Fatwa No. A 18/56

Q. What do Islamic scholars say about the following matter?

1) In modern times diseases causing impairment of eye sight, heart, liver, kidney and other parts of the body adversely affect health and have profound impact on life of the individual and the family. To medically treat these cases the affected person is given donated parts of the body for transplantation. So is it acceptable for that man to get a body part by a donor for transplantation?

2) Can we donate our body parts such as kidneys, liver, heart, skin, bones or whatever may be useful to the needy?

Please answer with reference I will be very thankful to you.

Peace be upon you.

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Answer with the help of The Almighty Allah, the Giver / Donor.

It is clear that there is very importance of human life in the Islam. For saving a life Islam has permitted to use prohibited things in case of emergency as holy Quran says: "He has forbidden you only carrion, blood and the flesh of swine, also flesh that is consecrated other than in the name of Allah. But for one who is driven by necessity, neither craving nor transgressing, it is no sin. For Allah is forgiving and merciful" (Al_Baqarah 173).
In the same way there is a story of a follower of Muhammad (Allah's blessing and peace be upon him) whose nose had been affected in a battle, then messenger of Allah (Allah's blessing and peace be upon him) allowed him to use golden nose while prophet (Allah's blessing and peace be upon him) has already declared that gold is unlawful for Muslim man. For more details, see Abduaud chap. Khatam (the ring)

Islam has emphasized on the belief that owner of life, death, illness and health is the lord of universe, and He has allowed permissible ways and medicines and He has guided them toward it, so that human's life and health could be saved in most possible ways, as it is narrated in Hadith: "there is cure for all diseases" it means all diseases have treatment except death

So in this case when a person is advised by expert doctors for transplantation in case there is no cure for him. In this condition transplantation is right/permissible. It is Fatwa of almost all Islamic scholars of the nation, Specially Arab's great Islamic scholars who are in favour of its legality. Although viewing at human's life, respect and security it has some rules and conditions. Following these rules and conditions are very necessary. These are:

1. Live donations: Donation of an organ during one's life is "Permissible clearly."
   Provided the recipient will have benefits with no harm to DONOR.

2. Donations after Death:
   Permissible - provided that the deceased has clearly desired about organ donation in his/her life time and in the absence of which the relatives consent for it...

3. Donation / receiving of organs is irrespective of Faith: God has given the same earth to live and share ...so same implies with organs.

4. Forbidden is no buying or selling of organs under any circumstances - it is Haraam.

5. Care of the dead body after organ donation:
The surgical sites must be appropriately dressed with no unsightly signs that appear to distress the relatives of the deceased.

So after confirmation of a person's death his eyes or organs could be given to another needy person when it is hoped that his operation will be successful and this lawfulness is on the base of a famous fiqhi rule that is between two advantages the most advantageous is selected and between two disadvantages the less advantageous is accepted further the alive person's interest is preferred to the dead person's interest. After operation it is hoped that the alive man after losing his vision will begin to see and he will take advantage from correction of his vision and others will take advantage from him and the dead person whom eyes are taken will not resemble the mutlha because his eyes are kept closed and the heart also has the same manner. Although at the time of operation taking care of his privacy and respect is necessary on the other hand there is no demand of money, the matter should only be for Allah, the donor should wish reward from Allah. Indeed Allah does not waste effort of anybody.

It is what with me Allah knows more the Truth.

Fatwa given by

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