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### Summary

Neither the Qur'an nor the Sunnah resolves the issue of transplantation. This means it is a subject of discussion (Ijtihad) among Islamic scholars. It is also a subject of Ijtihad because the primary two sources of the Shari'ah (the Qur'an and the Sunnah) do not ascertain specifically to the moment when death occurs.

In the era of possibilities offered today by medicine in the field of organ transplant, it is essential from the Islamic (Shari'ah) point of view to highlight three things:

- 1) Definition of the end of human life (cessation of brain activity or cessation of heart activity)
- 2) Definition of term "voluntary" in regard to organ donation,
- 3) Definition of the possibilities of storing human organs (organ banks), and the exchange of such organs between organ banks.

Human life ceases either with the end of heart activity, lung activity or brain activity, i.e. of all its higher spheres, which are above the spinal cord level in medulla oblongata. At that moment the body is in the deepest coma. Only the heart activity continues through the heart's own automation (i.e., as dictated by the center of the spinal cord). In such situations there are all signs of death of higher brain centers, and indeed there is no restoring of life. Is it then permitted to remove the life supporting system, to start taking organs for their transplantation to another person (which ensures the quality of the organ taken

and better chances for its functioning in another body)?

Taking organs for the purpose of transplanting them to another person is permitted only in cases when a potential donor has left a will stating that, after his death, any of his organs may be transferred to another person. It is not permitted to transplant organs related to any sex functions under any circumstances.

It should be stated that the seizing of someone else's property, including body organs, is strictly banned in Islam, without the owner's (or the heir's) consent.

It should be stated, that organ exchange may be performed between medical institutions having previously established the same ethical code concerning the taking and transplanting of human organs and clearly defined rules and standards. Each body part permitted to be transplanted also has to have the required documentation and all relevant information concerning the donor, the way the donated organs are accepted, the possible conditions set by both parties, and all respective requirements of medical ethics. In such an exchange, any trade in organs, for material benefit is excluded. A medical institution under justified suspicion, or proved not to adhere to highly moral standards and principles required in this field, may not by any means engage in any activity concerning organ transplant or human body exchange.

Eventually, after all that has been presented, the question has been raised

as to the necessity of setting up an Islamic organ bank which would be accepting, storing, transplanting and exchanging organs, adhering to all the principles stated in this paper.

Key words:

Transplantation, Shari'ah, life cessation, organ bank.

Considering that close to fourteen centuries have elapsed since the revelation of the Qur'an, and that the achievements of modern science and technology have advanced significantly during that time, we cannot search for explanations of all modern dilemmas only in the Qur'an. Man's progress and happiness is not expressed in the number of his achievements, but rather in the way they are applied to save humankind. That is why the best generation is the one that has focused its achievements and sciences on the happiness of mankind and for the benefit of human life and the elimination of evil. The worst generation is the one that disregards any principle governing these, and thus enables anarchy in what has been bestowed upon it in the field of science and practice. The best evidence for this is the reality humankind is facing today. It lives in a myriad of discoveries, but it still lacks happiness and prosperity. That is why it is necessary to re-examine the knowledge of these discoveries and secrets of today, and set strict guidelines for their use, thereby submitting them to a program, which would preserve man's interests and prevent troubles.

One such advancement is organ transplantation. Transplantation is not an important problem in itself. It is being performed on a daily basis, including blood transplants (transfusions) as liquid tissue; organ transplants from live donors (usually family members) when life is not threatened (transplants of pair organs), and organ transplants from the cadavers to the living (so-called cadaver transplants).

In 1978, Beni of Portland University, USA presented the data that in the world, of all people needing kidney transplants, only 17% were in a position to receive kidneys from living relatives, which is in fact the transplantation with the best prospects for success. Lawrence Way in 1990 reported that 30% of the affected were in such a position, and that for the remaining 70% (or 83% respectively), if they wanted to overcome the dialysis problem, they should receive kidneys from cadavers (bodies of the deceased).

As Islam is the religion revealed by the Almighty for the sake of stabilizing and enhancing human life on Earth through the dynamics and activities of man, this means that there should exist legislation on everything man has discovered, and how to use it. No doubt that the Shari'ah scholars are invited to discover such provisions and interpretations, as well as to carry out research into this matter in order to highlight the place and role of the achieved scientific discoveries. Nevertheless, anything given to man to define by his wisdom is subject to change, both by individuals and

communities. Neither Qur'an nor Sunnah, resolves the issue of transplants. It is also a subject of Ijtihad because the primary sources of the Shari'ah (the Qur'an and the Sunnah) do not specifically define the moment when death occurs. It should be pointed out that the Qur'an pays much more attention to morality than to law, and the number of those claiming that this question primarily belongs to a moral rather than legal category is not small.

In the era of possibilities offered today by medicine in the field of organ transplant, it is essential from Islamic (Shari'ah) point of view to highlight three things:

- 1) Definition of the end of human life (cessation of brain activity or cessation of heart activity),
- 2) Definition of the term "voluntary" in regard to organ donation,
- 3) Definition of the possibilities of storing human organs (organ banks), and the exchange of such organs between organ banks.

#### Definition of the End of Human Life

In medical literature, a cadaver means a deceased person's body. The literature does not pay much attention to which occurred first, brain death or heart death. In Anglo-Saxon literature, a cadaver generally means the body of a brain-dead person. A situation where life is being supported by means of life-supporting machines while the heart is still functioning, and the brain is not, has for a long time been a topic of many ethical and religious discussions, both in

terms of justifying supporting the heart activity, and in terms of discontinuing its support. Today, among Islamic jurists there is still a discussion going on as to whether treatment is obligatory at all or not, especially in such delicate and expensive situations as supporting the heart activity by creating artificial conditions that enable it, and when to discontinue such support. This has been addressed by Fatwa (legal opinion) of the Islamic Jurisprudence Academy (Majma' Al-Fiqh Al-Islami), affiliated to the Organization of Islamic Conference (OIC), on "when death occurs?"

The Person is Legally Dead if the following Two Signs were Noticed

- 1) If the heart and lungs completely and irrecoverably stop functioning. the decision must be taken by the physicians.
- 2) If all the functions of the brain irrecoverably come to a complete stop. The decision must be taken by the experienced specialist physicians. In this case it is justifiable to remove the resuscitation apparatus from the patient even if some organs such as the heart were still functioning due to the use of apparatus connected to the patient. Therefore, human life ceases with the end of heart activity, lung activity or brain activity, i.e., of all higher spheres, which are above the spinal chord level in medulla oblongata. At that moment the body is in the deepest coma. Only the heart has continued through the heart's own automation. In such situations there are still signs of death of higher brain centers, and indeed there is no restoring

of life. It is then permitted to remove the heart supporting apparatus, i.e., to start taking organs for their transplantation to another person (which ensures the quality of the organ taken and better chances for its functioning in another body).

It should be pointed out that Islamic jurists claim that death occurs at the moment when the soul leaves the body, i.e., when brain stops obeying the soul, which in this case again coincides with the above stated fact. If the soul indeed is linked to the most advanced part of the brain, then there is no doubt as to whether transplantation has a spiritual aspect or not, as we are speaking about a far lower level, about the modular level. Between the telencephalic and modular levels there are five conscience levels, and therefore, as has already been stated, it is the deepest coma, the one that can be claimed to be without the soul.

To confirm the above stated reliably, a consensus of doctors of various specialities working as a team is required and the full responsibility for this act is theirs.

The human body, even when dead, is a deed of God, and for this reason, as well, it must not be desecrated. As some claim, this is in line with the Hadith (saying) of Prophet Muhammad [PBUH]: "When a person dies, above his body the soul hovers watching how its body is being treated; so, be careful and treat the bodies of the deceased gently". On the other hand, if the goal of Shari'ah is to make one happy, the aim of physicians is to help the sick even if it

were by transplanting parts of the body. The question is how to do it and not to desecrate the body from which the organ is being taken.

At this point we should take into account that Islam tends to protect the five fundamental and lasting man's values. The first is: "Protection of life and body, and aid to the afflicted". For this reason, Muslim Physicians bear an enormous burden of responsibility, since Islam acknowledges each science, provided that it recognizes the moral values of Islam.

Definition of the term "voluntary" in regard to Organ Donation

Taking organs for the purpose of transplanting them to another person is permitted only in cases when a potential donor has left a will stating that, after his death, his organs may be transferred to another person. It is not permitted to transplant organs related to any sex functions under any circumstances.

A will that allows the taking of organs for the purpose of transplanting them to another person (provided that the donor at the time of writing the will was able to do it voluntarily and with full understanding) is fully valid, irrespective of possible opposing by heirs. However, should the donor orally or in writing want to donate a part of his body he could not live without (e.g. his heart) for the purpose of its transplant to someone else, and prompted to do it because of a mental/physical disease (it is understood that a healthy man would never think of that), such a will would not be valid, as it would mean a will to commit suicide.

In cases when the brain-dead person (with heart still functioning by inertia/life support) has left no will, it is not permitted to take his organs without consent of all his heirs. Otherwise, it would be an attack against the human body, which is absolutely protected in Islam. It also has dignity, both alive and dead, as the Prophet [PBUH] said in a Hadith: "To break a dead man's bone is like breaking a living man's bone." Namely, permission to transplant organs on the whole should be based on the principle of need. However, if the deceased person has not left a will for his organs to be taken, and there are no heirs, or when the identity of the deceased person and of his heirs is unknown, opinions of the Muslim are divided. Some in such case favor transplantation, while some others do not.

In the case of a child, (a minor person) a wish, to donate an organ to help someone else, is not valid. Nor can parents or guardians donate body parts of their children or wards respectively. In such cases, the principle of property as a material asset prevails, as parents or guardians respectively may not dispossess property of the child they take care of, especially his body parts, irrespective of the fact that the child could live on with only one organ (e.g., a kidney).

Nevertheless, if a minor person left a will and then suddenly died in an accident, etc., then such a will would be valid by analogy with his property. In such a case, the will should have to be

the child's will, not someone else's. It should be borne in mind that a minor child may not leave endowments, or deal with his property in any way, but if he has left a will, and then indeed died, then possibility of acting by his will would be considered.

It should be stated once more that the seizing of someone else's property, including body organs, is strictly banned in Islam, without the owner's (or the heir's) consent. Today in Western countries' literature and explanations of this issue may be found, such as the one quoted below: "Taking organs from a corpse is not an ethical problem, since the corpse, although its memory from real life is to be respected, is still not a person but rather a public property whose organs or tissues may save somebody else's life, which comes within the duty and the general humanitarian aim of medicine and society in general".

At the time when the first discussions among Islamic scholars were held about organ transplants, attitudes were more divided than they are today. There have always been those against and those for transplantation. A belief from earlier times has been passed on, i.e., that it is permitted to transfer not only tissues but also a bone from an animal whose meat is edible. By analogy, the possibility of transplanting an organ from a non-Muslim to a Muslim and vice versa is pointed out. A Muslim physician is obliged to give the same aid, or medical care, both to a non-Muslim as well as to a Muslim.

### Definition of the Possibility of Storing Human Organs (Organ Banks)

For the safest possible transplant of human organ, the existence of banks of human organs is recognized as essential. For this process to meet approval, a number of conditions have to be justified, of which we point out particularly the following:

- 1) The institution has to have comprehensive and detailed legislation and be under full control of the respective institutions which duly have full insight into the activity of the institution.
- 2) Prior, legally valid consent of both donor and receiver is required.
- 3) The organ is permitted to be transplanted.
- 4) Each organ has to have accompanying documentation (who the donor was, under what circumstances the organ was made available, if legal regulations on taking the organ were met, etc.)
- 5) Prior to the transplantation, the receiver has to know from whom he is receiving the organ and in this respect follow his wish.
- 6) The bank for human organs has to be physically separate, in special premises and with the appropriate documentation, "human organs for transplant", from possible animal organs, so that their mixing and misusing is by no means possible.

However, at present times the techniques and technology of organ transplant have not been equally mastered in all countries. So, e.g., in Bosnia and

Herzegovina, we know how to transplant kidneys, but in the world, apart from kidneys, corneas, hearts, livers, lungs, and pancreases are transplanted. In such situations, the possibility of exchanging organs obtained from donors' will is very useful. In this particular case, in banks having a surplus of some organs but lack some others, the exchange of organs increases the possibility of easing such shortages. But in need, it should be stated, the organ exchange may be performed between medical institutions having previously established the same ethical codes concerning the taking and transplanting of human organs and clearly defined rules and standards. Each body part permitted to be transplanted also has to have the required documentation and all relevant information concerning the donor, the way the donated organs are accepted, the possible conditions set by both parties, and all respective requirements of medical institution. A medical institution under justified suspicion, or proved not to adhere to highly moral standards and principles required in this field, may not by any means engage in any activity concerning organ transplant or human body exchange.

Eventually, after all that has been presented, the question has been raised as to the necessity of setting up an Islamic organ bank which would be accepting, storing, transplanting and exchanging organs, adhering to all the principles stated in this paper.

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## Islam and the Elderly

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Old age cannot in essence be defined because it does not have the same meaning in all societies. In certain parts of the world, people are considered old when they manifest certain changes in their activities or social roles. For example, people may be regarded to be old when they become grandparents or when they begin to physically show down and engage in a less strenuous work situation. In South Africa, people are often considered old when they reach the retirement age: 65 in case of males and 60 in case of females.

### Old Age : Manifestation of Human Frailty

The Glorious Qur'an in various passages, makes pertinent reference to old age and the aging process. As examples, the following verses may be cited:

It is Allah Who created you (all in a state) of weakness, and then after weakness, ordains strength (for you), and then, after (a period of) strength, ordains (old age), weakness and gray hair. He creates whatever He wills, and He alone is All-Knowing and Infinite in His Power. (Al-Rum, 30:54)

From the above citation, the word "weakness" which appears in the beginning of the Qur'anic verse pertains to the utter helplessness that is experienced by every human being during infancy. The baby is totally dependent upon his/her mother to nurse

him/her. At this stage, powers of mind and body are still not developed. Then comes the stage of youth which signifies the embodiment of strength, and certain moral qualities, such as courage, love for adventure and the will to conquer. After youth, old age makes its appearance. However, one ought to bear in mind that although aging is a universal phenomenon, it affects different people at different times. Biological aging eventually leads to the manifestations of "weakness" all over again and a second childhood ensues, which, in some instances, may necessitate the soliciting of nursing care for the aged.

Loss of some capacities that are typically suffered as a result of old age be related to deterioration in hearing ability, blurring of the vision while reading, and inability to control bladder function leading to incontinence.<sup>1</sup>

The Prophet Muhammad (PBUH) aptly said:

Know the value of five things before they disappear: your youth, before old age comes; your health, before sickness comes; your wealth, before poverty comes; your free time, before being occupied; and your life, before death.<sup>2</sup>

The Glorious Qur'an also states:

And Allah has created you, and in time will cause you to die; and many a one of you is reduced in old age to a most abject state, ceasing to know anything of what he once knew so well. (Al-Nahl, 16:70)

In the above verse, the statement "ceasing to know anything of what he once knew so well" may refer to senile

dementia which is due to the degenerative condition known as Alzheimer's disease. Roger Briggs points out that the clinical presentation of senile dementia is initially with gradual loss of memory of events over recent months or years, with increasing behavioral disturbances including insomnia, wandering and sometimes aggression, and finally becoming virtually mute, incontinent and bedridden. The course of the disease is relentlessly downhill over five to ten years before death finally strikes.<sup>3</sup>

Hence, according to the Glorious Qur'an, the deterioration of human faculties suffered in old age depicts the most obvious evidence of human frailty and dependence that is the inevitable fate of all human beings. Moreover, the Glorious Qur'an affirms that Allah (SWT) has decreed human life to be limited and to come to an end.

It is He Who created you from dust, then from a drop of sperm, then from an embryonic lump, then He brings you out as infants, then (He ordains) that you reach adulthood, and then reach old age - though some of you (He causes to) die earlier -- (and all this He ordains) so that you might reach a term set (by Him), that you may haply understand that it is He Who grants life and death, and when He but says unto it "Be" and it is. (Ghafir, 40:67-68)

From the Islamic perspective, the realization of our weakness and limitations ought to make us recognize the everlasting power, majesty and grandeur of Allah (SWT), thereby

necessitating us to submit ourselves to Him (SWT) and to conform to the divine commandments.

#### Religious Concessions for Elderly

All adult Muslims are commanded to perform the fard salah (obligatory prayers five times a day) and are enjoined to fast during the holy month of Ramadan. However, any person who has some excuse due to illness (or old age) and cannot stand while performing the salah is allowed to pray in a sitting position. If that person cannot pray in a sitting posture, he/she may pray while on lying on one's side by making gestures.<sup>4</sup> This concession is based on Allah's (SWT) words:

And celebrate Allah's praises, standing, sitting, and lying on your sides. (Al'Imran, 3:191).

As for the old people who are in no position to fast due to extreme weakness, they are given the option to abstain from fasting, but have to compensate by feeding a poor person every day during the fasting month. This is evident from the following Qur'anic citation:

Oh you who believe! Fasting is prescribed to you as it was prescribed to those before you that you may (learn) self-restraint. (Fasting) is for a fixed number of days, but if any of you is ill or on a journey the prescribed number (should be made up) from days later. For those who can do it (with hardship) is a ransom the feeding of one that who is indigent. (Al-Baqarah, 2:183-184)

The elderly is even exempted from participating in Jihad (just war). The

Glorious Qur'an states the following in this regard:

(But) no blame shall attach to the du'afa' (weak and old) nor to the sick, nor to those who have no means (to equip themselves), provided they are sincere towards Allah and His Apostle, there is no cause to reproach the doers of good, for Allah is Oft-Forgiving, Most Merciful. (Al-Tawbah, 9:91)

Commenting on the above verse, Muhammad Mahmud Hijazi states that the du'afa' are those who are weak and devoid of strength in their bodies and are unable to take part in Jihad. They would thus not be held accountable nor would it be a sin for them not to participate in Jihad.<sup>5</sup>

The Prophet Muhammad (PBUH) advised the Imam (the person who leads the Muslims in the congregational salah) to have consideration for the elderly. He (PBUH) said:

If one of you leads the people in prayer, he should be "easy" on them for among the people are the weak, sick, and aged. If one prays by himself, one may make it as long as one wishes.<sup>6</sup>

This is also echoed by the Glorious Qur'an. Although the elderly are not specifically mentioned in the following verse, it can be inferred that consideration for the aged should also be given:

So He (Allah) has turned to you (in mercy): recite then, of the Qur'an as much as it may be easy for you. He knows that in time there will be among you sick people, and others who will be traveling through the land seeking of

Allah's bounty, and others who will be fighting in Allah's cause. Recite then, (only) as much of the it as you may do with ease.... (Al-Muzzamil, 73:20)

#### Moral Rectitude

Insofar as moral rectitude is concerned, all Muslims, including the elderly, are enjoined to display exemplary character in all facets of life. Any elderly person who is guilty of gross immoral behavior will not be above the law in this life nor go scot-free in the life hereafter. The Prophet Muhammad (PBUH) said:

Three persons whom Allah will not speak to them, not purify them (of their sins), nor look at them on the Day of Resurrection, and they will be afflicted with a painful torment: an aged person who is an adulterer, a king who is a liar and a beggar who is proud.<sup>7</sup>

Imam al-Nawawi explains that the elderly man mentioned in this Hadith refers to one who is fifty years and over. Committing adultery at that age is most abominable/disgusting and is an indication of his perverted nature and weakness of faith.<sup>8</sup>

#### Rights of Elderly

Rights of the elderly may be deduced from Allah's (SWT) commandments that touch upon how children ought to relate to their parents, which are found in the Glorious Qur'an and also from the Ahadith (sayings) of the Prophet Muhammad (PBUH). Dr. Hammudah Abd al-Ati's insight on the child's duties vis-à-vis parent's rights is worth noting.

"Parent and child in Islam are bound together by mutual obligations and reciprocal arrangements. But the age

differential is sometimes so wide that parents have grown physically weak and mentally feeble. This condition is often characterized by impatience, degeneration of energy, heightened sensitivity, and perhaps misjudgment. It may also result in abuses of parental authority or intergenerational estrangement and uneasiness. It was probably with a view to these considerations that Islam has taken cognizance of certain facts and made basic provisions to govern the individual's relationship to his parents."<sup>9</sup>

#### A. The Right to be Obeyed

Allah (SWT) states in the Glorious Qur'an: We have instructed man concerning his parents. Bearing him caused his mother great debility and the period of his weaning was two years. Give thanks to me and to your parents. I am your final destination. But if they try to make you associate something with Me about which you have no knowledge, do not obey them. Keep company with them correctly and courteously in this world, but follow the Way of him who turns to Me. Then you will return to Me and I will inform you about the things you did. (Luqman, 31:14-15)

The Prophet Muhammad (PBUH) said: Major sins are: Associating partners with Allah, disobedience of parents, murder and making a false oath.<sup>10</sup>

From the above citations, it becomes mandatory upon children to obey their parents, irrespective whether they are Muslims or not. However, children are not liable to obey their parents if they try

to coax them to associate partners with Allah (SWT) or to do anything which may contravene any of the cardinal tenets/principles of Islam.

#### B. The Right to Respected

The Prophet Muhammad (PBUH) said: He does not belong to us who does not show mercy to our young and respect to our old ones, who does not recommend what is reputable and prohibit what is disreputable.<sup>11</sup>

#### C. The Right to be Shown Kindness

Allah (SWT) states in the Glorious Qur'an: We have enjoined on man kindness to parents..... (Al-Ankabut, 29:8)

Abd Allah Ibn Mas'ud (r.a.), a Sahabi (Companion) of the Prophet Muhammad (PBUH), reports the following:

I asked the Prophet (PBUH), "What is the most beloved deed in the sight of Allah (SWT)?" He (PBUH) replied, "Offering salah in its due and prescribed time" I then asked, "What next?" He (PBUH) said, "Kindness to one's parents" I further asked, "What next?" He (PBUH) said, "Jihad in the Path of Allah (SWT).<sup>12</sup>

#### D. The Right to be Served

While it is mandatory for Muslims to respond to the call of Jihad, i.e., to physically participate in an Islamic battle for a noble Islamic cause, yet serving one's parents is considered to be a greater duty. This is evident from the incident recorded in the Hadith literature:

A man came to the Prophet (PBUH) asking his permission to take part in jihad. The Prophet (PBUH) asked him,

"Is either of your parents alive?" He replied in the affirmative that both of them were alive. The Prophet (PBUH) asked him, "Do you seek reward from Allah? He replied in the affirmative. The Prophet (PBUH) said: "Then return to your parents and exert yourself in their service.<sup>15</sup>

E. The Right to be Remembered in the Du'a' (supplication)

Allah (SWT) states in the Glorious Qur'an: And out of kindness, lower to them the wing of humility and say: "My Lord! bestow on them Your mercy even as they cherished me in childhood." (Bani Isra'il, 17:24)

The Prophet Muhammad (PBUH) said: When a person dies, his actions come to an end except in respect of three matters that he leaves behind: sadaqah jariyah (a continuing charity), knowledge from which benefit could be derived, and a pious child who makes du'a' (supplicates) for him<sup>16</sup>.

F. The Right to Receive Support and Maintenance

It is expected of the children to provide for their parents and to make them as comfortable as possible, especially in their old age, when they are in no position to earn any income. Maintenance, as Dr. 'Abd al-'Ati points out, includes adequate provisions for food, lodging, and general comfort for the parents.<sup>17</sup>

However, if the children are not themselves in a position to support their parents due to their own financial constraints, then the responsibility

devolves on the Muslim community as a whole. The Bayt al-Mal (public Treasury) ought to be established wherever Muslims abound so that this institution may, as in the past, play a significant role in alleviating the plight of the elderly in particular and Muslims in general.

G. The Right not to be Abused

Abuse of the elderly may take different forms. It may be verbal or emotional and even physical one. Verbal abuse is to address the old parents or the elderly in general in a most disrespectful manner. The Glorious Qur'an warns against this type of abuse:

...And that you be dutiful to your parents. If one of them or both attain old age in your life, say not to them a word of disrespect, (nor shout at them), nor rebel them, but speak to them with gentleness and generosity. (Bani Isra'il, 17:23)

Emotional abuse may take the form of threats, e.g., threats to kick them out of the house and place them into an old age home. Physical abuse is the actual physical assault that may be perpetrated against the elderly. From the Glorious Qur'an's censure of verbal abuse of parents who have attained old age, it can be inferred that the elderly ought to be safeguarded from all forms of abuse.

Muslim Old Age Homes:

Their Place in Society

Old age is the time when people need the love and care of their beloved ones. It is regrettable to note that there seems to be

a global trend to abandon the aged persons and place them in Old Age Homes. In some instances they are placed in these institutions and abandoned in the sense that their kith and kin never bother to visit them. This is in direct contradiction to the teachings of the Glorious Qur'an and the Sunnah of the Prophet Muhammad (PBUH).

However, one may not dismiss the need for establishing Muslim Old Age Homes. These institutions may after all have a role to play in providing solace, comfort and care to the old Muslims, both males and females, who may either be childless and do not have anyone to look after them or may be reverts to Islam and have been ostracized by their families. But Muslims must keep in mind that they belong to an Ummah i.e., a mutual assistance kind of community.

Allah (SWT) states in the Glorious Qur'an:

Worship Allah alone and do not associate anything with Him, be good to your parents and relatives and orphans and the needy, and neighbors who are related to you and neighbors who are not related to you, and the companion (by your side) and the wayfarer (you meet), who are under your authority. Surely, Allah does not love the arrogant and boastful. (Al-Nisa, 4:36)

The Prophet Muhammad (PBUH) echoes the ummatic spirit that ought to be put into motion in the following Hadith.

The believers in their love and sympathy for on another are like one body; when one part of it is affected with pain, the

whole of it responds in terms of wakefulness and fever.<sup>18</sup>

Therefore, each and every Muslim ought to make it his/her duty to visit these homes and spend sometime chatting with and cheering the elderly and many young Muslims may inculcate wisdom by being in their midst.

Conclusion

Islam views the elderly as an important component of the society. Allah (SWT) shows compassion towards them by according them certain concessions in their observance of some of the religious obligations, like the manner in which they can perform the salah and paying the fidyah in order to compensate for not being in a position to observe the Ramadan sawm (fast).

Despite the religious concessions given to him/her, the elderly are not above the law and ought to have strict moral behavior at all times. The Glorious Qur'an depicts old age as manifestation of frailty. This human limitation ought to be viewed in contrast to the Infinite Power of Allah (SWT) and should instill in the elderly the need for him/her to submit to Allah (SWT) and live as good Muslims.

Both the Glorious Qur'an and Sunnah of the Prophet Muhammad (PBUH) accord rights to the elderly which necessitate their children to obey and respect them, to be kind to them and to remember them in their supplications. They also ought to be served, supported and maintained by their children who are financially sound. The elderly ought to be safeguarded from all forms of abuse.

While the establishment of Old Age Homes may not necessarily be encouraged, it was pointed out that they may have a role to play in housing the aged who are childless and the reverts to Islam but do not have a roof over their heads. However, it was pointed out that Muslims ought to make it their duty to visit the inmates in these homes in view of the fact that all Muslims are members of the Islamic Ummah. At no time should these homes be utilized as dumping grounds for the elderly. Our debt to the elderly can never be repaid in full!

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