

Rulings on Organ Transplantation

This document presents a translation of the rulings of His Eminence al-Sayyid Ali al-Husayni al-Sistani (may Allah protect him) on organ transplantation as they appear in two sources:

1. The thirty-second edition of his manual of Islamic rulings known as *Tawdīh al-Masā'il* (Persian)
2. The Question and Answer section of his website (Arabic)

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1. Rulings from *Tawdīh al-Masā'il*

Ruling 2854: It is not permitted (*jā'iz*) to remove an organ, such as an eye or hand, from the body of a deceased Muslim to transplant into a living body; and if someone does so, he must pay blood money (*diyah*) and it will be obligatory (*wājib*) to bury the removed organ. However, if the organ is transplanted into and becomes part of a living body, it is not obligatory to remove it.

Ruling 2855: If the life of a Muslim depends on removing an organ from the body of a deceased Muslim, then such removal is permitted. Nevertheless, the person who removes the organ must pay blood money. Once the removed organ is transplanted into the living body, it will be considered part of that body and the laws (*aḥkām*) of a living body will apply to it.

Ruling 2856: The meaning of “dead” [and “deceased”] in these rulings is someone whose lungs and heart have completely and irreversibly stopped. As for a person who is considered brain-dead, as long as his lungs and heart continue to function – albeit with the support of a machine – he is not considered “dead”, and removal of his organs for transplanting into a living body is not permitted at all.

Ruling 2857: It is not permitted to remove something from a living body for transplanting if removing it would cause significant harm, such as the removal of an eye, hand, and suchlike. However, if it would not cause significant harm, such as removing a piece of skin, bone marrow, or kidney – in the event that the other kidney is healthy – then it is permitted as long as the person consents and is neither a child nor insane. Otherwise, it is not permitted

at all. When removing something from a body is permitted, it is also permitted to receive payment for it.

Ruling 2858: Donating blood to sick people who need it is permitted, as is receiving payment for it.

Ruling 2859: It is permitted to remove an organ from the body of a deceased disbeliever (*kāfir*) whose blood is not sacrosanct, or is of uncertain status, for transplanting into a Muslim person's body. Once the organ is transplanted, the laws of a Muslim body will apply to it as it will be considered part of the Muslim person's body. Similarly, there is no problem in transplanting an organ to a Muslim person's body from an animal that is intrinsically impure (*najis al-'ayn*), such as a dog, and the laws of a Muslim body will apply to it; and because it will be considered part of the living person's body and it will be a living organ, the laws of a Muslim body will apply to it.

2. Question and Answer from His Eminence's Website

Question: Is it permitted to transplant an organ from a deceased human in order to harvest it for sick people who need it for survival or treatment?

Answer: It is permitted to remove an organ from the body of a deceased Muslim once his lungs and heart have totally and irreversibly stopped working, but this permission only applies when the preservation of another Muslim person's life depends on it. It is not permitted in any other situation even if, based on obligatory precaution (*al-iḥtiyāt al-wājib*), the deceased had stipulated in his will that his organs may be removed for transplanting into a living body in cases when life does not depend on it.

Furthermore, when it is permitted, the remover of the organ must pay blood money to be used for the benefit of the deceased. But, if the deceased had stipulated it in his will, then paying blood money is not required.