
ISIL COMMITTEE OF RESEARCH AND FATWAS
FATWAS No. 61, 62, and 64-68



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The Islamic State
The Research and Fatwa Committee
In the Name of Allah the Most Merciful, the Most Compassionate
Fatwa Number: 68
Date: 31 JAN 2015

Question: Is it permissible to take the captured apostate's body organs and give them to Muslims who are in need of them?

There is no doubt that the Muslim hospitals are overwhelmed with diseases that are incurable by doctors and harsh on the patients, such as heart and renal diseases and other fatal or degenerative diseases.

Allah Almighty knows best what is right and what is wrong and there is evidence from texts and Islamic principles and laws supporting the notion that transplanting healthy organs from an apostate's body into a Muslim body in order to save the latter's life or replace a damaged organ with it is permissible.

Allah Almighty said [TC: Verse 5:32 from the Koran] {if any one saved a life, it would be as if he saved the life of the whole people}. One notices that the context of this verse is general and covers all scenarios of saving the lives of believers including transplanting organs. Saving a Muslim from death or deterioration is an Islamic legal duty that should be performed with every legitimate way or financial means.

The jurists of the Shafi'i and Hanbali schools and others permitted, when necessary, the killing of the infidel combatant or the apostate should one need to consume their flesh for the purpose of saving his own life. [TC: the author cites text written by the Imam al-Nawawi, an Islamic scholar, on the legitimacy of killing the infidel fighters and apostates and eating them].

If the jurists had permitted, when necessary, the consumption of human flesh as a means counter to death or harm, then it is even more appropriate to transplant of organs from the apostate to the Muslim to save the life of the latter. This is especially the case since it was ruled that the apostate's life and organs are not protected. On the contrary, the apostate's life and organs don't have to be

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respected and may be taken with impunity. Based on aforementioned, the categories of the apostate's organs are broken down into the following cases:

- 1- The rule is applicable on organs that could be put to use in both cases- pre and post-mortem.
- 2- The organs that can only be used pre-mortem, and those are divided into two groups:
 - a- Organs the removal of which would not be fatal: It is not prohibited to remove this type of organs from a living body as death would defeat the purpose.

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- b- Organs that end the captive's life if removed: The removal of that type is also not prohibited, even if it is fatal for the captive. A group of Islamic scholars have permitted, if necessary, one to kill the apostate in order to eat his flesh which is part of benefiting from his body. This encompasses everything that is needed to be taken from the apostate's body.

The permission to transplant the apostate's organs into a Muslim body facilitates, alleviates, and removes the difficulties endured by Muslims is corroborated by a reason strongly rooted in the pure Sharia. Allah Almighty says: [TC: Verses follow from the Koran] {Allah intends every facility for you; He does not want to put to difficulties}. He says :{ Allah doth wish to lighten your (difficulties): For man was created Weak (in flesh)}. He says: {Allah doth not wish to place you in a difficulty}. He says: {has imposed no difficulties on you in religion}. Allah Almighty knows best.

Stamp:



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