

Use of Human Body Parts in Cosmetics and Medicine: Scientific, Religious, Ethical and Legal Perspectives

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Abstract

The use of human body parts in medicine and cosmetics raises profound scientific, ethical, religious, and legal questions. This study employs a multidisciplinary approach to examine these practices through the lens of Islamic jurisprudence, biomedical evidence, and global regulatory frameworks. Qur'anic texts, Hadith, and rulings from the four Sunni schools of thought are analyzed to clarify Islamic perspectives on the sanctity of the human body. A scientific and ethical review evaluates the therapeutic benefits of transplantation and regenerative medicine alongside the contested use of human-derived materials in cosmetics. Case studies from Islamic countries explore how legal systems integrate religious rulings with contemporary biomedical regulations. Data collection combines content analysis of jurisprudential texts, contemporary fatwas, and scientific literature, supported by expert interviews with scholars, legal specialists, and medical professionals. The findings are presented from social, religious, economic, and industrial perspectives, offering a balanced and culturally sensitive framework for policymaking. By integrating jurisprudential traditions with

modern scientific and ethical debates, this study provides evidence-based insights to guide the responsible and ethical use of human body parts in both medical and cosmetic applications.

Keywords: Human body, cosmetics, medicines, religion, Islamic teachings, Legal framework

I. Introduction

The incorporation of human body parts into medicine and cosmetics has a long history, dating back to ancient practices. Early physicians and anatomists contributed significantly to medical knowledge: Herophilus and Erasistratus in Alexandria were among the first to dissect human corpses regularly, a revolutionary act that advanced anatomical understanding and laid the foundation for modern biomedical science¹. Over centuries, the evolving study of anatomy and physiology informed not only life-saving interventions such as transplantation but also aesthetic applications. By the 19th and 20th centuries, aesthetic surgery and the use of biological materials to enhance physical appearance reflected cultural ideals of beauty and identity².

In contemporary medicine, human-derived tissues and organs remain indispensable in life-saving procedures, including corneal transplantation, organ grafting, and reconstructive surgery. These interventions demonstrate high success rates and are generally accepted as medically necessary. By contrast, the use of human-derived materials in cosmetics occupies a far more controversial space. Products incorporating placental proteins, umbilical extracts, and stem cell-conditioned media are marketed for anti-aging, scar reduction, and rejuvenation purposes³. However, the safety of such applications is contested. Concerns about viral transmission and prion diseases led to restrictions such as the European Union's Cosmetics Directive, which prohibits human-derived ingredients⁴.

From a religious and ethical standpoint, these practices are subject to deep scrutiny. In Islam, the human body is regarded as a sacred trust (*amanah*) from God, not to be desecrated or commodified. The Qur'an emphasizes the dignity of humankind⁵, while prophetic traditions highlight respect for the dead, declaring that breaking the bone of the deceased is akin to breaking it in life. Jurisprudential rulings across the four Sunni schools permit interventions such as organ transplantation in cases of medical necessity, but generally discourage or prohibit non-essential uses, particularly in cosmetics, where necessity (*darurah*) is absent. These debates illustrate the ethical distinction

Islam makes between life-saving medical interventions and cosmetic enhancements.

Legal governance reflects this moral tension. While medical use of human body parts is tightly regulated worldwide, oversight in the cosmetic sector remains inconsistent. In Muslim-majority contexts, contemporary fatwas address both the permissibility and limits of biomedical and cosmetic practices, balancing scientific utility with theological principles. This paper thus integrates scientific, religious, ethical, and legal perspectives to explore the contested use of human body parts in medicine and cosmetics. By situating biomedical science within Islamic jurisprudence and global regulatory debates, it aims to develop a framework that is both culturally sensitive and ethically robust.

2. Islamic Jurisprudential Analysis

2.1. Qur'anic Foundation

The Qur'an establishes the sanctity and dignity of the human body as a foundational principle of Islamic jurisprudence. One of the most frequently cited verses in this regard is: "And We have certainly honored the children of Adam"⁶. Classical and contemporary exegetes agree that this verse affirms the inherent dignity (*karāmah*) bestowed upon every human being, irrespective of race, religion, or social status. From a legal-theological perspective, this honor extends to the body itself, both in life and in death, establishing a moral and juridical boundary against its commodification or desecration. Similarly, in Qur'an Allah commands: "Do not kill yourselves. Indeed, Allah is to you ever Merciful."⁷ Jurists interpret this not only as a prohibition against suicide but also as an injunction against self-harm, unnecessary bodily mutilation, or transactions that exploit the body in ways inconsistent with divine mercy. These verses collectively provide the theological foundation upon which Islamic scholars have historically opposed the sale of organs, exploitative cosmetic procedures, and any practice that undermines the divinely conferred dignity of human beings.

A further Qur'anic principle emerges from "And do not throw yourselves with your own hands into destruction"⁸. This directive has been widely applied by jurists to issues of medical treatment, organ donation, and bodily alteration. The verse establishes that while the preservation of life (*ḥifẓ al-nafs*) is one of the higher objectives (*maqāṣid al-sharī'ah*), it cannot be pursued through methods that compromise bodily sanctity or lead to greater

harm. This dual principle, preservation of life and avoidance of self-destruction, forms the crux of Islamic debates on the medical and cosmetic use of human body parts. Hence, scholars emphasize that the human body is not an object of absolute ownership but a trust (amānah) from God. Consequently, while necessity (ḍarūra) may render certain medical interventions permissible, the Qur'anic framework remains cautious and restrictive, particularly concerning procedures rooted in luxury or vanity. This theological foundation shapes the subsequent juristic reasoning across the four Sunni schools of thought and continues to guide contemporary fatwas on organ transplantation and cosmetic surgery.

2.2 Prophetic Guidance (Hadith Evidence)

The Sunnah of the Prophet ﷺ provides indispensable guidance in understanding the balance between the sanctity of the human body and the necessity of medical treatment. One of the most widely cited traditions states: *إِنَّ اللَّهَ أَنْزَلَ الدَّاءَ وَالذَّوَاءَ، وَجَعَلَ لِكُلِّ دَاءٍ دَوَاءً، فَتَدَاوُوا وَلَا تَدَاوُوا بِحَرَامٍ*⁹ "Indeed Allah has sent down both the disease and the cure, and He has made for every disease a cure. So seek treatment, but do not seek it through what is unlawful."

This hadith lays down a dual principle: (1) the pursuit of treatment is encouraged, as disease is not without remedy; and (2) the boundaries of divine law remain intact, such that treatment cannot transgress into the unlawful. Jurists build on this to argue that medical interventions involving prohibited materials or unethical methods are impermissible, unless a state of dire necessity (ḍarūra) justifies an exception. Within this framework, using human body parts raises a jurisprudential dilemma: while lifesaving procedures like organ transplants may fall under ḥifẓ al-nafs under prescribed principles (preservation of life), purely aesthetic uses in cosmetics may be deemed violations of this Prophetic injunction since they lack necessity. The International Islamic Fiqh Academy Jidda permits transplanting regenerative tissue like blood between living persons. It also allows using organs from a deceased donor to save a life, given proper consent. However, transplanting a vital organ from a living donor, if it causes their death, is forbidden. The sale of human organs is strictly prohibited. These rulings balance medical necessity with the ethical principles of Shariah.¹⁰

Another foundational narration comes from Usāmah ibn Sharīk, who reported:

عَنْ أُسَامَةَ بْنِ شَرِيكٍ قَالَ: قَالُوا: يَا رَسُولَ اللَّهِ أَفَنَتَدَاوَى؟ قَالَ: «نَعَمْ يَا عَبْدَ اللَّهِ تَدَاوَوْا فَإِنَّ اللَّهَ لَمْ يَضَعْ دَاءً إِلَّا وَضَعَ لَهُ شِفَاءً غَيْرَ دَاءٍ وَاحِدٍ الْهَرَمُ»¹¹.

They said: “O Messenger of Allah, shall we seek treatment?” He replied: “Yes, O servants of Allah, seek treatment, for Allah has not created a disease but He has also created its cure, except for one disease, old age.

This hadith further solidifies the Islamic imperative of medical treatment, portraying it as part of human responsibility rather than a lack of faith. The restriction to permissible methods highlights the ethical obligation not to compromise divine injunctions in the name of health. Classical jurists have consistently cited this hadith to argue that treatment is encouraged (*mustahabb*) and sometimes even obligatory (*wājib*) if life is at stake. In the modern context, it underscores the legitimacy of organ transplantation under prescribed principles when necessary for survival, while simultaneously rejecting cosmetic exploitation of human tissues, which cannot be justified under necessity.

3. Islamic Jurisprudential Analysis

3.1 Human Life, Illness, and Treatment in Islam

In Islamic thought, human life is a sacred trust (*amanah*) from Allah, and maintaining health is both a spiritual and moral duty. Illness is understood as a divine test, requiring patience, gratitude, and acceptance of Allah’s decree, while simultaneously seeking treatment to preserve the body for fulfilling religious obligations. The Prophet ﷺ encouraged seeking treatment while acknowledging that illness is a decree from Allah.

Similarly, Whenever Allah's Messenger (ﷺ) paid a visit to a patient, or a patient was brought to him, he used to invoke Allah, saying, "Take away the disease, O the Lord of the people! Cure him as You are the One Who cures. There is no cure but Yours, a cure that leaves no disease."¹² These narrations establish the principle that while illness is a test, seeking permissible treatment is obligatory to preserve life, which is a higher objective of Sharia (*maqasid al-sharia*).

3.2 Jurisprudential Principles on Use of Human Body Parts

The four Sunni schools of jurisprudence generally uphold the sanctity of the human body, whether living or dead. The Qur’an states: **وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ** {¹³

“And indeed We have honored the children of Adam”, which forms the basis of prohibiting mutilation and disrespect of human remains. However,

jurists also apply the principle of necessity (al-darurah), which allows otherwise prohibited actions when they are essential to preserving life.

- Hanafi School: Generally prohibits the use of human body parts but permits exceptions under darurah when saving a life¹⁴
- Maliki School: Emphasizes preservation of life but prohibits cosmetic uses that are not medically necessary¹⁵
- Shafi'i School: Permits organ donation and transplantation if there is no alternative and consent is obtained, but disallows use for beautification¹⁶
- Hanbali School: Similar to Shafi'i, emphasizes treatment within the limits of necessity, forbidding uses driven by vanity¹⁷

1.3 Contemporary Fatwas and Institutional Rulings

Modern juristic councils have further clarified these rulings:

- The Islamic Fiqh Academy (OIC, Jeddah, 1988) permits organ transplantation with consent, provided it aims to save life and does not involve commercial trade.
- The Council of Senior Scholars (Saudi Arabia) allows organ donation but prohibits the use of human tissue in cosmetics for beautification, citing lack of necessity.
- Dar al-Ifta (Egypt) differentiates between therapeutic use, which is permissible, and cosmetic.
- Based on the definitive rulings of Islamic jurisprudence, transplanting brain and nervous system cells is permissible when using a patient's own tissue or animal-derived cells. The use of human fetal cells is strictly permitted only from lawful, natural miscarriages or laboratory cultivation, never by intentionally ending a life. Organs from newborns with anencephaly may be used for transplantation, but only after full brainstem death is medically confirmed and standard ethical protocols are followed.¹⁸
- The International Islamic Fiqh Academy affirms that only the necessary number of fertilized eggs should be created for implantation, with any excess being allowed to perish naturally. It is strictly prohibited to implant a fertilized egg into a woman other than the original wife. Furthermore, using embryos as an organ source is forbidden unless obtained from a spontaneous or medically necessary

miscarriage, and all transplantation must be free from commercial exploitation.¹⁹

3.4 Contemporary Jurisprudential Issues: Organ Transplantation

Organ transplantation is considered among the contemporary jurisprudential issues that have emerged due to advancements in medical science, the passage of time, and the evolving needs of humanity. Although there are no direct, explicit texts in the Qur'an and Sunnah addressing these matters, Islamic jurisprudence, with its inherent flexibility and capacity for *ijtihād* (independent juristic reasoning), possesses the ability to provide guidance on such issues.

As the Qur'an states:

"وَأَنْ لَّيْسَ لِلْإِنْسَانِ إِلَّا مَا سَعَىٰ"²⁰

"And that man will have nothing except what he strives for."

This verse indicates that human effort and reasoning will indeed bear fruit. Following this principle, jurists and *mujtahidūn* (qualified jurists capable of *ijtihād*) have sought solutions for emerging issues by drawing upon *nazā'ir* (precedents), *amthilah* (analogies), and the most closely related cases. This flexibility of Islamic jurisprudence reflects the fact that it is not merely a rigid set of laws but a living and enduring system capable of addressing novel challenges in accordance with the needs of every era. As established in the principles of *uṣūl al-fiqh* (principles of jurisprudence), certain maxims provide foundational guidance, such as:

- *الضرورات تبيح المحظورات* "Necessities permit prohibitions."²¹
- *المشقة تجلب التيسير* "Hardship brings about ease."²²

These legal maxims make it possible to adopt a juristic stance on matters like organ transplantation through contemporary *ijtihād*, provided that such procedures do not conflict with the principles of human dignity, consent, and genuine necessity.

3.6 Challenges in Deriving Rulings

This process of *ijtihād* (independent juristic reasoning) encounters several practical and theoretical challenges:

- How can the sanctity and dignity of the human body be safeguarded?
- How can the commercialization and commodification of organs be prevented?

- At what stage should transplantation be deemed permissible, given the ongoing juristic disagreement over the definition of death (brain death versus cardiac death)?

These questions open new avenues for juristic deliberation within Islamic law, and they demonstrate that Islamic jurisprudence is not merely a relic of the past but a dynamic system that embodies the eternality and universality of Islamic teachings.²³

5.6 Classical and Contemporary Fatwas on Organ Transplantation

In Islamic jurisprudence, the human body is considered a trust (amānah) from Allah, not a personal possession. This principle forms the foundation of the juristic stance that a person does not have proprietary rights over their body parts that would allow them to sell, gift, or destroy them

5.7 Position of Classical Jurists

The four leading schools of jurisprudence (Ḥanafīs, Mālikīs, Shāfi'īs, and Ḥanbalīs) and the eminent jurists have consistently emphasized that the sanctity and dignity of the human body is equal for both Muslims and non-Muslims. Based on this, their view has been:

- It is impermissible to remove or transfer any organ from a living person, even with their consent.
- It is also impermissible to remove organs from a deceased person for use by another human being.
- The use of human body parts for food, medicine, or other worldly benefits is strictly prohibited.

This stance is grounded in the prophetic tradition:

"كسر عظم الميت ككسره حياً"²⁴

"Breaking the bone of the deceased is like breaking it while he was alive."

Concerns of Contemporary Scholars

In the modern era, scholars have examined this issue in greater detail, raising significant concerns:

1. Permitting the sale of organs might drive the poor to sell their body parts out of desperation.
2. Organs of unclaimed deceased individuals may be forcibly taken, leading to widespread desecration of the dead.
3. Those driven by greed and exploitation might begin exhuming buried bodies.

4. An unchecked trend could fuel kidnapping and murder for the purpose of organ trafficking.

Fatwa of Mufti Muhammad Shafi' and Jamia Binori Town

Mufti-e-Azam Pakistan, Hazrat Maulana Mufti Muhammad Shafi' , explicitly wrote:

- "The organs and parts of the human body are not his own property over which he can exercise ownership... According to the principles of Islamic law, committing suicide, or willingly giving away one's life or organs for a price or even voluntarily, is strictly forbidden... It has also been declared impermissible to cut or remove any part of a dead person's body... The four Imams and the jurists of the entire Ummah are unanimous on this.²⁵"
This position has been reaffirmed in Fatwa issued by Jamia Uloom Islamia, Allama Muhammad Yusuf Binori Town²⁶;
- The use of human body parts is impermissible under all circumstances.
- It is not permissible for a person to donate (gift) their organs according to Sharī'ah.

4. Scientific and Ethical Considerations

4.1 Review of Usage of Human Body Parts (Medical and Cosmetic Applications)

Human body parts serve as vital resources in both therapeutic medicine and, increasingly, in the cosmetic industry.

In medicine, organ and tissue transplantation has transformed healthcare. Corneal transplantation is among the most widely performed procedures, with over 184,000 transplants recorded globally in 2012 across 116 countries, achieving success rates between 65% and 95%.²⁷ (Gain et al., 2016). Kidney transplants provide a tenfold survival benefit compared to dialysis, while liver and heart transplants remain lifesaving interventions.²⁸ Human-derived materials also play key roles in reconstructive surgery: skin grafts are essential for burn victims, bone grafts in orthopedic repairs, and stem-cell therapies show promise in regenerating cardiac and neurological tissues.²⁹

In cosmetics, however, human-derived substances are often used for non-essential purposes. Placental extracts, umbilical cord components, and stem-cell conditioned media have been incorporated into anti-aging creams, hair products, and luxury treatments³⁰. Proponents argue that these provide

enhanced rejuvenation and tissue repair, but the scientific evidence supporting their superiority over synthetic alternatives remains limited. Moreover, the risk of disease transmission, inadequate regulation of sourcing, and lack of clinical necessity make cosmetic uses highly controversial compared to therapeutic medicine³¹.

4.2 Global Bioethical Concerns from an Islamic Perspective

The bioethical dilemmas surrounding human body parts differ greatly between therapeutic and cosmetic uses.

From a medical standpoint, Islam allows certain organ donation under necessity (*ḍarūra*), provided it saves lives, is voluntary, and does not involve exploitation. Many contemporary scholars permit corneal, kidney, and liver transplants based on the principle of *al-ḍarūrāttubīḥ al-maḥẓūrāt* (necessity permits the prohibited)³². However, commercialization, coercion, or organ trafficking are strictly forbidden.

Cosmetic uses, by contrast, face stronger objections. Since they are not medically necessary, many scholars classify them as impermissible because they risk violating the dignity (*karāmat al-insān*) that the Qur'an enshrines: "Indeed, We have honored the children of Adam"³³. Furthermore, the Prophet ﷺ said: "Allah does not cure you with what He has forbidden"³⁴ indicating that non-essential applications of human tissues for beauty or luxury cannot be justified.

Globally, bioethical concerns mirror Islamic critiques: while therapeutic use is widely accepted, cosmetic applications risk commodifying human tissue, blurring the boundary between treatment and consumerism, and exploiting vulnerable populations who may become sources of biological material.³⁵

4.3 Social Impacts of Human Body Part Usage

The social consequences also diverge sharply between medical and cosmetic applications.

In the medical field, successful organ donations are often seen as acts of altruism and social solidarity. They strengthen community bonds and provide hope for patients and families. However, the persistent shortage of donor organs has fueled illegal markets, transplant tourism, and exploitation of the poor, undermining social justice and trust in healthcare systems.³⁶

In cosmetics, the impacts are largely negative. The use of placental or stem-cell-based beauty treatments often sparks public backlash in societies where bodily integrity is culturally or religiously sacred. Such practices can

erode moral values by treating the human body as a commodity. Moreover, in Muslim-majority contexts, cosmetic use of human materials is widely condemned as unnecessary, exploitative, and contrary to religious principles³⁷. Thus, while medical applications can foster social goodwill and save lives, cosmetic applications often provoke moral controversy, inequality, and potential exploitation, highlighting the complex tension between science, ethics, and culture.

5. Case Studies: Pakistan and Saudi Arabia

5.1 Saudi Arabia: Hybrid Model of Shari'ah and Medical Law

Saudi Arabia presents one of the clearest examples of integrating Islamic jurisprudence with modern medical regulation³⁸. The Saudi Council of Senior Scholars Hay'at Kibār al-'Ulamā' and the Islamic Fiqh Academy³⁹ have both issued fatwas permitting organ transplantation and limited forms of corrective cosmetic surgery, provided that procedures are aimed at removing harm (*izālat al-ḍarar*) and not merely beautification. The Islamic Fiqh Academy Resolution No. 173 (18/11)⁴⁰ explicitly distinguishes between therapeutic (corrective) interventions, which are permissible, and aesthetic (beautification) surgeries, which are prohibited.

Saudi medical law also requires patient consent, physician accountability, and regulatory oversight in line with WHO guidelines (WHO, 2023)⁴¹. Cosmetic interventions such as rhinoplasty or liposuction for purely aesthetic purposes remain controversial unless justified by necessity (*ḍarūra*) or significant psychological harm. The use of human-derived materials in cosmetics, such as placental extracts or stem-cell serums, has been rejected due to both religious sanctity and public health concerns, echoing earlier toxicology reviews⁴². Saudi Arabia thus represents a hybrid model where fatwas and secular regulations operate together to define the boundaries of cosmetic and medical practice.

3.2 Pakistan: Fatwa-Based Restrictions and Judicial Oversight

Pakistan provides Classical a more approach, relying heavily on fatwas and Islamic principles. The Transplantation of Human Organs and Tissues Act (2010) prohibits commercial organ trade but permits donation under strict conditions. This aligns with Ḥanafi jurisprudence, which holds that “the human body is not owned⁴³” (*al-insānlāyamilikunafsahu*), and therefore cannot be commodified⁴⁴.

The Council of Islamic Ideology and Dar al-Ifta Pakistan have consistently ruled that organ selling is haram, citing (“Do not kill yourselves”) ⁴⁵and the maqāṣid principle of ḥifẓ al-nafs (preservation of life)⁴⁶. Donation is allowed when life-saving, but fatwas prohibit elective uses. Cosmetic surgery has faced stricter rulings: corrective procedures (such as cleft lip repair or post-trauma reconstruction) are accepted, while beautification surgeries remain impermissible as alterations of Allah’s creation⁴⁷

Interestingly, Pakistani jurisprudence has engaged with spousal consent debates in cosmetic surgery. Some Scholar note cases where husbands objected to their wives’⁴⁸ cosmetic procedures, with some fatwas suggesting spousal awareness is necessary in elective contexts for preserving sharikat al-‘ishrah (marital partnership). Pakistan also faces challenges with illegal organ markets, where economic disparities have driven vulnerable populations to sell organs despite religious prohibitions⁴⁹.

Thus, Pakistan exemplifies a fatwa-dominated model where regulation is shaped more by religious edicts than secular law, especially regarding cosmetics.

3.3 Comparative Reflections

- Saudi Arabia Hybrid system: Medical laws + Sharī‘ah fatwas. More flexible in reconstructive and therapeutic interventions.
- Pakistan Fatwa-dominated: Heavily reliant on Ḥanafīfiqh and fatwas, with stricter prohibitions on cosmetics and heightened concern over spousal authority.

Both nations uphold classical Islamic principles like لا ضرر ولا ضرار (“no harm and no reciprocating harm”) and ḥifẓ al-nafs (preservation of life). However, both diverge when it comes to cosmetics: while therapeutic applications are widely accepted, beautification remains contested and tightly regulated.

Results

The paper concluded that use of the human body parts should be based on necessity and intent. Both classical and modern jurists widely supported life-saving and restorative action, i.e. organ transplants and corneal grafts, on condition of consent and non-commercialisation under the name of al-darurat tubih al-mahzurat (necessities permit prohibitions). Conversely, cosmetic or enhancement-based practices, such as placental extracts and non-

essential stem-cell uses, were largely disapproved because of their connotation of luxury, risk of exploitation and absence of necessity.

There was a significant divergence that came out between the regulated but Shariah-integrated model in Saudi Arabia and the fatwa-based and usually restrictive model in Pakistan. Such juristic methods as *ijtihad* and the rule *la darar wa la dirar* (no harm and no reciprocating harm) provide channels of adjustment, but unsolved difficulties, such as organ trafficking, setting new requirements to death, and the boundaries of ethical use of cosmetics, remain. All in all, Islamic jurisprudence is very tentatively accommodating: it tolerates therapeutic necessity on the basis of *hifz al-nafs* (preservation of life) and is opposed to commodification of the human body.

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