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The Majlis

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STEM CELL THERAPY

Question

Is stem cell therapy permissible? According to Darul Uloom Azaadville, stem cell therapy is permissible. I recall that The Majlis had mentioned more than once that stem cell treatment is not permissible. Please comment on Azaadville's fatwa. The fatwa is as follows:

DAARUL ULOOM AZAADVILLE' FATWA

"In order to understand stem cell therapy, we wish to highlight what stem cells are.

What are stem cells?

"Stem cells are the raw materials of the body — cells from which all other cells with specialized functions are generated. Under the right conditions in the body or a laboratory, stem cells divide to form more cells called daughter cells. These daughter cells either become new stem cells (self-renewal) or become specialized cells (differentiation) with a more specific function, such as blood cells, brain cells, heart muscle or bone. No other cell in the body has the natural ability to generate new cell types." It is said there are mainly two types of stem cell. One website sates; "commonly, stem cells come from two main sources:

- Embryos formed during the blastocyst phase of embryological development (embryonic stem cells)
- Adult tissue (adult stem cells).
- Both types are generally characterized by their potency, or potential to differentiate into different cell types (such as skin, muscle, bone, etc.)

What is stem cell therapy?

"Stem-cell therapy is the use of stem cells to treat or prevent a disease or

condition." A more detailed explanation is a follows:
"Stem cell therapy, also known as regenerative medicine, promotes the reparative response of diseased, dysfunctional or injured tissue using stem cells or their derivatives. It is the next chapter of organ transplantation and uses cells instead of donor organs, which are limited in supply.
Researchers grow stem cells in a lab. These stem cells are manipulated to specialize into specific types of cells, such as heart muscle cells, blood cells or nerve cells. The specialized cells can then be implanted into a person. For example, if the person has heart disease, the cells could be injected into the heart muscle. The healthy transplanted heart cells could then contribute to repairing defective heart muscle.
Researchers have already shown that adult bone marrow cells guided to become heart-like cells can repair heart tissue in people, and more research is ongoing."

What is cord blood banking?
"Cord blood banking is a procedure in which cord blood — a rich source of stem cells — is taken from a newborn's umbilical cord after delivery and used for research or preserved for possible use in a stem cell transplant."
"A cord blood bank is a facility which stores umbilical cord blood for future use. Both private and public cord blood banks have developed in response to the potential for cord blood in treating diseases of the blood and immune systems. Public cord blood banks accept donations to be used for anyone in need, and as such function like public blood banks. Traditionally, public cord blood banking has been more widely accepted by the medical community. Private cord blood banks store cord blood solely for potential use by the donor or donor's family. Private banks typically charge around $2,000 for the collection and around $200 a year for storage."

Conclusion
In the light of the abovementioned information, we come to know that stem cell therapy is using some portion of a human's body for medical purposes and the cord blood banking is collecting the blood of the umbilical cord from which stem cells are extracted and stored for later usage. This stored blood can either be used by the child who was attached to umbilical cord at the time of the blood extraction, the mother of the child, another family member or any other person.
Our research has shown us that, doctors can use a person own stem cells in another part of that person's body or the stem cells can be used in someone else's body. Similarly, the stem cells from the cord blood can be used for the child who was attached to the umbilical cord at the time of the blood extraction, the mother of the child, another relative or any other person. We thus conclude that the stem cell is like blood, so the stem cell therapy will fall

under the ruling of blood transfusions.
The ruling of stem cell therapy and cord blood which is the same as blood transfusion is as follows:

- It is permissible to do stem cell therapy in dire situations where there may be a loss of limb, life or prolonged sickness even if the stem cells are from someone else.
- It is permissible to donate the stem cells for future medical use since it will have to be checked in advance for diseases and infections. Then intention of the donor should be that the stem cells should be used in time of dire need.
- It is not permissible to do stem cell therapy for cosmetic or beautification purposes.
- It is not permissible to sell the stem cells. However, a person who is in dire need of it and he can only procure it by purchasing; it will be permissible to purchase it. Nevertheless, the prohibition for selling it still remains.
- It will not be permissible to use cosmetics which are made from human stem cells.
- The view of our Darul Ifta is that just as it is not permissible to donate one's limbs for medical research, similarly, it will not be permissible to donate stem cells or cord blood for purposes of medical research; whether such donation is done whilst one is alive or one makes a bequest to this effect. Therefore, if someone made a bequest for the usage of his stem cells for medical research purposes, it will not be permissible for the heirs to fulfil such a bequest.
- Cord blood banking will be permissible like blood banking. However, it must be borne in mind that cord blood banking at a private institute is very costly and the cord blood cannot be used for the aforementioned prohibited reasons.

Checked and Approved By:
Mufti Muhammed Saeed Motara Saheb D.B

(End of Azaadville's fatwa)

ANSWER
The fundamental error of Azaadville's Mufti is his claim:

"We thus conclude that the stem cell is like blood, so the stem cell therapy will fall under the ruling of blood transfusions."

Not a single valid Shar'i *daleel* has been presented to constitute the basis for an issue of such gravity as the utilization of human organs/parts for medical treatment although it is not hidden from the Mufti that there exists explicit *Nass*

prohibiting such use.

The Mufti made a conclusion on the basis of blood transfusion. However, blood transfusion is not a *Shar'i daleel*. Whoever had ruled the permissibility of blood transfusion had based his ruling on some valid *daleel* of the Shariah. Blood transfusion itself is an issue in need of *daleel.* If there is valid *daleel* for its permissibility, it will be applicable to only this *Fara'* (i.e. blood transfusion) which at this juncture is not the subject of our discussion. It suffices to say that, there is the imperative need form the Mufti to present original ***dalaa-il*** to act as the *Maqees Alayh* on which permissibility may be argued. It is incongruent, for example, to claim that Jackie's bread is permissible because cheese is permissible. Both these edibles are issues in need of Shar'i daleel. Thus, if there exists Shar'i *daleel* for the permissibility of Jackie's bread, the permissibility will remain attached to this chap's bread. It will not constitute a *Maqees Alayh* for cheese. Cheese requires its own independent original *(Asl)* on the basis of which the ruling will be raised.

It should be understood that the kuffaar by nature gravitate towards *najaasat* and *kufr*. Although Allah Ta'ala has created thousands of substances in the plant and stone kingdoms to be used as medicine, the first preference of kuffaar is ***najaasat*** – blood, urine, faeces, umbilical cords, dead human bodies, human organs and the like. But for Muslims, Rasulullah (Sallallahu alayhi wasallam) said:

"Allah has not put the shifa' of my Ummah in substances made haraam for them."

The operation of the Fiqhi principle of *Dhuroorat (Dire Need)* is nowadays been mangled and misapplied by Muftis. Just everything has become '*dhuroorat'* for the Muftis of this era. The mind no longer focuses on the emphatic prohibition of haraam stated by Rasulullah (Sallallahu alayhi wasallam). The research and discoveries of the atheist, impure doctors and scientists are accorded greater acceptance than the Fataawa of Rasulullah (Sallallahu alayhi wasallam). The Fiqhi principles and technicalities are dug out to provide justification for overriding the explicit rulings of Rasulullah (Sallallahu alayhi wasallam).

Stem cell therapy is a haraam medical treatment in which human parts and impurities are used. In fact it consists of nothing but Haraam. The blood transfusion basis is baseless. All the acts of permissibility mentioned in Azaadville's fatwa are Haraam.

STEM CELL THERAPY IS HARAAM.