Autopsy, Anatomical Dissection and Transplantation

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Q27. Research in heart and vascular diseases could require the physical examination of particular organs of dead people who suffered from such diseases. It is to be noted, though, that the extracted organs would be buried not later than one day or so after the examination has been carried out. Please let us know the ruling in the following matters.
1) Is it permissible if such research is carried out on the dead bodies of Muslims?
2) Is it permissible to bury the removed organs separately, i.e., not with the body they belong to?
3) Since it is rather problematic to bury the organs separately, is it permissible to bury them alongside any other dead body?

A: There is no objection to dissecting a corpse when saving a respectful life, exploring new ideas in medical science that are necessary for the society, or obtaining information regarding a disease that threatens life. However, it is obligatory not to make use of the dead body of a Muslim, where possible.
Extracted parts of the dead body of a Muslim must be buried with the same body unless burying them with the body proves difficult or unbearable. In this case, it is permissible to bury them separately or alongside another dead body.

Q28. Is it permissible to carry out a postmortem examination to determine the cause of death in doubtful cases, e.g., we do not know whether it happened due to poison, suffocation, or something else?

A: If getting to the truth hinges upon it, there is no objection to it.

Q29. What is the ruling in the matter of carrying out anatomical dissection for histological research on the body of an aborted baby, of any age, noting that the subject of dissection is very important in the curriculum of the school of medicine?

A: It is permissible to dissect the body of an aborted fetus if saving a respectful life, achieving new medical information necessary for the society, or getting more information about certain diseases that threaten life depends on it. However, where possible, one should not make use of a Muslim dead fetus which had gained a soul.

Q30. Is it permissible to remove expensive platinum pieces that had been implanted in the body of a Muslim after his death?

A: As the question goes, there is no harm in removing platinum pieces from the dead body provided that it is not considered as disrespect to the deceased.

Q31. Is it permissible to dig the graves of Muslims or non-Muslims in order to exhume the bones for training purposes in the school of medicine?

A: As to the graves of Muslims it is not permissible to do so unless there is a pressing need for the bones for medical purposes and it is impossible to obtain such bones from the graves of non-Muslims.

Q32. Is it permissible to implant hair on the head of a person who suffered burns so much so that they are put under immense psychological pressure because of it?

A: There is no harm in it in itself provided that the implanted hair is taken from an animal whose meat is ḥalāl or human hair is used.

Q33. If a person is suffering from a fatal illness and doctors say he will die soon, is it permissible to remove certain organs from his body, such as heart, kidney, etc., before he is dead so that it can be transplanted in the body of another person?

A: If the removal of the organs from the patient's body leads to his death, it amounts to murder. Otherwise, there is no objection to it provided that it is done with the person's permission.

Q34. Is it permissible to use the blood vessels of a dead person for transplantation in the body of another person who is ill?

A: There is no objection to it provided that it is done with the permission of the person in their lifetime or when saving a respectful life is contingent upon it.

Q35. Is blood money payable in the matter of using the cornea of a dead person to be transplanted in the eye of another person, noting that corneal transplant is done mostly without the permission of the deceased's guardian? Assuming that it is payable, how much should be paid for both the cornea and the eye?

A: It is ḥarām to remove the cornea from the dead body of a Muslim. Fifty dinars are payable as blood money in such a case. Should it be done with the permission of the dead person in his lifetime, there is no objection to it and paying blood money is not necessary.

Q36. During the war, a person suffered an injury in his testicles, which resulted in their removal. Is it permissible for such a person to use therapeutic hormones to keep him sexually active and preserve his virility? And should it be found necessary to restore his ability to have young, can he resort to transplantation of the testis?

A: Should the procedure be possible so that it would result in the testis becoming part of his body after cure; there is no objection to that insofar as matter of being najis or pure is concerned. Nor is there any objection to it in respect to his ability to have children and that the children are rightfully referred to him. Also, there is no harm in his using therapeutic hormones to maintain his sexual activity and preserve his manhood.

Q37. Since having a kidney transplant would improve the patient's condition considerably, there has been an intention to set up a kidney bank. This is bound to encourage people to donate or sell their kidneys willingly. Is it permissible to donate or sell one's body part by choice, whether it is a kidney or any other organ? And what is the ruling in emergency conditions?

A: There is no objection to the living mukallaf donating or selling his organs in order that the sick may make use of them provided that he will not be considerably harmed. Indeed, this becomes obligatory when it becomes the only way to save a respectful life, in case one is not going to put himself in an unbearable situation and it is not harmful for him.

Q38. Some patients suffer from irreversible brain damage which results in the disappearance of all kinds of neurological activities associated with deep coma plus inability to respire and response to all motor sensory stimulations. In such cases it is not probable at all to restore these activities and the heart could only work temporarily by itself with the aid of a respirator. This condition, which is called in medicine 'brain death' does not continue more than a few hours /days. That is on the one hand. On the other hand there are other patients whose lives can only be saved by the transplantation of organs to them being taken from those who suffer from brain death. Is the use of organs taken from such patients for this purpose permissible?

A: If the removal of the organs from the patient described in the question would precipitate his death, it is not permissible. Otherwise, if the removal of such organs is made with his prior permission, or the use of the removed organ is the only way to save a respectful life,

there is no objection to it.

Q39. I have expressed my wish to donate my organs after my death. I was told that I should make a will in this regard and inform any heirs. Have I the right to do so?

A: There is no harm in making use of a dead person's organs for transplantation in the bodies of other people in order to save their lives or treat their illnesses. There is no objection to writing this in one's will. This ruling, however, does not cover those parts of the body, whose removal could amount to muthlah of the body itself, or severing them would violate the dignity of the dead according to established the common view.

Q40. What is the view on undergoing plastic surgery?

A: There is no harm in it in itself.

Q41. We have noticed the recurrence of the use of the word "necessity" as a condition to allow the examining doctor to touch or look at the body of a woman. What does it mean and what are its limits?

A: What makes it necessary to look at or touch a woman's body is confined to what the diagnosis and treatment of the illness require. As to its limits, it is judged by the degree of the need for it.

Q42. Is it permissible for a woman doctor to touch and look at the private parts of another woman for the purpose of medical examination and diagnosis?

A: It is impermissible to do so except for necessary cases.

Q43. Is it permissible for a male doctor to touch or look at the body of a woman during examination?

A: When treatment makes it necessary for the doctor to touch and look at her body, and it is not feasible for the patient to see a woman doctor, there is no objection to it.

Q44. What is the ruling in the matter of a woman doctor looking directly at the genitals of another woman when she can carry this out indirectly, i.e., through a mirror?

A: If it is feasible to carry out the examination through the mirror and there is no need for her to look at the woman's private parts or to touch it. It is not permissible.

Q45. To take the pulse count of a patient there has to be some sort of direct contact with the body. If it is feasible for a nurse from the opposite sex to do these wearing gloves, can he/she still do it without the gloves?

A: If it is feasible to go about this with the clothes on or by wearing gloves, there is no need for direct contact, by the opposite sex, with the patient's body. It is, therefore, not permissible.

Q46. Is it permissible for the male doctor to carry out plastic surgery for a woman which entails touching and looking at her body?

A: Plastic surgery is not a treatment for an illness. Accordingly, it is not permissible to either touch or look at the body unless it is done to treat burns and the like, and it is necessary to touch the body or look at it.

Q47. Apart from her husband, is it absolutely ḥarām for anyone, including the treating doctor, to look at the genitals of a woman?

A: It is ḥarām for anyone other than the husband to look at the woman's genitals. The ban

includes the treating male/female doctor unless it is necessary on medical grounds.

Q48. Is it permissible for women to consult a male gynecologist if he is more efficient than the female gynecologists, especially when seeing the latter proves to be difficult?

A: If the examination and the treatment require ḥarām looking or touching, it is not permissible for the woman to see a male gynecologist unless it is not feasible to consult a skilled female gynecologist who may serve the purpose or it is too difficult to do so.

Q49. Is it permissible for someone to masturbate, upon a doctor's advice, for carrying out a sperm test?

A: There is no objection to it if it is intended for medical treatment, the treatment is dependent on it, and it is not possible for his wife to do it.