

Ruling Regarding Selling A Kidney For Medical Treatment Of A Patient

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What do the islamic scholars say regarding the following:
If someone does not have money for the treatment of an ill family member who is in great distress, is it permissible for him to sell his kidney in order to get the family member treated?

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الجواب بعون الملك الوهاب اللهم هداية الحق والصواب

Selling one's own kidney to finance someone else's medical treatment is not permissible even if he/she is your close family member.

The detail in this regard is as follows: one of the basic conditions of sale is this that the item being sold is "Maal" (asset/property) and human organs are not Maal. Furthermore, sale of human organs is against the human dignity as Allah Almighty has created the human race as a dignified and honorable race thus no one is permitted to sell his organs even in the worst of situations. So, we advise you, firstly, pray in the court of Allah Almighty and ask Him to grant you financial prosperity and then look for some other permissible means in order to cover the medical expenses of your sick family member.

Allah Almighty has mentioned the dignity of human race in the holy Quran as follows:

“وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْوُجُوهِ وَالْبَحْرِ وَرَمَقْنَاهُمْ مِّنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا”

Translation: Indeed, we have honored the descendants of Adam and transported them over land and sea, and gave them good things as sustenance, and made them better than most of Our creation.

(Part 15, Bani Israil, Ayat 70)

It has been stated in the book Inayah Sharah Hidayah:

”وجزاء الآدمی لیس بمال... ومالیس بمال لایجوز بیعه“

Translation: Human organ is not Maal and that which is not Maal is not allowed to be sold.

(Al-Inayah Sharah Al-Hidayah, Vol 06, Page 423, Beirut)

It has also been stated in the book Fathul Qadeer:

”ان الآدمی مکرم غیر مبتدل، فلا یجوز ان یکون شیئا من اجزائه مهانا و مبتذلا) وفي بیعه اهانة“

Translation: Verily human is an honorable race. So, disrespecting and belittling any human limb is impermissible and selling a human limb is also a disrespect to it.

(Fathul Qadeer, Vol 06, Page 425, Beirut)

It has been mentioned in the book Badayus Sanay:

”والآدمی بجمیع اجزائه محترم مکرم، ولیس من الکرامة والاحترام ابتذاله بالبیع والشراء“

Translation: Human is an honorable species as well each of his limbs. So, the sale and purchase of any of the human limbs will amount to disrespecting it.

(Badayus Sanay, Vol. 05, Page 145, Beirut)

والله اعلم عز وجل ورسوله اعلم صلى الله تعالى عليه وآله وسلم

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