

## **Reflection on Laws Governing Milk Banking: Mastullah Ashah Mwanga: 2023**

### **Introduction**

Although more than 35 countries have active milk banks, not more than one of those is a Muslim country.

### **The Organisation of Islamic Cooperation (OIC)**

In 1985, the legal arm of the [Organization of Islamic Cooperation](#) (OIC), an international association comprising 57 member states issued a ruling forbidding milk banks to protect the lineage of children.

### **Iran**

In a ceremony in 2016, the country's first human milk bank opened. Today, Iran has nearly a dozen such facilities

Iran, however, is an anomaly. It is the only country in the Muslim world with a network of milk banks. Iran has found a way to make milk banks workable through transparency and permission from the country's supreme leader also its spiritual leader.

Iran was able to find a way to make milk banks work, in part due to its interpretation of the milk kinship tenet. In the tenet's strictest form, which is more common in the Sunni branch of Islam, just one feeding of donated milk leads to kinship. But in Iran, the milk banks were possible because 9 in 10 Iranian Muslims practice Shia Islam, which considers milk kinship differently. In this version, a baby must have suckled directly from the breast and completed at least 15 feedings to establish kinship, among other conditions.

In Iranian milk banks, babies are typically fed by spoon, bottle, or through a special tube, and the milk they receive is often a mix from three to four donors in order to provide babies with milk that is more homogenous in terms of its fat, protein, and nutritional content. In Iran, the pooled donor milk also ensures no one infant receives multiple feedings from the same donor, which abides by the Shia interpretation of milk kinship.

### **Singapore**

Singapore launched its first milk bank in 2017. Although only about 15 percent of its citizens practice Islam. The key stakeholders consulted with the country's Islamic religious

council, which eventually issued a fatwa granting permission for milk donation when medically indicated. The religious council gave full support.

### **Kuwait**

In 1983, the Islamic Organization for Medical Sciences in Kuwait held a session on Islam and human reproduction. At the time, many jurists opposed the establishment of milk banks in the Muslim world because the anonymity of pooled donor milk was considered problematic under the principle of milk kinship. They had strict regulations that the name of the donor should be documented on each milk bottle, and a detailed registry should document the donor woman and all recipients of her milk to avoid marriage between members of these families.

Fatwas from the Research Center for Islamic Legislation and Ethics at Hamad Bin Khalifa University in Qatar were examined to address milk kinship.

### **Conclusion**

Mohammed Ghaly, a professor of Islamic bioethics at Hamad Bin Khalifa University in Qatar says that Islam isn't against milk donation and other life-saving interventions. If there is an emergency and the only option is to use a milk bank, then there is no problem whatsoever from a religious perspective.

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