

Legal Analysis of Blood Donation in Indonesia from the Perspective of Islamic Ethics

Rusmiyanti¹, Aris Prio Agus Santoso², Muhamad Habib³, Aryono⁴

Program Studi S1 Hukum, Fakultas Hukum dan Bisnis

Universitas Duta Bangsa Surakarta

Jl. Ki Mangun Sarkoro No. 20, Nusukan, Kecamatan Banjarsari, Kota Surakarta

Article Info

Article history:

Accepted: 15 November 2025

Publish: 1 December 2025

Keywords:

Health Law;

Islamic Ethics;

Blood Donation.

Abstract

Although blood donation in Indonesia has been regulated through various legal instruments and is regarded as a humanitarian act in Islam, numerous ethical and legal issues still arise in practice. This creates a gap between the commercialized reality of implementation and the normative expectation that blood donation should be grounded in sincerity, solidarity, and the principle of hifz al-nafs within Islamic ethics. The purpose of this study is to analyze the regulation of blood donation in Indonesia based on applicable laws and to examine the principles of Islamic ethics in viewing blood donation as a form of health and humanitarian service. This research employs a normative juridical approach with a prescriptive type of study, focusing on literature review to examine the legal framework and Islamic ethical principles in blood donation practices in Indonesia. The study uses secondary data derived from primary, secondary, and tertiary legal materials. Data collection was conducted through literature study, and the analysis applied a qualitative method to interpret legal norms, evaluate regulatory effectiveness, and formulate normative solutions. The results show that the practice of blood donation in Indonesia represents the integration of legal, moral, ethical, and humanitarian values guaranteed by the 1945 Constitution, further elaborated through Law No. 17 of 2023 and Minister of Health Regulation No. 91 of 2015, which emphasize voluntary, non-commercial, and humanitarian principles. The Indonesian Ulema Council (MUI) Fatwa No. 23 of 2019 affirms that blood donation is a virtuous act reflecting the spirit of mutual assistance. From an Islamic ethical perspective, blood donation embodies the values of hifz al-nafs and al-maslahah within maqasid al-shari'ah, serving as a form of social worship that rejects any exploitation of the human body.

This is an open access article under the [Lisensi Creative Commons Atribusi-BerbagiSerupa 4.0 Internasional](https://creativecommons.org/licenses/by-sa/4.0/)



Corresponding Author:

Rusmiyanti

Program Studi S1 Hukum, Fakultas Hukum dan Bisnis, Universitas Duta Bangsa Surakarta

Email: yantivy2304@gmail.com

1. INTRODUCTION

Blood donation is a social practice that plays a vital role in saving lives. Every year, millions of people worldwide require blood transfusions due to accidents, childbirth complications, chronic illnesses, or major medical procedures. In Indonesia, the need for blood is increasing with population growth and the development of modern healthcare services. According to data from the Indonesian Red Cross (PMI), the national blood

demand reaches approximately 5.1 million bags annually, yet availability often falls short of the required level.

In Islamic tradition, blood donation is not only seen as a medical act, but is also associated with moral and ethical values of humanity. Islam emphasizes the principle of *hifz al-nafs* the protection of life as one of the main purposes of Sharia. Thus, blood donation can be interpreted as a charitable act with religious value, as long as it is carried out within a proper ethical framework. The question that arises is how to analyze blood donation legally in Islam, particularly within Indonesia's pluralistic legal system, and how to integrate Islamic ethical values into the practice.

Blood services are regulated in Articles 114-122 of Law No. 17 of 2023 concerning Health. This is also outlined in Regulation of the Minister of Health of the Republic of Indonesia No. 91 of 2015 concerning Blood Transfusion Service Standards. These regulations emphasize that blood donation is voluntary, non-commercial, and prioritizes the safety of both donors and recipients. However, in practice, there are no clear regulations regarding the rights and obligations of donors. In addition, problems related to access, distribution, and commercialization of blood are still found in several areas. This situation has invited debate as to whether the potentially commercial practice of blood donation is in accordance with Islamic ethical values, which emphasize sincerity and prohibit the sale and purchase of body organs.

For example, as reported by *antaranews.com*, the Banda Aceh Police Criminal Investigation Unit (Satreskrim) has finally closed the investigation into the alleged blood trafficking case between the Indonesian Red Cross (PMI) Blood Donor Unit (UDD) in Banda Aceh and the Tangerang Red Cross (PMI), which had sparked public controversy, because no criminal elements were found. Based on the examination of 32 witnesses, examination of evidence, and confirmation from various parties, including the Tangerang Red Cross (PMI) and several hospitals, it was proven that the distribution of 2,034 bags of packed red cell (PRC) blood from Banda Aceh to Tangerang between December 2021 and April 2022 was carried out in accordance with applicable procedures based on Ministry of Health regulations and PMI internal rules. This distribution was motivated by excess blood stock in Banda Aceh that could potentially expire, so the transfer was carried out to meet needs in other areas. The replacement blood cost of IDR 300,000 per bag was declared legal because it was below the maximum limit of IDR 360,000 as stipulated, and all funds were recorded as having been transferred to the official cash account of the Banda Aceh Red Cross (PMI) without any indication of misuse. The police also denied allegations that the blood was used for beauty clinics, as expert testimony indicated that PRBCs were intended only for patients requiring medical transfusions. Therefore, the dismissal of this case confirms that the practice of distributing blood among Indonesian migrant workers (PMI) is part of a legitimate healthcare system and does not violate the law.

In contemporary Islamic jurisprudence, blood donation is often compared to organ donation, although there are fundamental differences. Scholars agree that blood is a noble part of the human body, and therefore its use must be carefully regulated. Some scholars emphasize that blood donation is permissible as long as it does not harm the donor and is done to save the life of another person. This approach is in line with *maqashid al-syari'ah*, where protection of life is considered more important than partial prohibitions.

However, there are differing views among Islamic scholars regarding the commercialization of blood. The Indonesian Ulema Council (MUI) has emphasized that voluntary blood donation is permissible and can even be made obligatory in emergencies. However, the practice of selling blood or profiting from it is considered inconsistent with

Islamic ethics, as it involves exploitation of the human body. This demonstrates the tension between positive legal regulations, social practices, and religious ethics.

Islam emphasizes the importance of tyranny (helping each other) in matters of goodness. Blood donation can be seen as a tangible form of solidarity that transcends social and economic barriers. Therefore, a discussion on the Legal Analysis of Blood Donation within the framework of Islamic ethics is important, so that society not only understands the formal legal aspects, but also the spiritual and moral awareness that underlies it.

Furthermore, advances in health technology have created new challenges for blood donation practices. For example, innovations in blood banking, convalescent plasma technology, and the potential for manipulation of blood distribution. This raises new questions about how Islamic ethics assess the practice, especially as blood begins to be positioned as a medical commodity with high economic value. A legal analysis of blood donation from an Islamic ethical perspective is crucial for defining the boundaries between medical benefits and potential abuse.

The urgency of this research becomes even more apparent when compared to the low public awareness of blood donation in Indonesia. Medical fears, a lack of legal understanding, and minimal religious outreach are often obstacles. In fact, if Islamic ethics can be put forward, blood donation can be seen not only as a medical act, but also as a social act of worship with a high spiritual dimension.

Thus, research on the Legal Analysis of Blood Donation in Indonesia from the Perspective of Islamic Ethics is relevant for bridging the gap between positive state regulations and religious teachings. This research is expected to contribute to strengthening the Legal Analysis system for Blood Donation in Indonesia, which not only guarantees legal certainty but also aligns with Islamic ethics, which emphasize the values of humanity, solidarity, and sincerity.

2. RESEARCH METHODS

The approach used in this research is a normative legal approach, namely, an approach carried out based on primary legal materials by examining theories, concepts, legal principles, and laws and regulations related to this research. This approach is also known as a library approach, namely by studying books, laws, and other documents related to this research. This research, using a normative legal approach, will examine the legal analysis of blood donation in Indonesia from an Islamic ethical perspective. Furthermore, the type of research used in this study will be discussed. *Prescriptive design* is a study that aims to obtain suggestions regarding what should be done to overcome certain problems. The elements of this research are independent variables (*Independent*). This study uses secondary data. Secondary data was obtained from literature studies. The data collection method used in this study was obtained from literature studies, namely, a way of collecting secondary data.

3. RESEARCH RESULTS AND DISCUSSION

1. Regulation of Blood Donation in Indonesia Based on Applicable Laws and Regulations

a. Constitution of 1945

Table 1.
Analysis of the 1945 Constitution

Chapter	Article Sound	Description
---------	---------------	-------------

Article 28H paragraph (1)	Everyone has the right to live in physical and spiritual prosperity, to have a place to live, and to have a good and healthy living environment, and has the right to receive health services.	More broadly, this article implies that every individual has a constitutional right to adequate health care, including access to safe and sufficient blood for transfusion needs. Blood donation is a manifestation of this right to health, where the public plays an active role in supporting the provision of health services through blood donation activities.
Article 28I paragraph (4)	"Protection, promotion, enforcement, and fulfillment of human rights is the responsibility of the state, especially the government."	This article emphasizes that the state is obligated to ensure a safe, ethical, and non-discriminatory blood donation system. The government must protect the rights of blood recipients and blood donors, ensuring that the process is voluntary, safe, and meets ethical and medical standards as stipulated in Law No. 17 of 2023 concerning Health. And PP No. 7 of 2011 concerning Blood Services.
Article 34 paragraph (3)	The state is responsible for providing adequate health care facilities and public service facilities.	This article provides the basis for the government to provide Blood Transfusion Units (UTD) and blood donor service facilities throughout Indonesia. In implementing this, the government collaborates with the Indonesian Red Cross (PMI), the institution authorized to manage blood donor services in accordance with national health regulations.
Article 28A	Everyone has the right to live and the right to defend their life and livelihood.	Blood donation is directly related to the right to life, as blood transfusions are often life-saving in medical emergencies. Blood donation is a form of social solidarity and a tangible contribution from the community to maintaining the survival of fellow human beings.
Article 27 paragraph (3)	Every citizen has the right and obligation to participate in the defense of the country.	This article can be interpreted socially that participation in blood donation is a form of defense <i>of humanity towards</i> fellow citizens. Blood donation is a manifestation of community concern and devotion to the nation through public health aspects, in line with the spirit of cooperation and humanitarian values guaranteed in the 1945 Constitution.

Source: Processed data, (2025).

b. Law No. 17 of 2023 concerning Health

Table 2.

Analysis of Law No. 17 of 20203 concerning Health

Chapter	Article Sound	Description
Article 114 (1)	Blood services are a health effort that using human blood as a raw material for humanitarian purposes, healing diseases, restoring health, and not for commercial purposes.	This article emphasizes that blood donation is part of a humanitarian-oriented health effort. Blood donation is not for commercial purposes, but rather to aid in the healing and recovery of patients. This principle also emphasizes the importance of ethics and social responsibility in blood donation activities.

Article 114 (2)	The blood referred to in paragraph (1) is obtained from healthy voluntary blood donors, meeting the criteria for selection as a donor, and with the consent of the donor.	This provision emphasizes the principles of voluntariness, security, and informed consent in the blood donation process. Donations must be voluntary, without coercion, by healthy individuals who meet certain medical criteria. This ensures the safety of blood and protects the rights of both donors and recipients.
Article 115 (6)	Blood services are carried out by maintaining the safety and health of blood donors, blood recipients, medical personnel, and health workers, which is carried out in accordance with blood service standards.	This article emphasizes the obligation of every blood service provider to comply with national and international safety standards. Protection is extended not only to blood recipients but also to donors and healthcare workers involved in the blood collection and transfusion process.
Article 119	Human blood is forbidden to be traded for any reason.	This article sets strict limits on the commercialization of blood. The prohibition on the sale of blood reflects the moral and ethical values of the medical profession, which believes that blood is a part of the human body and should not be used as an economic commodity. Violations of this article are subject to legal sanctions in accordance with statutory provisions.
Article 120 (1)	Plasma can be used for healing purposes disease and health recovery through processing and production.	This provision stipulates that blood plasma, a component of blood, can be used for the development of medical products such as drugs or plasma-based therapies. However, its use must remain within humanitarian and safety guidelines, and must be strictly supervised by the government to prevent misuse for commercial gain.

Source: Processed data, (2025).

- c. Regulation of the Minister of Health of the Republic of Indonesia No. 91 of 2015 concerning Blood Transfusion Service Standards

Table 3.

Analysis of Regulation of the Minister of Health of the Republic of Indonesia No. 91 of 2015 concerning Blood Transfusion Service Standards

Chapter	Article Sound	Description
Article 2	Blood Transfusion Service Standards aim to ensure safe, quality, and sufficient blood services sufficient.	This article emphasizes that every implementation of blood transfusion activities must fulfill three main elements., namely safety, quality, and availability. This means that the entire process, from blood collection through processing, storage, and distribution, must be carried out in accordance with national standards to ensure the blood used is safe for recipients. The ultimate goal is to ensure that the public receives appropriate, high-quality blood services that meet their medical needs in all healthcare facilities.

Source: Processed data, (2025).

- d. MUI Fatwa No. 23 of 2019 concerning Blood Donation

لَا يَنْهَىٰكُمْ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُم مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ۝

“Allah does not forbid you from doing good and being just to those who do not fight you because of your religion and do not drive you out of your homes, for Allah loves the truthful.”

This fatwa, quoted from QS. al-Mumtahanah (60): 8, shows that it is permissible to donate blood in an emergency to prevent the death of a person who is lacking blood (recipient), but it also does not pose a danger of death to the person whose blood is being taken (donor). This is a humanitarian responsibility without paying attention to religious differences between the two parties (recipient, blood recipient and donor, blood donor). In addition, for people who donate blood, it is a good deed recommended by religion.

Furthermore, the Indonesian Ulema Council (MUI) Fatwa Number 23 of 2019 concerning Blood Donation emphasizes that blood donation does not invalidate the fast as long as it is carried out in accordance with health requirements and at the appropriate time. This fatwa provides legal clarity for Muslims that the removal of blood, whether for medical or humanitarian purposes, is not included in the category of fast-breaking activities, such as eating, drinking, or sexual intercourse. The MUI emphasizes that blood donation has the same status as blood collection for laboratory tests or medical procedures such as vaccinations, which do not affect the validity of the fast. Furthermore, the MUI considers donating blood while fasting to be a pious deed of high value, because it is done while enduring hunger and thirst, thus having a greater value of sincerity and sacrifice. However, to maintain the donor's physical condition so as not to experience physical weakness, it is recommended that blood donation be done before or after breaking the fast. Furthermore, this fatwa continues to remind prospective donors that they must meet the health requirements as per the general provisions for blood donation, including age, weight, blood pressure, and physical condition suitable for donating blood. Thus, MUI Fatwa Number 23 of 2019 not only provides legal certainty in the implementation of fasting but also fosters a spirit of social solidarity through blood donation activities that have high humanitarian value.

From a moral philosophy perspective, blood donation is not only seen as a medical act, but also as an expression of humanitarian ethics. The act of someone voluntarily donating blood is a form of altruism or self-sacrifice for the benefit of others. This is in line with the basic principles of utilitarian ethics developed by Jeremy Bentham and John Stuart Mill, namely “*the greatest happiness for the greatest number.*” Blood donation produces a dual benefit: it helps the recipient survive and provides a sense of meaning and moral happiness to the donor. In social relations, blood donation serves as a mechanism for the distribution of collective benefits that increases public happiness by saving human lives. Philosophically, blood donation is a concrete manifestation of utilitarian ethics in social life. It establishes a balance between individual and societal interests and affirms the moral value that ultimate happiness is achieved when a person's life is saved through the solidarity of others.

From a legal perspective, the regulation of blood donation has strong constitutional roots. Articles 28A and 28H paragraph (1) of the 1945 Constitution affirm that everyone has the right to life and to receive adequate health services. Blood transfusions, which depend on the availability of donors, are a concrete manifestation of the constitutional

right to health and life itself. In this case, blood donation becomes a means of realizing utilitarian values: balancing individual happiness and collective well-being. Furthermore, Article 28I paragraph (4) of the 1945 Constitution provides a moral and legal mandate for the state to guarantee human rights, including the right to safe and ethical health services. The state's responsibility to guarantee the availability of blood is a concrete form of rule *utilitarianism*, namely the establishment of norms aimed at maximizing social well-being through fair, safe, and non-discriminatory regulations. Meanwhile, Article 34 paragraph (3) strengthens the state's function as a provider of health service facilities, which is structurally realized in the existence of the Blood Transfusion Unit (UTD) and strategic cooperation with the Indonesian Red Cross (PMI). From a utilitarian ethical perspective, this constitutional provision reflects a systemic effort to create collective well-being through legal instruments that facilitate individual moral actions. The state acts not merely as a regulator, but as a facilitator of social well-being by ensuring safe blood access for all citizens.

Then, in the positive legal framework, Articles 114 to 120 of Law No. 17 of 2023 concerning Health are the normative pillars for the implementation of blood donation in Indonesia. Article 114 paragraph (1) emphasizes that blood services are health *efforts that are aimed at humanity and not for commercial purposes*. Here we see the strengthening of the ethical principle of utilitarianism, which rejects the exploitation of the human body for economic gain. Human values become the primary orientation, not material interests. The prohibition on the sale and purchase of blood, as regulated in Article 119, is a moral reflection that the human body should not be the object of a transaction. In the terminology of Bentham and Mill, such actions do not increase social happiness but rather create moral inequality and risks to public health. In contrast, voluntary blood donation as regulated in Article 114 paragraph (2) is a moral *act that* provides maximum benefit to many people without causing harm to any party. Article 115 paragraph (6) emphasizes protection for the safety of donors, blood recipients, and medical personnel. This provision reflects the approach of utilitarianism in modern society, where the law is tasked with establishing a system that ensures the greatest benefit for all parties involved. By ensuring the safety of all actors in the blood donation process, the state ensures that an individual's moral action (blood donation) produces lasting positive consequences for society at large.

Minister of Health Regulation No. 91 of 2015 emphasizes the principles of blood safety, quality, and availability at every stage of the transfusion process. From a utilitarian ethical perspective, this regulation serves as a technocratic instrument to ensure maximum outcomes (public health and patient safety) with minimal risk. The process of donor screening, processing, and blood distribution is carried out according to national standards to prevent negative impacts such as disease transmission or transfusion errors. This technical regulation is not merely an administrative regulation, but rather the embodiment of the moral principle "*the greatest good for the greatest number*." He created an efficient, safe, and ethical system in which every medical action is directed towards achieving the greatest social benefit.

Finally, the Indonesian Ulema Council (MUI) Fatwa No. 23 of 2019 concerning Blood Donation provides a spiritual dimension to the practice of blood donation. This fatwa emphasizes that blood donation is a religiously recommended act because it saves the lives of fellow human beings without causing harm to the donor. From a utilitarian perspective, this fatwa broadens the meaning of happiness not only in the worldly dimension (safety of life) but also in the moral and spiritual dimensions (reward and sincerity). The MUI's view that blood donation does not invalidate the fast emphasizes

the harmony between Islamic ethics and utilitarian principles. Both views place social benefit as the pinnacle of moral value: a good action generates the greatest benefit without harming others. Donating blood during fasting, for example, symbolizes a highly valued sacrifice because it combines aspects of self-control and empathy for the suffering of others.

Based on the above description, the researcher concludes that if reviewed systematically, all regulations regarding blood donation in Indonesia, starting from the 1945 Constitution, Law No. 17 of 2023, Minister of Health Regulation No. 91 of 2015, to the MUI Fatwa No. 23 of 2019 have a unity of values based on utilitarian morality: upholding the happiness and well-being of as many people as possible through safe, voluntary, and dignified actions. The law in this case functions a moral instrument which transforms human values into norms that govern social behavior. Blood donation is not simply an individual act, but rather part of a public ethical structure that connects health, social solidarity, and distributive justice. This is where harmony is created between law, morality, and humanity: when state regulations, religious teachings, and social awareness align to achieve shared well-being.

Blood donation is a humanitarian act with interrelated medical, ethical, and legal dimensions. From a medical perspective, blood donation is seen as a highly recommended lifesaving measure, as long as it is carried out according to procedures and safety standards by competent healthcare professionals. Legally, Law Number 17 of 2023 concerning Health stipulates that blood services are part of health efforts aimed at humanitarian goals, making blood donation a legal and state-recognized activity. From an ethical and religious perspective, MUI Fatwa Number 23 of 2019 confirms that blood donation does not invalidate the fast and is, in fact, an act of charity for the donor. When viewed through the ethical theory of utilitarianism proposed by Jeremy Bentham and John Stuart Mill, blood donation is considered a moral act because it brings the greatest benefit to many people. Thus, blood donation is not merely a medical procedure, but also an embodiment of humanitarian values, justice, and social solidarity that align with the principles of health law and ethics.

Table 4.4
Researcher's Idea

Aspect	Implications	Conclusion
National Law	Blood donation is a state-recognized form of health care and is performed for humanitarian purposes. It must comply with safety standards and avoid any commercialization of the human body.	Blood donors are legally permitted and support the state's social function in the health sector.
Medical Ethics	Blood donation is voluntary, ensures the safety of both donor and recipient, and is free from any motive for personal gain. This process reflects the integrity of the healthcare profession.	Blood donors are ethically justified because they uphold safety, responsibility, and humanity.
Religion (Islam)	Donating blood is considered a good deed that does not invalidate the fast and instead shows the value of helping fellow human beings.	Blood donors do not contradict religious teachings, and even becoming an act worth reward.
Philosophical Ethics	Blood donation provides great benefits to society by saving lives and improving the well-being of many people, thus complying	Blood donors' high moral value because it maximizes

(Utilitarianism)	with the principle “ <i>the greatest happiness for the greatest number.</i> ”	social happiness and public welfare.
Social and Human Values	Blood donation reflects empathy, solidarity, and the spirit of cooperation in community life. This activity strengthens social bonds and humanitarian values.	Blood donors support universal human values and strengthen the spirit of national solidarity.

Source: Processed data (2025)

2. Islamic Ethical Principles View Blood Donation as a Form of Health and Humanitarian Service

Blood transfusion services are a health service effort that utilizes human blood as a basic material for humanitarian purposes and not **for commercial purposes**. Blood is **prohibited from being traded under any pretext**. Blood transfusion services, as a health effort to cure disease and restore health, require sufficient, safe, accessible, and affordable blood or blood components. The government is responsible for implementing blood transfusion services that are safe, beneficial, accessible, and meet the needs of the community.

In relation to this blood transfusion, Hasbi Ash Shiddieqy found three opinions, namely (1) not justifying and not allowing blood transfusion (transfer) if the blood transferred is absolute; (2) justifying and allowing it because of an emergency; and (3) allowing it even though there is still something to balance it. In facing this problem, Hasbi reviewed it from the perspective of sharia and medicine. Based on a thorough study by considering the information of the Qur'an and hadith as well as the opinions of the imams of the schools of thought, Hasbi Ash Shiddieqy concluded that blood transfusions carried out by genuine modern doctors, in accordance with the rules and conditions set by modern medical science, are permissible or halal, not haram. According to Hasbi Ash Shiddieqy, scholars should pay attention to the basic principles of sharia in determining laws. Because, Islamic sharia is based on solid foundations and is based on strong foundations. The most important foundations of Islam are three, namely (a) maintaining human welfare; (b) simplifying all human problems; and (c) acting fairly between humans. Where there is benefit, there is law. The benefit that Islamic law pays attention to is majmu' (general) benefit, isn't it? *personal benefit* (individual interests) that oppose *'advice set*. 'That is why among the principles of Islam there is *istaqdimul maslahatil 'ammah 'alal maslahatil khashshah* 'where is the advice?' (prioritizing the general interest over the specific interest when the two interests' conflict). This means that the existence of blood transfusions is not only examined from the perspective of the recipient's individual benefit but is more focused on the benefit of humans and humanity in general. Because Islamic law is prescribed to realize human welfare, Islamic law automatically rejects anything that causes harm to humans. That is why, according to Hasbi ash Shiddieqy, Islamic law forbids *khaba'is* (all that is bad) and prevents of *chara'im* (all evil deeds). It also commands people to stay away from everything that is forbidden. That is something that causes harm when it benefits something, and that the benefits are stronger than the harm, the law changes, and then it becomes permissible, even though it was forbidden before. On this basis, Islamic law permits various forms that are necessary when necessary. On this basis, the rule is also based: *ad-d'arurat tubihul mahzurat*, all things that are forced, allow all that is forbidden.

In the words of Allah SWT in QS. Al-Baqarah (2) verse 173:

أَمَّا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخِنْزِيرِ وَمَا أُهِلَّ بِهِ لِغَيْرِ اللَّهِ فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ
وَلَا عَادِلٍ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

"He has only forbidden you dead animals, blood, pork, and that which has been invoked in the name of other than Allah. But whoever is compelled by necessity, not desiring it nor transgressing the limits, then there is no sin on him. Indeed, Allah is Oft-Forgiving, Most Merciful." (Surah Al-Baqarah [2]:173)

The verse explains that Islam permits blood transfusions when faced with human needs to use it in an emergency, while there is absolutely no other material that can be used to save someone's life, then the impure material can be used only as needed to maintain life; for example, if someone suffers from blood deficiency due to an accident, then it is permissible in Islam to receive blood from another person, which is called a "blood transfusion". This is very necessary (needed) to help someone in an emergency.

According to Islamic jurisprudence (ushul fiqh), blood released from the human body is considered impure. Therefore, in the context of religious practice, this blood is considered haram to consume and use, as stated in Surah Al-Maidah, verse 3 of the Quran:

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهِلَّ بِهِ وَالْمُنْخَنِقَةُ
وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى
النُّصَبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَامِ ذَٰلِكُمْ فَسُقُتِ الْيَوْمَ يَسِرَ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ
فَلَا تَخْشَوْهُمْ وَاخْشَوْنِ الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي
وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا فَمَنِ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرِ مُتَجَانِفٍ لِإِثْمِهِ فَإِنَّ اللَّهَ
غَفُورٌ رَحِيمٌ

"Forbidden to you is carrion, blood, the flesh of swine, that which has been sacrificed in the name of other than Allah, that which is strangled, that which is beaten, that which falls, that which is gored, and that which is torn by wild beasts, except that which you have time to slaughter, and that which is slaughtered for idols. And (also forbidden to you is) casting lots with arrows, (casting lots with arrows) is an iniquity. This day, the disbelievers have despaired of (defeating) your religion, so do not fear them and fear Me. This day I have perfected for you your religion, and completed My favor upon you, and have chosen for you Islam as your religion. So whoever is compelled by hunger to sin unintentionally, then indeed, Allah is Oft-Forgiving, Most Merciful."

The above verse essentially prohibits the consumption and use of blood, either directly or indirectly. However, if blood is the only way to save the life of someone who is bleeding, then using blood through a transfusion is permissible. In fact, blood transfusions are recommended for the sake of human health. This is also in accordance with the objectives of Islamic law, namely that Islamic law is truly good and based on wisdom and the benefit of humanity, both in this world and the hereafter. The benefit contained in using blood in a blood transfusion is to preserve a person's life, which is a human need in an emergency, because there is no other material that can be used to save their life. Therefore, in this case, even impure things like blood can be used to maintain life. For example, someone suffering from anemia due to an accident is permitted to

receive blood from another person. This is very necessary (needed) to help someone in an emergency.

Islam permits both what is *makruh* and what is *haram* when dealing with needs and emergencies. Therefore, a blood transfusion to save a patient is permissible due to need and emergencies. The permissibility of using blood for transfusions can be used as a justification for using it on others, unless there is evidence to support its permissibility. Islamic law prohibits this practice, as in this case, blood is only needed for transfer to the patient who needs it.

Islamic ethics views the practice of blood donation as a concrete manifestation of moral, spiritual, and social values derived from the revelation of Allah SWT through the Qur'an and the Sunnah of the Prophet Muhammad (peace be upon him). As an integrative ethical system, Islam does not separate law, morality, and spirituality. All human actions are judged not only by their outward consequences but also by their intentions (*niyyah*), the purpose of public welfare (*maqasid al-shari'ah*), and their compliance with the principles of social justice and humanity. From this perspective, blood donation is not just a medical activity or a technical procedure to help others, but rather a social service (*ijtima'iyyah worship*) which contains very high moral, humanitarian, and spiritual values. The main principle of Islamic ethics, as explained in the *maqasid al-shari'ah*, emphasizes that all actions must aim to protect five fundamental aspects of human life: religion (*Hifz al-Din*), soul (*hifz al-nafs*), reason (*preservation of the intellect*), descendants (*hifz al-nasl*), and property (*hifz al-mal*). Blood donation clearly embodies the principle of *hifz al-nafs*, namely preserving and saving human life. The act of giving blood to save another's life aligns with Allah's word in Surah Al-Maidah verse 32, which states that whoever preserves the life of one human being, it is as if he has preserved the lives of all humanity. This verse emphasizes the universal dimension of humanity in Islam, that saving lives has spiritual value equal to worship, so blood donation can be considered a form of devotion to Allah SWT through service to fellow human beings.

Islamic ethics also places goodness (*al-khayr*) and justice (*al-'adl*) as two main axes in assessing the morality of human actions. Blood donation is a manifestation of *al-khayr* because it provides great social benefits without causing harm (*corruption*). While the principle demands a balance in the distribution of benefits within society, including access to blood as a source of life. Through blood donation, humans uphold distributive justice by sharing a portion of their biological resources to save others, without expecting material reward. This aligns with Al-Ghazali's view that good deeds performed with sincerity and spiritual awareness will cleanse the heart and purify the soul (*purification of the soul*). In this sense, blood donation is not just a medical act, but also a means to build moral character, deepen empathy, and foster social compassion rooted in the value of sincerity.

Islamic ethics rejects all forms of exploitation of the human body, as it is a trust from Allah SWT and not an object of economic transaction. This principle asserts that blood donation for economic reasons or payment is contrary to Islamic teachings and the spirit of humanity. The human body should not be bought or sold, as it possesses honor and dignity (*the blessings of the human being*), which must be maintained. Therefore, the practice of voluntary blood donation is carried out based on sincerity (*Sincerity to Allah Almighty*) is a reflection of the value of generosity, namely doing good without expecting anything in return. It is within this framework that Islam rejects paid blood donation because it violates the principles of trust and transforming acts of social worship into economic commodities. Islamic ethics emphasizes that true good deeds are driven by spiritual awareness and social responsibility, not by profit. This view demonstrates that

Islam places human values above economic interests, as the essence of ethics is to maintain human dignity and avoid all forms of exploitation.

Furthermore, blood donation reflects the spirit of social solidarity and cooperation (*Cooperation in righteousness and piety*), which is the foundation of social life in Islam. Through blood donation, humans demonstrate empathy for the suffering of others and share in collective social burdens. The value of mutual assistance not only strengthens social bonds but also reinforces the awareness that health and life are shared responsibilities. Ibn Miskawayh explained that good morals are formed through consistent habituation and moral education. Blood donation, if it becomes an internalized social habit, will shape the character of a society that is altruistic, caring, and just. In the modern era that tends towards individualism, this activity becomes a moral and social balance that revives universal human values. Islamic ethics thus speaks not only of spiritual obligations but also of social reconstruction through concrete actions that prioritize empathy and moral responsibility for the lives of others.

From an Islamic bioethics' perspective, blood donation can be analyzed through the principle of benefit (*good and bad*) and social justice. Islamic ethics demands that every medical intervention takes into account the balance between benefits and risks, and does not cause harm to oneself or others, as per the principle of *la dharar wa la dhirār*. Therefore, health screening of donors and the implementation of strict medical standards are part of the ethical responsibility to ensure the safety of both parties: donor and recipient. Blood donation carried out safely, voluntarily, and responsibly is an implementation of the values of benefit because it benefits the wider community without sacrificing individual well-being. This principle affirms that Islam supports medical progress as long as it remains grounded in moral values and does not violate humanitarian boundaries.

Philosophically, Islamic ethics views actions such as blood donation as a means to moral perfection (*al-insan al-kamil*). Through these actions, humans use their moral freedom to choose goodness and actualize their spiritual potential. Al-Ghazali argued that good deeds accompanied by sincere intentions and self-control are steps towards true happiness (*sa'adah*). Blood donation, in this context, symbolizes the integration of rational and spiritual dimensions: rational because it involves medical and ethical considerations, and spiritual because it is based on the intention of worship and concern for the lives of others. This act illustrates how Islamic ethics can bridge the gap between the material world and transcendental values, between modern science and the moral wisdom inherited from revelation.

However, in modern reality, the practice of blood donation faces complex ethical challenges. As healthcare becomes increasingly interconnected with industrial interests, there is a risk of commercialization and a shift in orientation away from generosity towards mere utilitarianism. Islam emphasizes that the principles of sincerity, justice, and non-exploitation remain the moral foundations of public policy and health practices. Therefore, strict oversight of blood supply institutions is necessary to prevent them from becoming instruments of the human body economy. Blood donation must always be maintained within the framework of public welfare, as a form of devotion to Allah SWT and respect for human dignity.

Islamic ethical principles provide a solid philosophical and normative foundation for understanding blood donation as a form of health and humanitarian service. Blood donation is not only a means of saving lives, but also a reflection of the unity of faith, morality, and social responsibility. It contains a spiritual dimension that connects humans with God, as well as a social dimension that binds humans to each other. This act

demonstrates how Islamic teachings promote a balance between individual well-being and the common good, and emphasize that health care based on Islamic ethical values aims not only to heal the body but also to heal morality and strengthen humanity.

From the above description, the researcher concludes that Islamic ethical principles view the practice of blood donation and blood transfusion as part of health services based on humanitarian values and universal welfare. Islam emphasizes that all medical procedures, including blood donation and transfusion, must be carried out with a sincere intention to help others and not for commercial purposes. This principle aligns with the provision that blood is prohibited from being bought and sold under any pretext because blood is a trust and gift from Allah SWT inherent in human life. Therefore, the practice of blood donation is a concrete form of practicing Islamic values. *Mercy for all the world's*, namely compassion and concern for others, as emphasized in Islamic teachings about the importance of preserving life (*hifz al-nafs*).

Researchers see Hasbi Ash-Shiddieqy's view as a strong theological and rational basis for explaining the permissibility of blood transfusions in Islam. According to Hasbi, differences of opinion regarding blood transfusions essentially stem from the extent to which the action aligns with the *maqasid al-syari'ah*, namely, safeguarding human welfare. Of the three prevailing views: one that absolutely prohibits it, one that permits it in emergencies, and one that permits it with certain conditions. Hasbi chose the third view as a middle ground that best aligns with moderate and rational Islamic principles. He emphasized that if a blood transfusion is performed by a competent physician, using safe procedures, and for the purpose of healing or saving a life, then the action is permissible and does not conflict with sharia. From an Islamic ethical perspective, as Hasbi explained, Islamic law is always based on the principles of human welfare, ease of religious practice, and justice among fellow human beings. These three principles guide Muslims to understand that law is not merely a rigid rule, but rather a means to safeguard human welfare and survival. The principle *takhfif* (ease) in Islam also provides leniency in emergencies, as stated in the rule *ad-dharurat tubihul mahzurat* (emergency permits what is forbidden). Therefore, when blood transfusion is the only way to save a person's life, it is not only permissible but also a moral obligation for humanity to perform it. Verses of the Qur'an, such as Surah Al-Baqarah verse 173 and Al-Maidah verse 3, emphasize this principle: the prohibition on blood is contextual and does not apply absolutely in life-threatening emergencies. Allah SWT grants humans dispensation to use something that is essentially forbidden, when forced to do so, and there is no other alternative to save a life. This demonstrates the flexibility and rationality of Islamic law, which always places humanitarian values above rigid legal formalities. Therefore, the practice of blood donation and transfusion is not only permitted in Islam, but is a concrete manifestation of the principle of *Cooperation in righteousness and piety*, helping each other in righteousness and piety.

From an Islamic ethical perspective, the practice of blood donation also illustrates the balance between human rights and obligations. Blood donors fulfill their moral obligation as fellow human beings to help those in need, while blood recipients exercise their right to life and health. This relationship emphasizes that Islamic ethics does not separate the spiritual from the social, but rather integrates them in a holistic harmony. This is where the relevance of the *maqasid al-shari'ah* (objectives of sharia) becomes apparent as a philosophical foundation that places humanity at the core of Islamic law.

Thus, the researcher confirms that the practice of blood donation and transfusion is a real form of practicing the universal principles of Islamic ethics, namely preserving life, realizing justice, and upholding the public interest (*maslahah 'ammah* Islam rejects all

forms of exploitation, misuse, or commercialization of blood, as these contradict humanitarian values and the purity of intention in charity. Blood donation in Islam is a virtuous act of worship, not only because it helps others but also because it is a means of preserving life as a gift from Allah SWT.

Table 4.5.
Researcher's Idea

Principles of Islamic Ethics	Conceptual and Philosophical Description	Implications for Blood Donation Practices
The Principle of Benefit (<i>Al-Maslahah</i>)	In Islamic ethics, every action is evaluated by the extent to which it brings benefit (<i>benefit</i>) and avoids harm (<i>corruption</i>). The welfare referred to is not only individual, but also collective (<i>maslahah 'ammah</i>).	Blood donation is considered a charitable act because it aims to preserve the lives of others. Therefore, blood donation is a valuable act of social worship and must be supported by the public health system.
Principles of Nurturing the Soul (<i>Hifz al-Nafs</i>)	One of the main goals of Shariah is to protect and preserve human life. Islamic law places the safety of life as the highest priority in every legal decision.	Blood donation is a real manifestation of the principle of <i>hifz al-nafs</i> because it aims to save lives. In emergencies, blood transfusions are morally obligatory and permissible under religious law.
The Principle of Helping in Kindness (<i>Ta'awun 'Ala al-Birr wa al-Taqwa</i>)	Islamic ethics emphasize cooperation and social solidarity. Helping others is a form of practicing faith that balances vertical (human-God) and horizontal (human-human) relationships.	Blood donation is a tangible form of helping each other, which is not only social but also spiritual, because helping the sick is the same as safeguarding God's trust in human life.
Principles of Justice and Equality (<i>Al-'Adl wa al-Musawah</i>)	Islam affirms that every human being has an equal right to life and access to adequate healthcare. Justice demands the equitable distribution of resources and attention without discrimination.	Blood donation services must be based on the principle of justice, without distinction of social, religious, or economic status between donors and recipients. This principle rejects the commercialization of blood, as it contradicts the values of social justice.
Principle of Prohibition of Exploitation and Commercialization of the Body	Islam views the human body as a trust, not a commodity. Selling blood or organs demeans human dignity and commercializes a gift from Allah SWT.	Blood donation must be voluntary and not for sale. This principle supports the policy of non-commercialization of blood within the national health care system.
Principle of Relief and Emergency (<i>Ad-Dharurah wa At-Taysir</i>)	In an emergency, something that is basically forbidden can become permissible of <i>Ad-dharurat tubihul mahzurat</i> reflects the flexibility of sharia to protect life.	Blood transfusions performed to save a life are not considered to violate the prohibition on blood, because the benefits outweigh the harms. This is the basis of the

		medical and ethical eligibility of blood donors.
The Principle of Intention and Sincerity (<i>An-Niyyah wa Al-Ikhlas</i>)	Islamic ethics evaluates deeds based on intention. Actions intended for goodness and humanity are considered acts of worship, even if they are worldly in nature.	Donating blood with a sincere intention to help others has the value of worship in the sight of Allah SWT, and is a form of... <i>purification of the soul</i> (purification of the soul).
Principle of Trust and Responsibility (<i>Al-Amānah wa Al-Mas'ūliyyah</i>)	Islam teaches that every human being carries a trust for themselves and others. Health, body, and life are entrusted to us to be safeguarded and used responsibly.	Donors and medical personnel have a moral and professional responsibility to ensure safety, legality, and security in the blood donation process.
The Principle of Balance and Moderation (<i>Al-Wasathiyyah</i>)	Islamic ethics promotes a balance between individual and societal interests. Moderation in law and action is a key characteristic of Islamic law.	The practice of blood donation balances an individual's right to their own body and their social obligations to others. It has become a symbol of human <i>brotherhood</i> (human brotherhood) in the modern social order.
The Universal Principle of Compassion (<i>Ar-Rahmah Al-'Ālamiyyah</i>)	All Islamic teachings are based on the value of compassion and concern for all creatures. The Prophet Muhammad (peace be upon him) said, "Whoever does not show compassion will not be shown compassion."	Blood donation is a real reflection of mercy <i>for all the world</i> , namely the embodiment of love that transcends religious, national, and racial boundaries for the sake of universal humanity.

Source: Processed data (2025)

4. CONCLUSION

Based on the results and discussion outlined in Chapter III, the conclusions that can be drawn from this research are as follows:

The practice of blood donation is a concrete manifestation of the integration of legal, moral, ethical, and humanitarian values that are harmoniously integrated within the framework of national legislation. Constitutionally, Article 28A, 28H paragraph (1), 28I paragraph (4), and Article 34 paragraph (3) of the 1945 Constitution affirm the right of every citizen to live and obtain adequate health services, which is implemented through the policy of providing blood services as part of the state's responsibility for the welfare of the people. Law Number 17 of 2023 concerning Health clarifies the legal basis that blood services are health efforts aimed at humanity and may not be commercialized, by upholding the principles of voluntariness, safety, and protection for all parties involved. Minister of Health Regulation Number 91 of 2015 strengthens the technical aspects and quality standards of blood transfusion services to ensure the safety, quality, and availability of blood nationally. Meanwhile, MUI Fatwa Number 23 of 2019 provides religious legitimacy that blood donation is a good deed that does not invalidate the fast and reflects the spirit of mutual assistance among humans. From the perspective of utilitarian ethics, as proposed by Jeremy Bentham and John Stuart Mill, blood donation reflects a highly moral act because it

produces the greatest possible benefit for as many people as possible by saving lives and improving social welfare. Thus, blood donation in Indonesia is not merely a medical act, but also a symbol of social solidarity, an expression of distributive justice, and a tangible manifestation of Pancasila values in the health sector. All these regulations demonstrate that the state, religion, and society have a shared vision: to create a blood service system that is safe, voluntary, dignified, and oriented towards the welfare of humanity.

Considering Islamic ethical principles in viewing the practice of blood donation as a form of health and humanitarian service, it can be concluded that Islam provides a very strong theological, moral, and philosophical basis for the permissibility and even encouragement of blood donation. From an Islamic ethical perspective, blood donation is not merely a medical activity, but a concrete manifestation of the values of faith, humanity, and social justice. Islam emphasizes that every medical action must be oriented towards the welfare of the community. (*al-maslahah*) and protection of human life (*hifz al-nafs*), as stated in maqasid al-shari'ah. Through a moderate and rational view, as explained by Hasbi Ash-Shiddieqy, blood transfusion is permissible and even recommended if carried out for healing, recovery, or saving a life, as long as it meets the principles of correct medicine and ethics. Dharurat Tubihul *Mahzurat* is the basis for the prohibition on blood not being absolute, but rather flexible when faced with life-threatening emergencies. Furthermore, blood donation is seen as a form of social worship. (*congregational worship*) which reflects sincerity (*ikhlas lillah ta'ala*), helping each other in charity (*cooperation on righteousness and piety*), and respect for human dignity (*the blessings of the human being*). Islam firmly rejects all forms of commercialization and exploitation of the human body, as it is a trust from Allah SWT, not an economic object. Therefore, the practice of blood donation must be carried out voluntarily, sincerely, and without material reward, as an expression of devotion to Allah and service to fellow human beings. Blood donation also affirms the principle of justice of *social* (*al-'adl wa al-musawah*), because it ensures everyone has an equal right to receive blood without discrimination. Ethically, blood donation reflects the synergy between pure intentions, beneficial actions, and moral responsibility towards life. Therefore, in the context of modern healthcare, Islamic ethics serves not only as a normative guideline but also as a spiritual and social foundation for building a just, welfare-oriented health system that upholds universal humanitarian values in line with the primary objectives of Islamic law. (*blessing for all the universe*).

5. BIBLIOGRAPHY

- A. P. A. Santoso, *et al.*, *Metodologi Penelitian Hukum (Suatu Proses Berfikir dalam Penemuan Hukum)*, Jombang: CV. Nakomu, 2021, p. 35.
- A. Prasetya, *et al.*, "Sanctions of Castrated for Children Viators Reviewing From Human Rights," *International of Law and Legal Ethics*, vol. 3, no. 2, 2022.
- A. Rahman, "Etika Medis dalam Inovasi Plasma Konvalesen," *Bioethics Journal of Indonesia*, vol. 3, no. 1, pp. 55–67, 2021.
- D. P. Sari, "Faktor-Faktor yang Mempengaruhi Minat Donor Darah di Indonesia," *Jurnal Kesehatan Reproduksi*, vol. 11, no. 2, pp. 97–104, 2019.
- F. Wibisono, "Kebijakan Distribusi Darah di Indonesia: Antara Regulasi dan Realitas," *Jurnal Kesehatan Masyarakat*, vol. 12, no. 2, pp. 133–141, 2020.
- J. Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*, London: IIIT, 2018, p. 34.
- Kementerian Kesehatan Republik Indonesia, *Peraturan Menteri Kesehatan Republik Indonesia No. 91 Tahun 2015 tentang Standar Pelayanan Transfusi Darah*.

- L. Jamaa, “Penalaran Hukum Islam terhadap Donor Darah antar Orang Berbeda Agama,” *Medica*, vol. 10, no. 2, 2014.
- M. A. Abdullah, “Fikih Kesehatan Kontemporer,” *Al-Jami’ah: Journal of Islamic Studies*, vol. 57, no. 1, pp. 85–106, 2019.
- Majelis Ulama Indonesia, *Fatwa MUI tentang Donor Darah No. 23 Tahun 2019*, Jakarta: MUI, 2019, p. 6.
- N. Hidayat, “Solidaritas Sosial dalam Perspektif Islam,” *Jurnal Ilmu Sosial dan Humaniora*, vol. 9, no. 1, pp. 25–34, 2020.
- Palang Merah Indonesia, *Laporan Tahunan*, Jakarta: PMI, 2021, p. 8.
- R. Fajiri, “Polisi hentikan kasus jual-beli darah PMI Banda Aceh ke Tangerang,” *Antaraneews.com*, 2020. [Online]. Available: <https://www.antaraneews.com/berita/3082681/polisi-hentikan-kasus-jual-beli-darah-pmi-banda-aceh-ke-tangerang>. [Accessed: Sept. 15, 2025].
- S. Sugiyono, *Statistik untuk Penelitian*, Bandung: Alfabeta, 2010, p. 4.
- S. Sukendar and A. P. A. Santoso, “Position of Ethics, Science and Humanity,” *International of Law and Legal Ethics*, vol. 3, no. 2, 2022.
- Y. Al-Qaradawi, *Fiqh Prioritas dalam Konteks Kontemporer*, Jakarta: Gema Insani, p. 25.