

# **RELIGIOUS ASPECTS OF TRANSPLANTATIONS**

by

**Fr. Nikolaos Hatzinikolaou**

**Hellenic Center for Biomedical Ethics**

I would like to thank the organizing committee, and especially Dr. Kyriakidis, for inviting me to participate in this one-day conference. It is a great honor to speak to you who, being authorized to give life, are constantly moving on the borderline between life and death, between scientific knowledge and human love, between the obligation of man and the rights of God.

I am very pleased that my appearance is so strange and so very different than the conventional one. Maybe this is an indication of the different angle through which I can approach transplantations, setting aside political interests, social conventionalities and secular reasoning. I do not believe that the contrast between my black vestments and the sparkling white medical uniform reflects in any way the hope given by the Church as compared to the relief offered by medicine.

After describing the basic positions of the most prevalent religions on transplantations, I will attempt to present or to give just a taste of a different approach that I believe transforms the way of thinking, widens the horizons, deepens the perspective of true life, shows the role of religions and churches, which unfortunately seems not yet activated, and, ultimately, offers more hope and relief than the scientific miracle of medicine.

## **INTRODUCTION**

The basic concern of every religion regarding organ donation and the practice of transplantations is twofold: on the one hand, it focuses on whether brain death is identified with biological death, and, on the other on the degree these surgical practices affect our respect for the human body.

Most religions, despite their various sensitivities on issues concerning the human body and death and their difficulty to accept unconditionally scientific progress or to adopt science's intrusion in metaphysics, generally accept the concept and practice of transplantations, for they detect in it a strong expression of human love and solidarity.

Apart from its purely medical character, death has a deep sentimental, personal and metaphysical dimension that concerns religions, in particular. For this reason, problems of conscience are often present in trying to define death. On the other hand, we should bear in mind that correct updating and direct experience of brain dead individuals contribute essentially to the understanding of the meaning of brain death and to the

formation of a theologically accurate opinion. In 1996, a research took place in Colorado, USA, among 183 religious leaders, clergymen, hospital chaplains and seminarians regarding organ donation and brain death. Almost all of them consented to organ donation. While the percentage of clergymen and seminarians who identified brain death with biological death was only 62% and 77% respectively, the one of hospital chaplains was 90%, obviously due to their greater experience with brain death!<sup>1</sup>

Free consent and genuine love are the basic elements that help religions overcome any hesitation on the above issues. Namely, if someone has consciously consented to the donation of his body's tissues or organs, and his intention is based on love and altruism, then this alone constitutes a very good reason to overcome any hesitation in regards to organ donation and transplantations.

### **THE ROMAN CATHOLIC CHURCH**

Despite the fact, that there is no official statement acknowledging the practice of transplantations, the Roman Catholic Church has blessed organ donation as an act of utmost love and altruism. Pope Pius XII has characterized positively organ donation as an act exceptionally "noble",<sup>2</sup> and Pope John Paul II has described it as "a service to life".<sup>3</sup>

During the past decade, three pontifical synods and academies assumed the task to issue an opinion on the subject of brain death and ended up with a statement that accepts brain death as being in accordance with the faith and teachings of the Roman Catholic Church.<sup>4</sup> Moreover, Pope John Paul II, in his speech at the 18<sup>th</sup> International Congress of Transplantation Society, that took place on August 29, 2000, adopted a positive position on brain death.<sup>5</sup>

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<sup>1</sup> Gallagher, C.: Religious attitudes regarding organ donation, *Journal of Transplant Coordination* 1996, 6:186-190.

<sup>2</sup> M.G.: L' Eglise exalte l' acte d' amour qui est le don, *La Croix*, 13 février 1997.

<sup>3</sup> Documentation Catholique no. 2134, 17 mars 1996, p. 284. Teo, B.: Organ donation and transplantation: A Christian viewpoint, *Transplantation Proceedings* 1992, 24(5):2114-2115.

<sup>4</sup> Scripta Varia 83, Vatican City: *Pontifical Academy of Sciences*, Working group on the determination of brain death and its relationship to human death, 1992.

*Pontifical Council for Pastoral Assistance*, Charter for Health Care Workers, Boston, St. Paul Books and Media, 1994.

*Pontifical Academy of Life*, Vatican City (Msgr. Elio Sgreccia).

<sup>5</sup> Pope John Paul II. Address to the 18<sup>th</sup> International Congress of Transplantation Society, August 29, 2000, Rome, <http://www.vatican.va/holyfather/johnpaulii/speeches/2000/jul-sep/documents/jp-iispe20000829transplantsen.html>

However, some Catholic theologians are adamantly set against the position that brain death is identified with biological death. The main representatives of this group are Paul Byrne and Sean O'Reilly.<sup>6</sup>

It is worth noting that in all Roman Catholic hospitals, without any exception, brain death is being diagnosed and organ donation is permitted; moreover, the number of transplantations performed in Catholic countries is far greater than in other countries.<sup>7</sup>

## **PROTESTANT DENOMINATIONS**

The various protestant denominations, even the most fundamentalist ones, accept, in general, brain death and transplantations, without any reservations.<sup>8</sup>

The Episcopalian Church, by its decision of 1982, urges its faithful to become donors of organs, tissues and blood "as part of their ministry to others in the name of Christ, who gave His life that we may have life in its fullness"<sup>9</sup>.

Moreover, the Christian Church of the Disciples of Christ, in 1985, suggested to its faithful to become organ donors and pray for all those that have received an organ through transplantation.

The same applies to the Presbyterian Church that proclaimed at its General Assembly, in 1995, its respect towards every person's right to decide on the fate of his/her body, but, at the same time, it urges its faithful to become donors and sign the appropriate donor card.

The Lutheran Church (Missouri Synod) formulated a respective viewpoint by its resolution of 1984, according to which donation constitutes an expression of sacrificing love towards a neighbor in need. It is worthy to note that the faithful, before making decisions on donating their organs, are urged to discuss the issue with their relatives.<sup>10</sup>

## **JUDAISM**

According to Jewish law, it is permitted to take organs from one person and give them to another, provided that this act does not speed up the donor's death and is performed with respect for the human body. In general, although Judaism encourages

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<sup>6</sup> Byrne P., O'Reilly S., Quay P.M.: Brain death – an opposing viewpoint, *JAMA* 1979, 242:1985-1990 and Evers J.C., Byrne p.: *Pharos* 1990:10-12.

<sup>7</sup> Kourtis, Marinos: *Civil law on transplantations*, P.N. Sakkoulas, Athens 2002, p. 25.

<sup>8</sup> Gallagher CM and Widjicks EFM: Religious and cultural aspects of brain death, in Widjicks Eelco: *Brain Death*, Lippincott William & Wilkins, 2001, p. 135-149.

<sup>9</sup> *Ibid.* p. 143.

<sup>10</sup> The Lutheran Church-Missouri Synod: *Resolution 8-05*, To encourage donation of kidneys and other organs.

transplantations, there is no official encyclical letter in force. As a result, there have been various debates on the issue of brain death between specialists up to now.<sup>11</sup>

The general principles of Judaism that govern the perception on life, death and the human body are briefly the following:

- a. The protection of every man's life has priority over any other value. The use of every means, even of violence, is permitted in order to protect one's life.
- b. The value of man's physical structure is inviolable and its defense is imperative.
- c. The care for the treatment and recovery of the patient is considered to be of utmost value.
- d. Taking into account the patient's personality, psychological state and circumstances, we should keep him informed of his health condition as long as this contributes to his therapy.
- e. The deceased is worth every special honor and respect, even if he is a criminal. This principle is not violated when his body is used for the benefit of a living person. Based on this approach, abortion is permitted in case the mother's life is in danger.
- f. The duty of the physician is to prolong the life of every man, but not to prolong the process of death. According to Halachah, it is prohibited to hinder the soul's departure from the body.<sup>12</sup>

Bearing in mind the above principles, Judaism accepts transplantations for the sake of prolonging the recipient's life. In general, it is permitted and considered ethical for a person to offer a tissue or an organ of his body, which is not needed for his own life, in order to save someone else's life. Our life is sacrificed only when someone else may survive by this sacrifice.

## **ISLAM**

Islam generally prohibits any use of the dead body, even of the animals' body, except, when the life of a person in danger can be saved. Thus, in 1986, the Council of Islamic Academy of Law, at its 3<sup>rd</sup> Assembly in Amman, Jordan, declared acceptance of the concept of brain death on behalf of the entire Islamic world.<sup>13</sup> Based on this resolution, Saudi Arabia also accepted brain death and adopted as criteria for its diagnosis the ones proposed by the American Academy of Neurology.<sup>14</sup>

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<sup>11</sup> Rosner F.: The definition of death in Jewish law, in Youngner S.J., Arnold R.M. and Shapiro R.: *The Definition of Death: Contemporary Controversies*, Johns Hopkins University Press, 1999, pp. 210-221.

<sup>12</sup> Christodoulos, Archbishop of Athens and all Greece: *The religious views on transplantations, Church and Transplantations*, E.M.Y.E.E., Athens 2001, pp. 235-237.

<sup>13</sup> Albar M.A.: Organ transplantation – an Islamic perspective, *Saudi Medical Journal* 1991, 12:280-284.

<sup>14</sup> Yaqub B.A., Al-Deeb S.M.: Brain death: current status, *Saudi Arabia Medical Journal* 1996, 17:5-17.

According to the Koran and, more specifically, to the Islamic Code of Ethics, transplantations are permitted, provided that there is consent of the donor, good intentions, respect for the deceased and for the event of death and a belief that everybody and everything belong to God. This approach is based on the basic principles and teachings of the Koran on altruism, duty, generosity, donation, cooperation and, naturally, on the right and obligation of man to seek health and medical treatment.<sup>15</sup>

Moreover, there is no discrimination of gender between donors and recipients, nor is any priority given to Muslims in the waiting list. Finally, trading of organs is strictly forbidden and is considered an insult to the value of man.

## **HINDUISM**

There are no generally accepted ethical principles in Hinduism. However, it is very important that the teachings of *dharma* and *karma* on reincarnation always remain intact. Dharma is duty, justice and religion. “The recognition of truth within the heart” is defined as the utmost dharma. Karma corresponds to the law of cause and effect and indicates the destiny of an individual as it is defined by acts of the past and by other lives (reincarnation).<sup>16</sup>

Since Hinduism is based on the law of karma and reincarnation, the idea of transplantations is not only acceptable, but it is also absolutely compatible with its teaching. The soul is reborn and transplanted to healthy bodies, while the former bodies grow old. This is the reason why the body, after following its course, is cremated to return to its basic elements: earth, water and air. According to the mythological tradition of Hinduism, nothing forbids the offer of the body out of love. There are stories of people offering parts of their bodies for the benefit of their fellowmen or of society.

## **BUDDHISM**

Buddhist philosophy accepts the donation of body parts or of the entire body –of a living or dead person- as an act of generosity (*alabha*) and compassion (*karuna*). Offering is true and pure, when it is not related to expectation for reward. The donor should forget both the benefited person as well as the act of donation itself.

Sidho philosophy, which prevails in Japan, opposes to the idea of organ donation. This opposition emerges from the fact that its basic belief is that the body is extremely contaminated after death. Moreover, every incision, damage or intervention in the dead body is considered a serious offense and becomes an insult and punishment for the dead body. Therefore, based on these grounds, it would never be possible, even for relatives,

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<sup>15</sup> Papadimitriou Ioannis: *Transplantations of Tissues and Organs*, Gr. Parizianos, Athens 1998, pp. 1-2.

<sup>16</sup> Cundiff D.: *Euthanasia is not the answer – A hospice physician’s view*, Human Press, 1992, p. 71.

to consent to organ donation, because such an act would constitute disrespect and punishment for the deceased.

Another factor, which for many years stood as an obstacle to the acceptance of transplantations in Japan, was the so-called *giri*, related to the philosophy of good conduct and was considered part of the law.<sup>17</sup> According to *giri*, the donor should not only know, but also designate the recipient, so that his donation is valuable. Furthermore, in order for an act to be ethical, the principle of reciprocity requires a reward. However, it is not possible to apply these terms on transplantations, since the first one violates the recipients' list and the second one bears no significance for the donor is already dead. These factors presented great difficulties in the progress of transplantations in Japan, until 1999.

### **THE CHRISTIAN ORTHODOX CHURCH**

The first spiritual question concerning transplantations is the one related to the donation of our body, which, of course, does not have a legal character but a profound theological and spiritual meaning: Is our body ours and, therefore, are we allowed to offer it? Or is it something that does not belong to us and, thus, we are not entitled to donate it?

The offering of our body and life as an expression of love towards our neighbor is an act, which is particularly praiseworthy within the wider Christian tradition. By offering our body, we sanctify it and make it worthy of being the temple of God.

According to the Holy Scripture, we are "*individually members one of another*"<sup>18</sup> and "*one body*"<sup>19</sup>, which means that we can and ought to offer our bodies to our brethren with love and to the Church with trust. Transplantations could become a unique opportunity so that our mutual communion and kinship as human beings be fully manifested in our lives. Every time we offer our body and life out of love, we contribute to the unification of human nature, which has been torn apart by our egoism and pride.

The second basic question of almost all religions regarding transplantations is when exactly death occurs. Is death a momentary event or is it a process, which takes time and is determined strictly by biological criteria? If the prolongation of life is in the hands of man, does it mean that the effort to delay death or to speed up its occurrence, under certain conditions, is also in man's authority?

A brain dead person looks as if he is alive: he breathes, his heart beats, he is relatively warm, he does not present any signs of decomposition, his organs still function and so his relatives maintain hopes, anticipating a miracle or the confirmation of an incorrect diagnosis. Thus, the appearance of brain dead individuals generates false but justified doubts.

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<sup>17</sup> Moulin A. M.: La crise éthique de la transplantation d'organes, "A la recherche de la compatibilité culturelle", 1995, Diogenes, No. 172, Gallimard, p. 92-93.

<sup>18</sup> Rom. 12:5.

<sup>19</sup> 1Cor. 10:17.

Therefore, it is difficult for religions to make specific statements on death, which from a theological point of view is an inconceivable mystery. Religions are not pertinent to give scientific definitions on something they consider sacred. This is why they prefer to stand with awe and silence before the unknown nature of death.

It seems that brain death will remain open to discussion. However, from a spiritual point of view, this does not create any ethical problems to transplantations. It may be even better for it makes us transcend the scholastic certainty of a clear-cut definition of death and introduces us to the uncertainty of a risky decision. Love cannot be expressed without taking risks!

The third question is whether our love for God and our love for our neighbors give us authority upon our biological life.

The replies to the above questions can only be found in the nature of our relationship with our fellowmen, in our genuine love and in the way it is freely expressed.

### **On becoming a neighbor**

In the Christian tradition, according to the parable of the good Samaritan<sup>20</sup>, “neighbor” is not the one who is in need and seeks help from others, but is the one who runs to help and regards the suffering person as his brethren. Neighbor is not the one who receives love, but the one who offers it; it is not the recipient, but the donor. By the act of love, one draws God near him and makes God his neighbor. Love solves the practical problem of the recipients, but it mainly benefits spiritually the benefactor. The true recipient is the donor!

Our fellowman is not a stranger to us; neither is he the weak object of our own “good intention.” He is not the one who belongs to us, but rather he is the one to whom we belong. Whoever views his fellowman as a stranger, deprives himself from the experience of brotherhood, communion and kinship and therefore he is also alienated from God.

At this point, I would like to refer to the well-known biblical commandment: “*You shall love your neighbor as yourself.*”<sup>21</sup> This suggests that love transforms the “neighbor” into one’s self; he becomes a part of one’s own being.

Christ also says: “*for I was hungry and you gave me food, I was thirsty and you gave me drink... As you did it to one of the least of these my brethren, you did it to me.*”<sup>22</sup> Above all, our fellowman is the image of God, His visible presence in this world. He becomes God at a specific moment and gives us the chance to approach Him.

If we regard our neighbor as our fellowman, we give him part of our possessions. If we regard him as our brother, we give him all we have, everything.<sup>23</sup> If we view him as

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<sup>20</sup> Lk 12:25-37.

<sup>21</sup> Mk 12:31.

<sup>22</sup> Mt 25:35, 40.

<sup>23</sup> “Sell your possessions, and give alms” (Lk 12:33).

the brother of Christ, we give him part of our being.<sup>24</sup> Finally, if we experience him as the revelation of God's personhood in our life, we give him all our being, our entire self.<sup>25</sup> All of the above describe the different stages of spiritual love.

The secular viewpoint on transplantations focuses on finding organs. The Orthodox viewpoint, however, aims at creating "*neighbors*". The first seeks numbers, while the latter looks for "*individually members of one another*".<sup>26</sup> In a spiritual sense, organ donation is not merely offering organs as our possessions, but rather as parts of our own being.

### **Somatic expression of loving feelings**

The body, as a component of our being, partakes in the expression of love. Love as friendliness is expressed with handshaking and as discretion, affection and protection with a gentle touch. Love as tenderness, commitment and faithfulness is expressed with a kiss and as cordiality and closeness with an embrace. Furthermore, love as marital union is expressed with the sacredness of intercourse and sharing of gametes, the transfer of genetic material (sperm, spermatozoa) from man to woman.

On the basis of this reasoning, the offering of blood, tissues or organs constitutes a special way of the body's participation in the expression of love towards our neighbor. The Church could be grateful towards God for the gift of transplantations, and consider it a unique opportunity, which only our era is able to enjoy.

In the Holy Bible, reference is made to the value of offering, even to the offering of "*two copper coins*" (Mk. 12:42-43). In another part, the offering of "*a cup of cold water*" (Mt. 10:42, Mt. 9:41) is praised. Whoever gives a cup of cold water to his fellowman "*shall not lose his reward*". When someone is blessed by God for giving just a glass of cool water from the tap, is it possible not to be benefited in various ways, when he gives a bottle of warm blood from his body, and even more so, when he offers the source that produces blood –the bone marrow- the filter that detoxifies it –the kidney-, or the reservoir of blood –the liver, the ventilator of blood –the lung-, or even the circulator of blood, -the heart?

It is so much better for the body to be buried dried out and broken to pieces out of love, than retain the integrity of self-love and the proof of egoistic self-protection. Then, the pieces of the body will confirm the integrity of the person and the dryness of the blood vessels will affirm the eternal liveliness of the soul.

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<sup>24</sup> " for I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you clothed me, I was sick and you visited me, I was in prison and you came to me" (Mt 25:35-36). You did not only give me what you had, but you offered me part of your time, of your concern, of yourself.

<sup>25</sup> "Greater love has no man than this, that a man lay down his life for his friend". (Jn 15:13).

<sup>26</sup> Rom. 12:5.

The idea of transplantations could become a unique expression of Christian love. A Church that does not accept organ donation, as it is expressed within the above spirit, is like ignoring her own teachings.

### **Participation in the offer**

The fact that religions, for various reasons, have been so far reluctant in encouraging publicly organ donation has contributed to the implementation of “presumed consent”. However, we believe that the offer should be free and clearly expressed. “Presumed consent” diminishes the donor’s role, because it replaces his personal volition with an impersonal committee entitled to interpret his feelings. Thus, while transplantation is performed by the donor’s organs, it is not effected by his consent; as a matter of fact, he is alienated from his act. Moreover, the recipient is deprived of the experience to live from his fellowman’s love that is freely expressed; instead, he feels that he survives mechanically, due to society’s legal decision. In the second case, he receives an organ, namely a pump (heart) or a filter (kidney) or a sponge (lung) or at least, institutional concern. In the first case, however, he receives love, feelings, something humane, which often exceeds human measures. Then, we do not only have transplantation of organs, but actually transfusion of lively human feelings and love.

### **The true recipient is the donor**

The life of our fellowmen has greater value than our own life. However, it is worth less than our love towards them, for it is love that gives value to life. Therefore, in transplantations, the need of the donor to offer love may be equally, or even more important, than the need for the recipient to prolong his life.

Life is valuable only as a gift from God or as the fruit of love towards our brethren. Its value lies in the fact that it is given; it is an endowment; a gift; the fruit of love. When it is selfishly pursued, it loses its value. The life that God gives is never ending. The life that man –the physician- gives has an end; instead, the love that the donor offers transfuses life.

In this sense, transplantation does not have so much value for the recipient –it prolongs his biological life-, as it does for the donor –he receives spiritual life, when he donates his organs, or even before that, when he signs up his consent. The donor should be protected by all means. Donor is the person who gives at his own free will; he is not the one from whom we take away the organs. Therefore, the act of donation becomes a right in spiritual life. *“It is more blessed to give than to receive”*.<sup>27</sup> It is not so important what we offer, but that we offer ourselves with love.

This is also the reason why we would prefer eventually the transfer of organs from one human being to another rather than their replacement by artificial organs. In the first case, feelings of love and brotherhood are transfused; another person’s life is exchanged with our own death, and eternal values with ephemeral needs. The world becomes more

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<sup>27</sup> Acts 20:35.

humane, more spiritual and society is transformed into a community; even our body parts are exchangeable and communable.

In the case of artificial organs, regardless of whether the problems resulting from the scholastic consideration of brain death and from the justified need of determining final death are surpassed, a person's life is just temporarily prolonged. The world becomes more technological.

### **Proposals**

The above philosophical analysis generates the need to protect the practice of transplantations from every factor that may question their ethical value. Transplantation is not just a surgical technique; it is mainly an ethical command. Therefore, the following proposals should be taken into consideration:

1. The diagnosis of brain death should be made with great caution and utmost respect.
2. The removal of organs and anything related to the body should be performed with the sense that we deal with something especially sacred that is directly related to the eternal dimension and the free will of the person.
3. The National Transplantation Organizations should in every way protect transplantations from every factor that may undermine their ethical quality, such as, trading of organs, violation of the waiting list, conflict of personal interests and egoisms, abuse by the mass media, etc.
4. Due to the delicate nature of the subject, certain people, because of special reverence to the dead body, have difficulty to consent to the donation either of their own organs or of their relatives'. Their wish should not only be respected, but also praised.
5. Respect and trust in the free volition of the donor will generate society's consent that will ultimately result in more organs than any form of presumed consent will do.
6. The protection and respect for the donor, on the one hand, and the essential cooperation with the intensivists, the Church and various religions, on the other, constitute a necessary precondition for the public acceptance of transplantations.
7. The greatest enemy of transplantations is not the selfishness of people, but our own self-interests and egoism. Transplantations will neither progress through the superficial preaching on solidarity and altruism of others nor through provocative advertisement, but through the transformation of our own way of thinking and living. The need to change our mentality and spirit, and transform the way we express our respect is a road with no return.