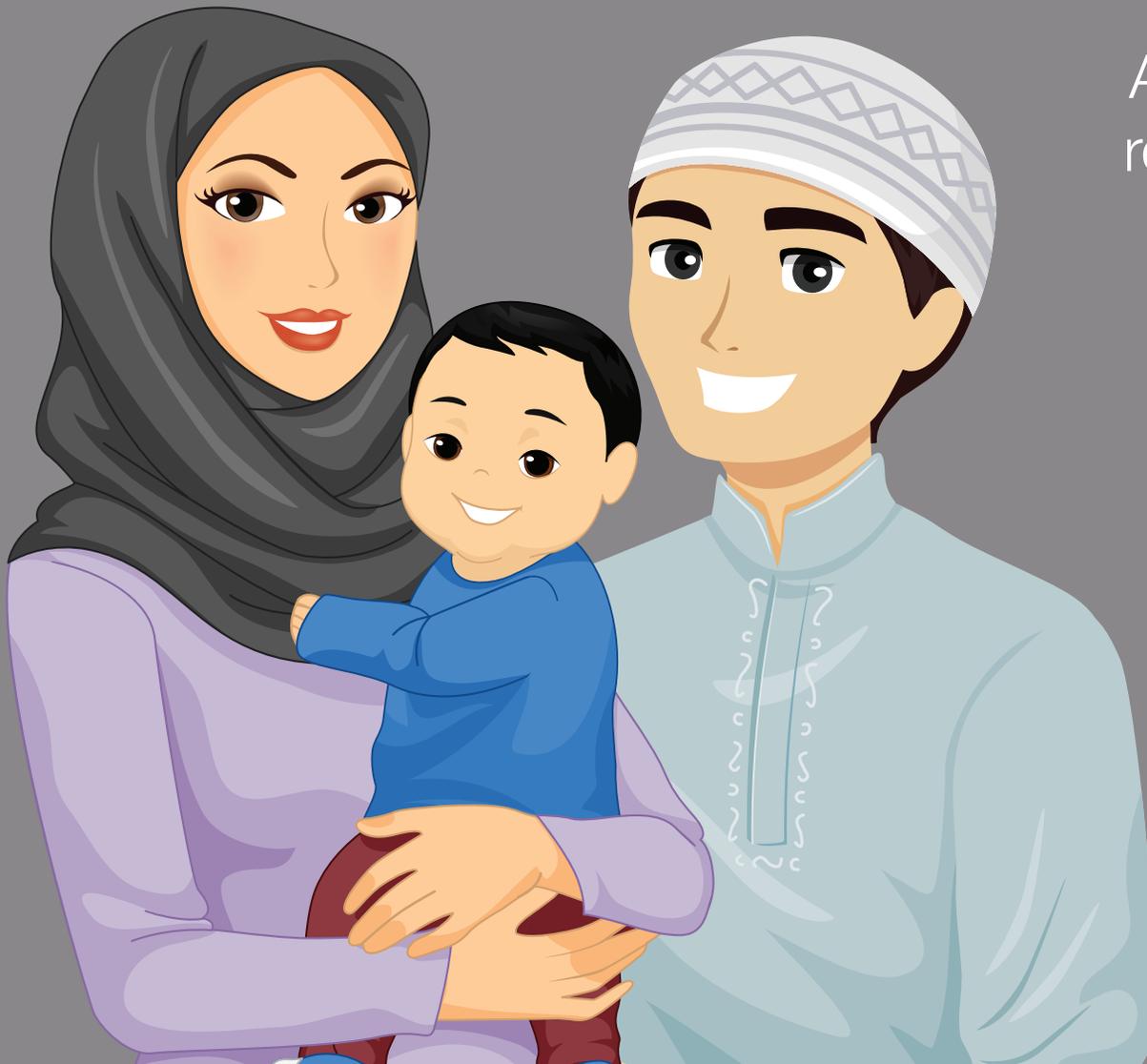


Organ Donation

A guide to medical and religious considerations for American Muslims



About this booklet

At some point in your life, you may be faced with making decisions about organ donation. This may include choosing to sign up to be a donor after you have died, or making a decision about donating a deceased loved one's organs. You could also be faced with a decision about donating an organ to a family member, friend, or perhaps even a stranger while you are living.

Making donation decisions is a very individual matter, and may not be easy to make, especially if you have not really thought about it before. When you do think about organ donation, you may find your head full of questions and not sure where to turn for accurate information. Unfortunately, many myths and misinformation related to organ donation exist in our society and you may be wondering how to separate fact from fiction. And, you also may be wondering if organ donation is consistent with Muslim beliefs and values.

This booklet provides you with factual and unbiased information to help you better understand issues related to organ donation in general, and specifically as related to the Muslim faith. We hope it expands your knowledge and enables you to form your own views about organ donation, both living and deceased. Most importantly, we hope it helps you to make informed decisions about organ donation that are consistent with your religion and right for you and your family.

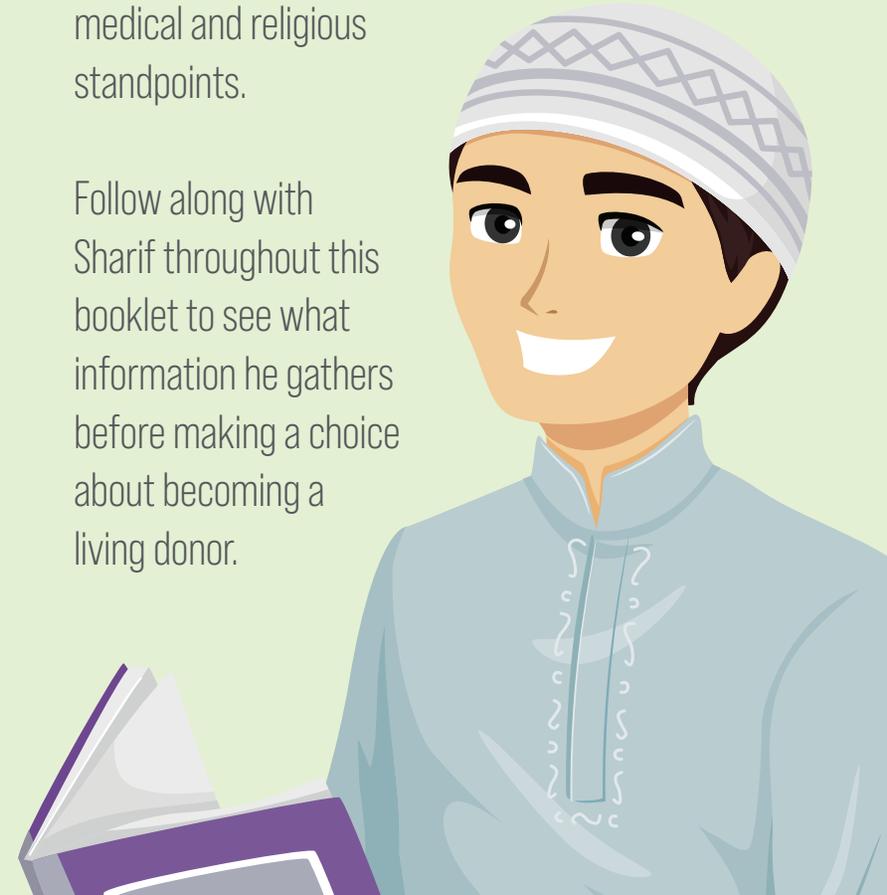
The contents of this booklet have been approved by the Fiqh Council of North America.

Follow Sharif's Story

Meet Sharif. He is a very healthy 30-year-old Muslim man living in the United States.

Recently, Sharif's sister, Suhalia, found out she needs a kidney transplant. She went on dialysis and is waiting for Sharif to decide if living donation is right for him from medical and religious standpoints.

Follow along with Sharif throughout this booklet to see what information he gathers before making a choice about becoming a living donor.



The Donation Process: Living Donation

Seeking information about organ donation is beneficial even if you choose not to move forward with donation.



Medical Considerations

As Sharif tries to decide whether becoming a living donor is right for him, he asks his doctor for medical guidance.

Do we really need people to donate organs? Are there not other options?

There are several options for people in kidney failure, but transplantation is often considered the best. Your loved one may be able to continue on dialysis, but that has significant physical and time burdens and it is not a cure.

How will this affect my health and the health of my loved one? Are there things I will not be able to do after donating?

At the end of the day, an organ transplant is a surgery, and it carries the risks that all surgeries carry. However, after the operation, your loved one's health should improve greatly. While there are certain people for whom a kidney transplant is harmful or more risky than dialysis, her doctor would not have suggested it if that was the case. As for you (the donor), most people who donate organs can go back to work within a week or two of the surgery, and your overall health should not be significantly affected in any way. In fact, if at any point afterwards, you need a kidney transplant, you will be given special priority.

How much will this cost me? How much will it cost my loved one?

The surgery itself will be completely free of cost for you, but you may incur some costs in the form of travel expenses for medical testing and lost income from work in the weeks after your surgery. The cost of the operation is the responsibility of the recipient's insurance.

How long will it take my loved one to get an organ if I do not donate?

If you do not donate to your loved one, she could be on the national transplant waiting list for three to five years or more, depending on her health and other factors. While dialysis is generally an option during this time, it can cause significant strain on the body. Many people do not survive the waiting time. If you do decide to donate, the process generally moves very quickly, and the surgery will be scheduled within a matter of months.

What are the risks and possible side effects of surgery?

Surgery can carry a number of risks, including pain, infection, hernia, blood clots, complications, and in rare cases even death. This applies to you and your loved one. The side effects may include some pain early on, but may be greater for the recipient than for you. The recipient will have to be on immunosuppressant (anti-rejection) medication, likely for the rest of her life. This can lead to health issues including high blood pressure, diabetes, bone damage, and other issues.

How long will it take to recover from surgery?

Most kidney transplant recipients can return to work and other normal activities within eight weeks after transplant. Your loved one should not lift heavy objects or exercise strenuously until the wound has healed (usually about six weeks after surgery). For you as the donor, the recovery should be faster, and you can return to work in about a week. The same lifting restrictions will apply.

Sharif has learned a lot, and his worst fears about the medical aspects of organ donation have been eased. Now, he needs to find out whether donation is permitted by his religion.



Religious Considerations

As Sharif tries to decide whether living donation is right for him, he asks his Imam for religious guidance.

My sister needs an organ transplant to live. Am I allowed to donate my kidney to her?

This is a complicated question. Islamic jurists hold diverse views on whether it is permissible to donate an organ. Because scholars differ about whether Islamic law prohibits, permits or encourages organ donation you can choose to make your own informed decision.

What are these different opinions scholars have?

Some scholars say it is forbidden to donate your organs. They consider organ donation as a violation of the human body's dignity, or it's *karāmah* and *ḥurmah*. The idea of *ḥurmah* is that the human body is inviolable, which is indicated in the following saying of the Prophet (pbuh):

كَسْرُ عَظْمِ الْمَيِّتِ كَكَسْرِهِ حَيًّا

“Breaking the bone of the deceased is like breaking the bone of a living person”

Sunan Abi Dawud 3207

The idea of *karāmah* is that the human body is granted a certain sanctity by Allah (swt), such as referred to in the Quran:

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ

“and we have certainly honored the children of Adam”
Al-Qur'an 17:70, translation sahih international

In the case of deceased donation, Islamic scholars are divided over whether they consider “brain death” to be equivalent to death in Islam. This also impacts their rulings on organ donation.

If organ donation violates human dignity, why do other scholars say it is permissible to donate our organs?

There is a legal maxim that says that in times of dire necessity (*ḍarūrah*), things that are normally considered haram may become conditionally permissible (*al-ḍarūrāt tubīḥu al-maḥẓurāt*). In other words, a lifesaving treatment can overrule the concerns about the dignity of the human body. The basis for this legal maxim can be found in the Quran:

فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

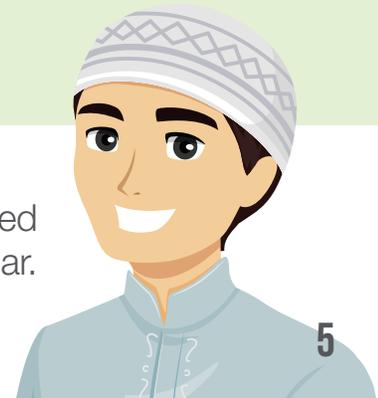
“But whoever is forced [by necessity], neither desiring [it] nor transgressing [its limit], there is no sin upon him. Indeed, Allah is forgiving and merciful”

Al-Qur'an 2:173, translation Sahih international

These scholars therefore say that organ donation is permissible, if the following conditions are met:

- Organ transplantation should be done in a way that minimizes harm
- A living donor's life should not be endangered
- Monetary compensation to the donor is prohibited (note: this is also prohibited by U.S. law)
- The decision to donate is freely made by the donor

Sharif understands that while there are concerns about organ donation, some scholars have allowed it on the basis of dire necessity. He now has some additional questions for his religious scholar.



Are there any scholars who say organ donation is encouraged?

Yes, another group of scholars encourage organ donation based on the principle of public benefit (*maṣlaḥah*). They support their argument with the following verse from the Quran:

وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا

“...and whoever saves one - it is as if he had saved mankind entirely.”

Al-Qur'an 5:32, translation Sahih International

Scholars who hold this position still require the previously mentioned, as well as other, conditions to be met.

Am I going to be held accountable for what my sister does with the donated organ?

No. There are numerous verses in the Quran that say you are only held accountable for what you do yourself, including:

وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ

“you are not held responsible except for yourself”

Al-Qur'an 4:84, translation sahih international

What if it is my loved one's destiny (Qadr) to go through this? Would I be interfering in that?

The idea of Qadr is that Allah (swt) has foreknowledge of everything. Donating your organ to anybody would not be seen as interfering with their destiny because it does not interfere with God's knowledge of the ultimate outcome.

Sharif will take all the information from his doctors and religious leaders, talk with his family, and make the choice about becoming a living donor that **feels right to him.**



Next, follow Sophia's story

Sophia's brother, Karim, passed away a few months ago. Her brother never registered as an organ donor and did not discuss his wishes with anyone. As a result, there was a lot of uncertainty within the family when the organ procurement team asked if they would like to donate Karim's organs. As a result of this difficult situation, Sophia wants

to write down her decision to make sure her family will know exactly what to do if she were to pass away.

Follow along with Sophia to see what information she gathers before making a well-informed decision about deceased organ donation.

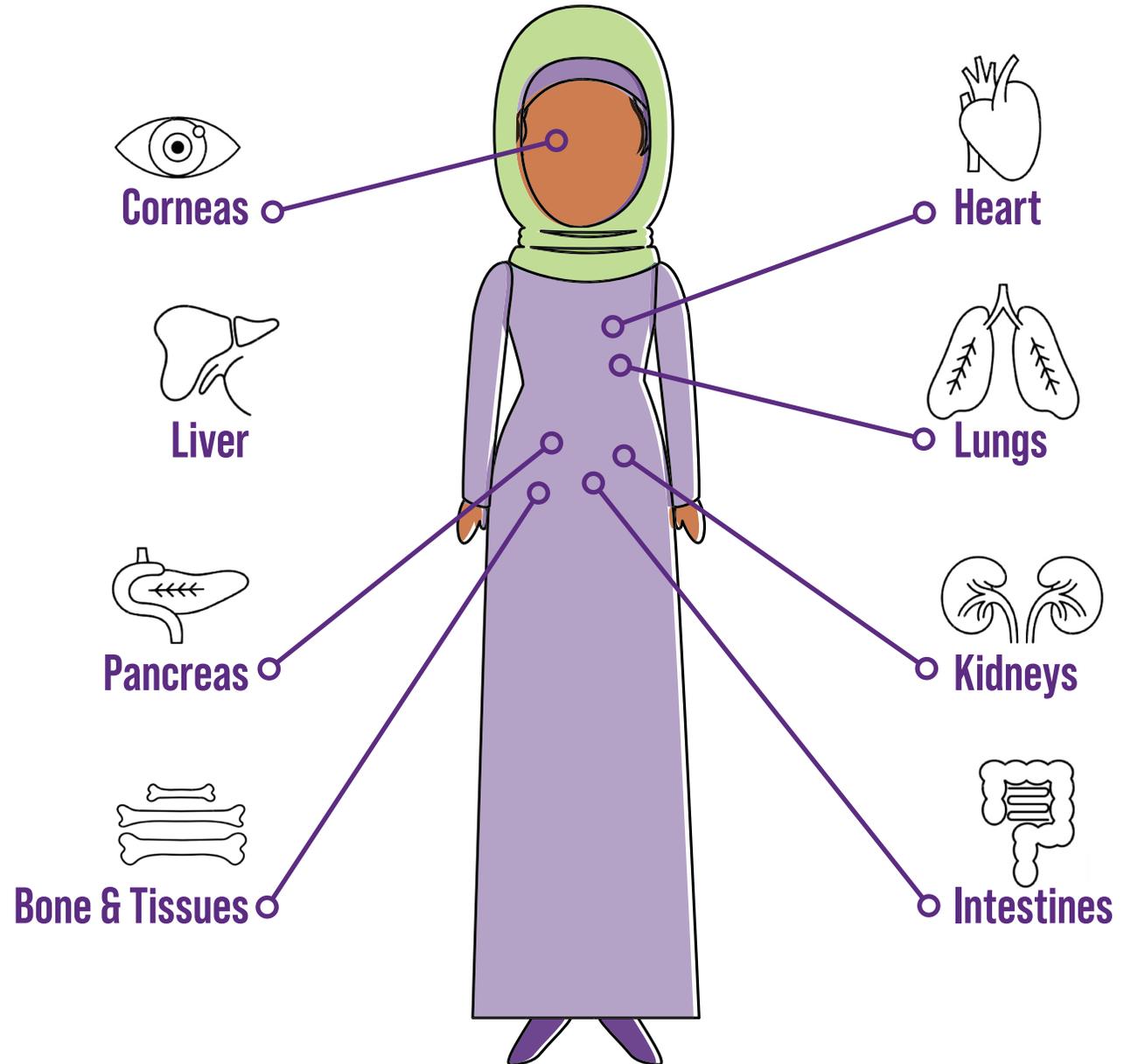
The Donation Process: Deceased Donation



Sophia is interested in donating, but she has some questions and concerns about deceased donation. She wants to know more before committing to becoming a donor herself.



The Donation Process: What Can Be Donated?



Donation Myths & Misconceptions

Sophia has heard some myths about organ donation and wants to make sure that false information does not get in the way of making the right decision.

Myth	Fact
If doctors see that I am registered to be an organ donor, the hospital staff will not try to save my life.	The only priority of the hospital staff is to save your life. Donation is impossible until all lifesaving measures have failed.
If I donate, burial rituals may be interrupted or negatively affected because my body will be disfigured.	Religious burial rituals may be delayed or modified depending on factors related to the donation and manner of death. However throughout the donation process all involved do their utmost to treat the body with care, respect and dignity.
If I am in a coma, they could take my organs.	Comas and critical loss of brain function (medically referred to as neurological criteria for death and also known as “brain death”) are not the same. People can recover from comas, but not from “brain death”. Determination of “brain death” is required before deceased donation can be considered.
My family will have to pay for the donation.	There is no cost to donors or their families for deceased organ or tissue donation. Costs are assumed by the recipient or the recipient’s health insurance.
Somebody could sell my organs in an illegal market.	Federal law prohibits buying and selling organs in the U.S. Violators are punished with prison sentences and large fines.

Now that she has a lot more information and her worst fears based on the myths and misconceptions of deceased donation have been eased, Sophia is ready to take the next steps toward becoming a donor. Next, she will talk with her religious leader to find out more about how Islam sees deceased donation. Then, she will talk with her family and share her wishes so that when the time comes, her loved ones will not have to guess whether she wanted to donate her organs.



What Is Right For You?

The decision to donate one's organs should not be taken lightly.

The act of donation involves medical, social, and religious considerations on both sides – for the donor and the recipient. Donating an organ requires the weighing of many factors, including Islamic, social, and biomedical ones. If you choose to register as an organ donor, make sure to do your research as to what is included in that decision. It is important to share your decision with your family and your legal next of kin.

Donor Perspective

From the perspective of the donor, the major **benefits** are:

- The knowledge that the altruistic gift of an organ is saving one or more lives.
- That gift can have a profound impact on the quality and length of life of those who receive the donation.
- If, at some time in the future you will need to receive an organ, as a living donor you will be given special priority and moved to the front of the waiting list.
- In the case of deceased donation, family members might find solace due to the donation.

From the perspective of the living donor, the major **risks** are:

- Organ donation involves surgery, and surgery can involve some pain, infection, and complications.

- Following the surgery, donors may have to stay in the hospital for two to three days and stay home from work for about a week. But, all the medical costs for the surgery will be paid by the recipient's insurance.
- There may be short delays in funeral arrangements and burial in the case of deceased donation.

Recipient Perspective

From the perspective of the recipient, the major **benefits** are:

- Receiving a donated organ can significantly extend and improve the quality of one's life.
- Once a person is found to be in need of an organ, he/she may be put on a waiting list for an organ donation. But that wait time for an appropriate match may be several years, during which time health may be further deteriorating and some patients die before an organ becomes available. A benefit to having a living donor (only possible for donation of a kidney and a

section of liver) is that the recipient can receive the transplant without having to wait in line, which eliminates much of the wait time and further deteriorating health.

- Organ recipients can return to work and other activities after a few weeks.

From the perspective of the recipient the major **risks** are:

- The transplanted organ may be rejected.
- Transplantation involves major surgery, for which recovery is likely to be painful, and can involve complications, and in rare cases even death.
- Recipients will have to take medications for the rest of their lives, which can lead to their own complications.
- Some transplant recipients report feeling guilty, angry, or indebted to the donor. However, some recipients also report that the risk is well worth the longer and improved quality of life.

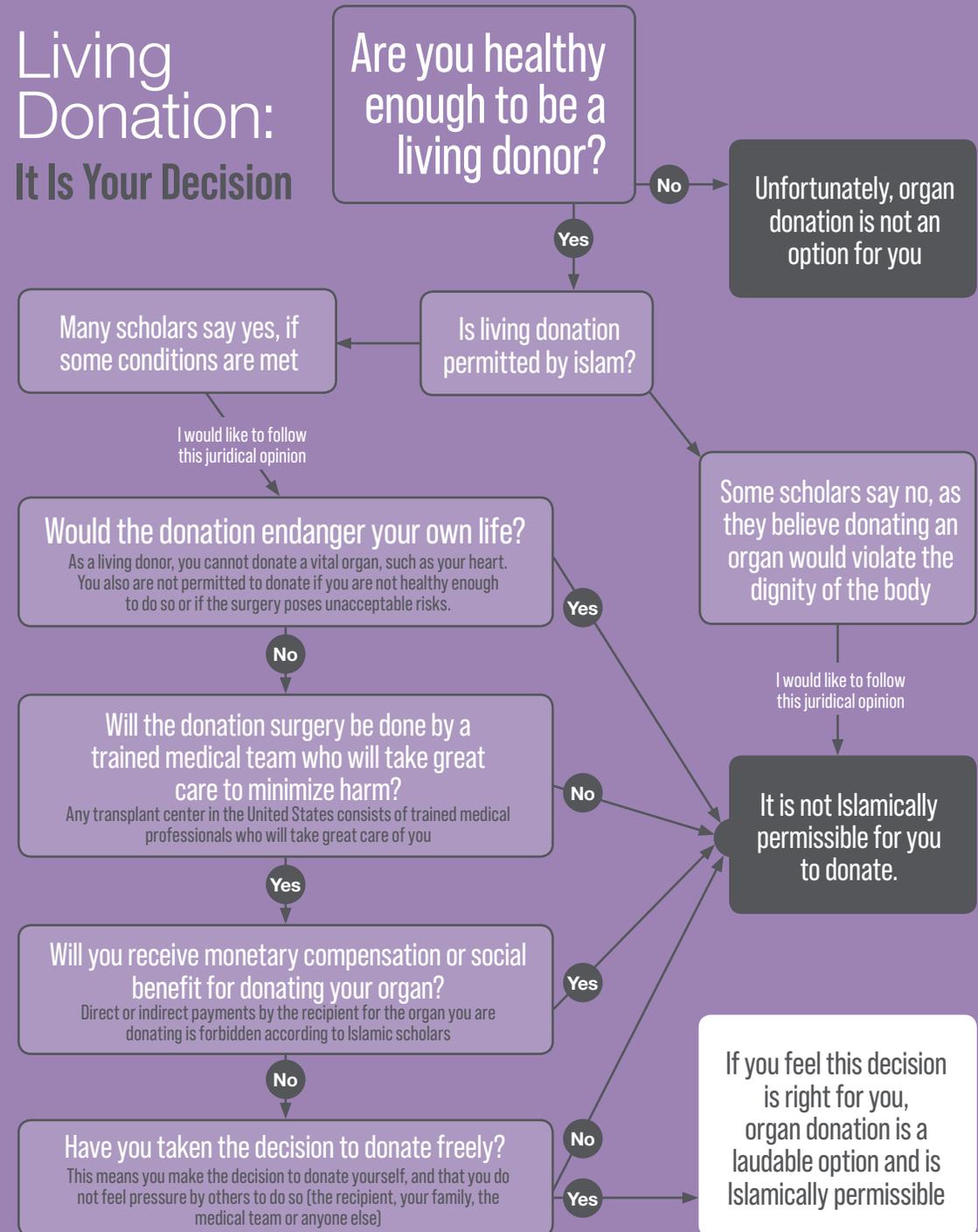
Islamic Perspective

From the religious perspective:

- Some Islamic scholars say that organ donation is *ḥarām*, in that organ donation a violation of the dignity of the human body (*karāmah*).
- However, other Islamic scholars hold that in times of dire necessity (*ḍarūrah*) a life-saving organ donation and transplantation can over-rule concerns about the dignity of the human body.
- Additionally, some scholars view organ donation as saving a life, which is a good deed and meritorious act based on a verse from the Quran (5:32). Some also consider organ donation as *ṣadaqah jariyah*, a charity that continues even after the donor passes away.
- Finally, some scholars consider “brain death” to be a dying state and thus deceased donation occurs after the heart stops. Others allow for deceased donation when “brain death” is diagnosed. There is a difference of opinion among religious and medical scholars on whether “brain death” is a definitive measure of the end of a person’s life.

So, a well-informed decision to donate or to not donate an organ involves serious considerations. There are benefits and risks for both the recipient and the donor. And, there are important Islamic considerations when deciding whether or not to donate an organ. In weighing these, it can be helpful to discuss with family, friends, and religious advisors.

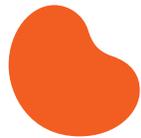
Living Donation: It Is Your Decision



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About The Waiting List

Currently, there are more than

114,000

people waiting for a lifesaving organ in the United States

1 organ donor can save the lives of up to **8** people

20 people die every day waiting for an organ in the United States