

Ruling on cloning of human beings

What is the ruling on cloning of human beings? How does it affect lineage, marriage, inheritance and other rulings on family matters? May Allaah reward you with much good.

Praise be to Allaah.

Allaah

has created man in the best of forms, and bestowed upon him the greatest honours. Allaah says (interpretation of the meaning):

“ And

indeed We have honoured the Children of Adam, and We have carried them

on land and sea, and have provided them with At-Tayyibaat (lawful good things), and have preferred them above many of those whom We have

created with a marked preferment ”

[al-Israa ’

17:70]

Allaah

has honoured him with reason and responsibility, and has made him a khaleefah on earth, to populate and develop it. He has honoured man by giving him the Message which suits his fitrah (natural state), indeed it is that fitrah itself, as Allaah says (interpretation of the meaning):

“ So

set you (O Muhammad) your face towards the religion (of pure Islamic Monotheism) Haneef (worship none but Allaah Alone). Allaah ’ s Fitrah (i.e. Allaah ’ s Islamic Monotheism) with which He has created mankind.

No change let there be in Khalq-illaah (i.e. the religion of Allaah

Islamic

Monotheism), that is the straight religion, but most of men know not ”

[al-Room

30:30]

Islam

is keen to preserve the upright fitrah of man by preserving the five holistic aims: religion, life, reason, lineage and property, and protecting them from every change that may corrupt them, whether by its cause or its effects. This is stated in the hadeeth qudsi which was narrated by al-Qurtubi from the report of al-Qaadi Ismaa'eel, [in which Allaah says]: " I have created all My slaves as haneefs (pure monotheists), but the shayaateen (devils) come to them and try to divert them from their religion... and they commanded them to alter My creation. " (Tafseer al-Qurtubi, 5/389)

Allaah

taught man that which he did not know, and commanded him to seek and examine and think and ponder, as He says in many aayahs, such as the following (interpretations of the meanings):

" Did they not see... "

[Ta-Ha
20:89, etc.

" Do they not look at... "

[al-Ghaashiyah
88:17]

" Does not man see that We have created him from Nutfah (mixed male and female

sexual discharge
semen drops) "

[Yaa-Seen
36:77

" Verily, in these things, there are Ayaat (proofs, evidences, lessons, signs, etc.) for people who reflect "

[al-Ra' d
13:3]

" Verily, therein is indeed a sign for people who have wisdom "

[al-Nahl
6:67]

“ Verily,
in this is a Reminder for men of understanding ”

[al-Zumar
39:1]

“ Read!
In the Name of your Lord Who has created (all that exists

[al- ‘ Alaq
96:1]

Islam

does not place any restrictions on the freedom of scientific research, or place any obstacles in its way, because it is a mean of understanding the laws of Allaah in His creation, but Islam also stipulates that this cannot be left without any guidelines or regulations on the introduction of scientific results into the public domain without first passing them through the sieve of sharee ’ ah, so that that which is permissible may be allowed through whilst that which is haraam is prevented from passing. So it is not permissible to implement something simply because it can be implemented, rather it has to be beneficial knowledge which serves the interests of mankind and protects them from harm; this knowledge has to protect the dignity of man and the lofty purpose for which Allaah created him. So man should not become the subject of experimentation, and scientific research should not impinge upon the unique identity of the individual and his distinct characteristics, or lead to disruption of the social framework or dissolution of the foundations of kinship and lineage, or the family structure that has been known throughout human history in the shade of Allaah ’ s laws and on the solid foundation of His rulings.

Among

the new scientific discoveries that man has made in modern times is that which the media speaks of a great deal, that which is known as cloning. We have to explain the ruling of Islam on this matter, after quoting some details about it given by a group of Muslim scientists and experts in this field:

Definition

of cloning:

It

is known that the laws of Allaah concerning His creation dictate that

the human being grows from the joining of two cells, the nucleus of each of which contains a number of chromosomes, half the number of chromosomes

in the cells of the human body. When the cell of the father (the husband), which is called the sperm, joins with the cell of the mother (the wife), which is called the egg, they turn into a fertilized cell which contains the complete number of chromosomes, and has the potential to multiply. When it settles in the uterus of the mother, it grows and becomes a whole new created being, by the will of Allaah. This cell multiplies, so it becomes two identical cells, then four, then eight... then it continues to multiply until it reaches the stage where the cells start to differ from one another and become specialized. If, during the phase when the cells are multiplying but have not yet begun to specialize, one cell separates from the others, this will result in identical twins. Some experiments have been done in which cells were artificially separated from animal embryos, resulting in identical twins, but nothing of this sort has been reported regarding human beings. This is regarded as a kind of cloning, because it is producing identical copies, so it is called cloning by splitting.

There

is another way of cloning a complete creature, which is done by taking the complete number of chromosomes, in the form of a complete nucleus from one of the cells of the body, and inserting it into an egg cell from which the nucleus has been removed, thus forming a fertilized cell containing a complete number of chromosomes and at the same time able to multiply; if it is planted in the uterus of the mother it will develop and grow and be born as a complete creature, by the will of Allaah. This kind of cloning is known as nuclear transfer or nuclear insertion in the egg cell. This is what is understood by the word "cloning" when it is used, and this is what happened in the case of the sheep "Dolly". But this new creature is not an exact copy of the original, because the egg of the mother from which the nucleus was removed still contains some remnants of the nucleus in the material surrounding the removed nucleus, and these remnants have a noticeable effect in altering the characteristics which are inherited from the body cells, and this also has not yet been reported to have been done with humans.

So

cloning means producing one or more living beings by transferring the nucleus of a body cell to an egg whose nucleus has been removed, or splitting an fertilized egg at the stage before the tissues and organs become distinct.

It is obvious that these and similar procedures do not represent the act of creation, in whole or in part. Allaah says (interpretation of the meaning):

“ Or do they assign to Allaah partners who created the like of His creation, so that the creation (which they made and His creation) seemed alike to them? ” Say: ‘ Allaah is the Creator of all things; and He is the One, the Irresistible ’ ”

[al-Ra ' d
13:16]

“ Then tell Me (about) the (human) semen that you emit.

Is it you who create it (i.e. make this semen into a perfect human being), or are We the Creator?

We have decreed death to you all, and We are not outstripped, To transfigure you and create you in (forms) that you know not.

And indeed, you have already known the first form of creation (i.e. the creation of Adam), why then do you not remember (or take heed)? ”

[al-Waaqi ' ah 56:58-62]

“ Does not man see that We have created him from Nutfah (mixed male and female sexual discharge semen drops). Yet behold he (stands forth) as an open opponent.

And he puts forth for Us a parable, and forgets his own creation. He says: ‘ Who will give life to these bones after they are rotten and have become

dust? ’

Say:

(O Muhammad) ‘ He will give life to them Who created them for the first time! And He is the All-Knower of every creation! ’

He

Who produces for you fire out of the green tree, when behold you kindle therewith.

Is

not He Who created the heavens and the earth, Able to create the like of them? Yes, indeed! He is the All-Knowing Supreme Creator.

Verily,

His Command, when He intends a thing, is only that He says to it, ‘ Be! ’ and it

is! ”

[Yaa-Seen

36:77-82]

“ And

indeed We created man (Adam) out of an extract of clay (water and earth). Thereafter

We made him (the offspring of Adam) as a Nutfah (mixed drops of the male and female sexual discharge and lodged it) in a safe lodging (womb of the woman).

Then

We made the Nutfah into a clot (a piece of thick coagulated blood), then We made the clot into a little lump of flesh, then We made out of that little lump of flesh bones, then We clothed the bones with flesh, and then We brought it forth as another creation. So Blessed is Allaah, the Best of creators ”

[al-Mu ’ minoon

23:12-14]

Based

on the discussion above, the Committee has decided the following:

(1)

That

human cloning using the two methods mentioned, or any other method that leads to reproduction of human beings is haraam

(2)

If there is any transgression of the shar' i ruling mentioned above, then the consequences of that should be discussed to explain the shar' i rulings concerning such cases.

(3)

All scenarios in which a third party may be added to the marital relationship are forbidden, whether that involves a womb (surrogacy), eggs, sperm or cells for cloning.

(4)

It is permissible in Islam to use the technology of cloning and genetic engineering in cases of germs and microscopic creatures, plants and animals, within the limits and guidelines of sharee' ah, for the purpose of serving interests and warding off harm.