

## Article

# Are Online Fatwas Credible? A Critical Analysis of Fifty Fatwas on Organ Donation and Transplantation

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**Abstract:** The cyber world affects many aspects of personal and communal life in our modern world. One significant form of this influence is the growing digitisation of religious understanding. This article will focus on one facet of this virtual religious discussion, namely the religious rulings of organ donation and transplantation in Islam. This study will emphasise that discussion of the credibility of online fatwas is a neglected area that deserves significant scholarly attention. It will examine the diversity and complexity of 50 online fatwas on organ donation and transplantation selected from various fatwa organisations, government bodies, and councils across 16 countries, which differ linguistically, ethnically, socio-culturally, and by religious orientation. This article has three main arguments. First, it argues that state appointed and controlled religious authorities who work under close scrutiny of the state lack credibility in their fatwas. This has especially been the case in the post-colonial period where authoritarian states have deprived many Muslim scholars of their scholarly freedom to produce independent fatwas. Secondly, the paper asserts that an absence of field experts in the fatwa-making process in such areas as medicine, psychology, law, and public policy has weakened the credibility of online fatwas. Finally, the online fatwas evidenced in this study shows little, if any, consideration of opposing views on organ donation and transplantation, further damaging the reliability of the rulings produced. Finally, the online fatwas evidenced in this study shows little, if any, consideration of opposing views on organ donation and transplantation, further damaging the reliability of the rulings produced.

**Keywords:** organ donation; fatwa; Islam; freedom; ijtihad

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## 1. Introduction

The digitisation of religion is a very complex and dynamic subject. It brings new opportunities but also challenges. The importance of digital, virtual, or cyber religion (what is digital religion? cyber religion? virtual religion?) is increasing daily, with ever-developing technology and the participation of new players from different religious and spiritual tendencies. As Heidi A Campbell points out, “the online world should be viewed not only as a technological tool or force but also as a social context and place where culture is made and evaluated” (Campbell 2017, p. 16). Parallel to its importance, studies on the subject are also increasing. However, there is no consensus as to whether this digitisation of religion should be covered under media, religion, or culture studies directly (Campbell 2017). Researchers generally divide the religious environment in the digital world into four main categories: i. religion online (presenting information on the Internet without directly communicating with the addressee), ii. online religion (interactivity and participation of the addressee), iii. innovative religion (new religious movements and cults etc), and iv. traditional religion (Christianity or Islam etc.) (Siuda 2021; Campbell 2017).

Given the wide range of classification, many do not neglect to benefit from the digital world, from the mainstream representatives of many religions to the most radical groups. Piotr Siuda states this new network, which brings together many fields such as technology,

religion, sociology, culture and media in general terms, sometimes weakens the position of traditional religious authority, and sometimes transforms it into a new medium (Siuda 2021). Sometimes it can also eliminate ethnic, linguistic, and regional boundaries, leading to decentralised and flexible applications within the scope of the global operation of the internet (Siuda 2021). Online services, rituals, virtual prayer sessions or pilgrimage programs, which we encounter more frequently with COVID-19, have highlighted the importance of the virtual environment and the importance of individual and social religious communication. By using every apparatus of social media (from Facebook to Twitter, from Instagram to TikTok), the religious life and perception of the masses are shaped and new spiritual meanings and perceptions are formed via these modern digital instruments. Religious leaders or ordinary believers strengthen their communication with the masses with the help of this modern technology. Online fatwas, including the ones related to organ donation and transplantation have become a part of digitalisation of religion. Not having clear evidence in the sacred text of Islam regarding organ donation and transplantation, the matter is left to scholars. The issue is highly debated online as with many other controversial topics.

## 2. Online Fatwas

*Fatwas* regarding organs are as old as Islamic jurisprudence. In the last 50 years, specific fatwas on organ donation and transplantation have come to fore in public and scholarly circles. With the rise of new technologies and medical practices there is a need of fresh *ijtihad* in the field of biomedical science (Ghaly 2012). Given the seriousness of the issue, fatwas related to organ donation and transplantation are being fervently debated. However, examinations of the validity of online fatwas on this topic are given limited attention.

While the majority of Muslims currently accept the validity of organ transplant from live and deceased donors within certain conditions, there is not a universal consensus on this issue. In particular Islamic contexts, the topic of organ transplant remains a major subject of debate. The subject of organ transplantation is therefore subject to rigorous debate and interpretation, and rulings on it differ based on time, socio-legal, cultural context, and legal schools of thought.

Given the vehemence of argument on both sides, the debate is unlikely to resolve any time soon. Both positions provide evidence from the major sources of Islam. The ambiguous Qur'an verses (*mutashabih*) and the prophetic traditions (*hadith*) that are used as textual evidence to support arguments for and against organ donation makes it difficult to come to a clear consensus. As the ability to transplant organs between bodies is a recent development, it is difficult to find explicit references to this issue within the Qur'an or the prophetic practice (*Sunnah*). Thus, the need for new *ijtihad*<sup>1</sup> (independent legal reasoning) is necessary to deduce new rulings on unprecedented issues in light of the available Islamic legal sources (Kamali 2008, p. 165). A *mujtahid*<sup>2</sup> Juristically speaking, holds the qualification and expertise to exercise *ijtihad*. Ibn Ashur asserts *ijtihad* is the only way to overcome the problems faced by Muslim communities: '*ijtihad* is a collective obligation (*fard kifayah*) on the Muslim community according to the needs and circumstances of its different peoples and countries' (Ibn Ashur 2006, p. 224).

Scholars of Islamic jurisprudence (*usul al fiqh*), define *ijtihad* as the application of a jurist's faculties to extract the rules of Islamic law from their sources and apply them to particular issues (Kamali 2008). Since application of the *ijtihad* is *shar'a muawwal* (interpreted ruling), the validity of it should be based on its harmony with the Qur'an, Sunnah (*shar' munazzal/munzal*) and the main principles of Islamic jurisprudence.

*Ijtihad* is always at the core of juristic reasoning and ruling. The ability to extract the rules from Islam's sacred texts, (the Qur'an and sunnah) raises three main questions: the first is to identify who can be considered a *mujtahid*, what are the criteria to be *mujtahid* in contemporary the Muslim world? The second question is whether the *mujtahid* is free from any socio-political, sectarian or religious pressures of his or her milieu. Put differently,

exercising freedom and intellectual objectivity brings integrity and legitimacy to the process of deriving an outcome or ruling. A fatwa whose integrity is compromised makes the ruling questionable. The final and perhaps most important question deals with the technical aspect of *ijtihad*, namely to what extent are these fatwas deduced in accordance with the deductive methodology of Islamic jurisprudence.

The opinions of Islamic scholars regarding organ transplantation require *ijtihad*. This means that the conclusions they derive are based on Islamic legal maxims (Hurst 2016). Yusuf al-Qaradawi, considered as Global Mufti, states a fatwa remains open for discussion since it is related to new developments not previously discussed by scholars. If the 'matters are left to *ijtihad*, possibly the scholars may have different views' (Dogan 2015, p. 319). It is widely accepted that the fatwas can differ according to the time, location and needs of the people (Hanani Mohd Safian 2016). The question that should be asked here is to what extent are online fatwa givers aware of the particularity of the individual or specificity of the groups or communities they are making their statements for? This difference as can be seen in the table of online fatwas below (Appendix A).

### 3. Why Questioning the Credibility of Online Fatwas?

This study seeks to examine the credibility of online fatwas which are issued by muftis or other religious authorities with applying the rules of deduction which are set by *usul al fiqh* scholars. As Wael b. Hallaq states 'the mufti, performing a central function, was a private legal specialist who was legally and morally responsible to the society in which he lived, not to the ruler and his interests' (Hallaq 2009). The Mufti's Office (Qadi during Abbasids) was institutionalised during the Abbasids, formalised during the Ottoman reign and ideologised during the colonisation period onwards. Muftis or official religious authorities mostly aligned with the rulers, willingly or unwillingly. Historically, those who did not align with rulers were forced, covertly or overtly, out of office.

The Muslim fatwa making process has gone through many stages, especially during the advent of colonialism in the Islamic world. There are significant differences between *mujtahids* and muftis prior to colonisation in the nineteenth century, compared to the first five centuries of Islamic development. The latter fatwas' credibility is questioned for various reasons. There are major differences between the fatwas of these two periods.

Firstly, most earlier *mujtahids* practised *fiqh* at degree of the *ihsan* (perfection) during the formative and classical period. Their degree of knowledge, asceticism, internalising values, sincerity, piety and independency influenced the majority of the people and still continues today. Most of the assigned muftis in the modern period lack the legal and spiritual knowledge to produce reliable fatwas. This disconnect between the requirements of *ihsan* and spiritual excellence is put forward by Said Nursi (d.1960), who argues that 'they are greatly occupied in physical or material matters, lack sufficient knowledge or have only superficial understanding of spiritual matters' (1996, p. 497). Therefore, as Nursi asserts such people's opinions and judgments concerning spiritual matters carry no weight (p. 497).

Secondly, the early *mujtahids*' fatwas were the product of striving day and night and making all their efforts without neglecting the legacy of Islamic law with a deep spiritual life. Nursi continues that in our time, 'scholars minds plunged in politics, and their hearts are giddy at the life of this world, their disposition and abilities have grown distant from the interpretation of the law' (p. 497). In other words, early *mujtahids*' only worry was to please God rather than political authorities whereas today's assigned muftis are very careful not to disappoint their earthly masters.

Thirdly, the formative and classical period scholars mostly practised the principle of *istighna* strictly and would avoid accepting a position or any gifts from rulers as they considered themselves inheritors of the Prophet who never asked any worldly reward for their mission. *Istighna* can be described as is 'not to be indebted to anyone except Allah. Moralists define it 'as seeking benefit for the community before thinking about one's needs' (Yucel 2017, p. 186). Imam Ghazali (d.1111) similarly notes that 'Early Muslim scholars

sought no benefit with their knowledge except the pleasure of Allah' (al-Ghazali 2013, p. 80). The concept of *istighna*, particularly for early ulama (traditional religious scholars), was taken seriously. Many contemporary renowned ulama avoided accepting a prestigious positions and gifts from rulers as they considered themselves "inheritors of the Prophet" who never asked any worldly reward for their religious teachings or sermons. They would survive by doing different types of works. Hallaq asserts that Muslim jurists 'did not have salaries and their interest in the study of law was motivated by piety and religious learning' (Hallaq 2009). For al-Ghazali not following *istighna* principle is key to evil and such scholars are thieves of the religion (Al-Ghazali 2013, p. 173). Imam Rabbani (d.1624) calls them 'lowest of low and robber of the faith and religion' (Imam Rabbani 2014, p. 59). Nursi said that applying the principle of *istighna* is an obligation (Nursi 1996). Muhammad Awwamah goes further with his criticism accusing scholars who do not apply the principle of *istighna* as deviants who patch up this world with their religion (Awwamah 2014).

Fourthly, since colonisation, most of muftis have become financially dependent on rulers. Unfortunately, this paradigmatic shift damages the credibility of Islamic scholars and weakens their spirituality and the value of their fatwas in the eyes of society. Kamali asserts 'colonial domination of the Muslim lands also lowered the self-image of Muslims and further encouraged imitation' (Kamali 2008, p. 147) State appointed religious authorities are highly criticised by independent scholars for not following of *usul al fiqh* spiritual principles.

Fourthly, before colonialization, the jurists were generally independent, and expressed their view without fear of rulers. They defended human rights against the rulers. The muftis employed by the ruling elite and aligning with their injustice, corruption, and tyranny have a huge negative impact about credibility of their fatwas in the sight of the people. The last two hundred years of Muslim experiences are full of this kind of examples.

Finally, the early and classical period jurists' fatwas were more spiritual aiming gaining God's pleasure and solving the problem for the happiness of eternal life but contemporary scholars' fatwas are earthlier [justification of rulers' policies for worldly purposes] as Nursi argues (Nursi 1996).

Today's muftis or Grant Muftis are like bureaucrats of the state in the Muslim world. Instead of following the footsteps and methodological blueprint of great past jurists regarding fatwas, they acted and expressed their opinions in tune with the power of regimes. They become preoccupied with political roles, rather than religious tasks. The state controlled ulama inevitably feel obliged to defend the dominated rulers' policy by giving fatwas at all costs or at least be silent against corruption, oppression and injustice (Yucel 2019). As Kamali (2008) states '*fatwa* under the Shari'ah is a vehicle that facilitates the free flow of thought and expression in religious issues, whereas now it has become an instrument of restriction on freedom of expression in religious matters' (p. 175) in the contemporary Muslim world. The offices of Muftis are frequently manipulated by the states or organs of the states (Yucel 2019). Under the state, particularly undemocratic ones, the autonomous legal tradition of Islamic law has transformed into the legalisation of state ideology with an Islamic mask.

There are numerous examples of fatwas which are given by state appointed religious authorities. These fatwas serve authoritarian regimes which defend and perpetuate injustice, authoritarianism, corruption, oppression, and tyranny in the Muslim countries. Recent examples include fatwas issued by the Grand Mufti of al-Azhar against Muslim Brotherhood accusing them of heresy (*firaq dallah*) (Warren 2017). Despite the fact that during the presidential election, the Muslim Brotherhood representative was elected by 51.73 of votes in Egypt, he treated Muslim Brotherhood as a marginal group. The second example is the fatwa of Mehmet Gormez, the former Director of Presidency of Religious Affairs of Turkish Republic calling the Hizmet Movement, one of the largest transnational's faith based educational movements with 6–7 million sympathisers, a *firaq dallah* (misguided, heretic groups) (Din Isleri Yuksek Kurulu 2017). In the aftermath of the murder of the journalist Jamal Khashoggi, Sheikh Abdulrahman al-Sudais, the Imam of Masjid al-Haram

(Ka'ba), delivered his Friday sermon from a written script announcing Prince Mohammed bin Salman as a divine gift to Muslims and labelled the crown prince with the lofty title the *mujaddid* (reviver of the religion) sent by God to renew the Islamic faith. (Abou El Fadl 2018) Such verdicts and fatwas can be found in all undemocratic Muslim countries.

#### 4. Methodology

In this research, online fatwas were evaluated from undemocratic and democratic countries. The selection criteria are based on fatwa institutions, the author/authors of fatwas, and the content of the fatwas. As part of the analysis, attempts were made to identify who issued the fatwa, how fatwas were methodologically deduced, the contents of the fatwa, and when the fatwas were issued. Fatwa is defined as “a ruling on a point of Islamic law given by a recognized authority (Butterfield 2015, para 1) There is no set standard about online fatwas. Some are deduced by authoritative institutions. Others are based on Muftis’ or Imams’ views upon questions about organ donation. For some of them, as mentioned in Appendix A, the fatwa deducting authorities are not known. Thus, this negatively impacts on the credibility of fatwas. However, all selected websites present them as fatwas. It can be said that not all these online fatwas about organ donation are in line with the above-mentioned definition.

There are numerous websites which discuss fatwas regarding organ donation and transplantation. Out of the 120 websites sourced, 50 websites were selected which were in English, Arabic, and Turkish. The 50 websites selected were seen as being more authentic compared to the other websites, which copied and pasted existing fatwas from other outlets, and did not disclose their authors. Four of fifty fatwas are from the Shi’ite School of Thought’s websites. The selection criteria were based on fatwa institutions, the author/authors of fatwas and the content of the fatwas. We thought that 50 fatwas on these websites (Appendix C) are more reliable compare with others whereas the other 70 websites seemed copy pasted or authors are anonymous. The chosen online fatwas are based on the websites from sixteen countries included Egypt, Saudi Arabia, India, Pakistan, Turkey, Qatar, Malaysia, Oman, Iran, the US, UK, Canada, Australia, Singapore, New Zealand, and South Africa (Appendix A).

#### 5. Theoretical Framework

In this section, 50 online fatwas will be examined. In examination, attempts were made to identify who deduced the fatwa, how the fatwas were deduced (decision making process), when it was pronounced, to whom it was pronounced, and the content of the pronouncement. Firstly, the textual evidence of each fatwa will be discussed. Secondly, the structure will be elaborated. Thirdly, being a topic of bioethics, an examination will be made to assess if other experts, such as physicians and/or psychologists, were consulted in the development of the fatwa.

“The Quran and hadiths—the two great texts of the religion—are silent on the subject” (Ali 2021, p. 1) The theoretical framework used to assess the credibility of online fatwas follows the methodological standards set out and described by two prominent Muslim scholars: Ibn Abidin (d.1836), a Hanafi jurist and Muhammad Hashim Kamali, a contemporary scholar and theoretician in the field of *usul al fiqh*. This involves utilising and maximising the existing methodological tools within existing schools of Islamic law and applying them in new contexts in order to produce new fatwas.

Ibn Abidin stated that absolute (*mutlaq*) *mujtahid*, *mujtahid* in a legal school (*madhhab*), and *mujtahid* in specific matters (*mas’ala*) are deemed who can deduct new *ijtihad* while the rest are *muqallids* (imitators) who cannot deduct new *ijtihad* (Ibn Abidin 2015). Since there is no absolute *mujtahid*, it becomes apparent in referring to Islamic intellectual tradition for deducting fatwas. Based on the Caliph Umar’s (d.644) instruction that sent to the jurist Shuraykh (d.690) clarifies this point further:

“When there is an issue where you need to express an opinion, first look at the book of God and judge accordingly. If you cannot find what you are looking for,



look at the issues ruled by the messenger of God. If you cannot find what you are looking for in the prophetic tradition, apply to views of the righteous and just scholars ... ”. (Dadaş 2015, p. 318)

The significance of consulting experts and checking their qualifications has a very special place in the Islamic juristic tradition. Imam Sarakhsi (d. 1090), along with many other scholars, emphasised the importance of verifying the intellectual background of Muslim scholars in light of the Qur’anic verse 16:43: ‘... if you do not know, ask those who have information about the scriptures [*fa-as’alū ahl al-dhikr in kuntum lā-ta’lamūn*]’ (Al-Sarakhsi 1993). With regard to organ donation and transplantation, it goes beyond the effort of an individual contemporary jurist. Many contemporary scholars hold the view that deducing rulings requires experts from all relevant fields, and that this should be coordinated as a collective body of independent scholars or independent institutions (Iqbal n.d.; Nursi 1996; Kamali 2008; Ramadan 2004; Ibn Ashur 2006; Butt n.d.).

As mentioned from the outset, there is a wide range of opinion among the Muslim scholars about organ donation. Each opinion has its own argument and evidence. For examining the credibility of fatwas, it is essential to look at arguments and counter arguments as well as the methodology employed to derive a ruling. The below criteria are derived from earlier periods of Islamic jurisprudence (8th to 13th century) to measure the creditability of online fatwas:

(a) Providing evidence in sacred texts; (b) referring to intellectual tradition; (c) discussing counter arguments; (d) providing evidence of counter arguments; (e) consulting with experts; and (f) religious freedom (Hallaq 2004; Acar 2011; Köksal 2018; Kamali 2008). We added the statistic about freedom and freedom of expression of above mentioned sixteen countries according to World Bank data (The World Bank, Freedom of Religion 2018).

Fatwas receive one point based on their adherence to criteria 1 to 5, then all the points are combined for a final score.

## 6. Results

Of those examined for this paper, 42 fatwas asserted the permissibility of organ donation and transplantation based on their reading of the Qur’an and Sunnah, albeit within certain conditions, while 6 fatwas hold the view that is unlawful. Out of the eight fatwas that declare organ donation and transplantation unlawful, seven of these fatwas are given by individual scholars. Of the fatwas examined, none could be identified from any government related institutions specifically on the issue of organ donation and transplantation. While al-Azhar University Fatwa Department and Senior Ulama Commission of Saudi Arabia are in favour of donation, Sheikh Muhammad Mutawalli as-Sha’rawi (d.1998), a well-known independent scholar from Egypt, and Abd al-Aziz ibn Baz (d.1999) gave a fatwa against it. Being an official Grand Mufti of Saudi Arabia, Ibn Baz’s fatwa seems contrary to his country’s senior *ulama* commission’s view.

Both proponent and opponents use the Qur’an and Sunnah for deducting the fatwas. 18 of the fatwas examined do not provide any explicit evidence from Islam’s sacred text. These fatwas primarily consist of a verdict, being up to a page long at most. This is inconsistent with the description of the required elements for a valid fatwa according to the classical period, as explained in genres such as *rasm al-mufti* and *adab al-mufti* (The task of and manuals of mufti) In these genres *ijtihad* is case-specific and explained in full, incorporating both the Qur’anic verses, hadith, and pre-existing legal rulings upon which it is based and directly addresses the person raising the question. Al-Qaradawi, meanwhile, objects fatwas that fail to examine the evidence in detail during contemporary period (Hanani Mohd Safian 2016).

Thirty-one fatwa givers do not clearly detail the sacred and historical sources for their pronouncements. The remaining fatwas provides evidence from Islam’s sacred text and historical sources for their fatwas, as well as unspecified and unrelated verses, reports and events. Despite their lack of explicit evidence, common amongst both camps’ fatwas are the

centrality of human dignity, morality, and spirituality. Proponents give permissibility based on the position of saving human life. Opponents also focus on human dignity, morality and spirituality as the centre of fatwas. For them, taking an organ of a deceased contradicts human dignity, morality and spirituality. For both sides, the argument centres on the same premises with opposite conclusions.

The proponents utilise various Qur'anic verses and prophetic traditions for their position ([Sahieeh International Qur'anic Translation n.d.](#)). The most frequently mentioned include but are not limited to:

“... And We have certainly honoured the children of Adam ...” (Qur'an, 17:70),

“... And whoever saves one—it is as if he had saved mankind entirely ...” (Qur'an, 5:32),

“... Do not throw [yourselves] with your [own] hands into destruction [by refraining] ...” (Qur'an, 2: 195). The proponents argue that 'the necessity makes unlawful to lawful' based on Qur'anic verse (2:173).

With regard to hadith, the most frequently used, though sometimes abused, text is narrated by Usama b. Shurayk: 'A Bedouin came to the Messenger of Allah and said, 'O Messenger of Allah! Should we seek treatment for illnesses?' The Messenger said, 'Yes. Seek treatment because Allah did not make a disease without making a cure for it; some know of it and others do not' "[Recorded by Ahmed]. Furthermore, there is the saying of the Prophet that he said 'Allah has sent down both the disease and the cure, and He has appointed a cure for every disease, so treat yourselves medically, but use nothing unlawful' ([Abu Dawud n.d.](#), p. 1). As these verses and traditions are generic in nature, the opponents of organ transplant also appeal to the authority of them. Opponents also use the following verses and traditions:

“... And We have certainly honoured the children of Adam ...” (17:70).

“... And I (Satan) will command them so they will change the creation of Allah” (4:119).

Opponents cite hadith such as “Breaking the bone of a dead person is similar (in sin) to breaking the bone of a living person” ([Ibn Maja n.d.](#)) and “Harming a believer after his death is similar to harming him in his life.” ([Ibn Abi Shayba n.d.](#)) There is also the juristic maxim that 'There should be neither harming nor reciprocating harm' ([Ibn Maja n.d.](#)) that is provided by opponents as vital evidence against the permissibility of the organ transplantation.<sup>3</sup>

In examining over 40 major Quranic exegetical (*tafsir*), works including juristic *tafsirs* from the classical to modern period, there is not a single scholar who associates the above-mentioned verses in relation to the permissibility or impermissibility of organ donation or transplantation. Both proponents and opponents use the same or similar verses which are open ended and general. The exegetical works do not relate the content of these verses with this topic. Instead, both sides of this debate deduce fatwas from these verses and traditions based on *qiyas* (analogy), an important principle of Islamic jurisprudence. It is interesting to note that verse 17:70 specifically is used to support the position of both proponents and opponents, with completely different conclusions. This lends weight to holding a degree of relativity to their fatwas. Every *ijtihad* / *fatwa* is an interpretation, however the degree to which they are upheld is dependent on the evidence used to arrive at the position advocated.

For the proponents of organ transplant utilise the principle of *qiyas* (analogy) is underpinned by the maxim 'necessity makes that which is unlawful as permissible' ([Butt n.d.](#)). Since organ donation and transplantation can save a life, it could be seen that in this instance the unlawful is made permissible. The opponents, however, focus on the literal meaning of the verses and traditions. They argue that the 'human body should be left naturally intact as far as possible without any invasive intervention' ([Ali and Maravia 2020](#), p. 21). For opponents, harming the deceased is akin to harming a living person. Some

of them go further, raising spiritual concerns in saying that if the recipient of organ as a disbeliever or vice versa there could be further complications. They claim that there is moral responsibility if an organ is donated to a criminal or a disbeliever who disobeys command of God. This touches on eschatological concerns relating to accountability in hereafter. Irrespective of the explicit permissibility of this practice, both camps views can be considered as innovative *ijtihad* as organ donation and transplantation is a new issue. Innovative *ijtihad* means an exerted effort to derive ruling for current new problems that are not covered textually in the past (Hanani Mohd Safian 2016).

Of those examined, 35 fatwas do not discuss their opponents' views. 15 of the fatwas examined give counter arguments. Those providing counter arguments are a product of academic or semi-academic institutions, namely the Institute of Islamic Jurisprudence, Dar al-Ifta in al-Azhar University, The National Fatwa Council of Malaysia, Dar al-Ifta of Deoband, the Islamic Science and Research Academy of Australia, the International Institute of Islamic Thought in the US, The Muslim Healthcare Students Network (MHSN), and the Religious Affairs Supreme Consul of Turkey. London Central Mosque also provides both evidence and counter arguments, being the product of an academic in the field. Ten of the fatwas consulted with related expert such as physicians as part of a fatwa committee. It is interesting to note that almost all online fatwas that mention counter arguments and/or evidence for their position come from either Muslims who live in the West or institutions that are established in Western countries. Further research is required to understand the effect of Western cultural understandings on Islamic legal positions.

The remaining 40 fatwas do not mention experts such as physicians, psychologists. This is contrary to the modern understanding of fatwa development. Twenty-two fatwas discuss the conditions for permissibility, such as permission of the donor or the proxy for protecting human dignity during the taking organs. Some of these fatwas also raise concerns about the sale of organs.

In conducting the research, we used statistical analysis using STATA software to understand the relationship between credibility index and the freedom indices across 16 countries. First, we examined the simple correlations between the fatwa credibility index and religious freedom index and found that the correlation is positive and is around 0.20. However, this relationship is not statistically significant. Next, we examined the simple correlations between the fatwa credibility index and freedom of expression index (World Bank, Freedom of Expression Index 2018) and found that the correlation is around 0 and is not statistically significant. The results imply that fatwas could be more credible in countries where there is greater religious freedom. However, as we have analysed data only from 16 countries, this relationship is not significant in our analysis. Although historically, freedom is essential for the credibility of fatwas (Kamali 2008), "the state has consequently acquired control of fatwa-making activity with the obvious result that certain restrictions have been imposed on the freedom of individual religious scholars and ulama" (p. 176). However, the online ruling on fatwas about organ donation mostly is in line with democratic and undemocratic states' policies. Therefore, this study did not find a considerable impact on online fatwas. We believe that future research which could gather more data from more countries will be useful in this case. However, we do not find any relationship between organ donation fatwa credibility and freedom of expression index within a country. This result implies that religious freedom appears to be more important than freedom in other areas in a country when interpreting religious texts and questions.

Although there have been arguments for de-territorialised fatwas (Possamai et al. 2016), this does not seem to be the case for fatwas on organ donation or transplantation. In the examined fatwas four influential fatwa regions were identified within the Muslim world. The first group include Indo/Pakistani scholars who view that organ donation and transplantation is permissible within certain conditions. There were instances of some individual scholars or religious authorities prohibiting this practice, though these seem to be in the minority in the Indo/Pakistani region. The second group includes Saudi fatwa institutions who in the majority give permission with certain conditions. The third



group includes Egyptian, mainly al-Azhar University, scholars who in the majority give permission under the certain conditions. Interestingly, since 1959, almost all heads of the fatwas committee in al-Azhar University ruled for the permissibility of organ donation (Gomaa n.d.). The fourth group includes Iranian scholars who are also in favour of organ donation and transplantation. For Saudi Arabia and Iran, Islam is the state religion. Indo/Pakistani scholars consider themselves as representing the traditional Islam. Egypt has had institutionalised fatwas for a millennium.

There are some scholars in these four regions that are silent and/or have different views to those upheld by the major institutions and Islamic groups. Some organisations give contradictory fatwas regarding organ donation and transplantation, such as the Islamic Religious Council of Singapore (MUIS) as seen in the chart. The anarchy created by paradoxical fatwas among the laypeople is prevalent. The MUIS fatwa committee gave a fatwa against organ donation and transplantation in 1973 and then favoured it in 1985 within certain conditions. While this might represent a natural development in understanding the issue at hand, it also places a significant burden on those involved in the practice to be across any changes in the permissibility of this practice. Furthermore, given the variety in the position held amongst online fatwas, confusion is a likely outcome for those looking to understand the permissibility of this action from an Islamic position.

Based on this data (Appendix B), it can be seen that almost a third (32%) of the fatwas do not follow any of the credibility criteria. Approximately one fifth (22%) only satisfy one credibility criteria. One in seven fatwas (14%) satisfy only two of the five credibility criteria. One fifth (20%) satisfy three out of five criteria. A very small number (4%) satisfy most of the credibility criteria whereas only 8% satisfy all five of the credibility criteria.

There are some other points directly contribute to legitimacy and reliability of fatwas. Firstly, most fatwa websites are poorly designed and not user friendly. Secondly, as was apparent from our data collection, access to online fatwas is inconsistent, with some disappearing or links broken (Appendix B). Thirdly, 27 of the websites surveyed have no commentary section, leaving the reader unable to seek further clarification. Fourthly, fourteen websites of those surveyed provide fatwas are in PDF format, leaving the reader unable to make a comment. Only nine of the websites surveyed allowed the reader to make a comment. This can give the opportunity for readers to gain understanding behind the reasoning and religious significance of the fatwas.

Online fatwas are also part of the religion's digitisation. The digitalisation of Islam allows individuals and small groups to gain new power to publish and disseminate material (Sands 2010) with or without the set criteria of Islamic disciplines. It is argued that the digitalisation of "Islamic text allows Muslims to become less dependent on established source of authorities" (Possamai et al. 2016, p. 1). It offers an open market opportunity to the modern Muslim with its many options. This is called fatwa shopping (p. 1) Such practices are more in line of what they are looking for (Linjakumpu 2011). However, this study shows that the credibility of online fatwas needs to be examined before putting in practice.

## 7. Recommendations

1. Due to development medicine and technology, the fatwas regarding organ donation and transplantation must be given by a multidisciplinary fatwa committee. This is called *ijtihad jamai* collective reasoning (Caeiro 2017). The committee should consist of jurists, physicians, psychologists, and other related experts in the field. In our view, to be a qualified jurist in contemporary time, it is necessary to be equipped with related relevant secular sciences and discipline at an expert level in regard to organ donation and transplantation. Similarly, the experts of related other disciplines must have a strong understanding of the sharia on *fiqh* of donation and transplantation.
2. The fatwa committee must be independent and not employed by the state.

3. The fatwas should provide clear criteria, detailing their methodology and the evidence used. If the online fatwa is given like a verdict, then the methodology of extracting and analysis of evidence must be provided.
4. The authors, names, qualifications, and short biography including his/her School of Law of each member of fatwa committee must be given online.
5. Like in academia, there must be copyrights of fatwas. However, this needs further studies.
6. Websites should be user friendly.

## 8. Conclusions

The credibility of online fatwas and their legitimacy from an Islamic perspective is a complex issue in our modern time. The issue is multidimensional and relates to who has the authority to extract ruling according to the Qur'an, sunnah, and methodology of Islamic jurisprudence principles. For the credibility of fatwas, beside the skill and the freedom of jurists, methods of extracting fatwas with a body which consist of field experts from religious and non-religious field of knowledge related scholars is essential.

This study examined 50 online fatwas regarding organ donation and transplantation. We found that 18 online fatwas are just a verdict without providing and discussing the evidence. Thirty-five out of fifty do not provide an examination of the opponents' views. Of those examined, 42 fatwas are in favour of organ donation and transplantation, and 8 are against. It was difficult to identify any fatwas which openly took a stance against the prevailing position of rulers or state ideology in the Muslim majority countries.

This study found that the online fatwas by academic or semi-academic institutions in the democratic countries are more reliable than in undemocratic countries. They discuss the issue from various perspectives, including counter arguments with evidence and consults with the related expertise. They also contextualise the evidence. The reason behind these findings requires further research and relates to experiences of fatwa-making. Nevertheless, the ambiguity in many fatwa websites show that many of them do not make it clear which school they follow, which juristic methodology they have based their *ijtihad* on. In addition, some online fatwa sites are managed by individuals, and this raises the question of whether the fatwas hold as much validity and legitimacy compared to those with collective consensus. Anonymity of the scholars in for online fatwa sites complicates the issues and raises questions regarding transparency and reliability. The educational background of fatwa givers in the democratic and undemocratic countries can impact the reliability of fatwas. This requires further research.

Both camps rely on some Qur'anic verses and hadiths. Therefore, it should be noted that at the end the permissibility or impermissibility is left on the conscious of an individual to freely choose and select which ruling they follow.

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## Appendix A

Table 1: Credibility of Online Fatwas about Organ Donation																
(1) ID	(2) Fatwa Website Homepage	(3) Fatwa Link	(4) Country of Origin	(5) Date of Issue	(6) The Fatwa Authority	(7) Institution or Individual	(8) Permissible or not permissible	(9) Conditions of Credibility Index					(13) Credibility Index	(14) Freedom Index of the Country of Origin in 2018	(15) Religious Freedom Index of the Country of Origin in 2018	(16) Freedom of Expression Index of the Country of Origin in 2018
								Providing Evidence in the Sacred Text	Referring to Intellectual Tradition	Discussing counter arguments	Providing evidence of counter argument	Consulting with experts				
1	eng.dar-ul-ifta.org	https://www.dar-ul-ifta.org/Fc	Egypt	1986	Darul Ifta	Institution	Yes, with certain conditions	1	1	0	0	0	2	0.40	0.31	
2	al-qaradawi.net	https://www.al-qaradawi.net/	Qatar	2008	Yusuf -al-Qaradawi	Individual	Yes, with certain conditions	1	0	1	1	0	3	0.38	0.32	
3	fiqh-council.org	http://fiqh-council.org/en-org/	USA	2018	Fiqh Council of North America	Institution	Yes with certain conditions	1	1	1	0	0	3	0.83	0.85	
4	Islamweb.net	https://www.islamweb.net/en/	Qatar	2003	Unknown	Yes	Unknown	1	1	0	0	0	2	0.38	0.32	
5	organdonation.nhs.uk	https://www.organdonation.nhs.uk	UK	2018	Mufti Mohammed Zubair Butt	Institution	Yes with certain conditions	1	1	1	1	1	5	0.86	0.88	
6	marefa.org	https://www.marefa.org/%D	Saudi Arabia	1980	Senior Ulama Commission	Institution	Yes with certain conditions	1	0	0	0	0	1	0.22	0.26	
7	e-fatwa.gov.my	https://www.moh.gov.my/mc	Malaysia	2011	Ministry of Health Malaysia	Institution	Yes with certain conditions	1	1	0	0	0	3	0.59	0.61	
8	muis.gov.sg	https://muissfatwa.pressbook	Singapore	1973	MUIS Fatwa Committee	Institution	No	1	1	1	0	0	3	0.67	0.48	
9	muis.gov.sg	https://muissfatwa.pressbook	Singapore	1985	MUIS Fatwa Committee	Institution	Yes with certain conditions	1	1	1	0	0	3	0.67	0.48	
10	dar-ul-ifta.org	https://www.dar-ul-ifta.org/vi	Egypt	2003	Ali Goma Muhammed	Individual	Yes with certain conditions	1	1	0	0	0	2	0.40	0.31	
11	darulifta-deoband.com	https://darulifta-deoband.co	India	2007	Darul Ifta	Institution	Yes with certain conditions	0	0	0	0	0	0	0.54	0.58	
12	irfi.org	http://www.irfi.org/articles2/	USA	n.d	Dr. Muzammil H. Siddiqi	Individual	Yes with certain conditions	1	0	0	0	0	1	0.83	0.85	
13	anjanonline.org	https://www.anjanonline.org	USA	2006	Dr. Hafeez al-Haj	Individual	Yes with certain conditions	0	0	0	0	0	0	0.83	0.85	
14	Diyanet.gov.tr	https://kurul.diyanet.gov.tr/c	Turkey	n.d	Religious Affairs Supreme Council of Turkey	Institution	Yes with certain conditions	1	1	1	0	0	3	0.49	0.29	
15	muslimdonorsuk.wixsite.com	https://muslimdonorsuk.wix	UK	1995	Dr Zakir Badawi	Individual	Yes with certain conditions	1	1	1	1	1	5	0.86	0.88	
16	organdonation.nhs.uk	https://www.organdonation.nhs.uk	UK	2016	https://www.organdonation.nhs.uk	Individual	Yes	0	1	0	0	0	1	0.86	0.88	
17	Qoura.com	https://www.qoura.com/Doe	USA	2016	Angle Alis	Individual	Yes with certain conditions	1	0	0	0	0	1	0.83	0.85	
18	darulifta-deoband.com	http://www.darulifta-deoban	India	2016	Dar al-ifta	Institution	No	1	1	0	0	0	2	0.54	0.58	
19	taajushshariah.com	http://www.taajushshariah.co	South Africa	n.d	Qadiri	Individual	No	1	0	0	0	0	1	0.86	0.67	
20	Islamquest.net	http://www.islamquest.net/en	Iran	2010	Six Grand Ayatullah's view	Individual	Yes	0	0	0	0	0	0	0.35	0.39	
21	alifta.com	https://www.alifta.gov.sa/en	Saudi Arabia	n.d	Abdullah ibn Baz	Individual	No	1	0	0	0	0	1	0.22	0.26	
22	Islamqa.info/en	https://Islamqa.info/en/1078	Pakistan	2007	Shaykh Muhammad Saalih al-Munajjid	Individual	No	0	0	0	0	0	0	0.32	0.46	
23	questiononislam.com/	https://questiononislam.co	UK	n.d	Ustazwan	Unknown	Yes with certain conditions	1	1	0	0	0	2	0.86	0.88	
24	donatelifevirginia.org/	https://www.donatelifevirginia	USA	2016	Imam Johari Abdul-Malik	Individual	Yes	0	0	0	0	0	0	0.83	0.85	
25	ak-islam.org	https://www.ak-islam.org/prir	Iran	2006	Sayyid Muhammad Rizvi	Individual	Yes	1	0	0	0	0	1	0.35	0.39	
26	NHS	https://www.islamawareness	UK	n.d	NHS	Unknown	Yes	0	0	0	0	0	0	0.86	0.88	
27	donatelifa.gov.au	https://donatelifa.gov.au/site	Australia	2014	Dr Ibrahim Abu Mohammed	Individual	Yes	0	0	0	0	0	0	0.90	0.82	
28	ijihadnet.com	http://ijihadnet.com/orga	Iran	2017	Sheikh Hamid Wagar	Individual	Yes	1	0	0	0	0	1	0.35	0.39	
29	Mathabah.org	https://www.mathabah.org/a	Canada	n.d	Foundation of Toronto	Individual	Yes with certain conditions	0	0	0	0	0	0	0.82	0.85	
30	Islamicvoice.com/	https://www.islamicvoice.co	India	1998	Islamicvoice.com	Institution	Yes	1	1	0	0	1	3	0.54	0.58	
31	safatfatk.net	http://www.safatfatk.net/sa	Saudi Arabia	2003	Shaykh Muhammad 'Umar Baazmool	Institution	No	0	0	0	0	0	0	0.22	0.26	
32	https://jamiat.org.za	https://jamiat.org.za/orga	New Zealand	n.d	Mufti Ehzaz Ajmeri	Individual	Yes	0	0	0	0	0	0	0.91	0.86	
33	timesofoman.com	https://timesofoman.com/ar	Oman	2014	Sheikh Ahmed bin Hamed Al Khalili	Individual	Yes	0	0	0	0	0	0	0.52	0.37	
34	jamiat.org.za	http://askimam.org/public/q	New Zealand	2008	Mufti Ebrahim Desai	Individual	Yes	1	1	1	0	0	3	0.91	0.86	
35	ummah.com	https://www.ummah.com/for	Pakistan	2005	Unknown	Unknown	Yes	0	0	0	0	1	1	0.32	0.46	
36	Islamonline.net	Islamonline.net	Qatar	n.d	Islamonline.net	Individual	Yes	0	0	0	0	0	0	0.38	0.32	
37	taajushshariah.com	http://www.taajushshariah.co	South Africa	n.d	Mufti Mohammad Akhtar R Khan Qadiri Azhari	Individual	No	1	0	0	0	0	1	0.54	0.58	
38	Islamqa.info	https://Islamqa.info/en/aw	Saudi Arabia	2007	Shaykh Muhammad Saalih al-Munajjid	Individual	Yes	0	0	0	0	0	0	0.22	0.26	
39	ISRA.org.au	https://www.isra.org.au/site	Australia	n.d	Islamic Science and Research Academy	Institution	Yes with certain conditions	1	0	1	0	0	2	0.90	0.82	
40	Muslimmatters.org	https://muslimmatters.org/2	USA	2008	Muslimmatters.org	Individual	Yes	1	0	0	0	0	1	0.83	0.85	
41	jamiat.org.za	https://jamiat.org.za/orga	New Zealand	n.d	Jamiatul Ulama	Institution	Yes	0	0	0	0	0	0	0.91	0.86	
42	iiit.org	https://iiit.org/en/reaching	USA	2016	International Institute of Islamic Thought, MHSN – The Muslim Healthcare Students	Institution	Yes with certain conditions	1	0	1	1	1	4	0.83	0.85	
43	imedbham.webs.com/	https://imedbham.webs.com/	UK	2006	Network	Institution	Yes with certain conditions	1	0	1		1	3	0.86	0.88	
44	shiachat.com	https://www.shiachat.com/f	USA	n.d	https://www.shiachat.com	Individual	Yes	0	0	0	0	0	0	0.83	0.85	
45	askimam.org	http://askimam.org/public/q	South Africa	2008	Dar al-ifta	Individual	Yes	1	1	1	0	0	3	0.86	0.67	
46	darulifta.com	https://www.central-mosque	UK	n.d	Shaykh (Mufti) Muhammad ibn Adam al-Kawthari	Individual	Yes, with certain conditions	1	1	1	1	1	4	0.86	0.88	
47	iccuq.org	https://www.central-mosque	UK	n.d	London Central Mosque	Institution	Yes, with certain conditions	1	1	1	1	1	5	0.86	0.88	
48	ibima.com/	https://ibima.com/article/thre	UK	2019	https://ibima.com/	Individual	Yes	1	1	1	1	1	5	0.86	0.88	
49	muftonline.co.za	http://muftonline.co.za/nod	New Zealand	n.d	Mufti Zafarullah Khan	Individual	No	0	0	0	0	0	0	0.91	0.86	
50	organdonationinislam.com	https://organdonationinislam	Canada	n.d	The Canadian Council of Imams	Institution	Yes with certain conditions	1	0	0	0	0	1	0.82	0.85	

Figure A1. Online sources of fatwas.

## Appendix B

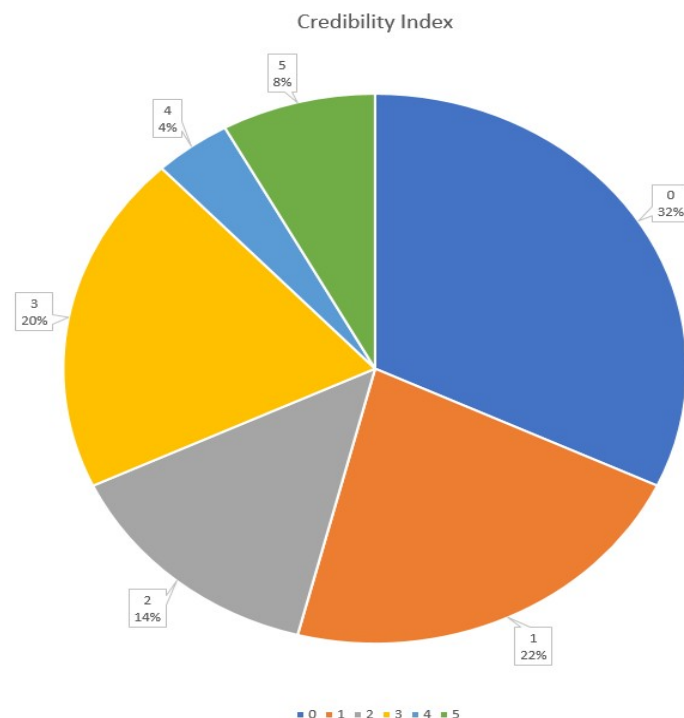


Figure A2. Credibility index.

## Appendix C

### Fatwa links

1. Darul Ifta, <https://www.dar-alifta.org/Foreign/ViewFatwa.aspx?ID=3638> (accessed on 12 September 2018).
2. Yusul Al-Qradawi, Can a Muslim donate his/her organ? <https://www.al-qaradawi.net/node/4419> (accessed on 12 September 2018) (Al-Qaradawi n.d.).
3. Fiqh Council of North America: ON ORGAN DONATION AND TRANSPLANTATION, <http://fiqh-council.org/on-organ-donation-and-transplantation/> (accessed on 6 September 2018).
4. Receiving organs for transplantation <https://www.islamweb.net/en/fatwa/85514/> (accessed on 6 September 2018).
5. Mufti Mohammed Zubair Butt, Organ Donation and Transplantation in Islam, Institute of Islamic Jurisprudence, Bedford, UK. <https://www.organdonation.nhs.uk/helping-you-to-decide/your-faith-and-beliefs/islam/> (accessed on 18 May 2020).
6. Marefa.org., [https://www.marefa.org/%D8%B2%D8%B1%D8%A7%D8%B9%D8%A9\\_%D8%A7%D9%84%D9%83%D8%A8%D8%AF](https://www.marefa.org/%D8%B2%D8%B1%D8%A7%D8%B9%D8%A9_%D8%A7%D9%84%D9%83%D8%A8%D8%AF) (accessed on 9 November 2018).
7. Ministry of Health Malaysia, <https://www.moh.gov.my/moh/resources/auto%20download%20images/589d7ab14fcd6.pdf> (accessed on 9 November 2018).
8. <https://muisfatwa.pressbooks.com/chapter/organ-donation-and-transplantation/> (accessed on 20 September 2018).
9. <https://muisfatwa.pressbooks.com/chapter/organ-donation-and-transplantation/> (accessed on 20 September 2018).
10. <https://www.dar-alifta.org/viewfatwa.aspx?id=3638&Home=1&LangID=2> (accessed on 2 February 2019).
11. Can we donate organ, <https://darulifta-deoband.com/home/en/Halal--Haram/145702>, (accessed on 10 September 2018).
12. [http://www.irfi.org/articles2/articles\\_3751\\_3800/fatwa%20on%20organ%20donation.html.htm](http://www.irfi.org/articles2/articles_3751_3800/fatwa%20on%20organ%20donation.html.htm) (accessed on 17 September 2018).
13. Fatwa on organ donation, <https://www.amjaonline.org/fatwa/en/1881/fatwa-on-organ-donation> (accessed on 4 March 2019).
14. Organ bağışı caiz midir? <https://kurul.diyaret.gov.tr/Cevap-Ara/993/organ-bagisi-caiz-midir-> (accessed on 17 November 2018).
15. Dr Zaki Badawi, <https://muslimdonorsuk.wixsite.com/moduk/forum/published-research/zaki-badawi-1995-organ-transplant> (accessed on 8 September 2018).
16. New fatwa to clarify Islamic position on organ donation, <https://www.organdonation.nhs.uk/get-involved/news/new-fatwa-published-to-clarify-islamic-position-on-organ-donation/> (accessed on 8 September 2018).
17. Angle Alis, <https://www.quora.com/Does-Islam-support-the-concept-of-organ-donation-after-death> (accessed on 23 March 2019).
18. <http://www.darulifta-deoband.com/home/en/Halal--Haram/145702> (accessed on 14 November 2018).
19. <http://www.taajushshariah.com/Fatawa/BloodDonation.html> (accessed on 11 June 2020).
20. <http://www.islamquest.net/en/archive/question/fa3116/tmpl/component/printme/1D> (accessed on 11 June 2020).
21. <https://www.alifta.gov.sa/En/IftaContents/IbnBaz/Pages/FatawaDetails.aspx?cuItStr=en&View=Page&PageID=2453&PageNo=1&BookID=14> (accessed on 2 November 2018).
22. Sheikh Salih al-Munajjid, <https://islamqa.info/en/107690> (accessed on 2 November 2018).
23. Organ Transplantation, <https://questionsonislam.com/article/organ-transplantation> (accessed on 2 November 2018).

24. Imam Juhari Abdul Malik, <https://www.donatelifevirginia.org/lifeline/2016/11/imam-juhari-abdul-malik-and-the-change-of-muslim-heart-towards-organ-donation/> (accessed on 21 June 2020).
25. Muhammed Rizvi, Islamic Views on Organ Donation & Transplantation, <https://www.al-islam.org/articles/islamic-views-organ-donation-transplantation-sayyid-muhammad-rizvi> (accessed on 3 October 2018).
26. Islam and Organ Donation A guide to organ donation and Muslim beliefs, [https://www.islamawareness.net/Hospitals/OrganDonation/organdonation\\_article0001.pdf](https://www.islamawareness.net/Hospitals/OrganDonation/organdonation_article0001.pdf) (accessed on 3 October 2018).
27. Ibrahim Abu Mohamed, Islamic ruling on organ transplantation. <https://donatelifegov.au/sites/default/files/multicultural/organ%20transplant%20fatwa%204%20March%202015.pdf> (accessed on 3 October 2018).
28. Organ transplantation according to Islam, <http://ijtihadnet.com/organ-transplants-according-islam-2/> (accessed on 3 October 2018).
29. Shaikh Yusuf Badat, Am I Allowed to Donate my Organs? <https://www.mathabah.org/am-i-allowed-to-donate-my-organs/> (accessed on 10 September 2018).
30. Organ transplant, Islam, Fiqh, Fatwa, Ruling, Shariah-A Juristic ruling regarding organ Transplant. <http://www.islamicvoice.com/august.98/fiqh.htm> (accessed on 3 October 2018).
31. Shaykh Muhammad Umar Baazmool, instructor at Umm Al-Quraa University in Makkah, What is the Islaamic ruling on organ donation? <http://www.salafitalk.net/st/viewmessages.cfm?Forum=10&Topic=1450> (accessed on 3 October 2018).
32. Mufti Ehzaz Ajmeri, Organ donation, <https://jamiat.org.za/organ-donation/> (accessed on 3 October 2018).
33. Oman's Grand Mufti's fatwa allows organ donation, <https://timesofoman.com/article/41196> (accessed on 3 October 2018).
34. Mufti Ebrahim Desai, Is organ donation and autopsy permissible in Islam? [http://askimam.org/public/question\\_detail/16282](http://askimam.org/public/question_detail/16282) (accessed on 3 October 2018).
35. Ummah. com, <https://www.ummah.com/forum/forum/islam/general-islamic-to-pics/76697-organ-transplants> (accessed on 18 April 2019).
36. islamonline.net (accessed on 3 October 2018).
37. <http://www.taajushshariah.com/Fatawa/BloodDonation.html> (accessed on 30 August 2019).
38. Shaykh Muhammad Saalih al-Munajjid, Ruling on organ donation, <https://islamqa.info/en/answers/107690/ruling-on-organ-donation> (accessed on 6 September 2020).
39. Principles of Islamic Ethics. <https://www.isra.org.au/site/user-assets/docs/workshop-2a--making-ethical-decisions-using-sacred-text--islam.pdf> (accessed on 7 November 2018).
40. <https://muslimmatters.org/2008/01/19/nothing-but-pure-ignorance-of-self-flagellation-on-ashoorah-ashura/> (accessed on 7 November 2018).
41. <https://jamiat.org.za/organ-donation/> (accessed on 7 November 2018).
42. Reaching Consensus on Organ Donation: A Call to the Muslim American Community, (accessed on 7 November 2018). <https://iiit.org/en/reaching-consensus-on-organ-donation-a-call-to-the-muslim-american-community/> (accessed on 7 November 2018).
43. Islam and Organ Donation, ed Dr Saad Ismail, MHSN, <https://imedbham.webs.com/documents/Organ%20donation%20from%20an%20Islamic%20perspective.pdf> (accessed on 13 November 2018) (Ghannam n.d.).
44. <https://www.shiachat.com/forum/topic/1070-organ-donation-islams-point-of-view/> (accessed on 7 November 2018).
45. [http://askimam.org/public/question\\_detail/16282](http://askimam.org/public/question_detail/16282) (accessed on 7 November 2018).
46. <https://www.central-mosque.com/index.php/General-Fiqh/islam-organ-donation.html> (accessed on 10 August 2018).



47. Is organ transplantation permissible? <https://www.central-mosque.com/index.php/General-Fiqh/islam-organ-donation.html> (accessed on 10 August 2018).
48. Dr Mansour Ali, Three British Muftis Understanding of Organ Transplantation <https://jbima.com/article/three-british-muftis-understanding-of-organ-transplantation/> (accessed on 27 October 2018).
49. <http://muftionline.co.za/node/14959> (accessed on 5 November 2018).
50. <https://organdonationinislam.com/organ-donation-in-islam/> (accessed on 5 November 2018).

## Notes

- <sup>1</sup> *Ijtihad* is a legal term referring to independent reasoning or a jurist's exertion to find a legal solution to a problem (Kamali 2008).
- <sup>2</sup> Mujtahid, the one who exercises independent reasoning (*ijtihad*) in the interpretation of Islamic law. (Oxford Reference)
- <sup>3</sup> They also mention the report "Harm can not be removed by a similar harm." (meaning, in order to remove harm from another individual, it is impermissible for one to harm himself)." Ibn Nujaym, al-Ashbah, cited in <https://www.central-mosque.com/index.php/General-Fiqh/islam-organ-donation.html> (accessed on 10 August 2018).

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