness is not valid in the light of Shariah (Islamic ruling).

Note: Maulana Burhan –ud- Din Sanbhli is not agreed with Serial No.4 & 5.²⁵

Fatwa issued by Dr. M.Yusuf Qaradhwai:

“Someone who wishes to donate a kidney is allowed to do so in shariah. In fact, it is considered to be a good act and the donor will be duly rewarded. This is based on a Prophetic tradition in which the Prophet (PBUH) is reported to have said that those who show kindness on earth will receive God’s mercy and kindness. On this, I am of the opinion that there is no prohibition from donating an organ or body part to someone who needs it to cure him/her of a disease. This is considered to be a continual donation, and the reward for the donor continues.”²⁶

Further Dr. M.Yousaf Qarzawi et al state in monthly Al-Haq, which is translated and summarized as under donating organs is charity. Organs can be donated to both Muslims and Non- Muslims conditionally, but sale and purchase of human organs are disallowed.

As regards the reference of Hadith of breaking bones of the dead body is like breaking bones of alive. Actually, it means that the dead body should not be disfigured (muslah) and organs of the dead body can be used for living patient.²⁷

Fatwa granted by Highest Council of Scholars, Riyadh, Saudi Arabia:

“It is allowed to transfer organs from a deceased to another person. Live organ donation is also allowed in case of urgent need.”²⁸

Views of Allama Badar ud Din Aini:

According to the summary of his views, when a person has a right for using halal and haram when there is no treatment for saving his life except using of haram then in this condition that treatment is not haram in shariah as the dead is not considered haram in case of dire need for saving a life.²⁹ Similarly urine is haram but Holy Prophet (PBUH) advised some patients to use a combination of milk of she-camels and their urine for treatment they took and cured.³⁰ Urine is haram but in case of dire need, it can be used as a treatment in Shariah like this another example is of using golden artificial nose by Hazrat Arfaja (r.a).

Fatawa of the Grand Ayatollah Makarem Shirazi:

“It is permissible, given that all necessary conditions are met.”³¹

Fatwa of Malay institute regarding the permissibility of tissue graft:

“It is permissible to use the tissue graft in the medical practice for medical purposes solely and the use of the tissues graft must not be misused by other purposes such as business transactions.”³²

Views by Sheikh Saeed Ahmad Kutty, Director of the Islamic Center and the Islamic Foundation, Toronto, Canada.

Sheikh Saeed Ahmad Kutty answers my question about organ donation from the Islamic perspective with these words.

Question: Please inform about the views on organ donation in the Islamic perspective as well as intimate about the permissibility of donating of reproductive

organs in Islam. Ahmad Mahmood 26.10.2016

Answer: Let me quote one of my earlier replies:

"The donation of organs is allowed in Islam if it happens within the limits set by the Shariah." There are some conditions for organ donation." Conditions for a Living Donor: He/she can make the right decision himself/herself.

2. The living donor should be an adult and not less than twenty-one years.

3. The organ donation should be performed without external pressure.

4. The donation of a vital organ is not allowed.

5. The transplantation of sex organs is prohibited.

Conditions regarding dead donors:

1. It is necessary to accept the free consent of the donor before he/she dies.

2. If the donor has not given his consent before his death, the consent of the deceased's next of kin can be granted.

3. It will definitely be an organ or tissue that, has decided for saving the life of a recipient.

4. The donor's organs should be removed after confirming his death.

5. Authorities may also be picked up by unidentified persons involved in traffic accidents, but it must be done only following the fair justice. [33]

Views of Dr. Amjad regarding organ donation in the light of Holy Quran

Dr. Amjad, writes an article in an Arabic Journal on the topic of organ donation which is translated and summarized as under:

"It is saying in the Holy Quran that prohibited (haram) is allowed at the time of necessity of life saving of human being. The Holy Quran says:

إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخِنْزِيرِ وَمَا أُبِلَ بِهِ لِعَیْرِ اللَّهِ فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ³⁴

"He has forbidden you only the dead animals, and blood, and the flesh of swine, and that which is slaughtered as a sacrifice for other than Allah. But if one is forced by necessity without willful disobedience and not transgressing due limits, then there is no sin on him. Truly, Allah is Oft-Forgiving, Most Merciful."

يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ³⁵

"Allah intends for you ease and He does not want to make things difficult for you."

فَمَنْ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ³⁶

"But as for him who is forced by severe hunger, with no inclination to sin (such can eat the forbidden meat), then surely, Allah is Oft-Forgiving, Most Merciful."

وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرَرْتُمْ إِلَيْهِ³⁷

"Which He has explained to you in detail which is forbidden to you, except under compulsion of necessity?

وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا³⁸

"And if anyone saved a life, it would be as if he saved the life of all."

مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ³⁹

“Allah does not want to place you in difficulty.”

وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ-----⁴⁰

“And He has not laid down you in religion any hardship (religion is very easy).”

As per above-quoted verses of Holy Quran, it is very clear that forbidden things (haram) are allowed in the necessity for life-saving. There is no doubt that human body is sacred and human being has bestowed dignity by the Allah Almighty. Therefore human body organs should be prohibited for transplantation. But if a patient is dying due to non-availability of organ, then organ can be transplanted if available under the act of necessity to save the life of human being. Because Allah intends for our ease and He does not want to make things difficult for us. Organ Donation is an act of charity, kindness, mercy and giving relief to the mankind. There is no doubt that transplantation of human body (organ) is haram but allowed in case of necessity “dharura” for saving the lives of humanity. If a patient is dying due to non-availability of the organ when an organ is donated then the patient’s life is saved it is as given Noor to the eyes. The Shariah favors this issue.”⁴¹

Permissibility of Organ Donation in the light of Ahadith:

In this regard some Ahadith of the Holy Prophet (PBUH) are presented as under:

“عن جابر قال قال رسول الله صلى الله عليه وسلم من استطاع منكم ان ينفع اخاه فليفعل”⁴²

It is narrated by Hazrat Jabir (r.a) that Prophet Muhammad (PBUH) said: “Be beneficiary to your brother and do this act”.

“الناس ينفع من الناس خير”⁴³

is who, who is beneficiary to the mankind (the people).”

In the said ahadith the Prophet (PBUH) says that grant benefit to the mankind.

Donating human organ is also a kind of benefit.

عن انس قال: رخص رسول الله ﷺ للزبير بن عوام وعبدالرحمن في لبس الحرير الحكة كانت بهما⁴⁴

“It is narrated by Hazrat Ans (r.a) that Holy Prophet Muhammad (PBUH) allowed wearing of silk clothes Hazrat Zubair and Abdul Rahman bin Auf (r.a) in skin allergy.”

Muslims are normally not allowed to use silk as it is haram. The Holy Prophet (PBUH) has allowed wearing silk clothes to the two companions who were suffering from skin diseases. Although silk is haram, the Holy Prophet (PBUH) allowed the same in necessity.

In another Hadith, an English translation of the Hadith is stated. Prophet (pbuh) says: “Allah Almighty has chosen Me Messenger for simplicity, not for hardships”⁴⁵

Saying of Fiq Scholar:

Ibn Abidin, a famous Fiq Scholar writes in his book Rad ul Mukhtar about delivering fetus (baby) from dead gravida. A summary is presented. A pregnant lady died to have a viable fetus in her abdomen. The opening of the abdomen of a dead body is prohibited. But in this case, there is a question of saving life of a

baby who is alive in the abdomen of the deceased. In this situation, an incision is given in the abdomen and opening the uterus of the dead body very soon after the death of the pregnant women for delivering a live baby. Though opening the abdomen of a deceased is haram and it is mutilation of the body but according to Ibn Abidin, it is allowed to save a life of a baby.⁴⁶

Fatwa of Senior Ulama Commission in the Kingdom of Saudi Arabia:

Purport of the Senior Ulama Commission's Decision No. 99 dated 6/11/1402 H.

The board resolved the admissibility to remove an organ or a part. Thereof from a Muslim or thimmy living person and grafting it on himself, in case of a dire need. There should be no harm in the removal and the transplantation might be successful. The Council decided by a majority of votes:

- a. The permissibility of the removal of an organ or a part, from a cadaver for the benefit of a Muslim, if necessary. There is no dissatisfaction when the transplant is successful.
- b. Permission for the living persons to donate one of their organs or a part for the benefit of a Muslim who needs this. Senior Ulama Commission.⁴⁷

Fatwa of Moroccan Scholar Mustafa Ben Hamza:

Fatwa of Mustafa Bin Hamza is summarized as follows in his Fatwa Mustafa Bin Hamza states that a Companion, Qatada bin al-Numan (r.a), who lost his eye during the battle. Islamic sources say that the Prophet (PBUH) miraculously replaced Qataadah's eye (RA)⁴⁸ while this is a wonderful event, Ben Hamza claims that he recognizes the permissibility of organ transplantation in principle because the miracles of the Prophet (PBUH) are not realized unlawful acts.

In the context of the concept of holiness (hurma), violation of the sanctity of human life and at the same time, the donation of its organs, the opponents cite the Prophetic tradition, which state, "The destruction of the bones of the dead is the same [serious] as destruction of the bone in his life." Therefore, no one has the right to violate this sanctity, in response to this argument, Ben Hamza said that "the removal of the human organ of another for transplantation cannot be equated with a violation of the sanctity of human life. This action is closer to altruism and the sincere desire to save the lives of others. Ben Hamza claimed that this tradition, such as an exhuming the graves for blundering them, a practice that essentially broke the bones of people who was buried as a punishment."

Regarding donation of organs between Muslims and Non-Muslims, Ben Hamza informs that Muslims want to preserve their organs for Non-Muslims but are unwilling to sacrifice their bodies for Non-Muslims. This image of Muslims living in the West proves them to be opportunists who want to accept but do not give. In addition to the religious views, Ben Hamza argued that this opinion was neither ethical nor wise. This is unethical because no society will ever agree with a group of people who will behave so selfishly. He mentions an example of treaties

between Muslims and non-Muslims. He claims a historical agreement between the Prophet (PBUH) and the people of Madina during the life of the Prophet Muhammad (PBUH), according to which Muslims and Jews have promised to protect themselves from external enemies which are known as Meesaq-e-Madina.⁴⁹ Such agreements forced Muslims to sacrifice their lives and save the lives of their Non-Muslim allies. Donate Non-Muslim authorities, especially if they do the same with Muslims. “Ben Hamza finally said that some Muslims feel uncomfortable for donating organs to non-Muslims or receiving organs from non-Muslims because they believe that Religious affiliation can affect the purity of the body. In response to these body reservations, both Muslims and non-Muslims are all equally clean (Tahir) in the physical sense of Islamic vision.”⁵⁰

Conclusion:

In the recent era, due to advancement in the medical field, artificial organs (Artificial trachea, artificial bladder, artificial lungs, Artificial Heart, Artificial kidneys, and artificial pancreas) have been discovered but they don't compete for the original one. Researchers are trying to grow other human organs from stem cells and also conducting experiments forming alternate of human blood. Moreover, xenotransplantation is being conducted but this type of transplantation has very serious side effects of animal virus (PERVs) and further it has a shorter life-span of the organ of the animal, therefore it is not very successful. Using artificial organs and transplanting animals' organs to the human being is not as beneficial as human body organs. As regard organ donation, it is permissible in the light of Quranic verse 32 of Surah Al Maaida, mentioned above and Hadith of “Kanzul ammal,” Hadith No.44154 as already mentioned again quoted below:

خير الناس من ينفع الناس⁵¹

“(Amongst you) the best one is who, who is beneficiary to the mankind (the people).”

In the said Hadith the Holy Prophet (PBUH) says that grant benefit to the mankind. Donating human organ is also a kind of benefit.

There are few religious scholars of the Indo-Pak who oppose the issue of organ donation, however the majority of religious scholars of Islamic countries including Kingdom of Saudia Arabia, Egypt, Oman, Kuwait, Qatar, UAE, Malaysia, Jordan, Indonesia, Morocco, Iran etc., and Muslim scholars of the European and American countries favor and opine that organ donation is allowed in Islamic Shariah. Keeping in view the above facts, the overall conclusion is that the organ donation is allowed in Islam. Allah Almighty knows the Best!

References:

¹Ammon Curmi, “Teaching Ethics in Organ Transplantation and Tissue Donation” Haifa, Israil: UNESCO Chair in Bioethics, 2010, 4

²www.slideshare.net/hachoo/organ-transplant 21.08.2015, 04:15pst

³R. Vasanthan kumari, "Text book of Microbiology" New Delhi: BL publication, Pvt. Ltd. 54 Janpath, 2007, p166

⁴death>/31.12.2015, 9:15pst

⁵Siminoff, Laura A, Amma A. Agyemang, and Heather M. Traino."Consent to Organ Donation: A Review." Progress in Transplantation (2013): 99-104. EBSCO.Web. 29 June 2014

⁶<http://web.a.ebscohost.com/ehost/pdfviewer/pdfviewer?sid=3cec08f8-b56c-48cf-8b18-3c3e45e2a4de%40sessionmgr4003&vid=5&hid=4206>.

⁷Orentlicher, D. (January 01, 2009). Presumed Consent to Organ Donation: its rise and fall in the United States. Rutgers Law Review, 61, 2, 295.

⁸www.txocietyorg/organ%20donation.htm 01.12.2015, 23:09pst

⁹www.siut.org 01.12.2015, 23:09PST

¹⁰www.nhs.uk 31.12.2015, 22:45pst

¹¹Abbas, A., Lichtman, A. (2005) *Cellular and Molecular Immunology*, 5th ed., pp. 81, 330-333, 381, 386. Elsevier Saunders, Pennsylvania

¹²http://www.medicinenet.com/script/main/art.asp?articlekey=10727, 04/02/2016, 19:20pst

¹³Holmes GP, Chapman LE, Stewart JA, Straus SE, Hilliard JK, Davenport DS. Guidelines for the prevention and treatment of B-virus infections in exposed persons. The B virus Working Group. *Clin Infect Dis*.1995 Feb. 20(2):421-39.

¹⁴http://www.wisegeek.com/what-is-organ-trafficking.htm 21.02.2016,10:40pst

¹⁵"United Nations Convention Against Transnational There to". 23.04.2016, 21:40pst

¹⁶http://www.sndohio.org/ /What-are-the-Causes-of-Trafficking.cfm 23.04.2016, 16:20

¹⁷http://www.darulifta-deoband.com/home/en/Sawm-Fasting/4578

¹⁸http://www.jamiabinoria.net/efatawa/01-11-2009/4688.htm12.10.2016, 10:50 PST

¹⁹http://www.islamopediaonline.org/fatwa/mufti-saifur-rahman-sahib-uk-responds-query-uk-responds-query-what-islamic-ruling-organ-donation.

²⁰Allama Ghulam Rasul Saeedi, "Sharah Sahih Muslim," V: 2, p. 856,863

²¹Allama Ghulam Rasul Saeedi, "Tibyan ul Quran (Tafseer)," p.161

²²Mujahidul Islam Qasmi, Qazi, "Contemporary Medical Issues In Islamic Jurisprudence"161-F, Jogabai Extension, Jamia Nagar, New Delhi, India,Second Edition,2006, pp 66-67

²³Fatwa Council Dar al Ifta Missiriyyah.http://dar-alifta.org/Foreign/f.aspx?ID=192235

²⁴Maulana Muhammad Nimatullah Azami, et al, "Jadid Faqhi Massail", 2012, pp.207-208

²⁵Second Faqhi Seminar Delhi, 8-11 December1989

²⁶Dr. Yousuf Al-Qaradhwai, "Fataawa Mu'asarah," pp. 532,537

²⁷Dr. M.Yousaf Qarzawi et al, "Al-Haq" January 1990

²⁸A Decision of the scholars in the Highest Council of Scholars in Riyadh, Saudi Arabia. Please see decision no. 99, 6 Zulqaedah 1402H

²⁹Allama Badar ud Din Aini, "Umdat ul Qari" 155/3, 1348H

³⁰Imam Abdullah Bukhari, "Sahih Bukhari," 36/1, 1381H

- ³¹<http://islam.stackexchange.com/questions/24609/is-it-permissible-to-donate-ones-body-organs>
- ³²<http://www.islamopediaonline.org/fatwa/are-tissue-grafts-permissible-islam>
- ³³<http://www.askthescholar.com/AskTheScholar2.aspx?q=4246314.02,2017,18:45pst>
- ³⁴Surah Al Maaida, V: 173
- ³⁵Sura Al Baqra, V: 185
- ³⁶Sura Al Maaida, V: 3
- ³⁷Surah Al Innam, V: 119
- ³⁸Sura Al Maaida, V: 32
- ³⁹Sura Al Maaida V: 6
- ⁴⁰Sura Al Haj, V: 78
- ⁴¹Dr. Amjad, "Saying of Jurists for Human Organ Transplantation" (Journal of Islamic Sciences), Iraq: College of Islamic Sciences, University of Falluja, 2009. pp. 343-396
- ⁴²Sahih Muslim, 4/1726
- ⁴³Allama Alaaud Din Ali Almutaqi, "Kanzul ammal," Lebanon: Mosisa Al-risala, Shara Sauria S.B,117460, Beirut,1399-H,Vol-16, Hadith No: 44154,
- ⁴⁴Sahih Muslim, 3/1646
- ⁴⁵Imam Muhammad Ismail, Sahih Bukhari, Vol-1, No: 35
- ⁴⁶Ibn Abidin, "Rad ul Mukhtar,"Lebnon: Darul Fikar Bairut, 1979, 1/628
- ⁴⁷Directory of the Regulations of Organ Transplantation in the Kingdom of Saudi Arabia, The Minister of Health, President of Saudi Health Council, Ministerial Resolution: No. 154219 Dated 06/05/1434, 2nd Edition, 2014, p.64
- ⁴⁸Suhaili, Abul Qasim Abdul Rahman Al-Suhaili, "*Al Rozat Al Anaf*,"Lebanon: Dar Ahyaut Turat al Arabi Beirut, 2010.Suhaili, Vol: 5, p.445
- ⁴⁹Safi ur Rahman Mubarikpuri,"*Rahiq al Makhtoom*"Lebanon: Dar ul Wafa al Tabaah wal Nashar wal Tauzia Beirut, 2010, p.36
- ⁵⁰M. Ben Hamza, The removal of human organs, A paper submitted to the conference "Islam and organ donation", held on 28 January 2006, Driebergen, the Netherlands, 2006, p.11-13
- ⁵¹Op. cit., Allama Alaaud Din Ali Almutaqi, "Kanzul ammal,"



This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).